



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

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**MINUTES**  
**COUNCIL MEETING**  
**MONDAY, JUNE 5, 2017 AT 6:00 P.M.**

**CALL TO ORDER**

The regular meeting of the Freeport, Illinois, City Council was called to order in council chambers by Mayor Jodi Miller with a quorum being present at 6:02 p.m. on Monday, June 5, 2017.

**ROLL CALL**

Present on roll call: Mayor Miller and council members Tom Klemm, Peter McClanathan, Art Ross, Bob Smith, Patrick Busker, Sally Brashaw, Mike Koester and Andrew Chesney (8).

Staff members present: Finance Director Guary Bernadelle, Community Development Director Alex Mills, Public Works Director Tom Dole, Battalion Chief Jim Blackburn, Chief of Police Todd Barkalow, City Engineer/Water and Sewer Director Shaun Gallagher, and City Clerk Dovie Anderson.

City Legal Counsel present: Roxanne Sosnowski, Esq.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Alderperson Klemm.

**APPROVAL OF AGENDA**

Mayor Miller stated that considering there were interested citizens in attendance regarding fireworks, she proposed moving Item #18, Discussion on contract for fireworks from Melrose Pyrotechnics, Inc. for July 2, 2017, Fourth of July Fireworks, for the City of Freeport at Stephenson County Fairgrounds, between Item #5 and #6. Alderperson Koester moved and Alderperson Smith seconded to approve the agenda as amended; motion carried unanimously by voice vote without dissent.

**APPROVAL OF MINUTES**

Alderperson Brashaw moved for approval of (1) the minutes from the regular meeting held on May 15, 2017, as written, and (2) minutes from the Special Meeting on May 22, 2017, with the Public Comments amended to correctly show on their face that Steve Carroll recommended approval of the appointments of Robert Rhymer and Rhonda Becker to the Housing Authority, as the last names of the appointees had been transposed. This motion was seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

**PUBLIC COMMENTS**

There were no public comments.

**CONSENT AGENDA**

The Consent Agenda as presented in the council packet was read into record as follows:

- A. Approval to receive and place on file: 1) Building Permit Report of Activities for April 2017 2) Building Permit Report of Activities for May 2017 3) Police Department Report of Activities for April 2017
- B. Approval of Water & Sewer Bills Payable (Registers #778, 780) --- \$424,288.85

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

- C. Approval of Payroll for pay period ending May 13, 2017 --- \$503,128.69 with fringe benefit payments in the amount of \$34,331.15 for a total of \$537,459.84
- D. Approval of Payroll for pay period ending May 27, 2017 --- \$437,752.14 with fringe benefit payments in the amount of \$36,690.17 for a total of \$474,442.31
- E. Approval of Finance Bills Payable (Registers #771, 772, 777, 779, 781 and TBA) --- \$566,223.71

Aldersperson Brashaw moved for approval of the consent agenda, seconded by Aldersperson Koester. The motion prevailed by a roll call vote of:

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

Nays: None

**APPOINTMENTS**

Aldersperson Klemm suggested that all appointees be approved at one time. General consensus prevailed and Clerk Anderson read appointments into record.

Aldersperson Chesney moved and Aldersperson Busker seconded that:

- Jeff Davis be appointed to the Liquor Commission to replace Jeff Cutler effective through May 31, 2021.
- Peter McClanathan be appointed as the aldersperson to replace Andrew Chesney for the Stephenson County Convention and Visitors Bureau through December 31, 2019.
- Sarah Thompson be appointed to the Board of Zoning Appeals to replace Troy Collier through June 30, 2020.
- George Buss be appointed to the Board of Zoning Appeals to replace Bridget Sheriff through June 30, 2021.
- Jeffrey Cutler be appointed to the Board of Zoning Appeals through June 30, 2022.
- Wayne Schofield be reappointed to the Building Commission through April 30, 2021.
- Andrea Winter be appointed to replace Mark Winter on the Planning Commission through October 31, 2020.

The motion prevailed by a roll call vote of:

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

Nays: None

Mayor Miller thanked everyone who had previously served in these capacities as well as the new appointees.

