



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

MINUTES
COUNCIL MEETING
MONDAY, NOVEMBER 6, 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, November 6, 2017.

ROLL CALL

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

Staff members present: City Manager Lowell Crow, Finance Director Randy Bukas, Community & Economic Development Director Nancy McDonald, Director of Public Works Dennis Carr, Director of Streets Tom Dole, Fire Chief Scott Miller, Fire Chief Todd Allen, 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 Ross.

APPROVAL OF AGENDA

Mayor Miller stated that Agenda Item #14, Resolution #R-2017-60, was removed from the Agenda. Alderperson Busker made a motion to approve the Agenda as amended, seconded by Alderperson Koester, and motion prevailed by voice vote without dissent

MOMENT OF SILENCE

Police Chief Barkalow led a moment of silence in honor of Rockford Police Officer Jamie Cox who was killed in the line of duty on Sunday, November 5, 2017.

APPROVAL OF MINUTES

Alderperson Koester moved to approve minutes from October 16, 2017, Alderperson Ross seconded, 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:

**MINUTES-COUNCIL MEETING
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- 1) Minutes from 3rd Ward Town Hall Meeting on October 12, 2017
 - 2) Minutes from Strategic Planning Meeting on October 13 and 14, 2017
 - 3) Employment Agreement: Director of Public Works Dennis Carr
 - 4) City of Freeport Fire Department Incidents and Loss Report – September 2017
 - 5) City of Freeport Ambulance Activity Report – September 2017
 - 6) City of Freeport Police Department Report of Activities – July, August & September 2017
 - 7) Building Permits – October 2017
- B. Approval of Water & Sewer Bills Payable (Registers #866 and #870) --- \$730,105.89
- C. Approval of Finance Bills Payable (Registers #863, 865, 867, 868, 869, 871, 872 and TBA) --- \$788,556.95
- D. Approval of Payroll for pay period ending October 14, 2017 --- \$415,437.31 with fringe benefit payments in the amount of \$33,675.50 for a total of \$449,112.81.
- E. Approval of Payroll for pay period ending October 28, 2017 --- \$421,274.08 with fringe benefit payments in the amount of \$34,209.04 for a total of \$455,483.12.

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

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

Nays: None

The Consent Agenda was approved.

RECOGNITION

Chairperson of the Board of Fire and Police Commission Brian Borger honored Roland Munda, who was a long-time member of the Commission as well as a past firefighter. Commissioner Borger thanked Mr. Munda for his wisdom and humor. Fire Chief Miller and Police Chief Barkalow presented Mr. Munda with plaques for his years of service to the City.

OATH OF OFFICE

City Manager Crow swore in Todd Allen as Fire Chief, who was chosen from twenty-eight (28) candidates. Chief Allen thanked the Mayor and Council for selecting him. He stated that it was an easy choice to say that Freeport is where he wants to be. He would like to build on the traditions that have been established and looks forward to the evolution of the City.

APPOINTMENTS

Aldersperson Klemm moved and Aldersperson Busker seconded to approve the nominations to the following Boards and Commissions effective immediately: Adam Holder to the Planning Commission through October 31, 2020 (to fill the vacancy of Tim Davenport); Blake Klosa to the Board of Zoning Appeals Commission through June 30, 2022 (to replace Harry Carlisle whose term expired on June 30, 2017); and Andrew Reeter to the Board of Zoning Appeals Commission through June 30, 2021 (to replace Casey Myers whose term expired on June 30, 2016).

