



City Council

City Council Chambers ♦ 230 West Stephenson Street ♦ Freeport, IL 61032

AGENDA REGULAR MEETING Tuesday, February 17, 2009, at 6:00 p.m.

Call to Order

Roll Call

Pledge of Allegiance led by Alderman DeVine

1. Approval of Agenda.....Voice Vote

2. Approval of Minutes - Regular Meeting February 2, 2009

3. Public Comments – Agenda Items (*limited to 3 minutes per person*)

4. Consent Agenda.....Roll Call

All items on the Consent Agenda are considered to be routine in nature and will be enacted in one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered as the first item after approval of the Consent Agenda. [Consent Agenda PDF](#)

A. Approval to Receive and Place on File:

1) Fire Department Activity Report for January 2009

2) Police Department Activity Report for January 2009

B. Approval of Water and Sewer Bills Payable (#206, 207 & 209) --- \$212,204.90

C. Approval of Payroll for pay period ending February 11, 2009 --- \$412,961.37

D. Approval of Bills Payable (#205, 208, 210, & 211) --- \$659,171.01

If applicable - Items removed from Consent Agenda

5. Communications to Council

A. [Water & Sewer Financial Reports](#) as of December 31, 2008

ORDINANCES –THIRD READING

6. [3rd Reading of Ordinance 2009-08](#): An Ordinance Amending Chapter 482, Section 482.01 (Numbered Identification of Lots) of the Codified Ordinance of the City of Freeport – numbered Lot 8 amended for Southwest corner of Main and Adams

The first reading of this ordinance was held on January 26, 2009. A motion to approve was given by Alderman Klemm, seconded by Alderman Endress. The second reading was held on February 2, 2009 and it was automatically laid over to tonight's meeting.

.....**Roll Call Vote**

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- 7. **3rd Reading of Ordinance 2009-09: An Ordinance Amending a Redevelopment Agreement By and Between BW Freeport, LLC and the City of Freeport, Stephenson County, Illinois**

The first reading of this ordinance was held on January 26, 2009. A motion to approve was given by Alderman Klemm, seconded by Alderman Endress. The second reading was held on February 2, 2009 and it was automatically laid over to tonight’s meeting. (Note to council – a resolution is also on the agenda for approval of restaurant)

.....Roll Call Vote

- 8. **3rd Reading of Ordinance 2009-10: An Ordinance Amending Chapter 1442 (Permits and Fees) Section 1442.24 (Demolition Permits) of the Codified Ordinances of the City Of Freeport- cost of newspaper notice to be paid by applicant**

The first reading of this ordinance was held on January 26, 2009. A motion to approve was given by Alderman Endress, seconded by Alderman Boldt. The second reading was held on February 2, 2009 and it was automatically laid over to tonight’s meeting.

.....Roll Call Vote

ORDINANCES –SECOND READING

- 9. **2nd Reading of Ordinance 2009-12: An Ordinance Authorizing the Execution of an Annexation Agreement Regarding Approximately 5.25 Acres Located West and South of the City at the Intersection of Pearl City Road and Forest Road**

The first reading of this ordinance was held on February 2, 2009. A motion to approve was given by Alderman Klemm, seconded by Alderman O’Neill and it was automatically laid over to tonight’s meeting. Request for layover of ordinance to run concurrent with the public hearing scheduled on March 16, 2009.

SUPPLEMENTAL INFORMATION FOR ORDINANCE 2009-13

- 10. **Summary of the Planning Commission Public Hearing held on February 5, 2009 for the petition by Twin Creek Investments, L.P., as owner, and Stephenson Nursing Center Foundation as contract vendee....presented by Community Development Director Shelly Griswold**

ORDINANCES –FIRST READING

- 11. **1st Reading of Ordinance 2009-13: An Ordinance Annexing Certain Territory into the City of Freeport, Stephenson County, Illinois and Assigning a Zoning Classification and Election Ward to the Property (Pearl City Road and Forest Road)**

Presented by Community Development Director Shelly Griswold

- 12. **1st Reading of Ordinance 2009-14: Special Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois – Special Use Permit for a large residential-care home under Section 1250.01 (b) (11) applied by Matthew K. Mordick & Stacie N. Green as owners; L & D, LLC, for Willowglen Academy – Ill, Inc. as contract vendee for property located at 564 North Greenfield Drive**

Presented by Community Development Director Shelly Griswold - This ordinance was recommended to City Council by the Freeport Planning Commission by unanimous vote on February 5, 2009 and there were no written objectors, therefore, it is before council for final vote this evening.

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13. **1st Reading of Ordinance 2009-15:** An Ordinance Amending Chapter 220, Council, Section 220.10, Rules of Council, Subsection (23) Address by Non-Members (C) – Public Hearings
Presented by Corporation Counsel Sarah Griffin

EXECUTIVE SESSION

14. **Executive Session Pursuant to Illinois Open Meeting Act 5 ILCS 120/2 (c) (11) - Litigation**
- *City of Freeport vs. the Board of Directors of the Freeport Public Library, et al.*
 - *Matter of the Estate of Henrietta L. Wurtzel (final action will be Resolution 2009-21)*

RESOLUTIONS

[PDF of Resolutions](#)

15. **Resolution #R-2009-16:** Resolution Approving Restaurant Pursuant to Redevelopment Agreement with BW Freeport, LLC
Presented by Community Development Director Shelly Griswold – introduction of Eric White who will present restaurant site drawings and operational plans
16. **Resolution #R-2009-17:** Resolution Calling for Public Hearing Pursuant To 65 ILCS 5/11-15.1-3 Regarding an Annexation Agreement With Twin Creek Investments, L.P. For Approximately 5.25 Acres Located West And South of the City At The Intersection Of Pearl City Road And Forest Road – March 16, 2009 At 6:00 P.M.
Presented by Community Development Director Shelly Griswold
17. **Resolution #R-2009-18:** Resolution Calling for Public Hearing Pursuant To 65 ILCS 5/11-15.1-3 Regarding an Annexation Agreement With John G. Zajicek, Kirk R. Moll, and Mary Lou Moll, Trustee of the Richard T. Moll Trust and the City of Freeport for the Westerly 350 feet of Tax Pins 04-19-06-451-003 and 04-19-07-200-001 (Approximately 12.95 Acres) - March 2, 2009 at 6:00 P.M.
Presented by Community Development Director Shelly Griswold
18. **Resolution #R-2009-19:** Resolution Calling for Public Hearing Pursuant To 65 ILCS 5/11-15.1-3 Regarding an Annexation Agreement With First Illini Group, Inc., For Certain Real Property Situated in Sections 6 and 7 of Silver Creek Township East of IL Route 26 South of Meadows Drive and North of Yellow Creek Consisting of Approximately 43.80 Acres - March 2, 2009 at 6:00 P.M.
Presented by Community Development Director Shelly Griswold
19. **Resolution #R-2009-20:** Resolution to Approve Grant Agreement With Illinois Department of Transportation for “MCR Incentive In-Car Printers Grant” for the Police Department
Presented by Chief of Police Jerry Whitmore
20. **Resolution #R-2009-21:** Resolution to Approve Final Accounting and Bequest of the Estate of Henrietta Wurtzel
Presented by Corporation Counsel Sarah Griffin

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21. Department Head Reports

Library

Community Development

Finance

Public Works

Water and Sewer

Police

Fire

22. Mayor's Report

23. New Business

24. Public Comments – Agenda or Non-Agenda Items (limited to 3 minutes per person)

25. Adjournment