



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

MINUTES
COUNCIL MEETING
TUESDAY, SEPTEMBER 4, 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 6:01 p.m. on Tuesday, September 4, 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 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 Sosnowki, Esq.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Koester.

APPROVAL OF AGENDA

Alderperson Koester 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 Chesney seconded to approve minutes from the [August 20, 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) Greater Freeport Partnership – Monthly Report to Council
 - 2) 2019 City Holiday Schedule
 - 3) 2019 City Council Calendar of Meetings
 - 4) 2019 Committee of the Whole Calendar of Meetings
 - 5) Minutes from Building Commission Meeting – July 11, 2018
 - 6) Minutes from Foreign Fire Insurance Board Meeting – August 9, 2018

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- 7) Fire Department Report – July 2018
- 8) Cash and Investment Report – July 31, 2018
- B. Approval of Finance Bills Payable (Registers #46, 49, 50, and 51 and invoices to be approved for registers dated August 17, 2018 through August 30, 2018) --- \$375,460.36
- C. Approval of Payroll for pay period ending August 18, 2018 --- \$436,179.54 with fringe benefit payments in the amount of \$132,918.70 for a total of \$569,098.24.

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

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

Nays: None

ITEM #5 - Proclamation regarding "September is National Suicide Prevention Awareness Month"

Mayor Miller read a proclamation supporting suicide awareness. Suicide is the third leading cause of death of young people. September has been designated as a time to make people aware of resources, encourage one another to be there for each other, and recognize the importance of talking about the sensitive matter of suicide in public.

ITEM #6 – Recognition of District Chief Curtis Timmer

Fire Chief Allen stated that District Chief Timmer is a wildland fire instructor who volunteers his own vacation time for wildfire trainings. He recently conducted training in the State of Oregon and the crews were immediately deployed to the forest fires there. A letter was received from the Department of Public Safety Standards and Training, State of Oregon, recognizing and thanking District Chief Timmer for his time and talents. District Chief Timmer was unable to attend.

ITEM #7 – Recognition of Service Awards

City Manager Crow and Chief of Police Barkalow introduced Carla Green from the Police Department and thanked her for 20 years of service to the City. Chief Barkalow thanked Ms. Green for her 5 years with the Police Department Records Bureau. He stated that she brings laughter and efficiency to the Police Department. Prior to that Ms. Green was with the library.

ORDINANCES – SECOND READING

ITEM #8 – 2nd READING OF ORDINANCE #2018-45

An Ordinance Amending Title Six - Administration, Section 224.05 – Absence or Disability, Vacancy in Office, of the Codified Ordinances of the City of Freeport, Illinois, to Provide That the Deputy City Manager Shall Assume the Powers and Duties of the City Manager in the Absence or Disability, Vacancy in Office of the City Manager
At the August 20, 2018, Council Meeting a motion to move forward for approval was made by Aldersperson Chesney; seconded by Aldersperson Busker; and the matter was automatically laid over to tonight's meeting.

Manager Crow stated that this Ordinance establishes the powers and duties of Deputy City Manager in the absence of the City Manager. Currently Manager Crow writes a letter outlining these duties in his absence. This Ordinance codifies what is being done in practice.

Mayor Miller requested a roll call vote on passage of Ordinance #2018-45. Motion prevailed by a roll call vote of:

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

Nays: None

Abstain: None

Ordinance #2018-45 passed.

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ITEM #9 – 2nd READING OF ORDINANCE #2018-46

An Ordinance Amending Part Twelve – Planning and Zoning, Chapter 1220 – Planning Commission Chapter 1242 – Administration, Enforcement, and Penalty, and Chapter 1244 – Board of Zoning Appeals of the Codified Ordinances of the City of Freeport *At the August 20, 2018, Council Meeting a motion to move forward for approval was made by Alderperson Koester; seconded by Alderperson Chesney; and the matter was automatically laid over to tonight's meeting.*

Manager Crow stated that this Ordinance aligns the Zoning Board of Appeals and Planning Commission with the vast majority of other municipalities and standard practice throughout Illinois. The Zoning Board of Appeals will be the fact-finding body and the Planning Commission will review regarding the requirements of the Comprehensive Plan. The order of the monthly meetings is currently Zoning Board of Appeals the first week and Planning Commission the second week.

