



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

MINUTES
COUNCIL MEETING
MONDAY, MAY 21, 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, May 21, 2018.

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, Director of Finance Randy Bukas, Director of Community & Economic Development Nancy McDonald, Director of Public Works Dennis Carr, Fire Chief Todd Allen, Chief of Police Todd Barkalow, Director of Information Technology Curt Suttman, Library Director Emily Klonicki and City Clerk Dovie Anderson.

Others Present: City Legal Counsel Aaron Szeto, Esq.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Chesney.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Alderperson Koester moved and Alderperson Ross seconded to approve minutes from the [May 7, 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) Building Permits – April 2018
 - 2) Minutes from 3rd Ward Town Hall Meeting – May 8, 2018
- B. Approval of Revised City Manager Contract
- C. Approval of Resolution R-2018-31: Temporary Closure of Streets for Dairy Days Parade – Sunday, June 24, 2018

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- D. Approval of Finance Bills Payable (Registers #971, 972, 976, 977 and 978 and Invoices to be approved for registers dated April 26, 2018 through May 14, 2018) --- \$849,302.63
- E. Approval of Payroll for pay period ending May 12, 2018 --- \$501,768.33 with fringe benefit payments in the amount of \$36,077.88 for a total of \$537,846.21.

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

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

Nays: None

The Consent Agenda was approved.

ITEM #5 – Recognition of retirees and promotions in Fire Department

Retirements:

- Fire Chief Todd Allen introduced Deputy Chief Robin Gorsline who retired recently with over 30 years of service to the City. He was hired in 1987, promoted to Lieutenant in 1998, Captain in 2005, Battalion Chief in 2010, and laterally to Department Chief this month. In 2005, he was deployed to the Gulf Coast for relief efforts with Hurricane Katrina and, in 2008, for Hurricane Ike. Deputy Chief Gorsline thanked his family and co-workers for keeping him safe for 30 plus years. He noted changes in the Fire Department including addition of: paramedic unit which provides a high level of care, fire inspections, technical rescue team, and HazMat team.
- Chief Allen introduced Inspector Bob Bush and thanked him for over 30 years of service to the City. He was hired in 1987, promoted to Fire Inspector in 2013, and retired this month. Among his many qualifications, he is a Certified Fire Inspector and Certified Fire Investigator. Inspector Bush thanked his wife for her support over the years, co-workers, and the City. He has been honored to serve on the Fire Department and has found it to be a rewarding career. He noted the younger co-workers have the ambition to carry on and knows the Department is being left in good hands.
- Battalion Chief Brian Bruce was unable to attend. Chief Allen stated that Battalion Chief Bruce was hired in 1988, promoted to Lieutenant in 2005, Captain in 2010, Battalion Chief in 2017, and retired this month. Some of his notable qualifications include Certified EMT, Certified Firefighter II and III. In 2005, he was deployed to the Gulf Coast for humanitarian relief efforts with Hurricane Katrina.

Promotions:

- Chief Allen recognized the promotion of Deputy Chief Scott Reeser. He was hired in 1991, promoted to Lieutenant in 2009, Captain in 2013, District Chief on May 7, 2018 and Deputy Chief today, May 21, 2018. He was pinned by his wife, Carolyn.
- Chief Allen recognized the promotion of District Chief Rick Luy. He was hired in 1989, promoted to Lieutenant in 2009, and District Chief today, May 21, 2018. He was pinned by his wife, Penny.
- Chief Allen recognized the promotion of Lieutenant Tom Winkowski. He was hired in 1995 and promoted to Lieutenant on May 7, 2018. He was pinned by his wife, Penny.
- Chief Allen recognized the promotion of Lieutenant Jack Heitz. He was hired in 1994 and promoted to Lieutenant on May 7, 2018. He participated in the relief efforts of Hurricane Katrina in 2005. He was pinned by his wife, Tracy.
- Chief Allen recognized the promotion of Lieutenant Chris Potempa. He was hired in 2008 and was promoted to Lieutenant on May 7, 2018. He was pinned by his wife, Nikki.
- Chief Allen recognized the promotion of Lieutenant Will Backus. He was hired in 2007 and promoted to Lieutenant today, May 21, 2018. He was pinned by his wife, Tiffany.
- Deputy Chief Resser spoke on behalf of the newly promoted Fire Department staff. He thanked Fire Chief Commissioner Brian Borger, Mayor, City Manager, and Alderspersons. He recognized their fire house families and home families for their kindness and support.

