



CITY COUNCIL, CITY OF LOVES PARK, ILLINOIS
Journal of Proceedings
Regular Meeting, Monday, January 12, 2009
Loves Park City Hall

Mayor Darryl Lindberg called the meeting to order at 6:30 p.m.

Alderman Tom Laughlin opened the meeting with an invocation, followed by the Pledge of Allegiance.

Present: Mayor Darryl Lindberg

Aldermen A. Marie Holmes, Richard Brinker, Janet Novak, Mike Owens, John Jacobson, Greg Jury, Clint Little, John Pruitt, Tom Laughlin, Mark Peterson

Also Present: City Clerk Robert Burden
City Attorney Paul Nicolosi

1. Approve Minutes 1/5/09 The Journal of Proceedings for the regular meeting of January 5, 2009 was approved as per typewritten copies submitted by the city clerk on a motion by Alderman Laughlin. Second by Alderman Little. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
2. Public Works Union Contract Received a notice from the International Union of Operating Engineers that the contract with the Public Works Department will expire April 30, 2009. Placed on file.
3. SEP/Request Received a Special Event Permit application submitted by Tabatha Nunley, to hold an event with amplified music at 5702 Covey Ridge Trail on July 4, 2009. Referred to Alderman Laughlin of the Codes and Regulations Committee.
4. Garage/Yard Sale Report For 2008 City Clerk Robert Burden presented the Garage/Yard Sale Permit Report for 2008, with 494 permits issued. Placed on file.
5. Snow Removal/ Parking Ordinance Mayor Lindberg urged citizens to take time to clear snow away from fire hydrants. He reminded everyone that all vehicles must be removed from city streets after a snowfall of 2 inches or more. The Mayor stated that the snow ordinance is being enforced and the Police Department is issuing tickets for vehicles parked in the street after a snowfall of 2 inches or more. He added that vehicles can be parked in the yard if necessary.
6. Water Dept. 1/5/09 Alderman Brinker presented the Water Department bills dated January 5, 2009, in the amount of \$19,093.13, and moved that they be paid. Second by Alderman Jury. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
7. General Fund 1/5/09 Alderman Brinker presented the General Fund and all other bills dated January 5, 2009, in the amount of \$199,610.27, and moved that they be paid. Second by Alderman Jury. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
8. Public Safety Report Alderman Little presented the Weekly Activity Report for the Fire Department dated January 11, 2009; presented the Police Department Report dated January 12, 2009, to be placed on file.

9. Public Works Report Alderman Jacobson presented the Street Department Activity Report dated January 12, 2009; presented the Water Department Activity Report dated January 12, 2009, to be placed on file.
10. Annual Building Report For December 2008 Alderman Pruitt presented the Annual Building Report for 2008; Total Permits Issued - 1371; Permit Fees Collected - \$190,142.00; Commercial New Construction - \$3,817,371.00; New Residential Construction - \$8,140,643.00; Accessory & Others - \$20,161,271.08.
11. Finance & Admin Committee Alderman Brinker of the Finance and Administration Committee presented the General Fund and all other bills dated January 12, 2009, in the amount of \$107,845.83, for consideration at next week's city council meeting.
12. Public Works Committee Alderman Jacobson of the Public Works Committee presented the Water Department list of bills dated January 12, 2009, in the amount of \$15,476.26, for consideration at next week's city council meeting.
13. Public Safety Committee Alderman Little of the Public Safety Committee presented the minutes from the committee meetings held on December 15, 2008 and December 22, 2008, to be placed on file.
14. Fire Department To Purchase Website Software Alderman Little presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that the Loves Park Fire Department be allowed to purchase from Adobe System Inc. the following software to enhance their website: Dreamweaver 10, Windows Universal \$399.00; Acrobat Professional 9.0 Windows Universal \$449.00; Shipping & Handling \$63.52; Total \$911.52. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
Resolution No. 09-01
15. Right-Of-Way Dedication Plat/Alpine Road Alderman Pruitt presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that the Right-of-Way Dedication Plat for a portion of Alpine Road, as part of M. Dodd Subdivision, being part of the Northwest Quarter of Section 5, Township 44 North, Range 2 East of the Third Principal Meridian, be approved as recommended by the Loves Park Community Development Committee at the January 7, 2009 meeting. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
Resolution No. 09-02
16. Park Hills Subdivision Plat No. 10 Alderman Pruitt presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that Plat No. 10 of Park Hills Subdivision, being a subdivision of Lot 213, Lot 214 and part of Commonwealth Drive, as designated upon Plat No. 9 of Park Hills Subdivision in part of the North Half of Section 3, Township 44 North, Range 2 East of the Third Principal Meridian, City of Loves Park, Winnebago County, Illinois, be approved as recommended by the Loves Park Community Development Committee at the January 7, 2009 meeting. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
Resolution No. 09-03

17. TIF District
Redevelopment
Project Area
Installment
Payment

Alderman Jury presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, identifying certain acquisition contracts to the installment purchase contract, dated as of October 13, 2008, between the City of Loves Park and the City Treasurer relating to the North Second Street Tax Increment Financing Redevelopment Project Area,

Section 1. **Recitals.** It is found and declared by the City Council (the “City Council”) of the City of Loves Park, Winnebago and Boone Counties, Illinois (the “City”), as follows:

(a) The City is a duly organized and existing municipality of the State of Illinois, and is now operating under and pursuant to the provisions of the Illinois Municipal Code (65 ILCS 1-1-1 *et seq.*, as amended; the “Code”) and is a “governmental unit” as defined in Section 2 (i) of the Local Government Debt Reform Act of the State of Illinois, as amended, 30 ILCS 350/1 *et seq.* (the “Debt Reform Act”).

