



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

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**MINUTES**  
**COUNCIL MEETING**  
**MONDAY, OCTOBER 15, 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, October 15, 2018.

**ROLL CALL**

Present on roll call: Mayor Jodi Miller and Council Members Tom Klemm, Peter McClanathan, Art Ross, Don Parker, Patrick Busker, Sally Brashaw, Michael Koester, and Andrew Chesney (8).

Staff members present: City Manager Lowell Crow, Director of Finance Randy Bukas, Director of Community & Economic Development Andrew Zupkoff, Director of Public Works Dennis Carr, Fire Chief Todd Allen, Chief of Police Todd Barkalow, Director of Utility Operations Tom Kopanski, Director of Information Technology Curt Suttman, FOB Manager Albertus Airport Darrell Janssen, and Deputy City Clerk Dawn Pontius

Others Present: Interim Housing Director Babette Jamison-Varner and City Legal Counsel Aaron Szeto, Esq.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Alderperson McClanathan.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Alderperson Koester moved and Alderperson McClanathan seconded to approve minutes from the [October 1, 2018](#), meeting; and motion prevailed by voice vote without dissent.

**PUBLIC COMMENTS**

There were no public comments.

**ITEM #4 – 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. [View Consent Agenda](#)*

- A. Approval to receive and place on file:
  - 1) Minutes from Historic Preservation Commission Meeting – September 6, 2018
  - 2) Minutes from Board of Fire & Police Commissioners Meeting – August 28, 2018
- B. Approval of Finance Bills Payable (Registers #72 and invoices to be approved for registers dated September 28, 2018 through October 11, 2018) --- \$593,772.41

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- C. Approval of Payroll for pay period ending September 29, 2018 --- \$447,891.89 with fringe benefit payments in the amount of \$135,800.05 for a total of \$583,691.94

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

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

Nays: None

The Consent Agenda was approved.

**ITEM #5 - Appointments**

Aldersperson Brashaw moved and Aldersperson Koester seconded to approve the reappointments of Troy Barr to the Planning Commission effective October 31, 2018 through October 31, 2022, and Robert Rhymer to the Housing Authority effective October 31, 2018 through October 31, 2023; and new appointment of Gabriel Gonzalez to the Housing Authority, who will replace Samuel Newton, effective October 31, 2018 through October 31, 2023. The motion prevailed by a roll call vote:

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

Nays: None

**ORDINANCES – FIRST READING**

**ITEM #6 - 1<sup>ST</sup> READING OF ORDINANCE #2018-51**

**An Ordinance of the City of Freeport, Illinois Approving and Authorizing the City to Enter into a Lease Agreement for Airplane Hangars at the Property Commonly Known as 1255 E. Airport Road, Freeport, Illinois (Freeport Albertus Airport)**

Manager Crow stated that the lease agreement with Heritage Aero has been amended to include a Consumer Price Index (CPI) increase on monthly rent from years five through ten (or 2.5 percent whichever is less). They have also withdrawn their request to finish construction of a conference room in the terminal. They would have been responsible for real estate taxes on this portion and opted to not use that area. They will work strictly from the three O hangars and one M-9 hangar.

Aldersperson Chesney made a motion to move Ordinance #2018-51 forward for approval; seconded by Aldersperson Busker.

Aldersperson Koester asked and FBO Manager Janssen confirmed that this is a win-win situation and an opportunity for the City to bring in clientele.

Aldersperson Busker moved for suspension of the rules for immediate consideration and it was seconded by Aldersperson Chesney. Mayor Miller stated that suspension of the rules is non-debatable and must pass by 2/3 of the majority. Motion prevailed by roll call vote of:

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

Nays: None

Abstain: None

There being no further discussion, Mayor Miller called for a roll call vote for final passage of Ordinance #2018-51:

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

Nays: None

Abstain: None

Ordinance #2018-51 was passed.

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**ITEM #7 – 1<sup>ST</sup> READING OF ORDINANCE #2018-52:**

**An Ordinance Amending the Codified Ordinances of the City of Freeport Regarding Building Regulations**

Manager Crow pointed out two changes to this Ordinance since it was discussed at the last Committee of the Whole meeting. It was recently passed that Home Rule communities cannot change the energy code and are required to adopt the State's standards. So, this Ordinance adopts the 2015 State energy code. The Building Commission recommends referring to the International Building Codes (IBC) regarding signs.

