



CITY COUNCIL, CITY OF LOVES PARK, ILLINOIS
Journal of Proceedings
Regular Meeting, Monday, August 10, 2009
Loves Park City Hall

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

Reverend Wendell Maynard of Firstborn Ministries opened the meeting with an invocation, followed by the Pledge of Allegiance led by Kyle Marks of St. Bridget School Scout Troop 32.

Present: Mayor Darryl Lindberg

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

Absent: Alderman Tom Laughlin

Also Present: City Clerk Robert Burden
City Attorney Paul Nicolosi

1. Approve Minutes 8/3/09 The Journal of Proceedings for the regular meeting of August 3, 2009 was approved as per typewritten copies submitted by the city clerk on a motion by Alderman Little. Second by Alderman Pruitt. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson) 1 Absent (Alderman Laughlin)
2. IDOT/MFT For July 2009 Received a notice from the Illinois Department of Transportation reporting the Motor Fuel Tax received by the City of Loves Park for the month of July 2009, in the amount of \$54,107.92. Placed on file.
3. Commerce Commission Hearings Received a notice from the Illinois Commerce Commission of status hearings for McLeod Telecommunications and Bullseye Telecom, Inc., to be held on August 27, 2009, in the offices of the Commission, Chicago, IL. Placed on file.
4. IDOT Audit Report Received a notice from the Illinois Department of Transportation presenting Audit Report 51 covering the receipt and disbursement of Motor Fuel Tax funds by the City of Loves Park for January 1, 2007 through December 31, 2008. The audit is on file in the City Clerk's office.
5. SEP For HIV/AIDS Walk/Run Received a Special Event Permit application submitted by the Winnebago County Health Department for a Walk/Run event for HIV/AIDS Awareness, to be held at Martin Park, on Saturday, September 26, 2009 from 7:00 a.m. to 2:00 p.m., with the possibility of outdoor music. Referred to Alderman Owens of the Codes and Regulations Committee.
6. Thank You From Kiwanis Received a thank you note to Chief Phil Foley from Randy Larson, thanking the Loves Park Fire Department for assistance and participation in the 2009 Kiwanis Brat Days event. Placed on file.
7. Closed Executive Session Minutes City Clerk Robert Burden distributed the minutes of the August 3, 2009 Closed Executive Session.

8. Closed Executive Session Minutes Approved Alderman Jury moved to approve the Closed Executive Session minutes dated August 3, 2009. Second by Alderman Little. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson) 1 Absent (Alderman Laughlin)
9. Council Start Time Amendment Mayor Lindberg commented that pending approval of the ordinance being presented at this evening's meeting regarding the start time amendment for the City Council meetings, the council meeting will begin at 6:15 p.m. next week.
10. Backyard Movie Night Mayor Lindberg announced that Backyard Movie Night will be held Tuesday, August 18, 2009, at approximately 8:30 p.m., weather permitting. The movie to be shown will be "Wall-E".
11. Kitzman's Lumber Mayor Lindberg commented that Kitzman's Lumber, located at the former Stock Lumber location, held a Gate Crashing in celebration of the company moving into the Loves Park location.
12. Water Dept. 8/3/09 Alderman Brinker presented the Water Department bills dated August 3, 2009, in the amount of \$7,856.64, and moved that they be paid. Second by Alderman Jury. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson) 1 Absent (Alderman Laughlin)
13. General Fund 8/3/09 Alderman Brinker presented the General Fund and all other bills dated August 3, 2009, in the amount of \$165,903.41, and moved that they be paid. Second by Alderman Jury. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson) 1 Absent (Alderman Laughlin)
14. Public Safety Report Alderman Little presented the Weekly Activity Report for the Fire Department dated August 9, 2009; presented the Police Department Report dated August 10, 2009, to be placed on file.
15. Public Works Report Alderman Jacobson presented the Street Department Activity Report dated August 10, 2009; presented the Water Department Activity Report dated August 10, 2009, to be placed on file.
16. Finance & Admin Committee Alderman Brinker of the Finance and Administration Committee presented the General Fund and all other bills dated August 10, 2009 in the amount of \$54,888.11, for consideration at next week's city council meeting; presented the minutes from the committee meeting held August 3, 2009, to be placed on file.
17. Public Safety Committee Alderman Little of the Public Safety Committee presented the minutes from the committee meetings held on January 26, and February 9, 2009, to be placed on file.
18. Public Works Committee Alderman Jacobson of the Public Works Committee presented the Water Department list of bills dated August 10, 2009 in the amount of \$7,856.64, for consideration at next week's city council meeting.
19. TDS Metrocom Service Agreement Alderman Jury presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that the Mayor is authorized to sign a Telecommunication Service Agreement contract renewal made by and between the City of Loves Park and TDS Metrocom for a 60 month term as delineated on the attached proposal. Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson) 1 Absent (Alderman Laughlin)
Resolution No. 09-84