**OTHER**

Item #18, Discussion on contract for fireworks from Melrose Pyrotechnics, Inc. for July 2, 2017, Fourth of July Fireworks, for the City of Freeport at Stephenson County Fairgrounds, was then moved forward on the agenda. At the May 22, 2017, Special Meeting of the City Council, Aldersperson Chesney moved and Aldersperson Ross seconded that this matter be moved to the June 5, 2017, City Council meeting for discussion. Mayor Miller stated for the record that this Administration and Council are not opposed to fireworks; they are trying to make sense of the budget and the City's priorities. It was the recommendation of the City Manager to not have the City pay for fireworks. Mayor Miller suggested a compromise. At the Finance Committee of the Whole earlier this evening, the Council established its priorities of public safety, blight reduction, and infrastructure. Staying with that focus, fireworks are not in those categories, and spending \$20,000 on such does not make sense. Additionally, fireworks were not in the budget. There has been a two-year commitment from the fireworks committee to raise additional

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

funds but that has not been met. Mayor Miller would like to accomplish two things: (1) not have an annual fireworks funding issue and (2) move the fireworks planning to a not-for-profit organization within 90 days. Mayor Miller and Alderperson Koester have talked and reached a compromise. They spoke with Melrose to reduce the contract from \$20,000 to \$15,000. Alderperson Koester believes the committee can raise \$7,500 and they propose that the City pay the other \$7,500. If the Fireworks Committee exceeds \$7,500, then the City will pay less.

Alderperson Koester added that fireworks were in the budget last year. He mentioned that scaling back to \$15,000 will shorten the display a little but it will still be spectacular. He invited Dan Misek to the microphone for additional information. Alderperson Koester stated that the Committee has raised \$1,700 to \$1,800 so far. Donations can be made at [freeportskyconcern.com](http://freeportskyconcern.com), GoFundMe page on Facebook, Michelle at Logan's is hosting a fundraiser on June 12, and Applebee's is hosting a Pancake Breakfast on June 17. He stated that this year there were road blocks to fundraising and last year the majority of the donations were collected within one to two months of the fireworks. He is confident that the Committee will raise the funds.

Alderperson Koester asked for leave of Council for permission for Dan Misek to speak. The request was approved by general consensus of the Alderpersons.

Dan Misek stated that additional activities will be available earlier in the day at the fairgrounds such as bounce house, bungee run and food vendors. He feels it is important to build relationships within our community.

Alderperson Koester stated that Melrose requires that the contract be signed by tomorrow.

Alderperson Klemm moved to approve the expenditure of \$7,500 to Melrose Pyrotechnics; seconded by Alderperson Chesney.

Alderperson Koester pointed out that the original contract states \$20,000. He will contact Melrose tomorrow for a revised contract stating \$15,000.

Attorney Sosnowski stated that signature of the contract should be contingent upon review by City Legal Counsel or City Manager Crow.

Alderperson Smith asked for clarification that the City's initial commitment is \$7,500 and that would be less if the Committee is successful in raising more than \$7,500. Mayor Miller answered that that is correct.

Alderperson Koester shared the Committee's plans to become a non-profit organization including Dan Misek, Dan's wife, and Danielle, so they may continue with the planning of future fireworks.

Mayor Miller asked if any other members of the Fireworks Committee would like to speak. There were none.

Dan Misek stated that the fireworks are the greatest expense; however, there will also be a DJ and three bands which will incur an additional \$2,000 expense. In the past, Melrose has allowed 30 days for payment.

Motion prevailed by roll call vote of:

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

Nays: None

Abstain: Koester (1)

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

**ORDINANCES – SECOND READING**

**2<sup>nd</sup> READING OF ORDINANCE #2017-39**

**Ordinance Amending Section 1062.7 Entitled “Designated Burial Aisles” of Chapter 1062 (City Cemetery) of the Codified Ordinances of the City of Freeport, Illinois**

The first reading was held on May 15, 2017, where a motion to adopt was given by Alderperson Busker, seconded by Alderperson Ross and the ordinance was automatically laid over to tonight’s meeting.

Director of Public Works Dole recapped that this ordinance allows for no more than two burials of cremains in any one burial lot for which fees have already been established.

The floor was opened for questions.

There being none, Mayor Miller stated the ordinance was on the floor for passage. The motion prevailed by a roll call vote of:

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

Nays: None

Ordinance #2017-39 was passed.

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

The first reading of Ordinance #2017-41 was held on May 22, 2017 at a Special Meeting of the City Council. A motion to adopt was given by Alderperson Chesney, seconded by Alderperson Brashaw and the ordinance was automatically laid over to tonight’s meeting.

