



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

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**MINUTES**  
**COUNCIL MEETING**  
**MONDAY, MARCH 19, 2018 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 6:03 p.m. on Monday, March 19, 2018.

**ROLL CALL**

Present on roll call: Mayor Jodi Miller and Council Members Alderpersons Tom Klemm, Peter McClanathan, Art Ross, Patrick Busker, Sally Brashaw, and Andrew Chesney (6).

Council Members absent: Alderpersons Bob Smith and Mike Koester (2).

Staff members present: City Manager Lowell Crow, Finance Director Randy Bukas, 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, 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**

Alderperson McClanathan moved and Alderperson Klemm seconded to amend the agenda to remove Item Numbers 5, 6 and 7 and postpone action indefinitely; motion carried unanimously by roll call vote:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Chesney (6)

Nays: None

Abstain: None

Alderperson Bradshaw moved and Alderperson Busker seconded to approve the agenda as amended; motion carried unanimously by voice vote without dissent.

**APPROVAL OF MINUTES**

Alderperson Brashaw moved and Alderperson Ross seconded to approve minutes from the [March 5, 2018](#), regular 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*

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*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 Reports – February 28, 2018
  - 2) City of Freeport Police Department Report of Activities – January and February 2018
  - 3) City of Freeport Fire Department Incidents and Loss Report – February 2018
  - 4) Financial Reports: General Fund, Library Fund, Water Fund, Sewer Fund, Storm Sewer Fund, February, 2018
- B. Approval of Finance Bills Payable (Registers #937, 938, 939, and 940 and Invoices to be approved for registers dated March 9, 2018 through March 15, 2018) --- \$739,623.81
- C. Approval of Payroll for pay period ending March 3, 2018 --- \$438,469.20 with fringe benefit payments in the amount of \$33,494.15 for a total of \$471,963.35

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

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Chesney (6)

Nays: None

The Consent Agenda was approved.

**ORDINANCES – SECOND READING**

**ITEM #5 – [2<sup>nd</sup> READING OF ORDINANCE #2018-14](#)**

**An Ordinance of the City of Freeport, Stephenson County, Illinois, Approving a Business District Plan for the Galena Corridor Business District Project Area in the City**

*At the March 5, 2018 Council Meeting a motion to move forward for approval was made by Aldersperson Koester; seconded by Aldersperson Smith; and the matter was laid over to tonight's meeting.*

*[Clerk's Note: This item was removed from the agenda. See "Approval of Agenda" above.]*

**ITEM #6 – [2<sup>nd</sup> READING OF ORDINANCE #2018-15](#)**

**An Ordinance of the City of Freeport, Stephenson County, Illinois, Designating the Galena Corridor Business District for the City**

*At the March 5, 2018 Council Meeting a motion to move forward for approval was made by Aldersperson Klemm; seconded by Aldersperson Koester; and the matter was laid over to tonight's meeting.*

*[Clerk's Note: This item was removed from the agenda. See "Approval of Agenda" above.]*

**ITEM #7 – [2<sup>nd</sup> READING OF ORDINANCE #2018-16](#)**

**An Ordinance of the City of Freeport, Stephenson County, Illinois, Imposing a Business District Retailers' Occupation Tax and a Business District Service Occupation Tax within the Galena Corridor Business District**

*At the March 5, 2018 Council Meeting a motion to move forward for approval was made by Aldersperson Koester; seconded by Aldersperson Smith; and the matter was laid over to tonight's meeting.*

*[Clerk's Note: This item was removed from the agenda. See "Approval of Agenda" above.]*

**RESOLUTIONS**

**ITEM #8 – [ADOPTION OF RESOLUTION #R-2018-16](#)**

**Resolution Endorsing the City Manager or Authorized Designee to Sign a Competitively Bid Contract for the Retail Supply of Electric for Residential and Small Business Customers in the City of Freeport, Illinois**

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Manager Crow stated that this is to authorize him to work with Rock River Energy to go to bid for electrical aggregation and approve the lowest bid. Our contract with Constellation expires the end of June 2018.

Aldersperson Chesney asked and Manager Crow responded that he will not include the grant/tax option which provides paybacks to the City. Aldersperson Brashaw asked and Manager Crow stated that the electrical aggregation contract will be for one year.

Aldersperson Klemm made a motion to adopt Resolution #R-2018-16, Aldersperson Busker seconded, and the motion prevailed by roll call vote of:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Chesney (6)

Nays: None

Abstain: None

Resolution #R-2018-16 was adopted.

**ITEM #9 – ADOPTION OF RESOLUTION #R-2018-17**

**Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code Section #18-00000-00-GM**

Director Carr stated that this approves the submittal of annual paperwork to Illinois Department of Transportation (IDOT) to appropriate Motor Fuel Tax (MFT) funds. He will forward to IDOT and that will begin the bidding process on projects and materials.

Aldersperson Chesney made a motion to adopt Resolution #R-2018-17, Aldersperson Busker seconded, and the motion prevailed by roll call vote of:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Chesney (6)

Nays: None

Abstain: None

Resolution #R-2018-17 was adopted.

**OTHER**

**REPORTS OF DEPARTMENT HEADS**

**Finance**

Nothing additional to report.

**Public Works**

Nothing additional to report.