20. Resignation Mayor Lindberg stated that Alderman Tom Laughlin's daughter, Maureen Laughlin, acting as his Power of Attorney, has provided a letter of resignation on behalf of her father. Due to a deteriorating medical condition, Tom is no longer mentally able to make decisions for himself. His daughter has provided a copy of Tom's physician's opinion confirming this. With great regret we as a Council should accept the resignation and vote to declare the seat vacant as a result of Tom's inability to continue serving as alderman.
21. Vacant Seat Alderman Brinker moved that due to Alderman Laughlin's medical condition, that he be found to be incapable of continuing to serve as alderman and that a vacancy in his seat be declared. Second by Alderman Pruitt. *Mayor Lindberg commented that Tom has served 23 years as alderman and he was very responsive to his constituents. In addition, Tom served with the Harlem School District for a large part of his educational career.* Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson) 1 Absent (Alderman Laughlin)
22. Resignation Accepted Mayor Lindberg commented that city council finds that Tom Laughlin has become disabled to the point where he can no longer perform his duties as alderman for the City of Loves Park. City Council accepts the resignation and declares the seat to be vacant.
23. Letter Of Resignation Alderman Brinker presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that **WHEREAS**, the City of Loves Park ("City") has received and reviewed a letter of resignation from Tom Laughlin whereby he declares his intent to resign as an alderman for the City; and **WHEREAS**, the City has also received and reviewed a letter from Tom Laughlin's physician regarding the current status of his health; and **WHEREAS**, the City has determined that based upon the letter of resignation provided to the City as well as the physician's letter provided to the City that Tom Laughlin's seat is vacant; and **WHEREAS**, the City now desires to formally accept Tom Laughlin's resignation, and based upon the physician's letter, the City officially declares his seat vacant; and **WHEREAS**, the City has determined that this course of action is in the best interest of the City, Tom Laughlin, and his family. **NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Loves Park, Winnebago County, IL as follows:
1. The foregoing recitals are incorporated herein by reference.
 2. The City of Loves Park hereby accepts Tom Laughlin's letter of resignation.
 3. The City of Loves Park hereby finds the seat held by Tom Laughlin to be vacant.
 4. The Mayor is hereby authorized to appoint a replacement to fill Tom Laughlin's vacant seat, subject to consent of the City Council.
 5. The City shall send a letter expressing its gratitude to Tom Laughlin and his family for his years of loyal service, his dedication and hard work on behalf of the City of Loves Park.

Second by Alderman Jury. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson)

Resolution No. 09-85

24. ORD 3556-09
Variance For 229
Sheridan Drive Alderman Pruitt presented for second reading an ordinance providing for a Variance in the distance between a pool and a property line for the property commonly known as 229 Sheridan Drive, and moved for passage of the ordinance. Second by Alderman Owens. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson)
ORDINANCE NO. 3556-09
25. ORD 3557-09
Variance For 229
Sheridan Drive Alderman Pruitt presented for second reading an ordinance providing for a Variance in the distance between a pool and a residence for the property commonly known as 229 Sheridan Drive, and moved for passage of the ordinance. Second by Alderman Owens. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson)
ORDINANCE NO. 3557-09
26. ORD 3558-09
Variance For 229
Sheridan Drive Alderman Pruitt presented for second reading an ordinance providing for a Variance in the distance between a pool and an accessory structure for the property commonly known as 229 Sheridan Drive, and moved for passage of the ordinance. Second by Alderman Owens. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson)
ORDINANCE NO. 3558-09
27. ORD 3559-09
ZMA For 6050
Daytona Drive Alderman Pruitt presented for second reading an ordinance providing for a Zoning Map Amendment for the property commonly known as 6050 Daytona Drive, and moved for passage of the ordinance. Second by Alderman Owens. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson)
ORDINANCE NO. 3559-09
28. ORD 3560-09
SUP For 6050
Daytona Drive Alderman Pruitt presented for second reading an ordinance providing for a Special Use Permit for the property commonly known as 6050 Daytona Drive, and moved for passage of the ordinance. Second by Alderman Novak. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson)
ORDINANCE NO. 3560-09
29. 1ST Reading
Council Start
Time Alderman Jury presented for first reading an ordinance amending Section 2-38 of the Loves Park Code of Ordinances regarding start time for City Council meetings, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson)
ORDINANCE NO. 3561-09
30. Suspend Rules Alderman Jury moved to suspend any and all rules to bring the above ordinance in for second reading. Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson)
31. ORD 3561-09
Council Start
Time Alderman Jury presented for second reading an ordinance amending Section 2-38 of the Loves Park Code of Ordinances regarding start time for City Council meetings, and moved for passage of the ordinance. Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Peterson)
32. Council Vacancy Mayor Lindberg commented that he will be seeking a replacement for the council seat vacancy and anyone who is interested or has a suggestion may contact his office.
33. Randy Jones
Retirement
Luncheon Mayor Lindberg announced that a retirement luncheon will be held for Randy Jones on Thursday, August 13, 2009 from 11:30 a.m. to 1:30 p.m. in the cafeteria at Loves Park City Hall.

34. Adjourn Alderman Brinker moved that the meeting be adjourned. Second by Alderman Owens. Motion carried by voice vote. The meeting was adjourned at 6:47 p.m.

APPROVED:

Robert J. Burden, City Clerk

STANDING COMMITTEE MEETINGS:

Finance & Administration:	Prior to Council Meeting 5:45 p.m.
Public Works:	Prior to Council Meeting 5:30 p.m.
Codes and Regulations:	Following City Council 2 nd and 4 th Mondays