Alderperson Chesney stated that there was some confusion when looking at comparable municipalities. He spoke with Carbondale which does not require a permit for replacing windows, roof tear-off and replacement, or siding. He assumes Danville, Galesburg, and Pekin are similar in their requirements. Comparing Freeport’s permitting fees to those four municipalities, Freeport is high. Concerning safety on the houses in question, this doesn’t change anything, it is a function of whether we want to take the revenue or not. The projected revenue is \$2,800 per year. Increasing the threshold offers home owners some relief. He believes the question regarding replacing windows as a permitted improvement should be deferred to the Building Commission. This ordinance is not about enforcement, but fees. He specifically pointed out that a \$40,000 job in Freeport has a permit fee of \$400, whereas Carbondale is \$80.

Alderperson Klemm, having been in the construction trade and on the Building Commission, looked at this ordinance differently. He drove around Freeport looking at various properties. He mentioned the incentive for homeowners to work on their property. He felt the \$10,000 versus \$6,000 threshold would make very little difference and whether we collect the \$2,800 or not is also irrelevant to him. His main concern was that contractors who are performing the work are properly licensed and permitted.

Alderperson Brashaw pointed out that some people will get permits and others will not. She feels the threshold limit does not stop them from avoiding getting a permit. She also pointed out that some renovation projects take more than one year to complete. She feels we need to encourage citizens to do major renovation projects.

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

Aldersperson Koester felt that the last increase in threshold did not encourage homeowners in his ward to make improvements the last time the threshold was raised. He also feels that a \$6,000 to \$10,000 threshold qualifies as a "major" repair.

Aldersperson Klemm has no strong feelings about the \$10,000 amount; he is more in favor of enforcement and fines.

Aldersperson Chesney reiterated that nothing in this ordinance prohibits enforcement. He believes that when a "fee" is charged, a service should be provided.

Community Development Director Mills stated that the ordinance is written to address "minor repairs" for which no permit is required. If they do not have a permit, we cannot inspect. For larger projects, some multi-million dollar projects are inspected weekly. Recently, contractors had to tear out something they had done wrong. Another project, the wrong footings were discovered by the inspector. He feels our inspector communicates well with contractors.

Aldersperson McClanathan asked approximately what percentage of all permitted projects is inspected. Director Mills answered that between 10 and 20 percent are inspected, depending upon what other projects are occurring. One large project, the Hausmer building, requires inspections floor by floor. A smaller home siding project may need one or two inspections. Aldersperson McClanathan then asked what percentage of "minor repair" projects are inspected. Director Mills stated that he would have to look at the records. As the ordinance is currently worded, "minor" projects do not require a permit, so in that case, none of those would be inspected. Aldersperson McClanathan asked what Director Mills' projection would be if all projects required permits. Director Mills stated that it would ensure that all contractors' work would be inspected. He added that some contractors misinterpret the ordinance. A sun room, for instance, which is a structural change may cost less than \$6,000, which does not require a permit according to the amount of the project, but it does require a permit because of the nature of the project. Aldersperson McClanathan then asked, under this scenario, how many projects would be inspected. Director Mills stated that that would be an unknown until those rules were in place.

Aldersperson McClanathan summarized that he has not heard a good justification for the \$6,000 price, so he feels a \$10,000 threshold is reasonable and supports that. But, he also feels Aldersperson Klemm raises a good point about enforceability and feels that a separate, broader discussion should be had regarding that issue. He then asked the alderspersons if they had any further suggestions to send to City Manager Crow for consideration.

Aldersperson Klemm feels that if the threshold is raised to \$10,000 without something being done about enforcement, we will see a reduction in the number of permits applied for.

Aldersperson Busker pointed out that maybe one inspector is not enough and feels enforcement should be further addressed, especially if only 10 to 20 percent of permitted projects are inspected. Otherwise, he believes this ordinance should pass.

Aldersperson Chesney then called the question and the motion on the floor prevailed by a roll call vote of:

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

Nays: Koester (1)

Ordinance #2017-41 was passed.

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

Aldersperson Koester asked for confirmation that contractors can now get permits online. Director Mills stated that they can also pay online. His department encourages them to call and describe the project first. Aldersperson Koester suggested that more contractors be made aware of this online feature.

