



*City Council*

City Council Chambers ◊ 524 West Stephenson Street ◊ Freeport, IL 61032

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**COMMITTEE OF THE WHOLE REPORT  
SPECIAL MEETING  
Monday, August 4, 2014**

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**1. CALL TO ORDER**

A special meeting of the Freeport, Illinois, Committee of the Whole was called to order by Mayor James Gitz with a quorum being present at 5:30 p.m. on Monday, August 4, 2014.

**2. ROLL CALL**

Present on roll call: Mayor James Gitz and council members Tom Klemm, Shawn Boldt, Ronnie Bush, Dennis Endress, Sally Brashaw, and Alderperson Crutchfield (6). Alderperson DeVine and Alderperson Koester were absent.

City Staff Present: Corporation Counsel Sarah Griffin, City Clerk Meg Zuravel, Community Development Director Jim Brown, Finance Director Cynthia Haggard, Public Works Director Tom Dole, City Engineer Shaun Gallagher, Water and Sewer Director Tom Glendenning, Library Director Carole Dickerson, Fire Chief Scott Miller, and Chief of Police Todd Barkalow.

**3. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Alderperson Brashaw, chairperson of meeting.

**4. PUBLIC COMMENTS – AGENDA ITEMS**

There was no one signed on the sheet for public comments this evening.

**5. VACANT PROPERTY REGISTRATION OVERVIEW AND DRAFT ORDINANCE**

Jim Brown, Community Development Director presented a written memorandum (marked #035-14) dated July 30, 2014 in regard to Vacant Property Registration Program (VPRO). The memorandum provided an overview of the history of the vacant property, sources of the draft ordinance, the City's last attempt at a vacant property ordinance, the signage issue, a statement on government owned buildings, the cost of a program and staff's ability and capacity to absorb new work, fee structure, opaque windows for commercial buildings, and working with owners. The memorandum included attachments which were: survey of selected Illinois municipalities with VPROs, flow chart, and a copy of the draft ordinance. This information was programmed to the City of Freeport website under the Committee of the Whole agenda for August 4, 2014.

He stated that the primary purposes of VPROs include gathering reliable contact information for the owners of these properties, and insuring that the properties are maintained in ways that will reduce the harm they pose to surrounding neighborhoods to mitigate the appearances of blight in both commercial and residential areas. These purposes are certainly good reasons for the City of Freeport to consider adaptation of a VPRO.

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Director Brown provided an overview of the memorandum and reviewed the definition under the draft ordinance for a vacant building.

Vacant building means a building or portion of a building which is:

- (a) An Unoccupied building that is unsecured; or
- (b) An unoccupied that is secured by boarding or other similar means; or
- (c) An unoccupied building that is dangerous to the health, safety and welfare of firefighters, police officers, other officials, or the surrounding neighborhood; or
- (d) An unoccupied building condemned by the Building Inspector pursuant to applicable provisions of this code and the City Building Code; or
- (e) An unoccupied building with multiple code violations; or
- (f) An unoccupied building or its premises which has been the site of unlawful activity within the previous six (6) months; or
- (g) A building condemned by the Building Inspector and unlawfully occupied; or
- (h) A structure which has been an unoccupied building for over one hundred eighty (180) days and during which time the Building Inspector has issued an order to correct public nuisance conditions and same have not been corrected in a code compliant manner; or
- (j) A structure which has been an unoccupied building for over two (2) years and for which the property taxes have been unpaid for a period of at least two (2) years.

But not including:

- a. Unoccupied buildings which are undergoing construction, renovation, or rehabilitation and which are in compliance with all applicable ordinances, codes, legislation, and regulations, or for which construction, renovation or rehabilitation is proceeding diligently to completion under a specific plan;
- b. Buildings which are unoccupied on a seasonal basis, but otherwise secure and which are in compliance with all applicable ordinances, codes, legislation, and regulations;
- c. Buildings which are actively for sale or for rent, which display “for sale” or “for rent” signs, and are otherwise secure and which are in compliance with all applicable ordinances, codes, legislation, and regulations; or
- d. Buildings which are the subject of a probate action, action to quiet title, or other ownership dispute and are otherwise secure and which are in compliance with all applicable ordinances, codes, legislation, and regulations.
- e. Buildings that are the subject of a public legislative process to determine their suitability for re-occupancy or rehabilitation for future public or private use.

Director Brown stated that the draft ordinance also includes a definition for an unoccupied building and in a case of a snow bird who leaves their home for 3-4 months would not fall under the vacant property ordinance

Director Brown reviewed the purpose of the ordinance as follows: The purpose of this chapter is to protect the public health, safety, and welfare by enactment of this chapter which:

- (a) Establishes a program for identification, registration, and regulation of buildings which are or become vacant on and after the effective date of this chapter; and
- (b) Seeks the expeditious repair, return to productive use, or demolition of vacant buildings; and

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- (c) Determines the responsibilities of owners of vacant buildings in the expeditious repair, return to productive use, or demolition of their vacant buildings; and
- (d) Provides for the administration and enforcement of property regulations, including the prevention and abatement of public nuisances and imposition of penalties.

Director Brown reviewed the appeal process as provided in Section 1430.05 of the draft ordinance.

Discussion was held on the draft ordinance with council members providing their opinions or asking questions to Director Brown. Alderperson Bush stated the ordinance looks almost exactly like the version presented in May 2012 except for the section for mortgage lenders. City Clerk Zuravel noted that the version marked May 2012 was not placed on the council floor for approval that it was presented by Director Griswold but never voted on. Alderperson Brashaw asked about the period of time that the owner would have if a Vacant Building Plan was developed on the property. Director Brown stated the intent is to have realistic schedule developed with the Building Inspector and to allow time and that we want it to be a realistic schedule. He stated the building inspector would approve the vacant building plan and monitor the progress with re-inspections.

Mayor Gitz stated that the intent was to allow council time to review the draft ordinance and to be able to discuss it at the next Committee of the Whole. Mayor Gitz requested council members also consider the fee schedule as this was intentionally left out of the draft. There was no action on this item and it will be presented at the next Committee of the Whole meeting on August 11, 2014.

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

There were no public comments at this time.

**7. ADJOURNMENT**

Upon motion (Crutchfield) duly made and seconded (Endress), the meeting was adjourned at 5:50 p.m.

*S/ Meg Zuravel*

Meg Zuravel, City Clerk