



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

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**MINUTES**  
**COUNCIL MEETING**  
**MONDAY, JUNE 4, 2018 AT 6:00 P.M.**

**CALL TO ORDER**

A 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, June 4, 2018.

**ROLL CALL**

Present on roll call: Mayor Jodi Miller and Council Members Alderpersons Tom Klemm, Peter McClanathan, Bob Smith, Patrick Busker, Sally Brashaw, Mike Koester and Andrew Chesney (7). Alderperson Art Ross was absent (1).

Staff members present: City Manager Lowell Crow, Director of Finance Randy Bukas, Fire Chief Todd Allen, Chief of Police Todd Barkalow, Director of Utilities Tom Kopanski, Director of Information Technology Curt Suttman, and City Clerk Dovie Anderson

Others Present: City Legal Counsel Aaron Szeto, Esq.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Alderperson Klemm.

**APPROVAL OF AGENDA**

Alderperson McClanathan moved and Alderperson Koester seconded to approve the agenda; motion carried unanimously by voice vote without dissent.

**APPROVAL OF MINUTES**

Alderperson Brashaw moved and Alderperson McClanathan seconded to approve minutes from the [May 21, 2018](#) meeting; 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) City Treasurer's Report – April, 2018
  - 2) Minutes from Planning Commission Meeting – April 12, 2018
- B. Approval of Finance Bills Payable (Registers #2, 3, and 4 and invoices to be approved for registers dated May 15, 2018 through May 30, 2018) --- \$411,593.27

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- C. Approval of Payroll for pay period ending May 26, 2018 --- \$481,132.97 with fringe benefit payments in the amount of \$34,295.70 for a total of \$515,428.67.

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

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

Absent: Ross (1)

Nays: None

Director of Community & Economic Development Nancy McDonald entered Council chambers at 6:03 pm.

**ITEM #5 – Recognition of Service Awards**

City Manager Crow stated that just prior to the Council meeting two traffic accidents occurred, therefore Alan Guilfoyle, Police Department, and Curtis Timmer, Fire Department, will be recognized next month. Manager Crow and Director of Utility Operations Tom Kopanski introduced employee Scott Curran, Water Department and thanked him for his 35 years of service to the City.

**ORDINANCES – SECOND READING**

**ITEM #6 – [2<sup>nd</sup> READING OF ORDINANCE #2018-29](#)**

**An Ordinance of the City of Freeport, Illinois Amending Ordinance No. 2017-18 Previously Adopted by the City Regarding the Issuance of a Meadows TIF Redevelopment Note (RDA)** *At the May 21, 2018, Council Meeting a motion to move forward for approval was made by Aldersperson Smith; seconded by Aldersperson Koester; and was automatically laid over.*

Director McDonald stated that this is a date correction to the original note. The TIF expiration date should show 2037.

Mayor Miller called for a roll call vote for final passage of Ordinance #2018-29:

Yeas: Klemm, McClanathan, Busker, Brashaw, Koester, Chesney (7)

Nays: None

Abstain: None

Absent: Ross (1)

Ordinance #2018-29 passed.

**ITEM #7 – [2<sup>nd</sup> READING OF ORDINANCE #2018-30](#)**

**An Ordinance Amending the Zoning Classification of Property Located at 327 East Spring Street, Freeport, Illinois from M-2 (General Manufacturing) to B-1 (Restricted Retail)** *At the May 21, 2018, Council Meeting a motion to move forward for approval was made by Aldersperson Koester; seconded by Aldersperson Brashaw; and was automatically laid over.*

Director McDonald stated that the owner of the parcel at 327 East Spring Street has requested the zoning be changed. There were no public comments. On May 10, 2018, the Planning Commission found no adverse findings and voted unanimously to recommend the zoning change to Council.

Mayor Miller called for a roll call vote for final passage of Ordinance #2018-30:

Yeas: Klemm, McClanathan, Busker, Brashaw, Koester, Chesney (7)

Nays: None

Abstain: None

Absent: Ross (1)

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Ordinance #2018-30 passed.

