



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

MINUTES
COUNCIL MEETING
MONDAY, DECEMBER 18, 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 6:00 p.m. on Monday, December 18, 2017.

ROLL CALL

Present on roll call: Mayor Jodi Miller and Council Members Alderpersons Tom Klemm, Peter McClanathan, Art Ross, Bob Smith, Patrick Busker, Mike Koester, and Andrew Chesney (7). Alderperson Sally Brashaw was absent.

Staff members present: City Manager Lowell Crow, Finance Director Randy Bukas, Director of Community & Economic Development Nancy McDonald, Director of Public Works Dennis Carr, Director of Streets Tom Dole, Fire Chief Todd Allen, Chief of Police Todd Barkalow, Director of Utility Operations Tom Kopanski, Director of Information Technology Curt Suttman, and City Clerk Dovie Anderson.

Others Present: City Legal Counsel Roxanne Sosnowski, Esq.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Busker.

APPROVAL OF AGENDA

Alderperson Koester made a motion to approve the Agenda and Alderperson Smith seconded. Motion prevailed by voice vote without dissent.

APPROVAL OF MINUTES

Alderperson Koester moved and Alderperson Busker seconded to approve minutes from [December 4, 2017](#), and motion prevailed by voice vote without dissent.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

All items on the Consent Agenda are considered to be routine in nature and will be enacted in one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered as the first item after approval of the Consent Agenda [View Consent Agenda](#)

A. Approval to receive and place on file:

- 1) Financial Reports: General Fund, Library Fund, Water Fund, Sewer Fund, Storm Sewer Fund – November 30, 2017
- 2) City Treasurer's Reports – November 30, 2017

B. Approval of Finance Bills Payable (Registers #885, 886, 889, 890, and TBA) --- \$1,184,312.11

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C. Approval of Payroll for pay period ending December 9, 2017 – AFSCME Retro --- \$53,484.51 with fringe benefit payments in the amount of \$9,821.09 for a total of \$63,305.60

D. Approval of Payroll for pay period ending December 9, 2017 --- \$422,863.49 with fringe benefit payments in the amount of \$34,643.95 for a total of \$457,507.44

Aldersperson Koester moved and Aldersperson McClanathan seconded that the consent agenda be approved. Motion prevailed by omnibus vote of:

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

Nays: None

The Consent Agenda was approved.

APPOINTMENTS

Aldersperson Klemm moved and Aldersperson Busker seconded to approve the following appointments and reappointments: re-appointment to the Stephenson County Convention and Visitors Bureau effective immediately: Aldersperson Peter McClanathan, as member of the Freeport City Council, Amy Fairweather, and Mike Meade through December 31, 2020; appointment of James Berberet to the Planning Commission through October 31, 2021; appointment of Benjamin Bushman to the Building Commission through April 30, 2020. Correction of expiration date for Nicole Bauer to the Planning Commission from February 21, 2021 to October 31, 2021. Motion prevailed by voice vote without dissent.

ORDINANCES – SECOND READING

ITEM #6 - [2nd READING OF ORDINANCE #2017-84](#)

An Ordinance Amending Title Eight, Parking, Chapter 480, Parking Generally of the Codified Ordinances of the City of Freeport, Illinois, Regarding Parking in the Central Business District

At the December 4, 2017, Council meeting, Aldersperson Koester made a motion to move this Ordinance to the next Committee of the Whole for discussion, Aldersperson Klemm seconded. At the December 11, 2017, Committee of the Whole meeting, Manager Crow gave recommended changes to parking hours.

City Manager Crow stated that Police Chief Barkalow and Director of Streets Dole have reviewed this. Additionally, the Freeport Downtown Development Foundation (FDDF) has received fourteen (14) favorable comments with a requested change in the resident parking hours being limited to outside of regular business hours.

Upon a motion made by Aldersperson McClanathan and seconded by Aldersperson Busker to amend Ordinance 2017-84 to keep the two (2) hour parking and the 15-minute parking limits during the downtown business hours, the motion prevailed by a roll call vote of:

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

Nays: None

Abstain: None

There being no further discussion, Mayor Miller called for a roll call vote for approval of Ordinance 2017-84 as amended:

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

Nays: None

Abstain: None

Ordinance 2017-84 passed.

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ITEM #7 - 2nd READING OF ORDINANCE #2017-85

An Ordinance Amending Various Provisions of the Codified Ordinances of the City of Freeport, Illinois to Provide for the Removal of Appointed Members to Boards, Commissions and Bureaus of the City Due to Lack of Meeting Attendance

At the December 4, 2017, Council meeting, Alderperson Koester made a motion to move this Ordinance to the next Council meeting for approval, Alderperson Chesney seconded, and the matter was automatically laid over to tonight's meeting.

Manager Crow stated that he has received positive feedback from several boards which have had problems with attendance.

