



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

MINUTES
COUNCIL MEETING
MONDAY, OCTOBER 2, 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, October 2, 2017.

ROLL CALL

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

Staff members present: City Manager Lowell Crow, Finance Director Randy Bukas, Director of Community & Economic Development Nancy McDonald, Public Works Director Dole, Fire Chief Scott Miller, Chief of Police Todd Barkalow, Director of Utility Operations Tom Kopanski, and City Clerk Dovie Anderson.

Others Present: City Legal Counsel Roxanne Sosnowski, Esq.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Klemm.

APPROVAL OF AGENDA

Alderperson Koester made a motion to approve the Agenda, Alderperson Busker seconded, and the motion prevailed by voice vote without dissent

APPROVAL OF MINUTES

Alderperson Brashaw moved to approve minutes from September 18, 2017, Alderperson Smith seconded, and the motion prevailed by voice vote without dissent.

PUBLIC COMMENTS

Clerk Anderson read an email from Danielle Rogers, Director of the Freeport Downtown Development Foundation, in favor of passage of the Ordinance increasing the number of Temporary Liquor Licenses from five (5) to ten (10).

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 [Consent Agenda PDF](#)

A. Approval to receive and place on file:

- 1) City of Freeport Police Department Report of Activities – August 2017
- 2) Minutes Public Meeting August 29, 2017 - Gladewood/Demeter Bridge
- 3) 2018 City Holiday Schedule
- 4) 2018 City Council Calendar of Meetings

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- 5) 2018 Committee of the Whole Calendar of Meetings
 - B. Approval of Water & Sewer Bills Payable (Registers #848 and #852) --- \$363,305.65
 - C. Approval of Finance Bills Payable (Registers #844, 846, 847, 849, 850, 851, and TBA) --- \$869,379.15
 - D. Approval of Payroll for pay period ending September 16, 2017 --- \$444,555.90 with fringe benefit payments in the amount of \$35,208.61 for a total of \$479,764.51.

There being no discussion, Alderperson Koester moved and Alderperson Ross seconded that the consent agenda be approved. Motion prevailed by omnibus vote of:

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

Nays: None

The Consent Agenda was approved.

FINANCIAL REPORTS FOR FY2017-2018 FOR PERIOD ENDING AUGUST 31, 2017 INCLUDING:

General Fund Highlights

Library Highlights

Manager Crow stated that he has met with Library Director Carole Dickerson to discuss how shortfalls from the State will put additional stress on an already tight Library budget. Alderpersons thanked Finance Director Bukas for his work and providing the reports.

Alderperson Koester moved to place the above stated reports on file, seconded by Alderperson Klemm. The motion prevailed by voice vote without dissent.

APPOINTMENTS

Mayor Miller suggested one vote on all appointments. There being no objections, Alderperson Busker moved and Alderperson Ross seconded that effective immediately Finance Director Randy Bukas be appointed to the Airport Commission through November 30, 2020; Community & Economic Development Director Nancy McDonald be appointed to the Airport Commission through November 30, 2020; and Mike Meade be appointed to the Stephenson County Convention & Visitors Bureau through December 31, 2017. Motion prevailed by voice vote without dissent.

ORDINANCES – FIRST READING

ITEM #7 - [1st READING OF ORDINANCE #2017-70](#) Draft of an Ordinance Amending Part Eight, (Business Regulations and Taxation), Title Two (Business Regulations), Chapter 806 (Alcoholic Liquor Sales) Section 806.03(k) of the Codified Ordinances of the City of Freeport, Illinois

Mayor Miller stated that this Ordinance is on the recommendation of the Liquor Commission and proposes the increase in the allowable number of Temporary Liquor Licenses from five (5) to ten (10). She stated that this a temporary condition of a larger re-write of the Liquor Code. There are certain aspects of the T-1 and T-2 Temporary Licenses that are not currently covered in existing code. As a consequence, some applicants are running out of T-1 and T-2 Licenses. Freeport Downtown Development Foundation has used all the allowable T-1s. There is also a disconnect between the T-2 provisions and Parklet Ordinance. This is the least complicated solution to addressing immediate issues while rewriting the Codes.