**ORDINANCES – FIRST READING**

**ITEM #8 – [1<sup>st</sup> READING OF ORDINANCE #2018-31](#)**

**An Ordinance Amending Chapter 886 Entitled “Hotel Tax” of the Codified Ordinances of the City of Freeport, Illinois**

Manager Crow stated that the Greater Freeport Partnership (The Partnership) will be stood up tomorrow, June 5, 2018. Four organizations have combined into one including the Freeport Downtown Development Foundation, Northern Illinois Development Alliance (NIDA), Chamber of Commerce, and Convention and Visitor’s Bureau (CVB). The Ordinance moves payments from the hotel/motel tax from the CVB to The Partnership. Hotel/motel tax is used to help pay off the Visitor’s Center with payments of \$40,000 annually. The sunset date of 2024 has been removed. If we were to lose Home Rule, 5% is the maximum allowed by the State for hotel/motel tax.

Aldersperson Koester made a motion to move Ordinance #2018-31 forward for approval; seconded by Aldersperson Brashaw. The matter was automatically laid over to the next Council meeting.

Aldersperson Brashaw clarified that the tax was not increasing, it is combining the 2% and 3%.

**ITEM #9 – [1<sup>st</sup> READING OF ORDINANCE #2018-32](#)**

**An Ordinance of the City of Freeport, Illinois Approving and Authorizing the City to Enter into a Lease Agreement Regarding the Property Commonly Known as 1819 South West Avenue, Freeport, Illinois [view lease](#)**

Manager Crow stated that this authorizes him to sign a lease with the purchaser of the old Fire Station at 1819 South West Avenue to lease back the fire training facility at the rear of the property for no more than \$1,000 per year. A closing on the property is planned within the next week. Fire Chief Allen confirmed that he has spoken with the new owner and he is agreeable to provide ample access for training.

Aldersperson Koester made a motion to move Ordinance #2018-32 forward for approval; seconded by Aldersperson Chesney. The matter was automatically laid over to the next Council meeting.

Aldersperson Brashaw asked and Fire Chief Allen confirmed that other fire departments in Stephenson County and (Mutual Aid Box Alarm System) MABAS 17 will be allowed access to the training facilities at no additional charge to them.

**ITEM #10 – [1<sup>st</sup> READING OF ORDINANCE #2018-33](#)**

**An Ordinance Amending Title Four, Legislation, Chapter 220, Council, Section 220.10 of the Codified Ordinances of the City of Freeport, Illinois Regarding Rules of Council**

Manager Crow stated that Council has the right to draft an Ordinance regarding how meetings will be conducted. The Ordinance states that the Chair has the right to maintain decorum during the meeting and suspend the meeting if proper levels of decorum are not met. This Ordinance additionally states that no written comments will be accepted in advance to be read into record. If some one wishes to make any public comment, they must do so in person.

Aldersperson McClanathan requested that paragraph 22 of the Ordinance, which had not been reviewed for the purposes of this Ordinance, be changed to reflect that speakers are no longer required to state their address, just their name. Manager Crow stated that this can be cleaned up for second reading.

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Alderson Brashaw asked that wording be added to state that speakers use the microphone so everyone can hear.

There was discussion taking into consideration people who are not able to attend the meeting. Manager Crow stated that Freeport is unique in allowing written comments. Attorney Szeto added that the Attorney General allows for Council to adopt their own rules. Prior to disallowing written public comments to be read, that directive must be adopted by Ordinance. He pointed out that currently our Ordinance is silent on the matter of reading written comments into record. However, by practice, it has been allowed. This codifies and clarifies written correspondence will not be allowed. His experience with other municipalities is that people are physically present to make public comments. He has seen letters read that are, for example, from service clubs announcing events.

Alderson Smith made a motion to move Ordinance #2018-33 forward for approval; seconded by Alderson Busker. The matter was automatically laid over to the next Council meeting.

**ITEM #11 – Bid Opening: May 9, 2018, Police Squad Cars, (4) All-Black 4-Door Police Pursuit Vehicles [View Bid Tab and Recommendation](#)**

Police Chief Barkalow stated that we had one local bid from Barkau in Stockton and one state bid from Morrow Bros. for four (4) squad cars. Barkau submitted a bid for V-8 Dodge all-wheel drive Chargers for \$26,175 per squad with 17 weeks delivery. Morrow Brothers submitted a bid for V-6 Ford Interceptor Sedans for \$25,326 per squad and all-wheel drive Ford Interceptor SUV crossover for \$28,936 with immediate delivery. For uniformity with the rest of the existing fleet which are Fords and considering immediate delivery, he is recommending the state bid from Morrow Bros. After trade-ins, conversion equipment, and wrapping, the total cost will be \$86,078 for three (3) squad cars. That would leave a balance in the Capital Equipment fund of \$23,992. He further recommends combining the remaining \$23,992 with \$15,379 from the Capital Fund Vehicles-Radios-31-02-742 line item to purchase and outfit a State bid SUV base package squad for \$28,936 and equip it to replace the 2009 Ford Expedition K-9 squad which was used when it was purchased and has over 100,000 miles. Up-fit costs would bring the total to \$39,301.