(b) On October 13, 2008, the City Council adopted Ordinance No. 3486-08 (the “Authorizing Ordinance”) authorizing and providing for the execution and delivery of an Installment Purchase Contract (the “Installment Contract”) and the issuance, sale and delivery of the \$607,000.00 General Obligation Debt Certificates, Series 2008 (the “Certificates”), of the City for the purpose, among other things, of financing certain “redevelopment project costs” (as that term is defined in the Tax Increment Allocation Redevelopment Act of the State of Illinois) in connection with the redevelopment project and plan for the North Second Street Tax Increment Financing Redevelopment Project Area established by the City, including but not limited to water, sewer, storm drainage, roads, sidewalks, curbs, gutters, street lighting, and other similar public infrastructure improvements and, incidental thereto, to pay legal, engineering, other financing and related administrative fees and costs (together, the “Project”).

(c) Section 16 of the Authorizing Ordinance providing in part that the City Council must adopt a resolution or ordinance (each an “Identification Action”) identifying all or any part of any contract for the acquisition or construction of the Project or any component part of the Project (each an “Acquisition Contract”) to the Installment Contract as required by Authorizing Ordinance to file a certified copy of the Authorizing Ordinance, a certified copy of each Identification Action and a copy of the related Acquisition Contract or Acquisition Contracts with the City Treasurer in his capacity as nominee seller under the Installment Contract. Under Section 17 (b) and Section 16 of the Authorizing Ordinance, the adoption of an Identification Action and the filing of it and the related Acquisition Contract or Acquisition Contracts with the City Treasurer are conditions to the disbursement of moneys on deposit in the Project Fund established under the Authorizing Ordinance to pay amounts due under the Acquisition Contract.

(d) In connection with the project, the City has entered into a Development Agreement with Developer, North Second & Pearl Volant JV and the same caused Acquisition Contracts to be entered into with contractors listed on Exhibit A (the “Contract”) and desires to satisfy the requirements of Section 17 (b) of the Debt Reform Act and Section 16 of the Authorizing Ordinance in order that payments may be made from the Project Fund of amounts due under the Contract. Exhibit A is incorporated into this Resolution by this reference.

Section 2. **Identification of Contract to Installment Contract.** The Contracts were entered into in order to acquire and construct the Project. The City Council hereby identifies the Contracts to the Installment Contracts.

Section 3. **Filings with City Treasurer.** The City Clerk previously filed a certified copy of the Authorizing Ordinance with the City Treasurer. The City Clerk is directed to file a certified copy of this Resolution and a copy of the Contract with the City Treasurer. When the City Clerk has done so, the City will be authorized under Section 17 (b) and the Authorizing Ordinance to disburse moneys from the Project Fund to pay amounts due under the Contract.

18. (Cont.) TIF District Redevelopment Project Area Installment Payment
- Section 4. **Additional Authority; Ratification of Prior Actions.** The Mayor, the City Clerk, the City Treasurer, and the other officers and employees of the City are authorized to execute and deliver on behalf of the City such other documents, agreements and certificates and to do such other things consistent with the terms of this Resolution as such officers and employees shall deem necessary or appropriate in order to effectuate the intents and purposes of this Resolution. All actions previously taken on behalf of the City by such officers and employees in connection with the Contract and the Project are ratified, confirmed and approved.
- Section 5. **Conflicting Resolutions, Etc.** All resolutions and orders or parts of resolutions and orders in conflict with this Resolution are repealed to the extent of such conflict.
- Section 6. **Severability.** If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.
- Section 7. **Effective Date.** This Resolution shall be in full force and effect upon its adoption as provided by law. Second by Alderman Brinker. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
- Resolution No. 09-04**
19. Public Works Department To Seek Bids For Well No. 1 Filter Plant Rehabilitation
- Alderman Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that the Public Works Manager and Water Department Manager are hereby authorized to seek negotiated bids for all necessary equipment and services as required for the rehabilitation of the filter plant at Water Well No. 1. The Water Department will serve as the general contractor for the project. Final approval by the Public Works Committee and City Council shall be required before bids are accepted. Second by Alderman Novak. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
- Resolution No. 09-05**
20. Ordinances First Reading
- Alderman Pruitt presented for first reading Agenda Items 1-5, from Ordinances First Reading.
21. 1st Reading
Refuse Contract Amendment
- Alderman Pruitt presented for first reading an ordinance amending the refuse contract, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson) Laid over
22. 1st Reading
Liquor License For 6500 E. Riverside Blvd.
- Alderman Pruitt presented for first reading an ordinance providing for a Liquor License at the property commonly known as 6500 E. Riverside Blvd., and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson) Laid over
23. 1st Reading
Cellular Lease Agreement
- Alderman Pruitt presented for first reading an ordinance authorizing a water tower and ground space lease agreement for cellular equipment, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson) Laid over
24. 1st Reading
Variance For 7216 N. Alpine Road
- Alderman Pruitt presented for first reading an ordinance providing for a Variance for the property commonly known as 7216 N. Alpine Road, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson) Laid over