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ITEM #6 – Proclamation regarding Esther Xiang as Recipient of “The Prudential Spirit of Community Awards”

Mayor Miller read a proclamation recognizing Esther Xiang, who is a recipient of “The Prudential Spirit of Community Awards”. She has been identified as one of the top youth volunteers in Illinois. Her many other accomplishments were recognized including receiving a local grant from the Freeport Community Foundation Youth Advisory Council for developing the Food Ark Pantry, a healthy food program and garden at the Freeport High School.

ITEM #7 – Donation of Two (2) Police Bicycles from Freeport Bicycle Company and Chainlink Cyclists Club

Police Chief Barkalow introduced Stu Garwick of the Freeport Bicycle Club and Steve Gitz of the Chainlink Cyclists Club, who presented the Police Department with a donation of two bicycles for the bicycle patrol of the Police Department.

ITEM #8 – Appointments

Aldersperson Smith moved and Aldersperson Busker seconded to approve the nomination of Nan McMurray to the Library Board (to replace Scott Haugh) effective June 1, 2018 through May 31, 2021; Troy Barr to the Planning Commission (to replace the vacated position of Bill Green) effective immediately through October 31, 2018; reappointment of James Ferrar to the Library Board effective through May 31, 2021; and reappointment of Stacy Knodle Fernstaedt to the Liquor Commission effective through May 31, 2022.

The motion prevailed by a roll call vote:

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

Nays: None

ORDINANCES – FIRST READING

ITEM #9 – [1ST 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)

Director McDonald stated that in 2017 the City issued a note with JJ Ventures for the development at the intersection of West South Street and Highway 26 (West Avenue). There were inconsistencies in the dates of the agreement. This is a corrective measure to show that the final maturity date of the TIF Redevelopment Note should be February 2037.

Aldersperson Smith made a motion to move Ordinance #2018-29 forward for approval; seconded by Aldersperson Koester. The matter was automatically laid over to the next Council meeting.

ITEM #10 – [1ST 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)

Director McDonald stated that Luke Gerard owns a two-story structure at 327 East Spring Street. He is currently using the building for storage for his business materials. He would like to add apartments on the first and second floor in addition to the current use of business storage. It is currently zoned M-2, General Manufacturing, in which residential is not allowed. The relief sought is to reclassify the zoning to B-1, Restricted Retail Business, where residential housing is allowed. Adjacent properties include RR, Riverfront Redevelopment, which allows business and residential; M-3, Heavy Industrial; and M-2, General Manufacturing. Director McDonald listed the staff findings of the Community & Economic Development Department and stated that the Planning Commission approved that the recommended reclassification be moved to Council 7 to 0. There was no public input at the

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Planning Commission meeting, there were no issues or concerns, and the Planning Commission was excited to see work being done on the building.

Aldersperson Koester made a motion to move Ordinance #2018-30 forward for approval; seconded by Aldersperson Brashaw. The matter was automatically laid over to the next Council meeting.

RESOLUTIONS

ITEM #11 – [ADOPTION OF RESOLUTION #R-2018-32](#)

Resolution of the City of Freeport, Illinois Authorizing and Approving a Real Estate Contract for the Sale of the Property Commonly Known as 1819 South West Avenue, Freeport, Illinois

Manager Crow stated that this Resolution is to sell the Old Fire Station at 1819 South West Avenue. This is the second step in process. The next step will be completed at the next Council meeting for leasing back training facilities. This authorizes Manager Crow to sign the contract for the agreed upon amount from the bid opening at the last Council meeting. The building is being sold “as is” and the buyer is aware it is in a flood zone.

Aldersperson Koester made a motion to adopt Resolution #R-2018-32, Aldersperson Brashaw seconded, and the motion prevailed by roll call vote of:

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

Nays: None

Abstain: None

Resolution #R-2018-32 was adopted.

ITEM #12 – [ADOPTION OF RESOLUTION #R-2018-33](#)

Resolution of the City of Freeport, Illinois, Authorizing Execution of Intergovernmental Agreement to Join the Region I Joint Regional Planning Commission (R1PC)

Manager Crow stated that this Intergovernmental Agreement is to join the R1PC based in Rockford. Current members include the counties of Boone, Winnebago and Ogle and municipalities of Rockford, Belvidere and Rochelle. The City of Freeport and Stephenson County have been invited to join. This gives the City access to grantwriting services, planning capabilities, and moving towards the region selling itself as a single region when attracting businesses to the area. Once the City passes this Resolution, the bylaws will be rewritten to reflect the addition of the City of Freeport and the Greater Freeport Partnership. Michael Dunn with R1PC gave a presentation to Council about one year ago regarding regionalism and joining this Commission. There is no funding requirement to join. It is a “fee for services” arrangement. Any requested services would come before Council for approval.