Aldersperson Chesney made a motion to amend Ordinance #2018-52, Chapter 1428, Section 1428.08 Registration of Contractors Fee from \$53.50 to \$50.00; seconded by Aldersperson Parker.

There being no further discussion, Mayor Miller called for a roll call vote:

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

Nays: None

Abstain: None

Aldersperson Koester made a motion to move Ordinance #2018-52 as amended forward for approval; seconded by Aldersperson Ross. The matter was automatically laid over to the next Council meeting.

**ITEM #8 – 1<sup>ST</sup> READING OF ORDINANCE #2018-53**

**An Ordinance Amending Chapter 242 Fire Department Section 242.08 Lieutenant of the Codified Ordinances of the City of Freeport Regarding Allowing the City of Freeport Fire Department to Temporarily Go Above Strength in Rank of Lieutenant**

Fire Chief Allen stated that an upcoming retirement of a district chief will drop us below our allotment for officers. There are usually nine lieutenants and three district chiefs and this will reduce us to nine lieutenants and two district chiefs. One of the lieutenants will need to act as district chief which, in turn, will leave a gap in the lieutenants at one of the stations. This will help us avoid some of the costs associated with personnel working out of class.

Aldersperson Chesney made a motion to move Ordinance #2018-53 forward for approval; seconded by Aldersperson Koester.

Aldersperson Klemm pointed out that the tenth lieutenant will go away once one of the lieutenants is promoted to district chief. Manager Crow clarified that this will need to be repealed after the district chief's list is established.

Aldersperson Chesney moved for suspension of the rules for immediate consideration and it was seconded by Aldersperson Parker. Mayor Miller stated that suspension of the rules is non-debatable and must pass by 2/3 of the majority. Motion prevailed by roll call vote of:

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

Nays: None

Abstain: Brashaw (1)

There being no further discussion, Mayor Miller called for a roll call vote for final passage of Ordinance #2018-53:

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

Nays: None

Abstain: Brashaw (1)

Ordinance #2018-53 was passed.

RESOLUTIONS

**ITEM #9 – ADOPTION OF RESOLUTION #R-2018-49**

**Resolution of the City of Freeport, Illinois, Approving a Redevelopment Agreement Regarding the Property Located at 1 E. Spring Street, Freeport, Illinois (Wagner House)**

Manager Crow explained that we are closing a Revolving Loan Fund at the direction of the State. The City was allowed to award two grants from the Revolving Loan Fund to help businesses meet certain requirements, such as hiring personnel, ADA compliance, and fire protection. This will assist Wagner House to meet fire codes and ADA requirements. At the last Committee of the Whole, Council had asked to include the first floor in the ADA compliancy section and that has been added to the Redevelopment Agreement.

Aldersperson McClanathan asked and Director Bukas confirmed that we have until December 30, 2018, to use these funds or they will be returned unused. Manager Crow added that Wagner House is committing to 50% of the costs.

Aldersperson Koester made a motion to adopt Resolution #R-2018-49, Aldersperson Ross seconded, and the motion prevailed by roll call vote of:

Yeas: McClanathan, Ross, Parker, Busker, Brashaw, Koester and Klemm (7)

Nays: None

Abstain: Chesney (1)

Resolution #R-2018-49 was adopted.

**ITEM #10 – ADOPTION OF RESOLUTION #R-2018-50**

**A Resolution of the City of Freeport, Illinois Authorizing the Close Out of the City's Revolving Loan Fund Program**

Director Bukas reported that, as referenced in Item #9, the Illinois Department of Commerce & Economic Opportunity (IDCEO) has requested all Revolving Loan Funds in the State be closed out by December 30, 2018. We would like to do that sooner so some of these projects, such as the Wagner House, can begin earlier. We currently have a little more than \$339,000 in our Revolving Loan Fund account that we have to turn over to the State. We are proposing to also return \$143,700 to the State to buy out two outstanding loans. That brings the total amount to approximately \$482,900 which we will be able to give out next year. The \$300,000 to Wagner House, approved in Item #9, is included in that total amount.

Aldersperson Busker made a motion to adopt Resolution #R-2018-50, Aldersperson Koester seconded, and the motion prevailed by roll call vote of:

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

Nays: None

Abstain: None

Resolution #R-2018-50 was adopted.