The motion prevailed by a roll call vote of:

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

Nays: None

ORDINANCES – SECOND READING

**MINUTES-COUNCIL MEETING
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ITEM #8 - 2nd READING OF ORDINANCE #2017-66

An Ordinance Amending Part Sixteen (Fire Prevention Code), Chapter 1630 (Miscellaneous Regulations), Chapter 1630.06 (Fireworks) of the Codified Ordinances of the City of Freeport, Illinois

At the September 11, 2017 Committee of the Whole, a motion to move forward with modification was made by Alderperson Brashaw, seconded by Alderperson Smith and passed unanimously. At the September 18, 2017 Council Meeting, a motion was made by Alderperson Klemm and seconded by Alderperson Chesney to resend this ordinance back to the next Committee of the Whole. At the October 10, 2017 Committee of the Whole meeting, a motion to move forward with modifications was made by Alderperson Chesney, seconded by Alderperson Busker and passed by voice vote. At the October 16, 2017, meeting, Alderperson Chesney moved and Alderperson Busker seconded to move forward to tonight's meeting.

Alderperson McClanathan moved and Alderperson Brashaw seconded to postpone this Ordinance indefinitely. The motion prevailed by a roll call vote of:

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

Nays: None

ITEM #9 - 2nd READING OF ORDINANCE #2017-73

An Ordinance Amending Part Ten-Streets, Utilities, and Public Services Code, Title Six-Other Public Services, Chapter 1060-Garbage and Rubbish Collection and Disposal, Section 1060.19-Discontinuance of Service, of the Codified Ordinances of the City of Freeport, Illinois to Remove Reference to the Board of Water and Sewer Commissioners

At the October 16, 2017, meeting, Alderperson McClanathan moved and Alderperson Busker seconded to move forward for approval and the matter was automatically laid over to tonight's meeting.

Manager Crow stated that this Ordinance is to clean up language replacing Water and Sewer "Commission" with Water and Sewer "Department".

The motion prevailed by a roll call vote of:

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

Nays: None

Ordinance 2017-73 passed.

ORDINANCES – FIRST READING

ITEM #10 - 1st READING OF ORDINANCE #2017-74

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. 3 and Related Documents thereto with U.S. Bancorp Government Leasing and Finance, Inc. Regarding Camera Truck

Finance Director Bukas stated that this is a proposed amendment to the Master Lease with U.S. Bank for a TV/Camera/Lamp Inspection Truck, which is used to inspect sanitary and storm sewer lines. Two changes that are not reflected in this draft lease are (1) it is a "qualified tax-exempt obligation" and (2) the payment to the vendor will be directly from U.S. Bank. It is a seven-year lease in the amount of \$437,229 at an interest rate of 2.15 percent payable quarterly. A closing date will be set after a delivery date has been determined.

Alderperson Klemm moved and Alderperson Koester seconded to move forward Ordinance 2017-74 for approval and the matter was automatically laid over until the next regular Council meeting.

**MINUTES-COUNCIL MEETING
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ITEM #11 - [1st READING OF ORDINANCE #2017-75](#)

An Ordinance Amending Section 220.11 of the Codified Ordinances of the City of Freeport, Illinois Regarding Council Committees to Create a New Committee to be Known as the City Manager Recruitment Committee

Aldersperson Chesney stated that this is a housekeeping matter to add language that the Alderman-at-Large and the most senior Council member will do performance evaluations for the City Manager. He noted that it is not a reflection on Manager Crow's performance but strictly a housekeeping item to clarify the City Manager's review process.

Aldersperson Klemm moved and Aldersperson Busker seconded to move Ordinance 2017-75 forward for approval at Second Reading and the matter was automatically laid over to the next regular Council meeting.

ITEM #12 - [1st READING OF ORDINANCE #2017-76](#)

An Ordinance Amending Section 480.11 (Prohibited Parking Streets) of the Codified Ordinances of the City of Freeport, Illinois

Director of Public Works Tom Dole stated that there is a parking issue at the corner of Lincoln Boulevard and West Avenue. This will extend the parking restriction on the south side of Lincoln Boulevard east from said intersection to allow for easier access to the commercial parking lot at that intersection. The current sign at 200 feet will be moved 60 feet east and the curb will be painted yellow in the spring.

Aldersperson Koester moved and Aldersperson Busker seconded to approve Ordinance 2017-76.