**ORDINANCES – FIRST READING**

**1<sup>st</sup> READING OF ORDINANCE #2017-42**

**An Ordinance Repealing Chapter 258 of the Codified Ordinances of the City of Freeport, Illinois Regarding the Board of Water and Sewer Commissioners**

Attorney Sosnowski explained that Ordinances #2017-42, #2017-43, #2017-44, #2017-45, #2017-46, and #2017-47 are related to dissolution of the Water and Sewer Commission. Ordinances #2017-43 through #2017-47 depend upon the passage of #2017-42 which removes and repeals the Water and Sewer Commission. City Manager Crow and Attorney Sosnowski discussed the uniqueness of the City of Freeport having a Water and Sewer Commission. After research, Attorney Sosnowski found that there was no statutory basis for the existence of such a commission. Current statutes state that a Water and Sewer Commission is required to support more than one community. Typically, multiple communities share a utility and have an intergovernmental agreement. From a legal perspective, our current Water and Sewer Commission is statutorily unable to make rules and regulations. The ordinances have also been changed to insert City Manager language.

Aldersperson Koester moved to forward Ordinance #2017-42 and Aldersperson Chesney seconded.

Mayor Miller stated that City Manager Crow has asked for a suspension of the rules in order to continue the search for a Water and Sewer Director.

Aldersperson Busker moved for suspension of the rules for immediate consideration, seconded by Aldersperson Brashaw.

Aldersperson McClanathan called for a point of order and noted that there was a motion on the floor to move this ordinance forward. Aldersperson Koester then withdrew his original motion and Aldersperson Chesney withdrew the second.

Mayor Miller called for a roll call vote on the suspension of rules:

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

Nays: None

Motion to suspend passed.

Mayor Miller asked for discussion on Ordinance #2017-42.

Aldersperson Smith asked about research into the origination of the Water and Sewer Commission. Attorney Sosnowski stated that it originated in the 1930s. At that time, the Illinois Municipal Code may have read differently. Current code is available back to the 1960s. It is possible that the Illinois code could have allowed for a Water and Sewer Commission in a single municipality in the 1930s. When the Illinois Constitution and Illinois code were rewritten, a commission of this sort was not allowed.

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

Aldersperson Busker moved for passage of Ordinance #2017-42, seconded by Aldersperson Koester. The motion prevailed by a roll call vote of:

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

Nays: None

Ordinance #2017-42 was passed.

**1<sup>st</sup> READING OF ORDINANCE #2017-43**

**An Ordinance Amending Title Six - Administration of the Codified Ordinances of the City of Freeport, Illinois to Create a New Chapter 253 Providing for the Position of Executive Director of Water and Sewer**

Aldersperson Chesney moved for approval of Ordinance #2017-43; seconded by Aldersperson Ross.

Aldersperson Smith moved for suspension of the rules for immediate consideration, seconded by Aldersperson Chesney. Mayor Miller stated that this is non-debatable and requires a 2/3 majority vote. Motion on suspension of the rules prevailed by a roll call vote of:

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

Nays: None

Motion to suspend passed.

Attorney Sosnowski clarified Aldersperson Brashaw's question that this is a new ordinance moving the position of Executive Director from the previous chapter to Title Six, new Chapter 253.

Aldersperson McClanathan asked for clarification that the wording regarding the City Manager having authority to hire and discharge the Executive Director and compensation mirror the language of other sections regarding other Department Heads. Attorney Sosnowski responded that none of the other sections regarding Department Heads have been amended yet. Under Illinois Municipal Code regarding the City Manager form of government, hiring and discharge of Department Heads would no longer come before the Council for approval but be the responsibility of the City Manager. Discussion ensued regarding compensation without a definitive answer. Aldersperson McClanathan was inquiring more so regarding hiring and discharge.

Mayor Miller then stated that there was a motion on the floor to approve Ordinance #2017-43 which prevailed by a roll call vote of:

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

Nays: None

Ordinance #2017-43 was passed.

**1<sup>st</sup> READING OF ORDINANCE #2017-44**

**An Ordinance Amending Title Four Utilities, Chapter 1042 Water Generally of The Codified Ordinances of The City of Freeport, Illinois Removing Reference to The Board of Water and Sewer Commissioners and Adding City Manager**

Aldersperson Koester moved for approval of Ordinance #2017-44; seconded by Aldersperson Busker.

