



City Council
City Council Chambers ♦ 314 West Stephenson Street ♦ Freeport, IL 61032

MINUTES
SPECIAL MEETING
MONDAY, MAY 22, 2017 AT 5:45 P.M.

CALL TO ORDER

The special meeting of the City of Freeport, Illinois, was called to order in council chambers by Mayor Jodi Miller with a quorum being present at 5:46 p.m. on May 22, 2017.

ROLL CALL

Present on roll call: Mayor Miller and council members Tom Klemm, Peter McClanathan, Art Ross, Patrick Busker, Sally Brashaw, and Andrew Chesney (7). Alderpersons Koester and Smith were absent.

Present from the City: City Manager Lowell Crow, Contract Attorney Aaron Szeto, Esq., Finance Director Guary Bernadelle, Community Development Director Alex Mills, Public Works Director Tom Dole, Fire Chief Scott Miller, Police Chief Todd Barkalow, and City Clerk Dovie Anderson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Chesney.

APPROVAL OF AGENDA

Mayor Miller gave corrected term expiration dates as noted later in the section of these minutes titled "Appointments/Re-Appointments". An addition to Agenda Item #3 was the swearing in of City Manager Lowell Crow. Alderperson Busker moved for approval of the agenda as amended, seconded by Alderperson Ross. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS

Steve Carroll, 811 South Oak, Freeport, expressed his concern over the management of the Housing Authority and asked that the nominations of Rhonda Rhymer and Robert Becker to that board be approved.

Alderperson Bob Smith entered Council Chambers at 5:49 p.m.

SWEARING IN, INTRODUCTION, AND OPENING REMARKS BY CITY MANAGER LOWELL CROW

Mayor Miller performed the swearing-in Oath of City Manager Lowell Crow and introduced him to the gathered assembly and viewing audience as the City of Freeport's first City Manager.

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City Manager Crow then gave opening remarks thanking the Transition Committee and the City of Freeport for putting their trust in him. He and his wife, Gwen, have purchased a home in Freeport. They are looking forward to becoming involved within the community and making Freeport their home for a long time. His goal is to make Freeport a top-tier 21st century city. Under the Manager Form of Government, he and the City staff will work for the elected body in executing the policies of the elected body. He believes that the challenges and issues Freeport faces can be seen as opportunities to improve Freeport. He mentioned the Street's Crime Unit, developing a new public safety plan, reducing blighted neighborhood, property maintenance enforcement, and bringing new business to Freeport while maintaining existing businesses as some of the key elements towards improvement. One task he has been assigned is continuing to execute the 40-year infrastructure improvement effort. City Manager Crow feels our goal is to make Freeport a destination place for new business and visitors. He is "All In" for Freeport.

At 5:55 p.m., Alderperson Koester entered Council Chambers.

APPOINTMENTS/RE-APPOINTMENTS

Mayor Miller thanked everyone who has served on boards and commissions over the past years. Alderperson Brashaw read the committees for the record and general consensus was to approve the appointments for each of the committees in groups.

Alderperson Chesney moved and Alderperson Busker seconded to accept the following appointments to the Airport Commission effective immediately through the dates noted: Craig Joesten through November 30, 2020, Dave Fonda through November 30, 2018, Daniel Noble through November 30, 2019, and Tim Smith through November 30, 2019.

The motion prevailed by a roll call vote of:

Yeas: McClanathan, Ross, Smith, Busker, Brashaw, Koester, and Chesney (7)

Nays: Klemm (1)

Alderperson Busker moved and Alderperson Ross seconded to accept the appointment of Quincy Carter to the Ethics Committee effective immediately through February 22, 2019.

The motion prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester, and Chesney (8)

Nays: None

Alderperson Busker moved and Alderperson Ross seconded to accept the following appointments to the Housing Authority effective immediately through the dates noted: Rhonda Becker through October 31, 2019, Robert Rhymer through October 31, 2018.

The motion prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, and Chesney (7)

Nays: Koester (1)

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Aldersperson Brashaw moved and Aldersperson Chesney to accept the following appointments to the Board of the Stephenson County Convention and Visitors Bureau effective immediately through the dates noted: Blake Musser through December 31, 2019, Evan Talbert December 31, 2018, Amy Fairweather through December 31, 2017.