Aldersperson Chesney moved and Aldersperson Klemm seconded to suspend the rules which 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, Busker, Brashaw, Koester, Chesney (7)

Nays: None

The motion for passage prevailed by a roll call vote of:

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

Nays: None

Ordinance 2017-76 was passed.

RESOLUTIONS

ITEM #13 - [ADOPTION OF RESOLUTION #R-2017-58](#)

Resolution Supporting the Freeport Park District's Application to the Illinois Department of Transportation's Transportation Enhancement Program (ITEP) Grant Program for Construction of Phase III of the Pecatonica Prairie Trail

Manager Crow stated that we are currently waiting for award of Phase II of the Pecatonica Prairie Trail which will take the path to City limits. Phase III will extend the path four (4) miles and address four (4) bridge issues. There is a limited window to apply for this grant with the application being due by the end of November. The Park District is sponsoring. The grant will be awarded in the spring, but work will not start for 2.5 years. When awarded, our portion will be \$133,000. The ultimate goal under Phase IV is to connect the path from Rockford to the Jane Addams Trail which goes to Madison, making it a premier riding path in the State. It was established that our payment will not be due until the contract is awarded. Federal contracts typically take two to three years to award. The City will budget this amount over the next few years to set money aside.

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Aldersperson Chesney moved for approval of Resolution R-2017-58, seconded by Aldersperson Busker. The motion prevailed by roll call vote of:

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

Nays: None

Resolution 2017-58 was adopted.

ITEM #14 - [ADOPTION OF RESOLUTION #R-2017-60](#)

Resolution of the City of Freeport, Illinois Approving a Redevelopment Agreement Regarding Property Located at 223 S. Chicago Avenue, Freeport, Illinois

[Clerk's Note: Item #14 was removed from the Agenda in "Approval of Agenda" section above.]

APPROVAL OF BIDS

ITEM #15 - Approval of City-Wide Street Assessment Bid [View bids](#)

Manager Crow stated that he went out for bids with the following engineering firms who will have six (6) weeks to complete the work. Fehr Graham had the low bid at \$17,500. Willette & Hofmann was at \$60,000. The big difference is Fehr Graham already has a lot of the information in their database. This will be added to the GIS bank to determine which are the best roads to replace along with the water main so they can be done at the same time. Fees will be paid from funds established to do roadwork from the General Fund.

Aldersperson Chesney moved for approval of the bid from Fehr Graham; Aldersperson Klemm seconded. The motion prevailed by roll call vote of:

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

Nays: None

OTHER

ITEM #16 - Approval of Equipment Bid (i.e. for Vector Truck) [View bid](#)

Director of Utility Operations Kopanski stated that the City has two (2) combination trucks, model years 1991 and 2002. The 1991 no longer serves a purpose because it requires too many repairs. He is requesting an Aqua-Tech B-10 Combination Truck from RNOW, Inc. It is a demo unit with 50 hours so we can get it at a \$15,000 reduction over a new truck. We are proposing a seven-year lease for the truck which will assist with documenting our inflow and infiltration (I/I) program. It was established that a maintenance contract will be included.

Aldersperson Koester moved for approval of the equipment bid for the Vector Truck; Aldersperson Klemm seconded.

Aldersperson McClanathan inquired and Director Kopanski confirmed that this will be the last of the large ticket items planned for Water & Sewer. The next large expenditures will be water main, wells, and treatment plants.

Aldersperson Ross asked and Director Kopanski confirmed that the Vector Truck will mainly be used for sewer lines but can be used in water lines in small areas to avoid the use of a backhoe.

Aldersperson Chesney asked and Director Kopanski confirmed that larger municipalities may subcontract their Vector Truck to smaller communities. Manager Crow stated that at his last municipality, they leased a Vector Truck for \$26,000 per day.

