

**CITY OF FREEPORT, ILLINOIS**  
**TUESDAY EVENING**  
**CITY COUNCIL MEETING**  
**January 17, 2006 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 Helms, O'Neill, Boldt, Klemm, Bender, Threadgill, Toepfer, and Endress.

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF THE AGENDA**

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

**PUBLIC COMMENTS**

D'Esta Munz spoke in support of the Pretzel City U.S.A. ordinance.

Marianne Garvens requested that her comments be included in the minutes. (See attached).

**PRESENTATION**

There was a presentation by Marg Blum and Larry Gebler regarding the Albertus Airport.

**APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting of January 3, 2006, was presented for approval. Alderwoman Bender moved, seconded by Alderman Helms 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 December 2005
  - 2. Fire Department Activities for December 2005
  - 3. Fire Department 2005 Year End Totals
  - 4. Treasurer's Monthly Investment Report for period ending December 31, 2005
  - 5. Treasurer's Report for period ending December 31, 2005
  - 6. Treasurer's Tax Receipts for period ending December 31, 2005
- B. Approval of Water & Sewer Disbursements for January 2006 - \$219,746.80
- C. Approval of Bills Payable for December 2005 & January 2006-\$571,619.76
- D. Approval of Payroll for period ending January 7, 2006- \$371,113.04

Alderwoman Bender moved, seconded by Alderman Helms for approval of the consent agenda. The motion carried.

**2<sup>nd</sup> READING**

**ORDINANCE #2006-01**

**AN ORDINANCE ADOPTING AN OFFICIAL SLOGAN AND SNACKFOOD OF THE CITY OF FREEPORT AND REPEALING ALL CONTRARY PROVISIONS**

This ordinance was laid over from the meeting of January 17, 2006, when it was moved by Alderman Klemm, seconded by Alderman Helms for approval. On the roll call of yeas and nays, Aldermen Helms, Boldt, Klemm, Bender, Threadgill, Toepfer, and Endress voted yea. There were seven yeas and one nay. The motion carried.

**2<sup>nd</sup> READING**

**ORDINANCE #2006-02**

**SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES (Special Use Permit, 608 S Park Blvd)**

This ordinance was laid over from the meeting of January 17, 2006, when it was moved by Alderman Klemm, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays, Aldermen Helms, O'Neill, Boldt, Klemm, Bender, Threadgill, Toepfer, and Endress voted yea. The ordinance was approved.

**1<sup>st</sup> READING**

**ORDINANCE #2006-03**

**AN ORDINANCE AMENDING CHAPTER 1475.08 (HISTORIC PRESERVATION MANDATORY REVIEW) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

Alderman Klemm, Community Development Chair, stated that the committee held a meeting on January 3, 2006. This ordinance amends the procedures for review of minor exterior improvements in the Historic Preservation District. The committee voted unanimously to approve this ordinance and Alderman Klemm so moved, seconded by Alderman Boldt.

There was leave granted to consider all reappointments in one motion. This ordinance was automatically laid over to the next regular meeting.

**1<sup>st</sup> READING**

**ORDINANCE #2006-04**

**AN ORDINANCE TO ABATE THE 2005 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2003**

Alderman Boldt, Finance Chair, stated that the committee held a meeting on January 3, 2006. This ordinance is to abate the real estate taxes levied for debt service of the 2003 bonds. The committee voted unanimously to approve this ordinance and Alderman Boldt so moved, seconded by Alderwoman O'Neill. This ordinance was automatically laid over to the next regular meeting.

**1<sup>st</sup> READING**

**ORDINANCE #2006-05**

**AN ORDINANCE AUTHORIZING CONDEMNATION OF CERTAIN PROPERTY FOR THE PURPOSES OF AIRPORT LAND ACQUISITION**

Alderman Klemm, Community Development Chair, stated that the committee held a meeting on January 3, 2006. This ordinance is to enable negotiation for purchase and condemnation proceedings for the purpose of satisfying the Federal Aviation Administrations' Runway. The committee voted to approve this ordinance and Alderman Klemm so moved, seconded by Alderman Boldt. There was leave granted to hear from Community Development Director, Shelly Griswold, who presented amendments to the ordinance. Alderman Klemm moved, seconded by Alderman Boldt to accept the amendment. On the role call of yeas and nays, Aldermen Helms, O'Neill, Boldt, Klemm, Toepfer, and Endress voted yea. Aldermen Bender

and Threadgill voted nay. There were six yeas and two nays. The motion carried. This ordinance was automatically laid over to the next regular meeting.

**RESOLUTION #R-2006-03**

**RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE**

Alderwoman O'Neill, Public Works Chair, stated that the committee held a meeting on January 17, 2006. This resolution is to allocation \$300,000 of MFT funds for the Preliminary and Construction Engineering for the 2006 LAPP Program. The committee voted unanimously to adopt this resolution and Alderwoman O'Neill so moved, seconded by Alderman Helms. On the roll call of yeas and nays, Aldermen Helms, O'Neill, Boldt, Klemm, Bender, Threadgill, Toepfer, and Endress voted yea. The resolution was adopted.

**RESOLUTION #R-2006-05**

**RESOLUTION TO APPROVE RECAPTURE STRATEGY**

WHEREAS, the City of Freeport has established a revolving loan fund (RLF) which is capitalized by recaptured funds from a Community Development Assistance Program (CDAP) project within the City; and

WHEREAS, the Illinois Department of Commerce and Community Affairs ("DCCA") requires that a Recapture Strategy be adopted by the City to govern the administration of the RLF, and such Recapture Strategy was approved by this City Council by Resolution No. R-90-55 on December 17, 1990 and amended by Resolution No. R-94-26 on June 20, 1994 and Resolution R-99-26 on May 17, 1999; and

WHEREAS, a periodic review of the RLF Recapture Strategy is encouraged, and the RLF Loan Review Committee recommends the adoption of a revised Recapture Strategy.