Aldersperson Klemm moved for a suspension of the rules for immediate consideration, seconded by Aldersperson Smith. Mayor Miller stated that on the suspension of the rules, it is non-debatable and requires a 2/3 vote. The motion for suspension prevailed by a roll call vote of:

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

Nays: None

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

The motion for passage of Ordinance #2017-44 prevailed by a roll call vote of:  
Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester and Chesney (8)  
Nays: None  
Ordinance #2017-44 was passed.

**1<sup>st</sup> READING OF ORDINANCE #2017-45**

**An Ordinance Amending Part Ten Streets Utilities and Public Services Code, Title Four Utilities, Chapter 1046 Sewers Generally of The Codified Ordinances of The City of Freeport, Illinois Removing Reference to The Board of Water and Sewer Commissioners and Adding City Manager**

There was no discussion and Alderperson Busker moved for approval of Ordinance #2017-45; seconded by Alderperson Ross.

Alderperson Koester moved for suspension of the rules, seconded by Alderperson Smith. Mayor Miller stated that suspension of the rules is non-debatable and requires a 2/3 majority vote. The motion for suspension prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester and Chesney (8)  
Nays: None

The motion for passage of Ordinance #2017-45 prevailed by a roll call vote of:  
Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester and Chesney (8)  
Nays: None  
Ordinance #2017-45 was passed.

**1<sup>st</sup> READING OF ORDINANCE #2017-46**

**An Ordinance Amending Part Ten Streets, Utilities, And Public Services Code, Title Four Utilities, Chapter 1048 Sewer Rates and Revenues of The Codified Ordinances of The City of Freeport, Illinois Removing Reference to The Board of Water and Sewer Commissioners and Adding City Manager**

Mayor Miller asked for discussion; there was none.

Alderperson Busker moved for approval of Ordinance #2017-46; seconded by Alderperson Koester.

Alderperson Koester moved for suspension of the rules, seconded by Alderperson Ross. Mayor Miller stated that suspension of the rules is non-debatable and requires a 2/3 majority vote and the motion prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester and Chesney (8)  
Nays: None

The motion for passage of Ordinance #2017-46 prevailed by a roll call vote of:  
Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester and Chesney (8)  
Nays: None  
Ordinance #2017-46 was passed.

**1<sup>st</sup> READING OF ORDINANCE #2017-47**

**An Ordinance Amending Part Ten Streets, Utilities, And Public Services Code, Title Four Utilities, Chapter 1050 Storm Sewers of The Codified Ordinances of The City of Freeport, Illinois Removing Reference to The Board of Water and Sewer Commissioners and Adding City Manager**

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

Aldersperson Chesney moved for approval of Ordinance #2017-47; seconded by Aldersperson Busker.

Aldersperson Smith moved for suspension of the rules, seconded by Aldersperson Ross. The motion for suspension prevailed by a roll call vote of:

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

Nays: None

The motion for passage of Ordinance #2017-47 prevailed by a roll call vote of:

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

Nays: None

Ordinance #2017-47 was passed.

**1<sup>st</sup> READING OF ORDINANCE #2017-48**

**An Ordinance Amending Part Ten Streets, Utilities and Public Services Code Adding Chapter 1034 Outdoor Parklets to the Codified Ordinances of the City of Freeport, Illinois**

Community Development Director Mills explained that Ordinance #2017-48 deals with Parklets which was originally drafted by Aldersperson McClanathan, reviewed by himself and City Manager Crow, and revised by City Legal Counsel Sosnowski. The Sidewalk Café ordinance requires restaurants to operate in the right-of-way. Parklets will be located parking spaces(s) in the street. Application for a Parklet would require a written plan describing such criteria as description of outdoor furniture, number of patrons, measures taken towards compliance, insurance requirements, etc. The Community Development Director will review applications which require a \$100 fee. Duration would expire upon November 15 of year it was obtained. City Manager can revoke for violations, including public disruptions. Licenses would not be transferrable or assignable. Whereas the Sidewalk Cafe ordinance implements fines, the Parklets ordinance dictates warnings or revoking licenses. Under this licensing, the approved applicant would own the furniture and the city would license the space. The construction of the Parklet would be the responsibility of the applicant. The reasoning behind Parklets would be for more outdoor seating and to give owners additional options. Aldersperson McClanathan explained that other communities use these in mainly two different ways: one along the sidewalk and the other in the parking area on the street.

