

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
SEPTEMBER 16, 2002 at 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 Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on September 3, 2002, were presented for approval. Alderwoman Bender moved, seconded by Alderwoman Moore-Howard the approval of the minutes. The motion carried.

CONSENT AGENDA

- A. Approval to Receive and Place on File:
 - 1. Police Department Activities for August 2002
 - 2. Treasurer's Tax Receipts for period ending August 31, 2002
- B. Approval of Water & Sewer Disbursements for September 2002 - \$223,513.85
- C. Approval of Bills Payable for September 2002 - \$253,136.84
- D. Approval of Payroll for Pay Period August 25 – September 7, 2002 - \$298,676.05

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

HONORARY RESOLUTION #R-2002-55

HONORARY RESOLUTION TO HONOR DENNIS MCAULEY

WHEREAS, the Mayor and the City Council of the City of Freeport are proud to recognize the dedication and commitment given by Dennis McAuley as a Firefighter, Lieutenant and Shift Commander, of the City of Freeport Fire Department; and

WHEREAS, Dennis McAuley has been a member of the Freeport Fire Department for more than twenty-one (21) years; and

WHEREAS, Dennis McAuley announced his retirement effective Thursday, August 8, 2002; and

WHEREAS, Dennis McAuley is leaving a legacy of honesty, integrity and dedication which has served as an example for others throughout his career, and will continue to serve as an example for others for many years to come.

Alderwoman Bender moved, seconded by Alderman Dawson for approval of this resolution. On the roll call of yeas and nays, Aldermen Bender, Steele, Bush, Moore-

Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart vote yea. The resolution was adopted.

2nd READING

ORDINANCE #2002-57

AN ORDINANCE AMENDING CHAPTER 891 (TELECOMMUNICATIONS INFRASTRUCTURE MAINTENANCE FEE) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS BY REPEALING AND REPLACING CHAPTER 891 WITH A NEW CHAPTER 891 (SIMPLIFIED MUNICIPAL TELECOMMUNICATIONS TAX)

Alderman Bush, Finance Chair, stated that the committee held a meeting on September 10, 2002. Local businesses asked the committee to hold off on approval of this ordinance until they could find out how this increase would affect them. Doug Wagner voiced his concern on the lack of process with this tax. Alderman Bush distributed a letter voicing his displeasure with the process and suggested that a task force look at the tax and also to try to find other options to offset the city's deficit. Alderwoman Steele asked Alderman Bush to discuss the setting up a task force with Corporation Counsel. The committee voted unanimously to recommend setting up a task force to look into this issue. After further discussion, the committee also voted to amend the proposal from 6% to 2.5%.

Alderman Goley moved, seconded by Alderman Urban to amend the ordinance. On the roll call of yeas and nays to amend the ordinance, Aldermen Goley and Urban voted yea. Aldermen Bender, Steele, Bush, Moore-Howard, Toepfer, Veer, Jones, Boldt, Dawson, Jenkins, Gaulrapp, and Rinehart voted nay. There were two yeas and twelve nays. The motion was denied.

Alderwoman Bender moved, seconded by Alderman Gaulrapp to refer this ordinance back to the Finance Committee. Alderman Bush stated that the committee has already had a thorough discussion of the ordinance. Alderwoman Bender then withdrew her motion to send the ordinance back to the Finance Committee.

Alderwoman Bender moved, seconded by Alderman Gaulrapp that this ordinance be tabled, pending information for the task force. On the roll call of yeas and nays to table this ordinance, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

REPORT

The regular meeting of the Freeport Planning Commission was held on Thursday, September 5, 2002, in the City Hall Building. At 7:30pm, a public hearing was held on a petition by Robert K. Slattery, 24 West Stephenson Street, Freeport, requesting a change of zoning from R-4, One Family Residence District, to P-1, Professional Use District for the property located at 251 West South Street, Freeport. Mr. Slattery was present for the hearing, and the request meets all requirements of the City of Freeport Codified Ordinances. There were no objectors present. Mr. Slattery proposes to move his law office to this property. Two letters supporting the petition, one from Mr. John Geary and one from the Stephenson County Highway Department, adjacent property owners, were read to the Commission. The Planning Commission unanimously recommends the request be approved.