There being no further discussion, the motion prevailed by a roll call vote of:

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

Nays: None

Abstain: None

Ordinance 2017-85 passed

ITEM #8 - 2nd READING OF ORDINANCE #2017-86

An Ordinance Amending Part Fourteen, Building and Housing, Title Four, Building Administration, Chapter 1446, Licensing of Commercial Contractors, Section 1446.02, License Required, of the Codified Ordinances of the City of Freeport, Illinois Regarding Licensing of General Contractors Building New Residential Dwellings

At the December 4, 2017, Council meeting, Alderperson Chesney made a motion to move this Ordinance to the next Council meeting for approval, Alderperson Busker seconded, and the matter was automatically laid over to tonight's meeting.

Manager Crow stated that this Ordinance makes general contractors responsible for compliance of subcontractors with new dwelling construction. The general contractor will provide the names of subcontractors to the City and registration will be waived for the latter.

There being no further discussion, the motion prevailed by a roll call vote of:

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

Nays: None

Abstain: None

Ordinance 2017-86 passed.

ORDINANCES – FIRST READING

ITEM #9 - 1st READING OF ORDINANCE #2017-87

An Ordinance Adopting a Policy Prohibiting Sexual Harassment for City of Freeport

At the December 11, 2017, Committee of the Whole a motion to move forward was made by Alderperson McClanathan; seconded by Alderperson Chesney; and the matter was laid over to tonight's meeting by unanimous voice vote.

Manager Crow stated that in November the governor signed into law P.A. 1-00-554 regarding Sexual Harassment and municipalities are required to adopt their own policy by January 15, 2018.

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Aldersperson Koester made a motion to move forward for approval Ordinance 2017-87; seconded by Aldersperson Chesney. The matter was automatically laid over to the next Council meeting.

ITEM #10 - [1st READING OF ORDINANCE #2017-90](#)

An Ordinance of the City of Freeport, Illinois Approving and Authorizing the City to Enter into an Addendum/Amendment to Master Tax-Exempt Lease/Purchase Agreement, Property Schedule No. 4 and Related Documents Thereto with U.S. Bancorp Government Leasing and Finance, Inc. Regarding Vactor Truck
[View Document](#)

Manager Crow stated that this lease will be for seven (7) years. Finance Director Bukas added that the Vactor Truck will be delivered next week.

Aldersperson Klemm made a motion to move forward for approval Ordinance 2017-90; seconded by Aldersperson Koester.

Aldersperson Klemm moved and Aldersperson Busker seconded to suspend the rules. Mayor Miller stated that suspension is non-debatable and requires a 2/3 vote. The motion carried by a roll call vote of:

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

Nays: None

Passage of the motion prevailed by roll call vote of:

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

Nays: None

Abstain: None

Ordinance 2017-90 was passed.

RESOLUTIONS

ITEM #11 - [ADOPTION OF RESOLUTION #R-2017-63](#)

Resolution Authorizing Execution and Amendment of Downstate Operating Assistance Grant Agreement (FY2018)

Director of Community & Economic Development McDonald stated that this Resolution is required to approve our annual allocation of \$1.2 million from July 1, 2017, to June 30, 2018, from the State of Illinois Downstate Operational Assistance Program (DOAP) Grant. She added that there is an in-kind match from our services partners such as United Way with Berner Cheese and others.

Aldersperson Busker made a motion to adopt Resolution R-2017-63, Aldersperson Koester seconded, and the motion prevailed by roll call vote of:

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

Nays: None

Resolution R-2017-63 was adopted.

OTHER

ITEM #12 - Approval of Moving January Meetings One Week (1/8/18 – Council, 1/16/18 – COW, 1/22/18 – Council) [View notice](#)

Manager Crow stated that Council meetings as originally scheduled would have occurred on Tuesdays and on short weeks. This will allow for an extensive schedule at the January 8, 2018, regular Council meeting.

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Aldersperson Koester made a motion to approve, Aldersperson Busker seconded, and the motion prevailed by a roll call vote of:

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

Nays: None

ITEM #13 - Approval of Letter regarding Agreement of Employment Terms with Fire Captains

Manager Crow stated that discussions have taken place with the Fire Captains regarding education incentives and post-employment plan. This letter gives a 7-year window and will become an appendix to the Employee Handbook.

Aldersperson Chesney made a motion to approve, Aldersperson Klemm seconded, and the motion prevailed by a roll call vote of:

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

Nays: None

REPORTS OF DEPARTMENT HEADS

Finance

Director Bukas wished everyone a happy and safe holiday.

Community & Economic Development

Director McDonald stated that Pretzel City Kitchen is close to completion. Students should be in the kitchen trying out the equipment in January, commercial rentals should be available in February, and a grand opening will be coming soon. This week we will be right on track for eighty (80) demolitions. Aldersperson Koester asked and Director McDonald confirmed that tours of Pretzel City Kitchen for Alderspersons can be arranged whenever they choose.