The motion prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, and Chesney (7)

Nays: Koester (1)

Aldersperson McClanathan moved and Aldersperson Ross seconded to accept the following appointments to the Liquor Commission effective immediately through the dates noted: Don Parker through May 31, 2021, Stacy Knodle Fernstaedt through May 31, 2018, Jeff Cutler through May 31, 2021, Tim Mahoney through May 31, 2021.

The motion prevailed by a roll call vote of:

Yeas: McClanathan, Ross, Smith, Busker, Brashaw, and Chesney (6)

Nays: Klemm and Koester (2)

Aldersperson Brashaw moved and Aldersperson Smith seconded to accept the appointment of Rebecca Quiggle to the Library Board of Trustees effective immediately through May 31, 2020.

The motion prevailed by a roll call vote of:

Yeas: McClanathan, Ross, Smith, Busker, Brashaw, and Chesney (6)

Nays: Klemm and Koester (2)

Aldersperson McClanathan moved and Aldersperson Busker seconded to accept the following appointments to the Building Commission effective immediately through the dates noted: Ed Faulkner through April 30, 2021 and Lowell Crow through May 31, 2021.

The motion prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, and Chesney (7)

Nays: Koester (1)

Aldersperson Brashaw moved and Aldersperson Busker seconded to accept the following appointments to the Historic Preservation Commission effective immediately through the dates noted: Pam Borowski through February 28, 2020, and Joan Welt through February 28, 2020, and the following re-appointments to the Historic Preservation Commission effective immediately through the dates noted: Mike Meade through February 28, 2019 and Scott Winter through February 28, 2020.

The motion prevailed by a roll call vote of:

Yeas: McClanathan, Ross, Smith, Busker, Brashaw, Koester, and Chesney (7)

Nays: Klemm (1)

Aldersperson Brashaw moved and Aldersperson Ross seconded to accept the appointment of Blake Musser to the Planning Commission effective immediately through October 31, 2020.

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Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, and Chesney (7)
Nays: Koester (1)

ORDINANCES – FIRST READING

[1st READING OF ORDINANCE #2017-41:](#)

An Ordinance Amending Section 1442.11 of the Codified Ordinances of the City Of Freeport, Illinois Regarding Building Permit Fee Exemptions

Aldersperson Chesney gave a brief history of the building permit fee structure for minor repairs that led to raising the threshold from \$6,000 to \$10,000 with the passage of this ordinance. He has spoken with Community Development Director Mills and Finance Director Bernadelle and there seems to be general consensus regarding raising this threshold. The intent is to encourage homeowners to make improvements to their property.

Aldersperson Klemm also spoke with Director Mills. He expressed his concern over some people bypassing obtaining permits, which contain stipulations such as using licensed contractors. He stated that new Building Commissioners were appointed tonight including City Manager Crow and he believes this should go before the Building Commission for their opinion. He feels the inspection portion of permitting is important.

Aldersperson Koester stated that these permits are intended for minor repairs. He, personally, considers \$10,000 to be a major repair and would be against it at this point.

Aldersperson Chesney responded that he had conversations with City Manager Crow regarding this issue. He feels that “fees” charged by the City should be providing service to the payee. If there is no service, then it is a “tax”. He pointed out that smaller improvements, such as window replacement, currently are not inspected. He also feels that enforcement is a separate issue.

Aldersperson Chesney moved and Aldersperson Brashaw seconded that Ordinance 2017-41 be moved forward for approval and further discussion. The matter was automatically laid over until the next regular meeting.

Aldersperson McClanathan pointed out that this permit fee exempts electrical, plumbing, etc. He encouraged alderspersons and individuals to give their input over the next couple weeks and the Council will address it upon second reading.

RESOLUTIONS

[ADOPTION OF RESOLUTION R-2017-32:](#)

Resolution of the City of Freeport, Illinois, Instructing City Staff to Explore the Process and Options for the Sale of 230 W. Stephenson Street, Freeport, Illinois, and to Solicit Estimates for the Cost of Demolition

Aldersperson McClanathan gave a brief history of vacating the 230 West Stephenson Street property as City Hall in 2011, leasing at 524 West Stephenson, and two years ago beginning the process of renovating and moving to its current location at 314 West Stephenson Street, now known as Carnegie

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City Hall. The most recent figures for maintenance to stop some of the damage of the Old City Hall building at 230 West Stephenson Street were estimated to be \$686,000 with full rehabilitation figures costing between \$4 to \$5 million. The estimate to rehab Carnegie City Hall was \$2.25 million which led us to discontinue leasing and move into the current location. The Old City Hall building with a fence around it is still our responsibility. The purpose of this resolution is to begin considering the options for the future of the Old City Hall building: (1) offering it for sale under various parameters or (2) demolition, which some feel is the last resort. He feels exploring the options is important to begin this process. Demolition estimates would provide a benchmark for considering other options, such as sale or repurposing. This resolution authorizes City staff to move forward in researching the options within 60 days.