Aldersperson Klemm made a motion to adopt Resolution #R-2018-33, Aldersperson Busker seconded, and the motion prevailed by roll call vote of:

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

Nays: None

Abstain: None

Resolution #R-2018-33 was adopted.

OTHER

ITEM #13 – Approval of 5-Year Water & Sewer and Streets Integrated Capital Improvement [view document](#)

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Director Carr stated that there were no changes since the presentation at the Committee of the Whole. Alderperson Chesney asked for a one-page summary of the changes to the water and sewer charges in the next few years.

Alderperson Koester made a motion to approve the 5-year Water & Sewer and Streets Integrated Capital Improvement plan, Alderperson McClanathan seconded, and the motion prevailed by roll call vote of:
Yeas: Chesney, Klemm, McClanathan, Ross, Smith, Busker, Brashaw, Koester (8)
Nays: None
Abstain: None

REPORTS OF DEPARTMENT HEADS

Finance

Director Bukas stated that auditors will be here the week of June 18, 2018, to begin field work.

The second round of delinquent notices will be sent to residents who had their final bills mailed January through March 2018.

Community & Economic Development

Director McDonald stated that Doug Quinn, Code Enforcement Supervisor started today.

She reminded citizens that it is mowing season and grass and weeds should not be allowed to grow beyond eight inches.

Public Works

Director Carr stated that paving was completed on Adelbert using a bike path paver so there are more joints than usual.

Inlet repair is being completed on Henderson. Water had been undermining the driveway and sidewalk.

They are beginning surveying on Float Street for the MFT project.

Once the rain subsides, most of the Street Department will be mowing to prepare the cemetery for Memorial Day.

Water and Sewer

Director Carr gave an update on Director Kopanski's behalf. The water fountain for Debate Square will be delivered June 5, 2018, with installation shortly thereafter.

Fire

Nothing additional to report.

Police

Police Chief Barkalow stated that a week-long police bicycle class is being taught out of their department, so 10 to 12 officers from various agencies on bicycles may be seen around town doing training. Last Friday, Cop on a Roof was held at Dunkin' Donuts where \$1,800 was raised for Special Olympics. Their department is making preparations for the upcoming Memorial Day Parade.

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Nothing additional to report.

Library

Director Klonicki stated that the Library received a donation of \$24,000 from the Aletha Hunt estate to create a youth services play exploration area.

The summer reading program kicks off June 9, 2018, for all ages. The theme is "Reading Takes You Everywhere".

CITY MANAGER REPORT

Manager Crow stated that Freeport has been selected as one of thirty Opportunity Zones in the country. This is a federal program that sets aside federal incentives for residents to move into the area.

Liberty Village has broken ground on their first home since 2007.

Bruce Johnson returned to the Farm Bureau today and made an appearance at Rotary.

Opt-out letters for electrical aggregation will be mailed June 18, 2018. If residents do not want Constellation as their electrical service, they should follow the instructions on the opt-out letter.

MAYOR'S REPORT

Mayor Miller stated that the Opportunity Zone will provide great leverage with attracting investors to Freeport.

Approximately 200 people attending the second annual Winefest downtown last weekend. She thanked the Freeport Downtown Development Foundation (FDDF) and the many volunteers for the event.

Yesterday was the honorary street naming celebration for Merle D. Norman. She thanked the attendees who honored his legacy and all he did for Freeport.

She reminded everyone that the Memorial Day Parade will be held downtown on Monday, May 28, 2018, beginning at 10:00 a.m., and wished everyone a safe and happy holiday weekend.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Aldersperson Chesney noted that, in addition to the success of Winefest last weekend, the celebration for Merle D. Norman was well attended. He thanked Aldersperson Ross for participating in honoring the contributions Mr. Norman made to Freeport.

Aldersperson Klemm stated that the 1st Ward Neighborhood Watch meeting will be held at Schwarz Chapel on Tuesday, May 22, 2018, at 6:00 p.m. Mayor Miller will be speaking and Director Suttman will be presenting iWorQ. There will be a neighborhood meeting tomorrow afternoon to address flooding issues in his ward.

Aldersperson McClanathan had nothing additional to report.

Aldersperson Ross thanked Mayor Miller and Alderspersons Klemm and Chesney for attending the festival honoring Merle D. Norman. He also thanked Director Carr for paving Adelbert in time for the ceremony. He received positive feedback on the street paving.