Aldersperson Busker inquired about snow removal. Director Mills responded that the license expires November 15 of each year and the applicant would need to remove furniture and the Parklet "deck". There are also provisions for the City Manager to revoke licenses earlier, if needed, due to forecasted snowfall.

Aldersperson Brashaw pointed out the requirement of alcohol being served is incidental to food service. Attorney Sosnowski stated that the wording is suggested based on other municipalities. She also clarified that the provision requires that no alcohol be dispensed at a temporary bar on the Parklet.

Aldersperson Smith asked if further wording could be inserted defining the premises. Director Mills stated that the City Manager is the License Officer who would approve the written application plan at his discretion on a case-by-case basis.

Aldersperson Klemm asked if this ordinance would apply at restaurants such as Fiesta en Cancun in their parking lot. Director Mills stated that this ordinance covers city-owned property and rights-of-way, not privately-owned parking lots. There are other provisions in the Code which cover outdoor liquor sales on privately-owned property.

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

Alderson Busker moved and Alderson Koester seconded that Ordinance #2017-48 be moved forward for Second Reading. Alderson Koester then amended the original motion to move this ordinance to the next Committee of the Whole Meeting for Council review. The motion was seconded by Alderson Klemm and the matter was automatically laid over to the June 12, 2017, Committee of the Whole Meeting.

**1<sup>st</sup> READING OF ORDINANCE #2017-49**

**An Ordinance Amending Section 288.19 of the Codified Ordinances of the City of Freeport, Illinois Regarding Medical and Life Insurance**

Attorney Sosnowski explained that this ordinance outlines what the COBRA share payment will be and the fact that it is going up effective August 1, 2017. The percentages are not changed. The rates are going up; coverage is not.

Alderson Chesney moved to approve Ordinance #2017-49 and Alderson Klemm seconded.

Alderson Chesney moved to suspend the rules; Alderson Busker seconded. Mayor Miller stated that the motion will be considered for immediate passage which is non-debatable and must be passed by 2/3 majority. The motion for suspension failed to earn 2/3 majority by roll call vote of:

Yeas: Klemm, McClanathan, Ross, Busker, and Chesney (5)

Nays: None

Abstain: Smith, Brashaw, Koester (3)

Alderson Koester stated that there is a conflict of interest which prompted the three alderpersons to abstain. He then asked for clarification if he is required to abstain on the suspension of the rules if he has a conflict. Attorney Sosnowski stated that he does not need to abstain on the suspension. Mayor Miller asked to retake a roll call on the suspension of the rules. The motion to suspend passed by roll call vote of:

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

Nays: None

Alderson Smith stated that he has a pecuniary interest in this measure which is his reason for his abstention.

Mayor Miller then asked for a roll call vote for approval of Ordinance #2017-49, which prevailed by:

Yeas: Klemm, McClanathan, Ross, Busker, and Chesney (5)

Nays: None

Abstain: Smith, Brashaw, Koester (3)

Ordinance #2017-49 was passed.

**PUBLIC HEARING**

Clerk Anderson read the Notice of Public Hearing into record: *Regarding State of Illinois Paratransit Vehicle Grant for the City of Freeport and Stephenson County. The City of Freeport will hold a public hearing on June 5, 2017 at 6:00 PM in the City Council Chambers at 314 W. Stephenson Street. For the purpose of considering a project for the Illinois Department of Transportation's general authority to make such Grants, and which is generally described as follows: A. Provide continued demand-response public transportation throughout Stephenson county. Currently the City provides approximately 80,000 rides annually. Accordingly, the City of Freeport is applying for five (5) handicap accessible, 12 passenger, light duty buses, and (3) handicap accessible mini vans, six (6) as replacement vehicles, and two (2) as expansion vehicles, worth approximately \$408,000.00 collectively. This*