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Alderson Brashaw wanted to make the public aware that applicants fill out a form and pay a fee. She then made a motion to approve Ordinance #2017-70, seconded by Alderson Koester.

Alderson Chesney asked and Mayor Miller confirmed that this is time sensitive as the parklet season only runs through November 1. Alderson Klemm confirmed that these are not additional Liquor Licenses but venues for existing Liquor Licensees.

Alderson Chesney moved for suspension of the rules and Alderson Busker seconded. Mayor Miller stated that this 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, Chesney (8)
Nays: None

The motion for passage of the Ordinance prevailed by a roll call vote of:
Yeas: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester, Chesney (8)
Nays: None
Ordinance #2017-70 was passed.

ITEM #8 - [1st READING OF ORDINANCE #2017-71](#) An Ordinance of the City of Freeport, Illinois, Approving and Authorizing the City to Enter into a Master Lease Agreement, Maintenance Agreement and Related Documents thereto with Enterprise

At the September 11, 2017, Committee of the Whole, Alderson Koester moved and Alderson Busker seconded to move forward with modifications. [View Enterprise Fleet Agreement](#) [View Fleet Replacement Worksheet](#) [View Menu Pricing](#) Manager Crow stated that the final figures for complete replacement of seventeen (17) vehicles is \$96,860, including maintenance for vehicles for Water, Sewer, and Community Development. This is the first phase and comes in under the budgeted amount of \$160,000. He recommends leasing City vehicles going forward to improve safety and gas efficiency, regular full maintenance, and benefits to local dealerships (\$300 per vehicle) and local Enterprise agency. We currently spend \$58,000 per year for maintenance. This will drop to just under \$10,000 per year. Discussion ensued in favor of updating the City's fleet through leasing. It not only benefits local dealerships but maintenance will stay local throughout Freeport.

Alderson Koester made a motion to approve Ordinance #2017-71; seconded by Alderson Busker.

Alderson Busker moved and Alderson Koester 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: McClanathan, Ross, Busker, Brashaw, Koester, Chesney (6)
Nays: Klemm, Smith (2)

Passage of the motion prevailed by roll call vote of:
Ayes: Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester and Chesney (8)
Nays: None
Ordinance #2017-71 was passed.

RESOLUTIONS

**ITEM #9 - [ADOPTION OF RESOLUTION #R-2017-51](#)
A Resolution of Governmental Body Accepting Membership as a member of the Quad Cities Health Insurance Pool ("QCHIP") Sub-Pool Which is a Member of the Intergovernmental personnel Benefit Cooperative View Contract and By-Laws**

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Manager Crow stated that he also met with NIHP, Dimond Bros., and Horton. Intergovernmental Personnel Benefit Cooperative (IPBC) presents the best method of savings and the widest range of hospitals. OSF has notified Blue Cross/Blue Shield that they would like BC/BS to be the only provider to OSF in the State of Illinois. Therefore, BC/BS has notified St. Anthony's that they may terminate their contract with them. IPBC gives the advantage of a fully insured plan with a fixed monthly fee along with a self-insured policy that we can customize. Also, a two to five percent (2-5%) return annually with a \$35,000 cap per employee. The City's three unions have strongly endorsed this move and he believes it is why AFSCME is moving forward. Rochelle and South Beloit are also voting tonight to join. Projected savings over five (5) years is just under one million dollars. Additionally, there is an estimated annual dividend of \$398,000. This is an eighteen (18) month renewal. Manager Crow recommends switching to NIHP.

Aldersperson Koester moved and Aldersperson Klemm seconded to approve Resolution #R-2017-51.

Manager Crow stated that NIHP estimates an annual increase is of 2.2%.

The motion carried by a roll call vote of:

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

Nays: None

Resolution #R-2017-51 was adopted.