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Aldersperson Smith had nothing additional to report.

Aldersperson Busker had nothing additional to report.

Aldersperson Brashaw reminded residents to honor Memorial Day on Monday, May 28, 2018, and to attend the parade downtown at 10:00 a.m.

Aldersperson Koester thanked Chief Allen for the presentation of Fire Department retirements and promotions. He stated that more than 90 collective years' experience has left the Fire Department. It is also apparent that the remaining staff is holding the tradition with obtaining the necessary training required to move the department forward. There will be a 7th Ward Neighborhood Watch meeting at 6:30 p.m. on Wednesday, May 30, 2018. The Young Eagle Rally will be held August 8, 2018, from 9:00 a.m. to 2:00 p.m. at the airport with free airplanes rides for children ages 8 to 17.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

City Clerk Dovie Anderson read a letter submitted by Steve Carroll regarding the flood mitigation meeting on May 8, 2018. Mr. Carroll stated that he felt there should have been more representation by Mayor and City Council members that were present at the meeting. He also felt that some key department heads should have been in attendance.

Tom Teich thanked Mayor Miller for attending the recognition of Nurse's Week. He also thanked Chief Barkalow for the good work at the Cop on a Roof at Dunkin' Donuts.

Steve Cassell read a letter into record complimenting Mayor Miller, City Manager Crow, City Council members, and Department Heads and for their forward-thinking leadership of the region.

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

City Clerk Anderson read the following exceptions into record to enter 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)(3) the selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.
- 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 7:07 p.m., Aldersperson Busker made a motion to enter executive session, seconded by Aldersperson Smith. The motion prevailed by roll call vote of:

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

Nays: None

Aldersperson Klemm left Council Chambers at 7:35 p.m.

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At 7:36 p.m., Alderperson Koester made a motion to return to open session, seconded by Alderperson Busker. The motion prevailed by roll call vote of:

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

Nays: None

Absent: Klemm

Alderperson Klemm entered the Council Chambers at 7:37 p.m.

ITEM #27 – Review of Executive Session Minutes from 2012 and 2013 to Make a Determination If 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 17, 2011 - Subject #3; September 19, 2011; September 6, 2011; July 18, 2011 - Subject #2; July 5, 2011; April 18, 2011 - Subject #1; April 18, 2011 - Subject #2; September 20, 2010 - Subject #2; September 7, 2010 - Subject #1; August 16, 2010 - Subject #2; August 2, 2010 - Subject #1 - Release 2nd, 3rd, & 4th paragraphs and 1st sentence of 5th paragraph; July 19, 2010 - Subject #3; June 21, 2010 - Subject #2; January 19, 2010 - Subject #2; and January 4, 2010 - Subject #2

The motion prevailed by a roll call vote of:

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

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 Klemm.

- December 19, 2011 - Subject #1 - 5 ILCS 120/2(c)(11) Litigation Strategy
- December 19, 2011 - Subject #2 - 5 ILCS 120/2(c)(11) Litigation Strategy
- December 19, 2011 - Subject #3 - 5 ILCS 120/2(c)(11) Litigation Strategy
- October 17, 2011 - Subject #1 - 5 ILCS 120/2(c)(11) Litigation Strategy
- October 17, 2011 - Subject #2 - 5 ILCS 120/2(c)(11) Litigation Strategy
- August 15, 2011 - 5 ILCS 120/2(c)(2) Collective Bargaining
- July 18, 2011 - Subject #1 - 5 ILCS 120/2(c)(2) Collective Bargaining
- May 2, 2011 - Subject #1 - 5 ILCS 120/2(c)(2) Collective Bargaining
- May 2, 2011 - Subject #2 - 5 ILCS 120/2(c)(2) Collective Bargaining
- December 6, 2010 - 5 ILCS 120/2(c)(11) Litigation Strategy
- October 18, 2010 - 5 ILCS 120/2(c)(11) Litigation Strategy
- September 20, 2010 - Subject #1 - 5 ILCS 120/2(c)(2) Collective Bargaining
- September 1, 2010 - Subject #2 - 5 ILCS 120/2(c)(2) Collective Bargaining
- August 16, 2010 - Subject #1 - 5 ILCS 120/2(c)(2) Collective Bargaining

The motion prevailed by a roll call vote of;

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

Nays: none

Upon a motion duly made and seconded, the meeting was adjourned at 7:40 p.m.

/s/ Dovie L. Anderson

Dovie L. Anderson

City Clerk