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

*project will be included in the Consolidated Vehicle Procurement Program undertaken by the State of Illinois on the behalf of the City of Freeport, with State and Federal Funds. B. Relocation – Relocation Assistance will not be required. C. Environment – This project is being implemented to minimize environmental impact. D. Comprehensive Planning – This project is in conformance with comprehensive transportation planning area. E. Elderly and Disabled – All new equipment included in the project will meet ADA accessibility rules for the elderly and persons with disabilities. (II.) At the hearing the City of Freeport will afford an opportunity for interested persons or agencies to be heard with respect to the social, economic and environmental aspects of the project. Interested persons may submit orally or in writing, evidence and recommendations with respect to said project. (II.) A copy of the application for a state grant for the purposed project for the intended service area will be made available for public inspection at City Hall, 324 W. Stephenson St., Freeport, IL. 61032. Contact Person; Forrest J. Senn – Program Compliance Oversight Monitor - (815) 599-5804*

A motion to open the Public Hearing was made by Alderperson Koester; seconded by Alderperson Brashaw, which allowed anyone from the audience or the Council to speak.

Community Development Director Mills gave an overview of the application for Consolidated Vehicle Procurement Program and explained that four (4) buses had been applied for last year. We will be receiving two (2) of those buses this fall which is a 1-1/2 year lag time. At this time, we are applying for five (5) buses and three (3) minivans for a total of eight (8) new vehicles, receipt of which will be in the fall of 2018. Our fleet of vehicles continues to age and accrue more mileage annually, go down for maintenance more frequently, and repair costs escalate as vehicles age. IDOT has instructed us to apply for what we want and need. Of the eight (8), six (6) will be replacement vehicles and two (2) will be additional vehicles to expand the fleet. We may not be granted all eight (8) vehicles.

Alderperson Smith pointed out that the Public Hearing text should read “314” W. Stephenson Street.

Alderperson McClanathan clarified that the vehicles acquired from this program are covered entirely under the funding we apply for annually under the Consolidated Vehicle Procurement Program and have no effect on our budget. Director Mills concurred and added that no City money is spent on this program.

A motion to close the Public Hearing was made by Alderperson Smith; seconded by Alderperson Ross; and prevailed by voice vote without dissent.

**RESOLUTIONS**

**[ADOPTION OF RESOLUTION R-2017-35](#)**

**Resolution Authorizing Application for a Public Transportation Capital Assistance Grant with the Illinois Department of Transportation and the City of Freeport, Illinois**

Alderperson Koester moved and Alderperson Klemm seconded that Resolution R-2017-35 be adopted. There being no discussion, Resolution R-2017-35 was adopted by a roll call vote of:  
Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester and Chesney (8)  
Nays: None

**OTHER**

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

*[CLERK'S NOTE: Item #18, Discussion on contract for fireworks from Melrose Pyrotechnics, Inc. for July 2, 2017, Fourth of July Fireworks, for the City of Freeport at Stephenson County Fairgrounds, was moved forward on the agenda and minutes of same may be found after "Appointments" above.]*

**REPORTS OF DEPARTMENT HEADS**

Mayor Miller explained that City Manager Crow had asked Department Heads to provide a summary that can be read beforehand. New items for discussion included:

**Community Development**

In response to Council's request for an update on demolitions, Director Mills provided a visual presentation of a map of the City of Freeport showing different "layers" which represented houses that will be demolished under a certain grant or be addressed jointly in a certain bid package. Five (5) owners have applied for demolition permits whereby the owner hires a contractor or, occasionally, demolishes the house themselves if they have the skills and means to do so. Each one is advertised in the newspaper to invite comments from neighbors. He appreciates that homeowners take the initiative. The \$72,000 Abandoned Properties Program grant from the Illinois Housing Authority will cover demolitions for five (5) properties. These will go out for bid this week, bid opening next week, and go before Council for bid award yet this month. General Funded demolitions are posted as "fast tracks" following State statute to eliminate blighted properties which are open and vacant. These will also go out for bid this week and go before Council for approval this month. These will be bid in groups of no more than six or seven which is a manageable size for staff. Two rounds of the Blight Reduction Program were identified using color-coded shading on the PowerPoint presentation. Round 1 has had 13 demolitions. Round 2 has had six or seven. Round 1 has plenty of funding available which our non-profit partner, HomeStart, will acquire through the tax trustee in July. A list of prioritized deeds will be submitted to the County tax trustee for this and Round 2 for deeds to transfer, which means we are asking to put these properties at the front of the list so they come down sooner. Blight Reduction Program 2 has the elevators which will come down. A large number of those will have a deed transfer from Stephenson County tax trustee to Northern Illinois Community Action Agency (NICAA), our Round 2 partner. In those cases, NICAA will be handling the demolitions so we will not be bidding nor awarding them, so they will not be brought before Council. We will simply work with NICAA to keep things moving. In the fall, another round of General Fund demolitions will be broken into smaller, more manageable groups. These have come about through the fast-track process and will be advertised for bid and awarded in July. During Round 2, it is likely that there will be more houses to be demolished than funds available. We will get as many houses as possible, but another grant would be welcomed. Another group of six or seven will be bid in early fall, some in the East Stephenson area. Our final batch, "Others", for which funding will need to be determined, will be reliant upon budgeting at the time. Funding-wise, the owner demolitions, Abandoned Properties Program, and Blight Reduction Program will not cost the City anything. The General Funded demolitions will incur cost to the City with a projected baseline of \$7,500 per demolition, which may be a high estimate for small houses, low for larger houses. Total costs could range from \$100,000 to \$200,000, but with some breaks and competitive bid pricing, we could put a large dent in the blight problem of vacant and abandoned houses.