OTHER

**ITEM #11 – Approval of Sole Source Purchase of a Use-of-Force Simulator for Training for the Police Department**  
[view memo](#)

Police Chief Barkalow stated that in the past the Police Department has gone to other communities to use their firearms simulators when there was a need for training. He reached out to our Mobil Training Unit (MTU1) and they confirmed that the Ti simulator we are considering purchasing has been vetted by the Illinois Law Enforcement Training and Standards Board. MTU2, based in Rockford, purchased a Ti simulator in May 2018. They had tested another system called Laser Shot and found they preferred the Ti system because it provided

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better training. Laser Shot was less expensive but Ti was the preferred product. Ti has the specific equipment used by our Police Department and is the most realistic training tool available. Chief Barkalow views Ti more as a de-escalation simulator rather than a use of force simulator. He feels our officers as well as our citizens will benefit. The more the officers can train their muscle memory the better this will pay off in the end. The single screen system costs \$31,175. The Police Department has a credit with the vendor, Rat Worx Inc., because they have been selling seized and forfeited weapons on behalf of the Police Department. A \$5,000 donation from Stephenson County Crime Stop will be applied towards the purchase. Chief Barkalow recommended expending \$1,776.46 from the Drug Fund to cover the remaining balance.

The Police Department is looking for a permanent home for this portable device which includes a screen, replica Glock pistols, less-than-lethal attachments, projector, and laptop. A two-day training is included for six officers. Attorney Szeto confirmed that it is a sole source purchase and there is no need for the formal bidding process. Alderperson Koester asked and Chief Barkalow confirmed that simulator training is mandatory for police officers. Alderperson Brashaw asked and Chief Barkalow agreed that our Police Department can then re-coup a small portion of the cost by charging for use of our simulator by Stephenson County, surrounding municipalities, Civilian Police Academy, and recruitment for the Highland Community College criminal justice program

Alderperson Parker made a motion to approve the purchase of the Ti Use-of-Force Simulator, Alderperson Busker seconded, and the motion prevailed by roll call vote of:

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

Nays: None

Abstain: None

**REPORTS OF DEPARTMENT HEADS**

**Finance**

Director Bukas stated that the audit is in its final stages. Council has 60 days to review it once it is received. It will be on the November 5, 2018, Council agenda. The deadline to file with the State's comptroller office is October 30, 2018. The two pension fund actuaries are near completion and will be reviewed by the pension boards at their October 24, 2018, meetings. They will be filed with the Illinois Department of Insurance by the end of October. A tentative budget schedule has been emailed to Department Heads for Fiscal Year 2019-2020. Five-year Capital Improvement Plans are due to the Finance Department on December 28, 2018. Alderperson Chesney asked about conditions of the audit. Director Bukas stated that one recommendation on this year's audit is Police and Fire collecting and recording fines. Manager Crow added that Police and Library are recommended to develop a system for tracking receipts of cash.

**Community & Economic Development**

Director Zupkoff stated that we received three proposals from planning firms for the Comprehensive Plan on October 12, 2018: MSA, Houseal Lavigne, and Ratio. The proposals are currently being reviewed and the three firms will be invited to give a presentation at next month's Planning Commission meeting. Recommendations will then be given to Council. Bids for demolitions of residential properties are being accepted until October 30, 2018. Five bids were distributed to local contractors and four additional contractors have expressed interest. Illinois Department of Transportation (IDOT) has given notice that our Consolidated Vehicle Procurement (CVP) grant will be providing three new 2018 Dodge passenger vans for our Transit Program. Each vehicle is valued at approximately \$38,000. We originally were notified that we would be receiving two. The three vehicles will be picked up October 17, 2018, in Kankakee. He will be attending the International Council of Shopping Centers (ICSC) in Chicago with Rebecca Motley of the Greater Freeport Partnership on October 17 and 18, 2018. In preparation of that conference, he and Ms. Motley have received permission from several vacant retail properties to market their locations: both former Eagles grocery stores, Lincoln Mall, Meadows Mall, Freeport Plaza, and

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Southwest Plaza II. In addition to the benefits to citizens, the City's share of sales tax from these potential developments could be significant.

**Public Works**

Director Carr stated that leaf pick up began today. As more leaves fall and the demand rises, more crews will be assigned. Paving is ongoing in the Winneshiek and Pleasant area. Paving will cease as temperatures decrease. The Ridgefield project has begun and Law Construction is on site. The bid packet for surplus equipment is available online and equipment is available for viewing. Alderperson Parker asked and Director Carr confirmed that tree removal will continue as long as weather permits. Too much snow and windy conditions are not conducive for tree removal.