Alderman Steele moved, seconded by Alderman Gaulrapp that this report be received and placed on file. The motion carried.

1ST READING

ORDINANCE #2002-58

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (251 W South St – Zoning Change R-4 (Residential) to P-1 (Professional Use))

Alderman Steele, Community Development Chair stated that the committee held a meeting on September 12, 2002. Attorney Robert Slattery was in attendance to answer any questions regarding this location. His intent is to remodel this house and create an office building for his personal practice. Attorney Slattery had letters of support from Econofoods and the County Highway Department, who neighbor this property. There will be eleven parking spaces created with an egress off of Walnut Street to access the property. The committee voted unanimously to concur with the Planning Commission and Alderman Steele so moved, seconded by Alderman Dawson. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2002-59

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Variance, 625 S Park Blvd)

Alderman Steele, Community Development Chair stated that the committee held a meeting on September 12, 2002. Mr. Scott Arnold, owner of the residence was present to answer any questions of the committee. This lot is on the corner of Park Boulevard and Harrison. Since both sides of the lot are considered front yard, a variance is needed to allow Mr. Arnold to install a chain link fence on the side and back of his property to match the fencing of his neighbors. The fenced in area will be intended for the owner's dogs and for anticipated children. There were no objectors present. The front of the house facing Park Boulevard would not be fenced in. The Zoning Board of Appeals denied this request. The committee voted unanimously to approve the request and Alderman Steele so moved, seconded by Alderman Dawson. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2002-60

AN ORDINANCE AMENDING SECTION 220.03 (COMPENSATION) OF CHAPTER 220 (COUNCIL) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Bush, Finance Chair, stated that the committee held a meeting on September 10, 2002. This ordinance is an amendment for council attendance. The committee chair will be responsible for reporting absences to the clerk and the clerk will keep attendance records for the council meetings. The Committee voted unanimously to approve this ordinance and Alderman Bush so moved, seconded by Alderman Goley. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2002-61

AN ORDINANCE AMENDING SECTION 236.03 (CLAIMS AGAINST THE CITY) OF CHAPTER 236 (ACCOUNTING AND FINANCE) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Bush, Finance Chair, stated that the committee held a meeting on September 10, 2002. This ordinance was amended to reflect the procedure the city currently uses to pay bills. The committee voted unanimously to approve this ordinance and Alderman Bush so moved, seconded by Alderwoman Steele. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2002-62

AN ORDINANCE AMENDING CHAPTER 1050 (STORM SEWERS) AND ADDING SECTION 1050.08 (STORM WATER FEES) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Bush, Finance Chair, stated that the committee held a meeting on September 10, 2002. Alice Ohrtmann, Water & Sewer Director, proposed adding a storm water fee on water bills for sewer improvement. The fee for residents would be \$2.00, commercial - \$10.00, and industrial - \$20.00. The committee voted unanimously to approve this increase and Alderman Bush so moved, seconded by Alderwoman Steele.

Alderman Jenkins, Public Works Chair, stated that the committee held a meeting on September 9, 2002. This has been before the committee long before the transfer of Storm Sewer responsibilities to the Water and Sewer Commission. The rates were suggested by a survey done by Black & Veatch who also provides recommendations for Water & Sewer rates for the commission. Questions raised were: For \$389,000 per year what are the citizens going to get? Answer: Cleaning and inspection. There are also repairs and upgrades already underway for the IEPA mandates. Water and Sewer will also be upgrading storm sewer maps and layering them into their GIS system, which already contains water and sewer maps. There are also identified areas for repairs and upgrades from previous engineering studies that will be addressed. The commission will not be spending much money on upgrades to current studies available. The committee voted unanimously to approve this ordinance.

