



City Council

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

AGENDA REGULAR MEETING Monday, July 20, 2009, at 6:00 p.m.

Call to Order

Roll Call

Pledge of Allegiance led by Alderman Klemm

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

2. Approval of Minutes from the Regular Meeting held on July 6, 2009.....Voice Vote

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

4. Presentations/Proclamations

A. Proclamation for Public Works Director Craig LeBaron

5. 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) City Treasurer's Monthly Investment Report for period ended June 30, 2009
- 2) City Treasurer's Monthly Report on Funds for period ended June 30, 2009
- 3) Community Development Activity Report including Building Permits; Cash and Miscellaneous Receipts; Electrical, HVAC, Plumbing and Sign Permits
- 4) Police Department Activity Report for June 2009
- 5) Fire Department Activity Report for June 2009

B. Approval of Water and Sewer Bills Payable (# 278 & 279) ----\$113,035.35

C. Approval of Payroll for pay period ending July 15, 2009 --- \$455,636.02

D. Approval of Finance Department Bills Payable (#208, 281, & 282) ---- \$580,730.13

If applicable - Items removed from Consent Agenda

6. Communication to Council – [Communications PDF](#)

- Memo from the Mayor's Office regarding current openings on Boards and Commissions

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7. Reappointments – [pdf of reappointments](#)

- Reappointment of Scott Haugh to the Library Board effective immediately through May 31, 2012
- Reappointment of Ralph Lenoir, Sr. to the City of Freeport Liquor Commission effective immediately through May 31, 2013
- Reappointment of James Dawson to the City of Freeport Liquor Commission effective immediately through May 31, 2013
- Reappointment of Robert T. Clark to the Library Board effective immediately through May 31, 2012
- Reappointment of Wayne Schofield to the Building Commission effective immediately through April 30, 2013
- Reappointment of Judith Barney to the Library Board effective immediately through May 31, 2012
- Reappointment of Phil Copus to the Building Commission effective immediately through April 30, 2013

ORDINANCES - THIRD READING

8. [3rd Reading of Ordinance 2009-35A](#): An Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport Illinois – Application by Jacob Heitz for property at 816 S. McKinley for variance to Section 1268.07 (d) Accessory Buildings of Chapter 1268 (supplemental regulations) to allow an eighteen foot (18’) high accessory building

In a meeting held on June 4, 2009, the Board of Zoning Appeals recommended (by a vote of 5-1) approval of the petition. The first reading of this ordinance was held on June 15, 2009. Alderman Klemm motioned to deny the ordinance, seconded by Alderman Endress. The second reading was held on July 6, 2009 and it was automatically laid over to tonight’s meeting.**Roll Call Vote**

9. [3rd Reading of Ordinance 2009-48](#): An Ordinance Authorizing The Issuance Of General Obligation (Limited Tax) Notes To Finance Municipal Facilities For The City Of Freeport, Stephenson County, Illinois, And Providing The Details Of Such Notes, And Related Matters – Airport Note in amount of \$450,000 and Landfill Note in amount of \$300,000

The first reading of this ordinance was held on June 15, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Klemm. The second reading was held on July 6, 2009 and it was automatically laid over to tonight’s meeting.**Roll Call Vote**

ORDINANCES - SECOND READING

10. [2nd Reading of Ordinance 2009-49](#): An Ordinance to Authorize Right of Way or Easement to Stephenson Pecatonica Prairie Path Commission an Intergovernmental Agency Authorized and Appointed by the City of Freeport

The first reading of this ordinance was held on July 6, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Helms and it was automatically laid over to tonight’s meeting**Automatic Layover**

11. [2nd Reading of Ordinance 2009-50](#): An Ordinance Amending Chapter 1062 (City Cemetery) of the Codified Ordinances of the City of Freeport – Prohibiting Dogs in City Cemetery

The first reading of this ordinance was held on July 6, 2009. A motion to adopt was given by Alderman Helms, seconded by Alderman Endress and it was automatically laid over to tonight’s meeting**Automatic Layover**

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12. 2nd Reading of Ordinance 2009-51: An Ordinance Amending Chapter 893 (Motor Fuel Tax) of the Codified Ordinances of the City of Freeport to Remove the Expiration Date

The first reading of this ordinance was held on July 6, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Helms and it was automatically laid over to tonight's meeting. Administration requested at the last meeting final reading for this evening due to the expiration date.