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

Section 1: The amended Recapture Strategy, a copy of which is attached hereto and made a part hereof as Exhibit A, is hereby approved and adopted to govern the administration of the Revolving Loan Fund; and the Mayor and other designated City officials or officers are hereby authorized to perform certain functions and execute any documents which are necessary to implement the Recapture Strategy.

Section 2: The City Clerk is hereby directed to transmit a certified copy of this Resolution along with the attached Exhibit A to the Illinois Department of Commerce and Community Affairs, c/o Jay Bales, RLF Program Administrator, 620 East Adams Street, Springfield, Illinois 62701.

Section 3: This Resolution shall be in full force and effect immediately upon its passage by the City Council and its approval by the Mayor, and it shall remain in full force and affect until its amendment or revocation, in whole or in part, by a subsequent ordinance or resolution of this City Council.

Section 4: 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.

Section 5: All Resolution or motions in conflict with this Resolution are repealed insofar as they conflict.

Section 6: 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.

Alderman Boldt, Finance Chair, stated that the committee held a meeting on January 3, 2006. This resolution is to increase the number of at-large members of the Revolving Loan Fund Committee from 4 to 6. The committee voted unanimously to approve this and Alderman Boldt so moved, seconded by Alderman Helms. On the role call of yeas and nays, Aldermen Helms, O'Neill, Boldt, Klemm, Bender, Threadgill, Toepfer, and Endress voted yea. The resolution was adopted.

**RESOLUTION #R-2006-06**

**RESOLUTION TO AUTHORIZE AN AGREEMENT TO AFLAC FLEXIBLE SPENDING ACCOUNT ADMINISTRATION REIMBURSEMENT SERVICES AGREEMENT**

**WHEREAS**, pursuant to Resolution No. R-95-12 passed by this City Council on July 7, 1995, the City of Freeport established a Flexible Spending Plan to provide for its employees' financial security in accordance with Section 125 of the Internal Revenue Code of 1986; and

**WHEREAS**, pursuant to Resolution No. R-2002-79, the City Council of the City of Freeport, found it to be in the best interest of the municipality to continue having AFLAC provide the administration of its expense reimbursement plans; and

**WHEREAS**, AFLAC has proposed that it and the City enter into a document entitled "Addendum To The Reimbursement Services Agreement And Acknowledgement Of Grace Period Services," a true, correct and complete copy of which is marked as "Attachment A," attached hereto and incorporated by reference as if fully set forth herein, by which AFLAC will extend the "Grace Period" as described below; and

**WHEREAS**, in Attachment A AFLAC proposes that beginning with the Plan Year ending on December 31, 2005, AFLAC will allow City employees an additional two (2) months and fifteen (15) days (termed by AFLAC as a "Grace Period") in which to submit eligible medical expenses incurred during the Plan Year for payment from their individual Flexible Spending Accounts, and currently employees must submit eligible medical expenses during the twelve month Plan Year; and

**WHEREAS**, this City Council finds that its approval of Attachment A to be in the best interests of the health, safety, morals and general welfare of the citizens of the City of Freeport.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that the City Council does hereby approves Attachment A and the extension of the above-defined Grace Period from twelve (12) months to fourteen and one-half (14½) months.

**BE IT FURTHER RESOLVED** that this City Council does hereby authorize the Mayor and the City Clerk and any other City official or employee as may be necessary or convenient to execute Attachment A on behalf of the City as well as any other document or documents that may be necessary or convenient to fulfill the intent of this Resolution.

**BE IT FURTHER RESOLVED** that all Resolutions or motions in conflict with this Resolution are repealed insofar as they conflict; and

**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.

Alderman Boldt, Finance Chair, stated that the committee held a meeting on January 17, 2006. This resolution is to implement a grace period option into our plan. The committee voted unanimously to adopt this resolution and Alderman Boldt so moved, seconded by Alderwoman Toepfer. On the role call of yeas and nays, Aldermen Helms, O'Neill, Boldt, Klemm, Bender, Threadgill, Toepfer, and Endress voted yea. The resolution was adopted.

**COMMITTEE REPORTS**

**PUBLIC WORKS**

Alderwoman O'Neill, Public Works Chair, stated that the committee held a meeting on January 17, 2006. The committee voted unanimously to approve the bid from Civil with a change in scope through a Change Order thereby approving the project in the amount of \$295,893.05 with a match from the bond funds in the amount of \$111,750.00 and Alderwoman O'Neill so moved, seconded by Alderman Boldt. On the roll call of yeas and nays, Aldermen Helms, O'Neill, Boldt, Klemm, Bender, Threadgill, Toepfer, and Endress voted yea. The motion carried.

**MAYOR'S REPORT**

- o Mill Race Crossing
- o Water & Sewer Commission- RFP for consultants

**PUBLIC COMMENTS**

Valeria Wiegand gave a little history on Pretzel City U.S.A.

Ronda Scott rebutted remarks that were made during the airport presentation.

Marianne Garvens spoke against the Stephenson Hotel Agreement, downsizing the Human Relations Commission, and Mill Race Crossing.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:28 p.m.

**LATACIA M. ISHMON, CMC**