This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2002-63

AN ORDINANCE AMENDING CHAPTER 208 (WARDS AND BOUNDARIES) AND SECTION 208.02 (WARDS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Bush, Finance, stated that the committee held a meeting on August 13, 2002. The committee voted unanimously to approve this ordinance. Alderwoman Steele, Community Development Chair, stated that the committee held a special meeting on August 19, 2002. The committee voted unanimously to approve this ordinance and Alderwoman Steele so moved, seconded by Alderman Goley. This ordinance was automatically laid to the next regular meeting.

APPOINTMENTS

Leave was granted to approve both appointments with one vote. Pursuant to Section 220.11 of the City Code, James L. Gitz, hereby appoints Vicki Toepfer to the Telecommunications and Technology and the Community Development Committees of the City Council. Alderwoman Bender moved, seconded by Alderman Gaulrapp to accept these appointments. On the roll call of yeas and nays to accept these

appointments, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

RESOLUTION #R-2002-56

RESOLUTION TO REQUEST TEMPORARY CLOSURE OF STREETS FOR FREEPORT HIGH SCHOOL HOMECOMING PARADE

WHEREAS, on October 16, 2002, the Freeport High School is sponsoring a Homecoming Parade, which event constitutes an authorized special event; and

WHEREAS, the proposed route of this parade will require the temporary closure of the following streets: Empire Street, from Park Boulevard to Locust Street; 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 Freeport High School 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 South West Avenue (Route 26) at West Empire Street. This closure shall be for the public purpose of holding a parade under the following conditions:

1. The approximate time period of all street closures shall be between 5:30 p.m. to 6:30 p.m. Wednesday, October 16, 2002;
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. An occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions noted above;
11. The Freeport High School shall provide proof of a 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 City of Freeport and 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 and proof of liability insurance provided by the Freeport High School 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 Rinehart moved, seconded by Alderwoman Bender to adopt this resolution. On the roll call of yeas and nays, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

RESOLUTION #R-2002-57

RESOLUTION TO REQUEST TEMPORARY CLOSURE OF STREETS FOR AQUIN HIGH SCHOOL HOMECOMING PARADE

WHEREAS, on October 9, 2002, Aquin Catholic High School is sponsoring a Homecoming Parade, which event constitutes an authorized special event; and

WHEREAS, the proposed route of this parade will require the temporary closure of the following streets: from St. Joseph's Church South on Walnut Avenue to East Empire, and East on Empire to Aquin High School; 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 Aquin Catholic High School 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 South Galena (Route 20) at East Empire Street. This closure shall be for the public purpose of holding a parade under the following conditions:

1. The approximate time period of all street closures shall be between 5:00 p.m. to 6:00 p.m. Wednesday, October 9, 2002;
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. An occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions noted above;

11. The Freeport Catholic Schools shall provide proof of a 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 City of Freeport and 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 and proof of liability insurance provided by the Freeport Catholic Schools 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.

Alderwoman Steele moved, seconded by Alderman Gaulrapp to adopt this resolution. On the roll call of yeas and nays, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

PRESENTATION

Jeff Todd, Director of Stephenson County Public Health Department, gave a report on Mosquito Abatement.

RESOLUTION #R-2002-58

A RESOLUTION REGARDING FUNDING FOR MOSQUITO ABATEMENT

WHEREAS, the Stephenson County Department of Public Health has obtained a grant in order to assist with the abatement of mosquitoes; and

WHEREAS, the abatement of mosquitoes is our first line of defense against West Nile Virus; and

WHEREAS, the City recognizes that even with the assistance of grant funding, the County Health Department may run short on funding for mosquito abatement;

WHEREAS, the City is desirous of ensuring the highest and best level of public health within our community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the City of Freeport hereby commits that should the grant funding obtained by the Stephenson County Health Department prove insufficient in the abatement of this season's mosquito population, and the Stephenson County Health Department is in need of additional funding for this purpose, the City will match any other local funding source, up to an amount of \$10,000.00 and encourages other local governmental entities to do the same.