ITEM #10 - [ADOPTION OF RESOLUTION #R-2017-52](#)

A Resolution Authorizing a Redevelopment Agreement Regarding the Property Located at 12 S. Galena Avenue. Presented by City Manager Crow and Legal Counsel Aaron Szeto

Manager Crow has spoken with HSTC Galena Avenue Holdings LLC, owners of 12 South Galena Avenue regarding demolition. It was established that Christopher Adams of HSTC has basically abandoned the building, ownership will be deeded to Security First who will then pay the first \$10,000 in costs of demolition, and the City will reimburse the associated costs including the remainder of the demolition costs above \$10,000, asbestos abatement, and survey. The reimbursement will be over five (5) years beginning 2018. This will take care of deteriorating downtown property and improve overall value of Security First building.

Aldersperson Koester moved and Aldersperson Brashaw seconded to approve Resolution #R-2017-52. The motion carried by a roll call vote of:

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

Nays: None

Resolution #R-2017-52 was adopted.

ITEM #11 - [ADOPTION OF RESOLUTION #R-2017-53](#)

A Resolution to Establish Trick-or-Treating Hours for Halloween, Tuesday October 31, 2017

Manager Crow stated that trick-or-treating hours will be 5:00 to 7:00 p.m. on above date. Chief Barkalow stated that there will be police and fire presence.

Aldersperson McClanathan made a motion to approve Resolution #R-2017-53, seconded by Aldersperson Chesney, and motion prevailed by a roll call vote of:

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

Nays: None

Resolution #R-2017-53 was adopted.

APPROVAL OF BIDS

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**ITEM #12 - [LAND APPLICATION FOR LANDSCAPE WASTE FOR ANNUAL LEAF PROGRAM BID DOC 2017,2018,2019](#)
Bid Opening October 26, 2017**

Public Works Director Dole stated that the bid opening on October 26, 2017, produced two submissions: the past contractor and a new contractor, Mr. Stewart Kuhlemeier, who was disqualified due to non-compliance with IEPA. Therefore, he recommends the bid from Dickman Farms at \$40,000 per year for three (3) years.

Alderson Brashaw moved and Alderson Ross seconded to award the Leaf Disposal Contract to Dickman Farms. Motion prevailed by a roll call vote of:

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

Nays: None

OTHER

ITEM #13 - Approval to release remaining funds from Capital Equipment for an additional State K-9 bid squad
[View Bid Tab and Recommendation](#)

Police Chief Barkalow stated that the memo at the last Council meeting included a balance of \$28,020 after the purchase of three (3) new squad cars. The state bid for a newer K-9 unit is \$28,260, which is \$240 more than remaining funds. He plans to cover the balance with the City's Restricted Canine Fund. Squad wrapping, kennel, and cooling system for the canine will be included.

Alderson Klemm made a motion and Alderson Koester seconded to approve the purchase of a K-9 vehicle. Motion carried by a roll call vote of:

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

Nays: None

ITEM #14 - Approval of Proposal for Professional Services – Potable Well Study/Testing from Fehr-Graham

[View Overview](#) [View Proposal and Agreement](#) [View PowerPoint](#) Utility Director Kopanski stated that the water treatment plant and first seven (7) wells date back to the 1880s. There are currently two (2) operational wells. Two (2) additional wells were recently taken out of service increasing backwashing requirements and increase in costs involving electricity and chemicals. Fehr Graham's scope of work includes identifying three (3) properties based upon the hydraulic model. Two (2) test wells bored to a depth of 800 to 1,000 feet will go to bid. Sampling will be conducted over a few months to identify the best quality water with yield of 1,500 gallons per minute. Sampling will be completed for radium, barium, manganese, regulated and unregulated contaminants. Two wells with plants will be constructed. One will be larger than the other so there will be space for a laboratory, SCADA system and server, maintenance work area, and administrative office. The old water plant from 1889 will be decommissioned. There is currently a Capital investment fee in place so there will be no additional rate increase to citizens. If we get an Illinois Environmental Protection Agency (IEPA) loan, the current rate will be 1.75% and there will be some loan forgiveness. With the water treatment plant located where it is and two (2) out of four (4) wells out of service, we are experiencing diminished capacity. We will locate a different site where there is no industry and is not located near a dump. He can then reprioritize some of Capital project list. Rail line crossings can be reduced to one (1). The timeline is as follows: negotiation for land begins now; Fehr Graham will write specifications: well boring sampling, field management, review sampling data; test wells will be bored and sampled winter/spring 2018; review sampling data in spring; and loan application by June 30, 2018. Fehr Graham's cost will be \$95,000 which includes a \$17,500 contingency. Manager Crow added that five (5) potential sites will be identified, but test wells will be completed on only three (3). Once the sites are identified, he will work with Legal Counsel to negotiate easements to conduct the testing and easements for purchase. Easements and the final purchase agreement will go before Council. Mr. Adam Holder confirmed that three (3) sites will be identified, but only the potentially best two (2) will go through the sampling process. The cost of each testing site