Alderson Koester made a motion to approve the bid from Morrow Brothers as recommended and Alderson Chesney seconded.

Alderson Klemm questioned if the local dealership, Barkau, was able to quote any of the intermediate vehicles. Chief Barkalow stated that they were not. A bid packet is delivered to all local dealerships. When the squads were switched to Fords, the local dealer was not able to quote vehicles with the required specifications.

Alderson Smith asked about leasing police squads. Manager Crow stated that Enterprise fleet leasing could provide SUV models but would want to swap the vehicles every 18 months because of high mileage. Enterprise would only provide the stripped-down model; the City would have to outfit them. This will be revisited with Enterprise.

Mayor Miller asked for a roll call vote and the motion passed by:

Yeas: Klemm, McClanathan, Busker, Brashaw, Koester, Chesney (7)

Nays: None

Abstain: None

Absent: Ross (1)

**OTHER**

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**ITEM #12 – Approval of Letter of Support to the International City/County Management Association (ICMA) and The Solar Foundation for City of Freeport to Be a SolSmart Community [view letter](#)**

Manager Crow stated that he, Director Bukas, Building Inspector Ben Fritz, and City Legal Counsel Steve Cox have been working on establishing Freeport as a SolSmart community. In the next months, the Council will be reviewing Ordinances establishing zoning allowing solar energy and requirements for placement of solar panels and equipment, not only on City buildings and property but also businesses. This is the first step in becoming a SolSmart Community and makes us eligible for energy grants from ICMA and The Solar Foundation. It will help reduce costs which we have already begun to do by approving solar panels at the wastewater treatment plant. Alderperson McClanathan confirmed that this is not a mandate that businesses switch to solar but a way to become a solar-friendly community. Alderperson Klemm added that discussion from the Building Commission included establishing standards for the installation of solar panels, such as roof condition must meet certain standards prior to installing solar panels.

Alderperson Brashaw made a motion to approve the bid, Alderperson McClanathan seconded, and the motion prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Busker, Brashaw, Koester, Chesney (7)

Nays: None

Abstain: None

Absent: Ross (1)

**REPORTS OF DEPARTMENT HEADS**

**Finance**

Director Bukas reported that the State has passed a \$38.5 million budget that will impact the City. Our local income tax distribution fund will take a one-time cut of 5%. Last year, it was a cut by 10% so we should see a small increase this year. The Illinois Municipal League (IML) stated that the 5% difference would restore about \$98 million to municipalities across the State. The sales tax administrative fee is currently 2% and that was amended to 1.5%. It currently costs us about \$62,000 per year for the State to collect our Home Rule sales tax. We will save about \$15,000 from the reduction in this fee. IML was trying to get them to lower it to 1% without success. The Marketplace Fairness Act allows out-of-state retailers to collect a use tax from online purchases made outside of Illinois, so this figure should also increase. The corporate replacement tax takes away \$300 million from local governments statewide which continues to erode our revenues. Another bill proposed \$4.3 million be moved from the corporate replacement tax and given to certain school districts; however, this bill failed to pass the House. The State budget passed much as we had expected and we have budgeted accordingly.

**Community & Economic Development**

Director McDonald reminded citizens that is mowing season and yards should be properly maintained. The iWorQ application is available on the City's website or can be downloaded on Android or iPhones to report nuisances. Alderperson Chesney asked about the schedule for mowing of properties either owned by the City or unmowed properties under the City's jurisdiction. Director McDonald stated that their department had met recently to set up a schedule. Manager Crow added that properties owned by the County will now be mowed by the City at the County's direction. Director McDonald stated that there a couple of ways properties are identified for mowing: either Code Enforcement notices the property or the City is notified by a citizen or Alderperson. The Nuisance Inspector then gives a warning. The property owner has three days to be in compliance. If not in compliance, our mowing contractor is notified on Fridays which properties need mowing the following week. Alderperson Busker asked about chronic violators so that we can be proactive and mow earlier each year. Director McDonald stated that they are in the process of establishing a list of chronic violators. They are also working with the mowing contractor to be sure that everything in their contract is being done. Manager Crow confirmed that the County

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used to mow their tax sale properties three times per year. The County is no longer doing that. Manager Crow is meeting with the Township tomorrow for additional mowing help from people who are in the Township's work program. Alderperson Chesney suggested a mow-to-own program as is done in Rockford. There were reminders that it is illegal to blow grass onto the streets which can be dangerous for bicyclists and motorcyclists. The excess grass in the street can also cause issues when it enters the storm sewer system.