Alderman Bush, Finance Chair, stated that the committee held a meeting on September 10, 2002. Mayor Gitz requested that the committee allocate \$10,000 to match other taxing bodies for mosquito spraying because the Mosquito Abatement District is out of money. The Health Department received \$49,000 from the state, so the money will only be used if needed. The committee voted unanimously to adopt this resolution and Alderman Bush so moved, seconded by Alderwoman Moore-Howard. On the roll call of yeas and nays to adopt this resolution, Aldermen Bender, Steele, Bush, Moore-Howard,

Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

RESOLUTION #R-2002-59

A RESOLUTION AUTHORIZING A FEASIBILITY STUDY CONCERNING THE REDEVELOPMENT OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF FREEPORT, ILLINOIS (LAMM ROAD INDUSTRIAL CORRIDOR – TIF STUDY AREA #6)

WHEREAS, the City of Freeport, Stephenson County, Illinois (the “City”) is a duly organized and existing home rule municipality created under the provisions of the laws of the State of Illinois; and

WHEREAS, the City is authorized to take certain actions pertaining to redevelopment activities; and

WHEREAS, the Mayor and the City Council (the “Corporate Authorities”) found that it was in the best interests of the City that certain property generally described in Exhibit A attached hereto and made a part hereof be redeveloped; and

WHEREAS, in order to redevelop the Site, it may be necessary to undertake certain public improvements and to pay certain site preparation and related costs; and

WHEREAS, the Site has not been subject to growth and development through investment by private enterprise and it is not reasonably anticipated to be developed without certain public assistance by the City; and

WHEREAS, the City is desirous of having the Site redeveloped, and the City believes that it is not economically feasible to do so without public intervention, given the impediments to development which characterize the Site; and

WHEREAS, State statute provides for a Tax Increment Finance (TIF) District to provide such assistance and intervention and a redevelopment plan and overview of TIF is described in Exhibit B attached hereto and made a part hereof; and

WHEREAS, the Corporate Authorities have reviewed the conditions of the Site and have reason to believe that the cost of the necessary public improvements, site preparation costs, and certain other costs to be incurred may qualify for Tax Increment Financing pursuant to State of Illinois statute (the “Program”), provided the Corporate Authorities, within their sole discretion, approve a formal agreement which provides for such Program; and

WHEREAS, the Corporate Authorities reasonably believe that private entities will show their interest in investing private capital in the Site if, and only if, a program is adopted;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREEPORT, STEPHENSON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The foregoing recitals shall be and are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO: The Corporate Authorities will consider the use of Tax Increment Financing pursuant to State of Illinois statutes for the Site and may take such actions as they deem appropriate and necessary to induce quality development of the Site and, within their sole discretion, adopt a Program to implement the same.

SECTION THREE: All undertakings of the City set forth herein are specifically contingent upon the ability of the City to determine, within its discretion, that the development/redevelopment project includes costs that would qualify for Tax Increment Financing.

SECTION FOUR: An Interested Parties Registry shall be established, pursuant to 65 ILCS 5/11-74.6-1, which shall be governed as follows:

1. Registration for shall be maintained by the City Clerk.
2. Parties interested in registering pursuant to this section shall completely fill out said form and file same with the City Clerk.

Each registration will be effective for three years from the date of issue; notice of renewal shall be mailed by the City Clerk to the name of organization or individual and address listed on said completed registration form not more than 90 days nor less than 30 days prior to the registration expiration. All registrations will be given an expiration date corresponding to the next end of quarter according to the City's fiscal year.

SECTION FIVE: The Director of Community Development is hereby appointed as the municipal officer who can be contacted for additional information about the proposed redevelopment project area and who should receive all comments and suggestions regarding the redevelopment of the area to be studied. In this instance, the project individual is Jeffrey Mikkelsen, Director of Community Development, telephone number: 815/235-8221, 230 W. Stephenson St., Freeport, Illinois 61032.

SECTION SIX: There is no anticipated City purpose that would result in the displacement of residents from 10 or more inhabited residential units, and there are not more than 75 residential units located at the Site.