Mayor Miller called for a roll call vote and the motion prevailed by:

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Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Koester, Chesney (7)
Nays: None

ITEM #17 – Approval of Financing Bid for Lease of Vactor Truck [View bid](#)

Manager Crow stated that he went out for bids for leasing the Vactor Truck. U.S. Bank offered the lowest rate at 2.31 percent; Citizens State Bank was next at 2.39 percent. He recommends U.S. Bank Option 2 at 2.31 percent with quarterly payments for a term of eighty-four (84) months.

Aldersperson Brashaw made a motion to accept the bid from U.S. Bank at 2.31 percent. Aldersperson Koester seconded and the motion passed by roll call vote of:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Koester, Chesney (7)
Nays: None

ITEM #18 - Approval of Brian K. Converse, P.E., S.E., of Willett Hofmann & Associates, Inc. for as Project Manager for City of Freeport for Bridge Structures [View letter](#)

Manager Crow stated that he recommends shifting our bridge inspections from McClure to Willett Hofmann. McClure has gone through a transition and moved their bridge operations to Moline. We have had some issues with their responsiveness. Willett Hofmann has been very responsive with submission of papers for other bridge work, they have a local office in Freeport, and their bridge department is in Dixon where Illinois Department of Transportation (IDOT's) district office is located.

Aldersperson Klemm moved and Aldersperson Busker seconded to approve Brian Converse. The motion passed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Koester, Chesney (7)
Nays: None

ITEM #19 – [Demolition of 10 Residential Properties CD-008-17](#): Bid Opening November 1, 2017

Community & Economic Development Director McDonald stated that she is recommending dividing the award between G&G for \$34,400; Kleckner for \$28,600; and N-Trak for \$14,812. By dividing the award, we are realizing a savings of \$7,288.

Aldersperson Busker made a motion to award the bids individually by property; Aldersperson Brashaw seconded.

Aldersperson Chesney asked for the total number of demolitions to date. Director McDonald stated that this bid takes the total to 65. Another bid packet for 10 more demolitions will be out soon. She will meet with our non-profit partner, Northern Illinois Community Action Agency (NICAA), tomorrow for a status update on their demolitions. The goal of 80 should be easily obtainable this year. Aldersperson McClanathan asked and Director McDonald confirmed that the tie bid of \$6,800 will go to Kleckner.

Mayor Miller called for a roll call vote and the motion prevailed by:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Koester, Chesney (7)
Nays: None

REPORTS OF DEPARTMENT HEADS

Finance

Finance Director Bukas stated that the auditors will be at the Council meeting on November 20, 2017, to present the audit. Manager Crow stated that the audit report was received about 15 minutes prior to this meeting.

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Community & Economic Development

Director McDonald stated that many reports are due and a couple of grant periods are closings. A new grant cycle is beginning so we will be re-applying for several programs. One will be the Abandoned Properties Program for which we received \$25,000 the first year, \$75,000 last year, and hopefully more next year.

Aldersperson Koester left Council chambers at 6:55 p.m.

Public Works

Manager Crow introduced Dennis Carr, new Engineer/Public Works Director. Tom Dole will move into the Director of Streets position and Tom Kopanski will remain the Director of Utility Operations. Director Carr comes from Hanson Engineering and his credentials include an undergraduate and Master's in Civil Engineering and State of Illinois Professional Engineer (P.E.) designation.

Aldersperson Koester returned at 6:57 p.m.

Fire

Fire Chief Miller stated that October was fire prevention month and the Fire Department is currently educating more than 2,000 grade-school children on fire safety. Often times children are the lead fire safety person in their family.

Police

Chief Barkalow stated that last Saturday Police Department officers participated in a Justice For All flag football game at Freeport High School with students. They gave away 1,000 hot dogs and bratwursts. New officer testing will be held next Saturday and he will have a new eligibility list. They also will be attending the funeral for Rockford Police Officer Jamie Cox.

Mayor Miller thanked both the Fire and Police Departments for being positive role models with our teens and local youth.