**Public Works**

Director Carr stated that crews are painting line striping on the streets and reminded citizens to avoid driving on fresh paint which is marked by cones. Last week the paver caught on fire and it has been repaired. It will be back in service next week. He will begin topography on Float Avenue north of Empire Street. The Illinois Department of Transportation (IDOT) pointed out that Motor Fuel Tax (MFT) work had been done inappropriately last year. The hydraulics are beginning to go out in the Forestry clam truck.

**Fire**

Chief Allen stated that 3 firefighters graduated from 14-week Fire Academy at the Rockford Fire Department with great reviews. Nate Stepp, Amos Lamos, and Nick Tunik are back and getting on shift. Fire crews were called to the West Suburban Fire District in west Rockford for two houses that were on fire next to each other. A shed on the 300 block of Adams caught fire this afternoon.

**Police**

Chief Barkalow stated that the Memorial Day weekend was safe and successful with the parade and holiday activities. They are getting ready for many Special Events coming up downtown and in neighborhoods. Alderperson Koester asked about enforcement of cell phone use while driving. Chief Barkalow stated that many tickets are written for distracted driving whenever they see it and especially during the Sustained Traffic Enforcement Program (STEP).

**Water and Sewer**

Director Kopanski stated that construction crews are handling drainage repairs and the treatment plants are running fine. This week a construction crew will be at Debate Square installing a water fountain that is ADA-compliant for adults and children

**IT**

Director Suttman had nothing to report.

**CITY MANAGER REPORT**

Manager Crow stated that small cell tower legislation has been passed. These are cell towers below 25 feet that do not currently fall under our Ordinances. This will allow residents to lease their yards for small towers and ComEd for their power poles. IML has provided proposed wording for an Ordinance and City Legal Counsel Sosnowski is working on it. Historical tax credits and river edge tax credits have also been passed by both Houses and we are awaiting the Governor's signature to determine the impact to our community.

The first week of the Farmers Market moving to Exchange Street was successful last Saturday. On Tuesdays, it will be in the Lincoln-Douglas municipal lot.

The Greater Freeport Partnership will be stood up tomorrow. All of their websites have been combined into one.

The first Music on Chicago was last Saturday and the next one will be the Friday after the 4<sup>th</sup> of July.

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**MAYOR'S REPORT**

Mayor Miller reminded everyone that Thursday, June 7, at 4:00 p.m. at the Wagner House will be a retirement party for Dave Young, Director of NIDA.

Mayor Miller wished Tom Teich a happy birthday and thanked him for his positive support of the City of Freeport. He was presented with a piece of birthday cake.

**COUNCIL ANNOUNCEMENTS/NEW BUSINESS**

Aldersperson Klemm stated that there will be a couple of discussion items at the Committee of the Whole.

Aldersperson McClanathan had nothing to report.

Aldersperson Smith had nothing to report.

Aldersperson Busker had nothing to report.

Aldersperson Brashaw had nothing to report.

Aldersperson Koester stated that the Young Eagles Rally will be held at Albertus Airport on Saturday, June 9, from 9:00 a.m. to 2:00 p.m. Children ages 8 to 17 can get a free airplane.

Aldersperson Chesney had nothing to report.

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

Tom Teich thanked Mayor Miller for the birthday wishes. The torch run to Malcolm Eaton will be held June 14, 2018.

Terry Feinberg respectfully requested that the City re-address the issue of service fees assessed for Capital Improvements on the water and sewer bills. She has a strong background in Community and Economic Development and has never seen this level of fee. She was surprised to learn that this fee was increased by \$8 this year and will increase another \$8 next year. She read statistics from the Township based upon 2017 figures. Single-family housing and condos in Freeport range in value from \$543 to \$472,375. She feels the range in home value cannot justify the same fee. Her house has lost 40% value in the last 12 years. She pays the same fee as homeowners whose home values are at upper levels. She feels that \$40 per month is a lot of money for homeowners with lower-value homes. She has seen work being performed only on Stephenson rather than on her street.

Upon a motion duly made and seconded, the meeting was adjourned at 7:05 p.m.

*/s/ Dovie L. Anderson*

Dovie L. Anderson  
City Clerk