SECTION SEVEN: If any section, paragraph, clause or provisions of the Resolution shall be held invalid, said invalidity shall not affect any other provision of this resolution.

SECTION EIGHT: This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law. The City Clerk is directed to publish this Resolution in a newspaper of general circulation within the City.

Alderswoman Steele, Community Development Chair, stated that the committee held a meeting on September 12, 2002. Mr. Bob Skurla of the Freeport Area Economic Foundation made a presentation regarding property currently owned and occupied by Seaga Manufacturing. Seaga intends to expand its current location and relocated their facility in Shannon to the Freeport location and ultimately will hire more employees for their growing business. Mr. Chesney from Seaga has made the offer to pay for the process of developing a TIF District in this area. Seaga would then be reimbursed for the period of ten to fifteen years no more than \$175,000. This money would come from the TIF Expenditures only. The committee voted unanimously to adopt this resolution and Alderswoman Steele so moved, seconded by Alderman Dawson. On the roll call of yeas and nays to adopt this resolution, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The resolution was adopted.

RESOLUTION #R-2002-60

RESOLUTION TO APPROVE CONCEPT OF REDEVLEOPMENT AGREEMENT IN RELATION TO A TIF DISTRICT TO BE KNOWN AS THE LAMM ROAD INDUSTRIAL CORRIDOR

WHEREAS, on September 16, 2002 the City Council of the City of Freeport, passed an Inducement Resolution for the creation of a TIF District to be known as the Lamm Road Industrial Corridor, under the Industrial Job Recovery Law; and

WHEREAS, prior to the creation of a TIF District, no redevelopment agreement can be entered into; and

WHEREAS, there is a certain Developer with particular interest in the creation of the foregoing TIF District, which requests conceptual assurances regarding the City's willingness to enter into a Redevelopment Agreement once the TIF District is created, subject to all provisions of applicable law, with the understanding that this Resolution is not binding on the City.

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

Section 1. The letter as shown in Attachment A, is conceptually satisfactory to the City Council of the City of Freeport, if, and when, a TIF District regarding the Lamm Road Industrial Corridor is created.

Section 2. It is intended that should a Tax Increment Financing District be created that the Mayor enter into negotiations with the interested Developer to effect such a Redevelopment Agreement.

Section 3. If any section, paragraph, clause or provisions of the Resolution shall be held invalid, said invalidity shall not affect any other provision of this Resolution.

Section 4. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law. The City Clerk is directed to publish this Resolution in a newspaper of general circulation within the City.

Alderswoman Steele, Community Development Chair, stated that the committee held a meeting on September 12, 2002. The committee voted unanimously to adopt this resolution as amended, adding the words "subject to all provisions of applicable law" and Alderswoman Steele so moved, seconded by Alderman Boldt. On the roll call of yeas and nays, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The resolution was adopted.

RESOLUTION #R-2002-61

RESOLUTION TO ENTER INTO AGREEMENT WITH KANE, MCKENNA, AND ASSOCIATES, INC. FOR SERVICES RELATED TO CREATION OF A TIF DISTRICT TO BE KNOWN AS THE LAMM ROAD INDUSTRIAL CORRIDOR

WHEREAS, on September 16, 2002 the City Council of the City of Freeport, passed an Inducement Resolution for the creation of a TIF District to be known as the Lamm Road Industrial Corridor, under the Industrial Job Recovery Law; and

WHEREAS, in order to create such a TIF District, certain studies need to be conducted regarding qualification factors under Illinois law; and

WHEREAS, the cost of these studies is reimbursable through a Redevelopment Agreement if the Tax Increment Financing District is created; and

WHEREAS, the Corporate Authorities believe it is in the best interests of the citizens to cause such studies to be completed.

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

Section 1. The foregoing recitals shall be and are hereby incorporated in this Section 1 as if said recitals were fully set forth.

Section 2. The Corporate Authorities hereby authorize the Mayor to enter into a contract with Kane, McKenna and Associates, Inc. to conduct certain services in relation to the creation of a TIF District, as shown in Exhibit A.