Mayor Miller complimented Director Mills on the nice presentation and she thanked all department staff for their team effort in preparations and working with the applicants to the program.

Aldersperson Busker referenced the aggressive figure which projected 80 demolitions per year. He asked how many buildings would fit criteria for demolition in Freeport at this time. Director Mills stated that approximately 200 buildings could be considered for demolition. The buildings presented tonight identify the "worst of the worst". After this year's program, the next "wave" to be considered for demolition will need to be identified, especially through tax sales. He is working with the tax trustee to keep the worst properties from going up for sale. He believes that if a building is not worth selling at a tax sale, it is more productive to take the building

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

down. Next summer will bring more demolitions but he hopes we are beginning to see the light at the end of tunnel.

Aldersperson Chesney thanked Director Mills and his staff for their efforts and pointed out that 80 demolitions per year would be three times more than what has been done in the past.

**Finance**

Director Bernadelle stated that auditors will be doing pre-audit work and the ongoing budget work would be his department's focus.

**Public Works**

Aldersperson Ross asked if the hot mix had been laid in the section of Arcade which had been in question. Director Dole stated that they have only been doing hot mix for two weeks and have not been in the area yet.

**Water and Sewer/City Engineer**

Nothing further than was included in the Council packet.

**Police Department**

Chief Barkalow stated that in addition to the weekly report submitted to City Manager Crow, he acknowledged the Explorer Group on Saturday of ages 14 to 18 competed in Rockford and placed fourth. This weekend, patrol was very busy with school out and the heat on.

**Fire Department**

Battalion Chief Blackburn stated that there was nothing additional to the weekly report submitted by Fire Chief Miller.

**Library**

Library Director Dickerson announced opening of the Summer Reading Program with a kick-off on June 10 for children and adults. Incentives are provided by the Public Library Foundation. She pointed out the importance of summer reading programs to close the gap children experience when they do not have access to reading materials.

**MAYOR'S REPORT**

Mayor Miller stated that a transformer near Tutty's Crossing is being replaced at no cost to the City and the bike path will be disrupted but not closed. Business 20/Galena Avenue will be closed from Greenfield Drive to Mesa drive beginning June 12, 2017. A detour will be posted. The Public Safety Task Force met last weekend with a great turnout (State's Attorney's Office, Sheriff, Freeport Township, and the clergy) to address our community's top priority.

**COUNCIL ANNOUNCEMENTS/NEW BUSINESS**

Aldersperson Klemm thanked his wife for 47 years of marriage as of tomorrow.

Alderspersons McClanathan, Ross, Smith, Busker had nothing to add.

Aldersperson Brashaw asked constituents to be "Freeport Proud" and clean up not only their own neighborhoods, but others as well.

**MINUTES-COUNCIL MEETING  
MONDAY, JUNE 5, 2017, AT 6:00 P.M.**

Alderson Koester thanked the Council for their support of the fireworks. Albertus Airport will host the Young Peoples' Flights, ages 9 to 17, for a free airplane ride. Next Monday, Logan's will be hosting a fundraiser with celebrity bartenders and a portion of proceeds donated to fireworks. June 17, 2017, pancake breakfast at Applebee's to benefit fireworks.

**PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS**

There were no public comments.

Upon a motion duly made and seconded, the meeting was adjourned at 8:10 pm.

*s/ Dovie L. Anderson*

Dovie L. Anderson  
City Clerk