Water and Sewer

Utility of Operations Director Kopanski gave an update on locating a new well site. Two weeks ago he and Fehr Graham were involved in site visits to identify potential locations. The hydraulic model was used to narrow the possibilities to four (4) viable sites. He, Public Works Director Carr, and Manager Crow are working towards preparing a bid for December. Manager Crow added that he met today with owners of the first site, which addresses both high and low zones, and will begin negotiations. They will go in priority in contacting site owners. Aldersperson Busker asked and Director Kopanski confirmed that Site #2 is already owned by the City.

CITY MANAGER REPORT

Manager Crow stated that the Library Board was meeting consecutively with tonight's meeting, so the Human Resources Manager was attending that meeting to narrow the list of candidates for the new Library Director. Eric Dregne with Next Level will be presenting a draft of the Strategic Plan at next week's Committee of the Whole meeting. Last week, Manager Crow attended the TIPs meeting in Springfield. With guidance from the State, they have realigned the Airport's priorities. We do not need to make a commitment to putting in the new road until July 2018, so he has asked for the Airport to give a presentation at the December Committee of the Whole. City offices will be closed Friday, November 10, 2017, in observance of Veteran's Day. He and Mayor Miller will be participating in events at Freeport High School that day. The annual Mistletoe Walk will be held downtown on November 19, 2017.

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MAYOR'S REPORT

Mayor Miller thanked the many volunteers who participated in the Halloween Parade, where there were an overwhelming amount of people in attendance, and Bootiful Saturday with over 500 children participating. The Rockabilly fundraiser for Freeport Downtown Development Foundation at the Grand River Hall had over 300 people in attendance. Many volunteers are required for all of these events.

In addition to the moment of silence observed by Police Chief Barkalow, Mayor Miller, on behalf of the City, expressed her sincere condolences to the family of Officer Jamie Cox.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Alderpersons Ross, Busker, and Brashaw had no announcements.

Alderperson Koester stated that the annual mail run was held at the Airport (scavenger hunt through the skies) a couple of weeks ago.

Alderperson Chesney had no announcements.

Alderperson Klemm elaborated on the importance of Veteran's Day. He asked that everyone honor veterans who have given us peace and the ability to be free to do what we want to do.

Alderperson McClanathan had no announcements.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Mr. Tom Teich stated that he had a 14-year anniversary at Loescher. Mr. Teich asked and Director McDonald confirmed that Casey's will be opening in February 2018.

Mr. Andrew Crutchfield announced that Amity Learning Center will be having its annual toy drive where he portrays Santa Claus. He will be collecting toys through December 18, 2017, for infants through 14 years old. Drop boxes will be at the City Hall Water & Sewer Office, Police Department, and all three (3) fire stations.

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 7:10 p.m., Alderperson Brashaw made a motion to enter executive session, seconded by Alderperson Koester. The motion prevailed by roll call vote of:

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

Nays: None

At 7:47 p.m., Alderperson Koester made a motion to return from executive session, seconded by Alderperson Klemm. The motion prevailed by roll call vote of:

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Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Koester, Chesney (7)
Nays: None

ACTION ITEMS OUT OF EXECUTIVE SESSION

ITEM #26 - [ADOPTION OF RESOLUTION #R-2017-59](#)

Resolution to Ratify Collective Bargaining Agreement with Council 31 of the American Federation of State, County and Municipal Employees (AFSCME), Local 3367 AFL-CIO [View memo](#)

Manager Crow stated that a copy of the AFSCME contract was provided to Council members and was discussed during Closed Session. After ratification of the contract, as specified in the memo provided to Council, it will be signed by union representatives, himself, and Mayor Miller.

Aldersperson Chesney moved for approval of Resolution R-2017-59, seconded by Aldersperson Klemm. The motion prevailed by roll call vote of:

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

Nays: None

Resolution 2017-59 was adopted.

Upon a motion duly made and seconded, the meeting was adjourned at 7:49 p.m.

s/ Dovie L. Anderson

Dovie L. Anderson
City Clerk