Mayor Miller requested a roll call vote on passage of Ordinance #2018-46 and the motion prevailed by:

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

Nays: None

Abstain: None

Ordinance #2018-46 passed.

ITEM #10 – 2nd READING OF ORDINANCE #2018-47

An Ordinance Amending Part Six – General Offenses Code Chapter 626 Drugs, Section 626.02(a) of the Codified Ordinances of the City of Freeport regarding Cannabis *At the August 20, 2018, Council Meeting a motion to move forward for approval was made by Alderperson Brashaw; seconded by Alderperson Parker; and the matter was automatically laid over to tonight's meeting.*

Manager Crow stated that this amends our Code to align with whatever the State adopts. Two of our three Codes regarding cannabis already do this.

Mayor Miller requested a roll call vote on passage of Ordinance #2018-47 and the motion prevailed by:

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

Nays: None

Abstain: None

Ordinance #2018-47 passed.

REPORTS OF DEPARTMENT HEADS

Finance

Director Bukas stated that staff will meet with the auditors next week. He also announced that Building Inspector Ben Fritz passed his commercial mechanical inspector exam last week.

Public Works

Director Carr had nothing additional to report.

Fire

Chief Allen announced that Civilian Fire Academy will be held the five Tuesdays in October from 6:00 to 8:00 p.m.

Police

Chief Barkalow reported on the federal case that was wrapped up last week after nearly two years of investigations. He stated that it should make a dent in the drug trafficking in our community.

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Water & Sewer

Director Kopanski reported that rainfall for the past week totaled just under eight inches and over the last 30 days the total was nearly 13 inches. The water plant is doing fine and the wastewater treatment plant has high flows entering it, but the staff is working to address that.

IT

Director Suttman had nothing additional to report.

CITY MANAGER REPORT

Manager Crow stated that the Pecatonica River is expected to crest tomorrow morning at 13 feet, 2 inches. Sand and bags are available at St. Paul Church, Krape Park maintenance building, and at Demeter Bridge. The City continues to monitor potential flooding and requests for aid. Manager Crow has been in communication with Freeport Area Church Cooperative (FACC), Salvation Army, and various church groups. St. Paul Church will be available for shelter, if needed.

The new Director of Community & Economic Development will begin September 17, 2018. He is currently looking for a home to rent.

Council will review the bid for Float Avenue at the next meeting. Residents will receive notification as the road is torn up to begin water and sewer work. Lead service line replacement will also part of the project.

Council members have been apprised of revisions to the Solar Ordinance. Legal counsel has advised that objections to the Solar Ordinance need to be in the form of a Resolution. He would appreciate feedback from Council.

MAYOR'S REPORT

Mayor Miller announced a Pet Rescue fundraiser held at Carlson Canine Camp on Saturday, September 8, 2018. The Davis Mental Health golf outing also will be held on Saturday at the Park Hills Golf Course. Friday, September 14, 2018, will be the 8th Annual Friends of the Pecatonica fundraiser at Big O's. She stated that all of these events take many volunteers. She thanked them as well as the volunteers for last weekend's Art in the Park sponsored by the Freeport Art Museum.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Aldersperson Koester announced that the annual Mail Run will be held at Albertus Airport on September 15, 2018. This is a scavenger hunt by airplane using no modern navigational devices.

Aldersperson Chesney had nothing additional to report.

Aldersperson Klemm thanked Manager Crow and everyone in the background who have been monitoring potential flood conditions.

Aldersperson McClanathan had nothing additional to report.

Aldersperson Ross echoed Aldersperson Klemm's thanks for flood monitoring and acknowledged that, if it floods, the City is ready.

Aldersperson Parker thanked law enforcement officials for their involvement in the drug raid.

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Alderson Busker thanked the Police Department for making the streets safer. He added that Police are not thanked enough for all that they do every day.

Alderson Brashaw asked residents to care for their lawns and pay attention to the weeds by trimming carefully. The Neighborhood Watch Meeting for 6th Ward will be held Thursday, September 6, 2018, at Schwarz Funeral Home. Manager Crow will give an update on the Demeter/Gladewood bridge and Executive Director Rebecca Motley with the Greater Freeport Partnership will give an update on the merger of that organization.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Mayor Miller read a letter from Brent Schoemacher regarding correctly referring to the appropriate name of Countryside Estate Storm Water Detention and Bike Path, not Sandy Pointe detention pond. He also requested remediation of drainage issues prior to further development in the area.