Section 3. The Corporate Authorities hereby further authorize the Mayor to negotiate and enter into such other contract(s) as necessary in order to complete such studies.

Section 4. It is intended that should a Tax Increment Financing District be created that the costs attendant to the creation thereof be reimbursed to the City through either a Redevelopment Agreement or tax incremental financing.

Section 5. If any section, paragraph, clause or provisions of the Resolution shall be held invalid, said invalidity shall not affect any other provision of this Resolution.

Section 6. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law. The City Clerk is directed to publish this Resolution in a newspaper of general circulation within the City.

Alderswoman Steele, Community Development Chair, stated that the committee held a meeting on September 12, 2002. The committee voted unanimously to adopt this resolution and Alderswoman Steele so moved, seconded by Alderman Dawson. Alderswoman Bender requested that the effective date of the contract be amended from August 29, 2002 to September 16, 2002. On the roll call of yeas and nays to adopt this resolution as amended, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The resolution was adopted.

RESOLUTION #R-2002-62

A RESOLUTION AUTHORIZING A FEASIBILITY STUDY CONCERNING THE REDEVELOPMENT OF CERTAIN PROPERTY LOCATED WITH THE CITY OF FREEPORT, ILLINOIS (CURRIER/TOWER INDUSTRIAL CORRIDOR – TIF STUDY AREA #4)

WHEREAS, the City of Freeport, Stephenson County, Illinois (the “City”) is a duly organized and existing home rule municipality created under the provisions of the laws of the State of Illinois; and

WHEREAS, the City is authorized to take certain actions pertaining to redevelopment activities; and

WHEREAS, the Mayor and the City Council (the “Corporate Authorities”) found that it was in the best interests of the City that certain property generally described in Exhibit A attached hereto and made a part hereof be redeveloped; and

WHEREAS, in order to redevelop the Site, it may be necessary to undertake certain public improvements and to pay certain site preparation and related costs; and

WHEREAS, the Site has not been subject to growth and development through investment by private enterprise and it is not reasonably anticipated to be developed without certain public assistance by the City; and

WHEREAS, the City is desirous of having the Site redeveloped, and the City believes that it is not economically feasible to do so without public intervention, given the impediments to development which characterize the Site; and

WHEREAS, State statute provides for a Tax Increment Finance (TIF) District to provide such assistance and intervention and a redevelopment plan and overview of TIF is described in Exhibit B attached hereto and made a part hereof; and

WHEREAS, the Corporate Authorities have reviewed the conditions of the Site and have reason to believe that the cost of the necessary public improvements, site preparation costs, and certain other costs to be incurred may qualify for Tax Increment Financing pursuant to State of Illinois statute (the "Program"), provided the Corporate Authorities, within their sole discretion, approve a formal agreement which provides for such Program; and

WHEREAS, the Corporate Authorities reasonably believe that private entities will show their interest in investing private capital in the Site if, and only if, a program is adopted;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREEPORT, STEPHENSON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The foregoing recitals shall be and are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO: The Corporate Authorities will consider the use of Tax Increment Financing pursuant to State of Illinois statutes for the Site and may take such actions as they deem appropriate and necessary to induce quality development of the Site and, within their sole discretion, adopt a Program to implement the same.

SECTION THREE: All undertakings of the City set forth herein are specifically contingent upon the ability of the City to determine, within its discretion, that the development/redevelopment project includes costs that would qualify for Tax Increment Financing.

SECTION FOUR: An Interested Parties Registry shall be established, pursuant to 65 ILCS 5/11-74.6-1, which shall be governed as follows:

1. Registration for shall be maintained by the City Clerk.
2. Parties interested in registering pursuant to this section shall completely fill out said form and file same with the City Clerk.

3. Each registration will be effective for three years from the date of issue; notice of renewal shall be mailed by the City Clerk to the name of organization or individual and address listed on said completed registration form not more than 90 days nor less than 30 days prior to the registration expiration. All registrations will be given an expiration date corresponding to the next end of quarter according to the City's fiscal year.