**Fire**

Chief Allen stated that October is Fire Prevention Month. The staff has made presentations to 807 students to date and will continue at the remaining schools.

**Police**

Chief Barkalow stated that the Police Department will be taking part of "No Shave November" again this year. Participants are charged a \$25.00 fee and all proceeds are given to the Ferguson Cancer Center.

**Water & Sewer**

Director Kopanski stated that he is awaiting construction permits from Illinois Environmental Protection Agency (IEPA) for the Float Avenue project. Alderperson McClanathan asked how dependent we are upon the weather for that project. Director Kopanski stated that once excavation begins, the utilities will then be replaced. The next step is to backfill with gravel which does not do well with snow and snow plows. Currently, relief from heavy rainfall makes for favorable conditions. It is not the best time of year to start but we will make a determination with the contractor after the permit is received whether we begin soon or wait until spring.

**IT**

Director Suttman had nothing additional to report.

**Airport**

FOB Manager Darrell Janssen had nothing additional to report.

**Housing Authority**

Interim Director Babette Jamison-Varner stated that she wanted to make herself available for any housing and flooding questions or concerns.

**CITY MANAGER REPORT**

Manager Crow stated that Fire and Police conducted another house-to-house check today on flooded residents. The Pecatonica River is at 14.9 feet and expected to recede to 14.0 feet sometime this weekend. Stephenson and Hooker streets have been reopened but Hooker and Henderson remain closed. He and Mayor Miller met with ComEd and they still have approximately 300 (of 1,000) LED lights to replace. ComEd has been given permission to work through the night to get the replacements done before the weather turns bad. Each light takes 20 to 30 minutes to replace. The remaining lights throughout the City will be replaced by the end of 2019 so that all street lights are LED. There are 15 to 18 light poles where ownership by the City or ComEd is in question. ComEd and Public Works are working together to determine correct ownership.

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**MAYOR'S REPORT**

Mayor Miller thanked Clerk Pontius for doing a good job. Mayor stated that Saturday, October 27, 2018, is Bootiful Saturday downtown. This year the Lindo Theater will be sponsoring a free movie at 10:00 a.m. Trick-or-Treating will be from 11:00 a.m. to 1:30 p.m. at over 200 downtown merchants.

**COUNCIL ANNOUNCEMENTS/NEW BUSINESS**

Aldersperson McClanathan stated that it is election time and he reminded citizens to get out and exercise their right to vote.

Aldersperson Ross stated that the 3<sup>rd</sup> Ward Neighborhood Watch Meeting will be Thursday, October 18, 2018, at the VFW at 6:00 p.m. Highway 75 was opened yesterday at 11:00 a.m. He reminded motorists to proceed with caution in wet areas.

Aldersperson Parker had nothing additional to report.

Aldersperson Busker stated that the 5<sup>th</sup> Ward Neighborhood Watch Meeting will be Tuesday, October 16, 2018, at the Nazarene Church at 6:00 p.m.

Aldersperson Brashaw stated that the 1<sup>st</sup> Ward Neighborhood Watch Meeting will be November 1, 2018, at 6:00 p.m. at Schwarz Funeral Chapel. HomeStart will speak about connecting citizens with affordable housing resources. HomeStart encourages home ownership and works to reduce blight.

Aldersperson Koester stated that early voting is available. The 7<sup>th</sup> Ward Neighborhood Watch Meeting will be October 24, 2018, at 6:30 p.m. at Central Fire Station. The Mail Run at the airport was cancelled last Saturday; however, a bonfire and food were enjoyed attendees.

Aldersperson Chesney expressed his appreciation of the Department Heads and their responsiveness to providing information for Council meetings and thanked Manager Crow for all of the text messages and emails to get the information to Council in preparation of meetings which run more smoothly and last for shorter periods of time.

Aldersperson Klemm also encouraged people to vote. He stated that Salvation Army is in need of donations of winter coats.

Aldersperson Ross stated that the City has provided dumpsters at his shop at 737 East Stephenson Street for flood-damaged items.

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

Tom Teich stated that Chief Barkalow missed a good Special Olympics banquet and that he won awards for snow shoeing and bowling.

Upon a motion duly made and seconded, the meeting was adjourned at 7:03 p.m.

Respectfully submitted,  
*/s/ Dovie L. Anderson*  
Dovie L. Anderson  
City Clerk