Aldersperson Brashaw suggests consulting with the Historic Preservation Commission who have real estate knowledge. She is a proponent of saving the Old City Hall building and read the portion of the resolution outlining the significance of 230 West Stephenson Street to Freeport's history and reiterated that demolition would be considered as a last resort.

Aldersperson Chesney commended Mayor Miller's leadership in addressing this issue and her comments in the newspaper of leading by example in cleaning up properties such as this one which is surrounded by a fence.

Aldersperson Busker also voiced his support of moving this forward swiftly by City staff led by the City Manager. He then moved in favor of adopting Resolution R-2017-32; seconded by Aldersperson Koester. The motion prevailed by roll call vote of:
Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester, and Chesney (8)
Nays: None

[ADOPTION OF RESOLUTION R-2017-33:](#)

Resolution of the City of Freeport, Illinois in Support of the Freeport Police Department and a Continued Commitment to Combating Crime

Mayor Miller formerly stated her support of the Freeport Police Department and, in collaboration with the Sheriff, State's Attorney and other public members, is creating a Task Force under the leadership of City Manager Crow within the next 90 days.

Aldersperson Busker moved to adopt Resolution R-2017-33; seconded by Aldersperson Ross; the motion prevailed by roll call vote of:
Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester, and Chesney (8)
Nays: None

[ADOPTION OF RESOLUTION R-2017-34:](#) Resolution of the City of Freeport, Illinois Discontinuing Funding to the Freeport Downtown Development Foundation

Aldersperson Chesney explained that this resolution conveys terminating funding of the Freeport Downtown Development Foundation (FDDF) with both sides in agreement of parting ways.

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Aldersperson McClanathan added that these discussions did not arise overnight. In looking over the City's funding shortfalls and FDDF shifting away from being reliant upon City funding, we are proposing to fund FDDF one more year. FDDF's ventures do not always fit the criteria of TIF funding requirements.

Aldersperson Chesney asked for an amendment requested by Mayor Miller in regard to Section 3, "City Manager in conjunction with the City Legal Counsel shall have the right to review and approve any approved project using said \$60,000."

Aldersperson Chesney moved to adopt Resolution R-2017-34 as amended; Aldersperson Brashaw seconded.

Aldersperson McClanathan asked for clarification of the proposed amendment in that the City would like more oversight into how the \$60,000 is spent in regard to TIF-qualified projects. Aldersperson Chesney affirmed that the City Manager and City Attorney would oversee this.

Aldersperson Klemm asked if FDDF is willing to cut ties with City funding, why not cut all funding immediately. Aldersperson Chesney explained that many discussions with FDDF lead to their agreement that the annual \$50,000 funding plus an additional \$10,000 would be a reasonable step towards discontinuing all funding. Aldersperson Klemm pointed out that a budget has not been approved and asked where the \$10,000 will come from. He also mentioned that this has not gone before any committee either.

Aldersperson Klemm then amended the motion to cut off all funding to Freeport Downtown Development Foundation; seconded by Aldersperson Koester.

Discussion ensued regarding an interest in removing the City from funding an entity that has changed their business model away from using TIF funds. It was pointed out that cutting all funds would have an adverse impact on FDDF's total annual budget.

Mayor Miller called for a roll call vote on only the amendment to discontinue funding to Freeport Downtown Development Foundation. The motion failed by roll call vote of:

Yeas: Klemm and Koester (2)

Nays: McClanathan, Ross, Smith, Busker, Brashaw, and Chesney (6)

Mayor Miller then called for a roll call vote on the original motion as amended including the additional wording of the City Manager and City Legal Counsel monitoring expenditure of the \$60,000. The motion prevailed by roll call vote of:

Yeas: McClanathan, Ross, Smith, Busker, Brashaw, and Chesney (6)

Nays: Klemm and Koester (2)

OTHER

Selection of Chairperson and Vice Chair of the Finance Committee of the Whole

Mayor Miller recapped that in April 2017, Council adopted a resolution creating the Finance Committee of the Whole. The Committee's purpose is to review and discuss finances and the budget with the City Manager and make recommendations to the full City Council. The resolution allows for selection

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annually of a Chairperson and Vice-Chair by simple majority and shall meet from time to time as called by the Mayor, Chair, or any three alderpersons. She then opened the floor for nominations of Chairperson. Alderperson Chesney nominated Alderperson McClanathan; seconded by Alderperson Busker.