SECTION FIVE: The Director of Community Development is hereby appointed as the municipal officer who can be contacted for additional information about the proposed redevelopment project area and who should receive all comments and suggestions regarding the redevelopment of the area to be studied. In this instance, the project individual is Jeffrey Mikkelsen, Director of Community Development, telephone number: 815/235-8221, 230 W. Stephenson St., Freeport, Illinois 61032.

SECTION SIX: There is no anticipated City purpose that would result in the displacement of residents from 10 or more inhabited residential units, and there are not more than 75 residential units located at the Site.

SECTION SEVEN: If any section, paragraph, clause or provisions of the Resolution shall be held invalid, said invalidity shall not affect any other provision of this resolution.

SECTION EIGHT: This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law. The City Clerk is directed to publish this Resolution in a newspaper of general circulation within the City.

Alderswoman Steele, Community Development Chair, stated that the committee held a meeting on September 12, 2002. The committee voted unanimously to adopt this resolution and Alderswoman Steele so moved, seconded by Alderman Gaulrapp. On the roll call of yeas and nays, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The resolution was adopted.

RESOLUTION #R-2002-65

RESOLUTION OF SUPPORT AND COMMITMENT OF FUNDS IN CONJUNCTION WITH A CDAP GRANT FOR THE TAYLOR AREA

WHEREAS, the City of Freeport is applying to the State of Illinois for a Community Development Assistance Program (CDAP) grant; and

WHEREAS, it is necessary that an application be made and agreements be entered into with the State of Illinois; and

WHEREAS, the criteria of CDAP are such that financial participation by the grantee is required in conjunction with CDAP funds.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the City of Freeport apply for a grant under the terms and conditions of the State of Illinois and shall enter into and agree to the understandings and assurances contained in said application.
2. That the Mayor and City Clerk on behalf of the City execute such documents and all other documents necessary for the carrying out of said application.
3. That the Mayor and City Clerk are authorized to provide such additional information as may be required to accomplish the obtaining of such grant.
4. That the City of Freeport does hereby commit funds for use in conjunction with an Illinois community Development Assistance Program grant, such funds to equal 41% of the estimated non-administrative project cost of \$676,200, or \$276,200.

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

Assistant Water & Sewer Director, Denise Blakely, explained what the grant would be used for. Alderswoman Bender moved for approval, seconded by Alderman Bush. On the roll call of yeas and nays, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The resolution was adopted.

COMMITTEE REPORTS

CONSIDERATION OF BIDS

Bid for Baileyville Road

Alderman Jenkins stated that the committee held a meeting on September 9, 2002. Bids were opened for improvements to Baileyville Road from South Street to the entrance to the industrial park (.39 miles). The bid was from Civil Construction in the amount of \$83,658.50. The engineer's estimate was \$91,845.45. The county will reimburse this part of the improvement, since this is their road. The committee voted unanimously to

accept this bid and Alderman Jenkins so moved, seconded by Alderman Rinehart. On the roll call of yeas to nay, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

Bid for South Street and Business 20

Alderman Jenkins, Community Development Chair, stated that the committee held a special meeting on September 16, 2002. There were two bids received from Civil, in the amount of \$740,781.62 and Propheter, in the amount of \$898,997.96. The committee voted unanimously to accept the low bid from Civil, in the amount of \$740,781.62 and Alderman Jenkins so moved, seconded by Alderman Urban. . On the roll call of yeas to nay, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

Bid for 4 East Linden

Alderwoman Steele stated that the committee held a meeting on September 12, 2002. One bid was received from Mr. Thomas Anderson in the amount of \$16,300. Mr. Anderson wished to build a facility to house his metal fabricating business. Community Development Director, Jeff Mikkelsen, stated that the bid for this lot is much lower than the city had anticipated. He suggested that the committee deny the bid. Since further information was needed for the committee to be comfortable with this decision, the committee voted unanimously to layover until September 16, 2002. The committee held a special meeting on September 16, 2002. Community Development Director, Jeff Mikkelsen, presented information to the committee to show that the bid was low. The committee voted unanimously to reject the bid and Alderwoman Steele so moved, seconded by Alderman Dawson. On the roll call of yeas and nays to reject the bid, Aldermen Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