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is approximately \$15,000, so we will limit it to two (2). Mr. Holder stated that the location of the two current wells are: Well #8 by the Carroll Street tank and Well #9 by Lincoln-Douglas School. The reason for the testing is so that the two new wells will not introduce any new contaminants into the existing system. It was discussed that the two new wells will have their own treatment equipment at each site eliminating the need for the old water treatment plant. Removing the old plant from the location near the railway tracks will also be a benefit. Alderperson McClanathan pointed out that the increase in water rates earlier this year are being phased in so that there is already funding in place for these two (2) new wells. It was established that the IEPA loan has the benefit of the loan forgiveness; however, the total costs of the two (2) wells will be in the range of \$5.5 to \$7 million dollars. So, costs will be paid as we go along. There will not be enough money in the Capital Improvement Fund to cover the entire cost, so borrowing IEPA funds will give the benefit of a lower rate, faster payback, and higher forgiveness.

Alderperson Brashaw made a motion to approve proposal of professional services of Fehr Graham. Alderperson Klemm seconded and the motion carried by a roll call vote of:

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

Nays: None

ITEM #15 - Authorization to Negotiate Purchase of Land for New Well Sites

Manager Crow stated that once Fehr Graham identifies the above-mentioned well sites, he will work with Legal Counsel to negotiate a two-year easement to drill the test wells and easement for purchase. The easement for the testing areas will be approximately two-thirds (2/3) larger than the actual purchase easement.

Alderperson Chesney made a motion to authorize negotiation for purchase of land for new wells. Alderperson Busker seconded and the motion carried by a roll call vote of:

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

Nays: None

Alderperson McClanathan clarified that the proposed settlement agreements and associated paperwork will be brought back before Council for approval.

REPORTS OF DEPARTMENT HEADS

Finance

Director Bukas stated that he is currently exploring various collection agencies to reduce accounts receivable. He is also working with some vendors for finance, payroll, and utility software. Alderperson Chesney asked about the recommendation several months ago to use Civic. Director Bukas has had experience with Civic and he does not recommend them. Alderperson McClanathan inquired and Director Bukas confirmed that the auditors are in the process of finishing up.

Community Development

Director McDonald added to the Finance Directors report that the auditors had only seven (7) questions for the City, which is quite a bit less than in past years. The Community Development Department is assessing properties to be demolished and she expects to reach the goal of 80 by the end of the year. The wall at 21 West Stephenson Street is nearly complete which is ahead of schedule and she encouraged everyone to drive by.

Public Works

Alderperson Chesney read an email from Dick and Trudy Alderman with their thanks to Alderman Chesney, Public Works Department, Director Dole, and Manager Crow for filling pothole. Director Dole reported that, at City Hall,

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the handicap rail will be installed in the next couple weeks, grass is growing, and the retaining wall along the shared handicapped ramp will be completed soon. Alderperson Ross added his thanks for the department's work on LaSalle. Alderperson Smith asked and Director Dole explained that the forestry division has a long list of approximately 100 trees for removal. When they receive a call, an inspection is given and the tree is rated 1, 2, or 3. If it is a Level 1 emergency, then work is done immediately. Some trees are in ComEd lines and coordination is needed with them. Dead or dying ash trees are an ongoing problem. The forestry division is redirected often. During leaf pick up; the team is reassigned to that task for 7 to 8 weeks.