Barbara Burns invited constituents to the Stephenson County Fairgrounds for a dog show on September 29 and 30, 2018. Manager Crow and Alderson Chesney presented awards last year. This year Mayor Miller and Representative Brian Stewart will present awards.

Kay Ostberg invited everyone to view the Jane Addams tribute wall at Highland Community College, Marvin Burt Building M, 2nd Floor. There will be a community unveiling event on Saturday, September 22, 2018, from 1:00 to 3:00 p.m.

Tom Teich stated that Chief Barkalow did a good job when interviewed on Channel 23 news. There will be a Special Olympics banquet on October 10, 2018, at Embury Church.

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. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with this Act.
- 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 6:32 p.m., Alderson Busker made a motion to enter executive session, seconded by Alderson Koester. The motion prevailed by roll call vote of:

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

Nays: None

At 7:49 p.m., Mayor Miller requested Clerk Anderson to call the roll to return to open session:

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 and City Clerk Dovie Anderson

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ITEM #20 – REVIEW OF EXECUTIVE SESSION MINUTES FROM 2004 AND 2005 TO MAKE DETERMINATION IF CONFIDENTIALITY STILL EXISTS

Aldersperson McClanathan moved to approve the following minutes with specific notice that their tapes are not released, seconded by Aldersperson Chesney.

- November 10, 2005-Executive Committee (Not closed session)
- September 12, 2005-Executive Committee (Not closed session)
- September 6, 2005-Executive Committee (Not closed session)
- August 1, 2005-Executive Committee (Not closed session)
- May 2, 2005-Executive Committee (Not closed session)
- December 6, 2004-5 ILCS 120/2(c)(1) Appointment Employment Compensation
- November 15, 2004-5 ILCS 120/2(c)(1) Appointment Employment Compensation
- October 4, 2004-5 ILCS 120/2(c)(5) Purchase/Sale of Real Estate
- September 20, 2004-5 ILCS 120/2(c)(1) Appointment Employment Compensation
- September 7, 2004-5 ILCS 120/2(c)(2) Collective Bargaining and 5 ILCS 120/2(c)(5) Purchase/Sale of Real Estate
- July 19, 2004-5 ILCS 120/2(c)(5) Purchase/Sale of Real Estate
- July 8, 2004-Executive Committee (Not closed session)
- May 13, 2004-Executive Committee (Not closed session)
- May 3, 2004-5 ILCS 120/2(c)(1) Appointment Employment Compensation
- April 5, 2004-5 ILCS 120/2(c)(5) Purchase/Sale of Real Estate
- March 15, 2004-5 ILCS 120/2(c)(1) Appointment Employment Compensation
- February 17, 2004-5 ILCS 120/2(c)(5) Purchase/Sale of Real Estate
- February 10, 2004-Executive Committee (Not closed session)
- February 2, 2004-5 ILCS 120/2(c)(5) Purchase/Sale of Real Estate

The motion prevailed by a roll call vote of:

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

Nays: None

Aldersperson 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 Aldersperson Busker: November 10, 2005; September 12, 2005; September 6, 2005; August 1, 2005; May 2, 2005; October 4, 2004; September 7, 2004; July 19, 2004; July 8, 2004; May 13, 2004; April 5, 2004; March 15, 2004; February 17, 2004; February 10, 2004; and February 2, 2004

The motion prevailed by a roll call vote of:

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

Nays: None

Aldersperson 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 Aldersperson Parker.

- December 6, 2004-5 ILCS 120/2(c)(1) Appointment Employment Compensation
- November 15, 2004-5 ILCS 120/2(c)(1) Appointment Employment Compensation
- September 20, 2004-5 ILCS 120/2(c)(1) Appointment Employment Compensation
- May 3, 2004-5 ILCS 120/2(c)(1) Appointment Employment Compensation

The motion prevailed by a roll call vote of:

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Yeas: Koester, Chesney, Klemm, McClanathan, Ross, Smith, Busker, Brashaw (8)
Nays: None

Upon a motion duly made and seconded, the meeting was adjourned at 7:53 p.m.

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