**Fire**

Chief Allen stated that outstanding balances in the amount of \$3,500 for ambulance services have been submitted to collections. We wrote off about \$500. They have received about \$2,000 from collections for the period of October to December 2017. Aldersperson Chesney asked if there is flexibility for hardships. Chief Allen stated that the criteria allow exceptions for elderly and people with low resources. Insurance covers some of the charges for these individuals and then the balance is written off.

**Police**

Chief Barkalow reminded constituents to vote tomorrow. Aldersperson Klemm commended the Police Department on the great work last week.

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**Water and Sewer**

Director Kopanski stated that drilling of the test wells is going satisfactorily.

**IT**

Nothing additional to report.

**CITY MANAGER REPORT**

Manager Crow stated that Director McDonald will be out until next week. The water pump with the variable frequency drive (VFD) is under warranty. It will be worked on tomorrow and there should be no issues with water. The Fire Department has been informed in case of a major fire, but it should not be an issue.

**MAYOR'S REPORT**

Mayor Miller also reminded everyone that tomorrow is election day as well as the first day of spring.

**COUNCIL ANNOUNCEMENTS/NEW BUSINESS**

Aldersperson Ross had nothing additional to report.

Aldersperson Busker reminded the 5<sup>th</sup> Ward of their Neighborhood Watch meeting on March 20, 2018, at 6:00 p.m. at the First Church of the Nazarene.

Aldersperson Brashaw stated business owners across town have challenged their employees to Clean Up Freeport. She encourages all constituents to make a difference in picking up now that the snow melted.

Aldersperson Chesney had nothing additional to report.

Aldersperson Klemm encouraged citizens to exercise their right to vote tomorrow. The First Ward will have its Neighborhood Watch Meeting on March 27, 2018, at Schwarz Funeral Home.

Aldersperson McClanathan echoed the reminder of others to vote tomorrow.

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

Tom Teich stated that the Special Olympics basketball teams placed first last week.

Wendy Pearson stated that she believes the City should do something about the flooding of the Pecatonica River on the East Side that has been occurring for many years. Other criticisms included: encouraging big businesses while leaving out mom-and-pop stores, nepotism, leaving out the poor, and hand-selecting board members who make decisions for everyone else without the input from those affected.

**EXECUTIVE SESSION (CLOSED SESSION) PURSUANT TO 5 ILCS 120/2(c)(1)**

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.

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- 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
- Pursuant to 5 ILCS 120/2(c)(21) Discussion of minutes lawfully closed under this act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06 --- with action to follow

At 6:21 p.m., Alderperson Busker made a motion to enter executive session, seconded by Alderperson Ross. The motion prevailed by roll call vote of:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Chesney (6)

Nays: None

At 7:29 p.m., Alderperson Busker made a motion to return to open session, seconded by Alderperson Ross. The motion prevailed by roll call vote of:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Chesney (6)

Nays: None

### **ITEM #16 - Approval of Executive Session (Closed Session) Minutes and Determination If the Need for Confidentiality Still Exists**

Alderperson McClanathan moved to make a determination that the need for confidentiality no longer exists as to the minutes from the following closed session meetings or portions of minutes and that these portions should be made available for public inspection, seconded by Alderperson Busker: October 13, 2015; October 5, 2015 - Subject #2; May 4, 2015 – Subject #2; February 3, 2014 – Subject #2

The motion prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Chesney (6)

Nays: none

Alderperson McClanathan moved to make a determination that the need for confidentiality still exists in relation to the following closed session minutes and tapes identified as not released, seconded by Alderperson Busker.

- November 30, 2015 - 5 ILCS 120-2(c)(1) Appointment Employment Compensation
- November 16, 2015 - 5 ILCS 120-2(c)(1) Appointment Employment Compensation
- November 2, 2015 - 5 ILCS 120/2(c)(11) Litigation
- October 19, 2015 - 5 ILCS 120-2(c)(1) Appointment Employment Compensation
- October 5, 2015 - Subject #1 - 5 ILCS 120/2(c)(11) Litigation
- September 21, 2015 - 5 ILCS 120-2(c)(1) Appointment Employment Compensation
- September 8, 2015 - Collective Negotiating Matters
- July 20, 2015 - Subject #1 Collective Negotiating Matters
- July 20, 2015 - Subject #2 - 5 ILCS 120-2(c)(1) Appointment Employment Compensation
- July 6, 2015 - Subject #1 Appointment Employment
- July 6, 2015 - Subject #2 Collective Negotiating Matters
- June 1, 2015 - Subject #1 - 5 ILCS 120-2(c)(1) Appointment Employment Compensation
- June 1, 2015 - Subject #2 Litigation
- June 1, 2015 - Subject #3 Collective Negotiating Matters
- May 4, 2015 - Subject #1 Collective Negotiating Matters
- April 6, 2015 - Collective Negotiating Matters
- December 1, 2014 - 5 ILCS 120-2(c)(1) Appointment Employment Compensation

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- September 2, 2014 - Purchase or Lease Real Property
- August 4, 2014 - Subject #1 Collective Negotiating Matters
- March 3, 2014 - Setting Price for Sale or Lease of Property

The motion prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Chesney (6)

Nays: none

Upon a motion duly made and seconded, the meeting was adjourned at 7:31 p.m.

*/s/ Dovie L. Anderson*

Dovie L. Anderson  
City Clerk