Fire Department

Chief Miller reported that this past week was busy with structure fires. A garage fire on Oak Street developed into a two-garage fire involving two vehicles. The cause was contributed to the neighbor's fire pit. A second house fire occurred just before 4:00 a.m. today. The rear of the house was completely engulfed but fortunately the residents were staying elsewhere.

Police Department

Chief Barkalow stated that they are entering their testing phase for new recruits. Applications can be picked up at the Police Department or downloaded from the City's website. Applications are due by October 31, 2017, and testing will begin November 11, 2017.

Water and Sewer Department

Director Kopanski reported that he has been coordinating hot mix patching with the Public Works department where water or sewer main replacement has disturbed the pavement. He has been working with Director Bukas to understand the financials and conducting in-depth inspections and tours with the staff to understand needs of facilities and staffing.

Alderperson Koester exited Council chambers at 7:29 p.m.

City Legal Counsel

Attorney Sosnowski introduced Christine Gibbons, a 12-year veteran prosecutor formerly with the Winnebago County State's Attorney's Office. She recently joined Sosnowski and Szeto and will attend some meetings to get acclimated.

Alderperson Koester returned at 7:31 p.m.

CITY MANAGER'S REPORT

Manager Crow stated that Council should have received emails from Eric Dregne with Next Level regarding Strategic Planning which will begin at 1:00 pm on Friday, October 13, 2017, at Famous Fossil conference room. Dinner that evening and planning will resume Saturday, October 14, 2017, at 9:00 a.m. with continental breakfast and lunch included. Attorney Sosnowski and staff have reviewed the Employee Handbook and it will be on the agenda for the Committee of the Whole in November. Proposals for new property, liability, and workman's comp insurance will be reviewed moving forward. The new Fire Chief, Todd Allen, will work his last day in Moline on October 13, 2017. He will take a week to move to and become settled in Freeport. His wife and son are already in the community and his son started at Freeport schools. He will be at work in Freeport the week after that.

MAYOR'S REPORT

Mayor Miller echoed Chief Barkalow that public safety is a priority. She welcomed anyone who has been considering a career in law enforcement to take advantage of the testing program. Freeport Area Church Cooperative (FACC) gave notification that their homeless shelter will be open from 6:00 p.m. to 8:00 a.m. at 514

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South Chicago Avenue. Mayor Miller called for a moment of silence for the victims of the shooting in Las Vegas the night before.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Aldersperson Klemm stated that he had signed up for his session with Next Level for Strategic Planning. He thanked everyone for the behind-the-scenes work.

Aldersperson McClanathan had nothing to report.

Aldersperson Ross reported that there will be a Town Hall meeting for 3rd Ward at the Boys & Girls Club on October 12, 2017, at 6:00 p.m.

Alderspersons Smith, Busker, Brashaw, Koester, and Chesney had nothing to report.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Tom Teich reported that the Special Olympics Banquet will be held Wednesday, October 4, at 6:00 p.m.

Mary Blake encouraged Alderspersons to “take a hike”, i.e. walking tour, of their wards to gain a different perspective on litter and unmowed lawns.

EXECUTIVE SESSION (CLOSED SESSION) PURSUANT TO 5 ILCS 120/2

City Clerk Anderson read the following exceptions into record to enter an Executive (Closed) Session:

- Pursuant to 5 ILCS 120/2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.
- Pursuant to 5 ILCS 120/2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

At 7:38 p.m., Aldersperson Busker made a motion to enter executive session, seconded by Aldersperson Ross. The motion prevailed by roll call vote of:

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

Nays: None

At 8:15 p.m., Aldersperson Busker made a motion to return from executive session, seconded by Aldersperson McClanathan. The motion prevailed by roll call vote of:

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

Nays: None

Upon a motion duly made and seconded, the meeting was adjourned at 8:16 p.m.

s/ Dovie L. Anderson

Dovie L. Anderson

City Clerk