COMMUNITY DEVELOPMENT

Alderwoman Steele, Chair, stated that the committee held a meeting on September 12, 2002. Community Development Director, Jeff Mikkelsen, presented information that an agreement was reached between the city and Moring and Gill's Disposal. This contract carries service through 2004. Unfortunately, the fee for this service will need to be raised to cover the city's cost. Currently the fee for garbage is \$7.30 per household, and the city has been absorbing the difference due to the income received from the landfill. Since the city will longer receive this revenue, the fee will need to be increased to \$8.02, which matches the CPI of 1.5%. Since proper documentation was not available at the meeting, the motion was made to lay this item over until the next meeting on September 16, 2002. The committee held a meeting on September 16, 2002.

PUBLIC WORKS

Alderman Jenkins, Chair, stated that the committee held a meeting on September 9, 2002. The committee discussed the vacation of Quarry/Fairview Road. Quarry road is the road between the recently demolished car wash and the drive through car wash on Galena between Island Avenue and Harlem Avenue. This road serviced the Street Department many years ago and is no longer used. The street was intended to be vacated and half each to be given to each of the adjacent properties. There were objectors present. The existing, drive through, car wash is in the middle of sub-dividing the property and selling the East ½. The prospective purchaser was planning on using the existing right-of-way for access. No action was taken pending the sale of the

property when the new owner will discuss the vacation with the committee. Possible outcome may be dividing the front and back ½ of the right-of way instead of E & W half.

Public Works Director, Craig LeBaron has produced a spreadsheet showing all existing parking spaces and their designation in the downtown area. The sheet will now have the proposed changes added so the committee can discuss them. We will be going through block by block to make the needed adjustments.

There was an Action Request to restrict parking on Oakwood @ Mernitz to allow better access from Mernitz to Oakwood. This request will be reviewed by Public Works Director, Craig LeBaron, the Police Department, and Corporation Counsel and then come back to the committee.

PUBLIC SAFETY

Alderman Dawson, Chair, stated that the next meeting would be October 16, 2002 at 6:30pm.

TECHNOLOGY

Alderman Gaulrapp, Chair, stated that the next meeting would be October 8, 2002 at 6:30pm.

DEPARTMENT HEAD REPORTS

Community Development Director, Jeff Mikkelsen, explained the garbage fee increase.

Police Chief, Jerry Whitmore, stated that there have been resident complaints regarding juveniles walking in the roadway and being disrespectful by the high school area. He reported that patrol will be increased and citations will be issued to individuals in the roadway.

City Accountant, Duane Price, stated the city's budget has a deficit of \$1.6 million dollars. He stated that the city could obtain additional revenue through property tax, sales tax, or the telecommunications tax. Other possible cuts would be to eliminate the Sidewalk Program, contributions to NHS, or personnel (25 or more employees). He explained that 80% of the city's budget is personnel.

NEW BUSINESS

Alderman Bender thanked everyone that made Cameron Davis' fundraiser successful. There was over \$18,000 raised for this event. She stated that it shows how the community can come together.

Alderman Bush thanked the city for allowing him to attend the Illinois Municipal League Conference.

Alderman Goley thanked the city and county for the 9/11 Ceremony.

Alderman Urban stated that the 9/11 Ceremony was very pleasant.

Alderman Rinehart congratulated Dennis McCauley on his retirement.

Mayor Gitz stated that the city participated in the Illinois Innovation Showcase at the IML Conference in Chicago, Illinois. He stated that Human Resource Director, Roberta

Rogers and Public Works Director, Craig LeBaron informed him that they were invited to present the showcase at the National League of Cities. He stated that in regards to setting up the task force, he would like input from every member of the council.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 9:46 p.m.

LATACIA M. ISHMON, CITY CLERK