.....Roll Call Vote

13. 2nd Reading of Ordinance 2009-52: An Ordinance Amending Chapter 889 (Electricity Kilowatt – Hours Use Tax) of the Codified Ordinances of the City of Freeport to Extend the Increase on Such Tax

The first reading of this ordinance was held on July 6, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Corbin and it was automatically laid over to tonight's meeting. Administration requested at the last meeting final reading for this evening due to the expiration date.

.....Roll Call Vote

14. 2nd Reading of Ordinance 2009-53: An Ordinance Extending Ordinances 2003-55 and 2003-80 Regarding Chapter 891 (Simplified Municipal Telecommunications Tax)

The first reading of this ordinance was held on July 6, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Corbin and it was automatically laid over to tonight's meeting. Administration requested final reading for this evening to coincide with Ordinance 2009-52 and 2009-53.

.....Roll Call Vote

15. 2nd Reading of Ordinance 2009-54: An Ordinance to Approve the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of the City of Freeport, Illinois

The first reading of this ordinance was held on July 6, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Helms and it was automatically laid over to tonight's meeting

.....Automatic Layover

ORDINANCES - FIRST READING

16. 1st Reading of Ordinance 2009-55: An Ordinance Repealing and Replacing Chapter 896 (Home Rule Municipal Retailers' and Service Occupation Tax) – home rule municipal retailers' and service

*occupation tax rate increase from one half percent (1/2 %) to one and one quarter percent (1 ¼ %)
Presented by Finance Director Craig Joesten*

.....Automatic Layover

17. 1st Reading of Ordinance 2009-56: Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois – petitions by Gerald and Lois Heeren for property located at 803 E. Center Street for fence variance

The Council may take final action on a proposed ordinance at first reading when the following requirements are met 1) the Zoning Board of Appeals unanimously recommended its approval at a proper public hearing 2) no person filed a formal written objection or protest to such ordinance. At their meeting held on July 9, 2009, the Board of Zoning Appeals unanimously recommended approval of the petitions.

Presented by Community Development Director Shelly GriswoldRoll Call Vote

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18. 1st Reading of Ordinance 2009-57: Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois – petition by Marva Dixon for property located at 617 North Brewster Avenue for parking in a residential front yard

The Council may take final action on a proposed ordinance at first reading when the following requirements are met 1) the Zoning Board of Appeals unanimously recommended its approval at a proper public hearing 2) no person filed a formal written objection or protest to such ordinance. At their meeting held on July 9, 2009, the Board of Zoning Appeals unanimously recommended approval of the petition.

Presented by Community Development Director Shelly GriswoldRoll Call Vote

RESOLUTIONS – [PDF of Resolutions](#)

19. Resolution #R-2009-76: Resolution to Supporting the Friends of the Pecatonica River Foundation’s Application for a National Park Service Rivers, Trails and Conservation Assistance Program Grant

Presented by Community Development Director Shelly Griswold

20. Resolution #R-2009-77: Resolution Reducing the Performance Bond for Indian Springs Subdivision Plat 1

Presented by Public Works Director Craig LeBaron

21. Resolution #R-2009-78: Resolution Reducing the Performance Bond for Indian Springs Subdivision Plat 3

Presented by Public Works Director Craig LeBaron

22. Executive Session –

- **5 ILCS 120 (c) (2) Collective negotiating matters between the public body and its employees or their representatives and deliberations concerning salary schedules for one or more classes of employees**
- **5 ILCS 120 (c) (21) Discussion of minutes lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06**

23. Resolution #R-2009-79: Resolution to Adopt City of Freeport Spending Plan for Fiscal Year 2009-2010

Presented by Finance Director Craig Joesten

24. Resolution #R-2009-80: Resolution to Approve Battalion Chief Concept for Fire Department and To Set Dates for Implementation

Presented by Fire Chief Kevin Countryman

25. Resolution #R-2009-81: Resolution to Ratify Side Letter of Understanding Between the City of Freeport and I.A.F.F. (International Association of Firefighters) Local # 441

Presented by Fire Chief Kevin Countryman

OTHER

26. Action on Executive Session Minutes and Tapes – semi-annual review

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27. Department Head Reports

Library

Community Development

Finance

Public Works

Water and Sewer

Police

Fire

28. Mayor's Report

29. New Business

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

31. Adjournment

Individuals with disabilities who plan to attend this meeting requiring certain accommodations(refer to American with Disabilities Act of 1990) in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility should contact Human Resources at 815-235-2065 promptly to allow the City of Freeport to make reasonable accommodations.