Public Works

Director Carr stated a bid opening was held for the asbestos abatement in Old City Hall which received a single bid of \$316,000. He is not recommending this bid and would like to have Fehr Graham review the bid packet to clarify the scope of work and then re-bid the project.

Streets

Director Dole stated that, beginning tomorrow, Galena Avenue between Stephenson and Main will be closed for the demolition at 12 South Galena Avenue for two to three days.

Fire

Fire Chief Allen stated that the ISO visit was conducted last week. We are currently at a rating of 3 and hope to maintain that level. There is some homework still to be submitted and we should know if we have maintained that rating within six months. Also, 36 of 42 candidates took the written exam at the library last Saturday. They will proceed with the recruits who passed the exam. There was a structure fire in the 600 block of South Liberty and the Red Cross is assisting the displaced residents. Aldersperson Koester asked for an explanation of an ISO rating of 3. Chief Allen stated that 1 is the best and 10 is the worst. For example, an area in rural Idaho may have a rating of 10 because of the remote access to water. This is reflected in the insurance rates of residents. A rating of 1 indicates the best fire protection available and commercial and residential insurance rates would reflect that. With the City being at a rating of 3, this puts us at in the 90th percentile compared to municipalities around the country, which provides us lower insurance rates. Aldersperson Smith asked if the proposed improvements to the

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water and sewer system would boost our rating. Chief Allen stated that the ISO rating is based upon three parts: 60% fire department and the operations thereof, 30% water department, and 10% 911 dispatch. If improvements are made to any of those systems, that section of the ISO can be updated without opening the whole process.

Police

Police Chief Barkalow wished everyone a safe and happy holiday. He stated that a STEP grant will allow officers to be hired back around the holidays and New Year's Eve specifically watching out for impaired drivers, cell phone usage, and lack of seat belts. He gave his assurance that this is not a way to generate revenue, but an awareness and prevention of fatalities. This Saturday there will be interviews with the Police & Fire Commission with the 15 remaining candidates. This list will be pared down for potential hires.

Water and Sewer

Director Kopanski stated that there will be a bid opening for capping Wells #2 and #6 on December 28, 2017. The test wells will go to bid in January. Alderperson Koester asked about the status of water main breaks. Director Kopanski stated that there have been three in the last week. His concern is that there is no snow cover to provide insulation going into the deep freeze expected next week. There is staff available to handle any emergency. Alderperson Klemm thanked the water and sewer crew for the water main break on Laurel last week exemplifying that we have an excellent crew.

IT

Nothing to report.

CITY MANAGER REPORT

Manager Crow stated that during the snow season and the predicted deep freeze, he encourages citizens to be vigilant and report water main breaks. He offered thanks to staff for the last year and an enjoyable seven months since he came on board. He also wished everyone a Merry Christmas.

MAYOR'S REPORT

Mayor Miller expressed her appreciation to Council and department heads for their like-mindedness moving the City forward in a unified direction. She looks forward to the upcoming year for success and growth as well as a Merry Christmas.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Alderperson Busker stated that the December 5th Ward Neighborhood Watch meeting is cancelled so people can enjoy their families. He wished everyone a Merry Christmas and safe and happy holidays.

Alderperson Koester reiterated a warning against cell phone use while driving and thanked Jennie Devine for the gift of fudge. He gave a reminder that the 7th Ward Neighborhood Watch will not be meeting in December but will resume in January at the main fire station on Walnut.

Alderperson Chesney thanked our non-profits and reminded everyone that they need our help during the holiday season making their fundraising goals. The Freeport Salvation Army can use assistance with ringing bells for the Red Kettles.

Alderperson Klemm echoed Alderperson's sentiments towards the Salvation Army and wished everyone a Merry Christmas, Happy New Year, and safe holidays.

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Aldersperson McClanathan expressed his holiday greetings and appreciation for working with City employees and Council.

Aldersperson Ross gave his best wishes to everyone in the New Year.

Aldersperson Smith also thanked Jennie Devine for her confectionaries.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Steve Carroll stated that Northwest Illinois Development Alliance (NIDA) had their servers hacked with ransomware this summer. They paid \$9,722.68 in bit coin for the release of their information. He is concerned that law enforcement was not aware of this. On August 10, 2017, at an Enterprise Zone meeting, NIDA asked for reimbursement of half of the ransom money from tax dollars. The Mayor and City Manager have seats on the NIDA board. The City Manager is a member of the EZone and was present at the August 10 meeting. Mr. Carroll feels that the reimbursement was kept silent and also an irresponsible and possibly illegal expenditure of tax payers' money.

Tom Teich commented on junk cars near Cimino's. Aldersperson Ross and Chief Barkalow stated that the Police Department is working on it.

Upon a motion duly made and seconded, the meeting was adjourned at 6:40 p.m.

s/ Dovie L. Anderson

Dovie L. Anderson
City Clerk