Alderperson Chesney moved to close nominations; seconded by Alderperson Brashaw. Motion prevailed by voice vote.

The motion to nominate Alderperson McClanathan as Chairperson of the Finance Committee of the Whole prevailed by roll call vote of:

Yeas: Klemm, Ross, Smith, Busker, Brashaw, Koester, and Chesney (7)

Nays: None

Abstain: McClanathan (1)

Mayor Miller opened the floor for nominations of Vice-Chair. Alderperson Chesney nominated Alderperson Brashaw; seconded by Alderperson Busker.

Alderperson Smith moved to closed nominations; seconded by Alderperson Chesney. Motion prevailed by voice vote.

The motion to nominate Alderperson Brashaw as Vice-Chair of the Finance Committee of the Whole prevailed by roll call vote of:

Yeas: Klemm, McClanathan, Ross, Smith, Busker, Koester, and Chesney (7)

Nays: None

Abstain: Brashaw (1)

Action on Acceptance of Contract for Fireworks from Melrose Pyrotechnics, Inc. for July 2, 2017, Fourth of July Fireworks, for the City of Freeport at Stephenson County Fairgrounds

Alderperson Koester gave a summary of the status of planning the fireworks and the associated contract from Melrose Pyrotechnics, Inc. Currently, the radio station will not be broadcasting music. There has been a delay in the fundraising. Alderperson Koester asked for a Co-Chair as Danielle Rogers has stepped down in that capacity. He also asked to meet with City Manager Crow to discuss the fireworks event. City Manager Crow expressed his willingness to meet but stated that we are still working on a budget. Alderperson Koester stated that the contract is the same as last year at \$20,000. Some of the roadblocks have included difficulties in contacting potential donors with not knowing if the radio station was participating. Additionally, financing is not going well. Any changes would be difficult to make at this time. Alderperson Koester asked that the City finance this and the Committee would repay the City with any funds raised. There is a Pancake Breakfast planned at Applebee's on June 17, 2017. He will have tickets at the next meeting and he could use alderpersons to volunteer as servers on that day. Mayor Miller recalled that last year Alderperson Koester was asked to increase fundraising to reduce taxpayers' contribution and asked how much had been raised to date this year. Alderperson Koester did not have that figure. Alderperson Chesney asked Finance Director Bernadelle if it was possible for the City to fund this. Finance Director Bernadelle responded that no one had contacted him about it and that fireworks are currently not in the budget. Mayor Miller stated that she felt there should be concrete figures presented and the City Manager and City Legal Counsel should look over the contract prior to approving anything further. Alderperson Koester understood that but added that the contract

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would need to be signed fairly quickly and that may require a Special Meeting. Alderperson Smith asked for the history of public and private funding. Alderperson Koester stated that last year there were plans to make the skyconcert an all-day event for this year. Last year, they raised over \$15,000. There was \$10,000 in budget, plus \$5,000 contingency to finance fireworks, as best as he recalled. Alderperson Koester asked Finance Director Bernadelle to confirm if the Committee turned approximately \$15,000 to \$17,000 into the Finance Department for fireworks last year. Finance Director Bernadelle did not want to go on record with incorrect information, but offered to check into it and send an email tomorrow. Alderperson Brashaw noted that the contract is dated March 23, 2017. She asked if there was a deadline for signing it. Alderperson Koester stated that a deadline had not been given but Melrose Pyrotechnics need to get a permit from the State Fire Marshall after they receive a signed contract from the City.

Alderperson Chesney asked if, once the finances and contract are reviewed, would the next City Council meeting be soon enough to vote on this matter. Alderperson Koester agreed that it may be enough time and would contact Melrose tomorrow. Alderperson Chesney then made a motion to move this matter forward for discussion until June 5, 2017; seconded by Alderperson Ross. The motion prevailed by voice vote.

Alderperson Koester noted that a lot of plans are already in place such as entertainment and food vendors.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

There were none.

ADJOURNMENT

Upon a motion made by Alderperson Busker and seconded by Alderperson Koester, the meeting was adjourned at 7:06 p.m.

s/ Dovie L. Anderson

Dovie L. Anderson
City Clerk