



City Council

City Council Chambers ♦ 524 West Stephenson Street, 3rd Floor ♦ Freeport, IL 61032

MINUTES

COUNCIL MEETING

TUESDAY, SEPTEMBER 6, 2016 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 James L. Gitz with a quorum being present at 6:00 p.m. on Tuesday, September 6, 2016.

ROLL CALL

Present on roll call: Mayor Gitz and council members Tom Klemm, Peter McClanathan, Art Ross, Jodi Miller, Patrick Busker, Sally Brashaw, Michael Koester and Andrew Chesney (8).

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Chesney.

APPROVAL OF AGENDA

Alderperson Koester moved for approval of the agenda, seconded by Alderperson Ross. Motion prevailed by voice vote without dissent.

MINUTES

The minutes from the regular council meeting on August 15, 2016 were presented. Alderperson Brashaw moved for their approval, seconded by Alderperson Busker. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

Steve Carroll, 811 S. Oak, Freeport, Illinois spoke in support of Jennifer Smith-Norman as appointee for the Housing Authority. He spoke about her qualifications and noted they need her expertise on the board.

Bill Hadley, Stephenson County Board Chair, spoke in support of the resolution to create a joint 911 consolidation committee by the City of Freeport and Stephenson County. He stated since taking on the role as board chair he has been asked several times about the consolidation. Although he is not able to stay for the presentation of the Resolution he wanted to state his support to the City Council. He stated the members of the committee will be five persons including the Stephenson County Sheriff, the City of Freeport Police Chief, a member of the County Board appointed by the County Board Chairperson, a member of the Freeport City Council appointed by the Mayor, and the Chairperson of the current 911 Emergency Telephone Services Board. He noted the 911 Emergency Telephone Services Chairperson is Joe Geiter. Mr. Hadley will present the resolution first to the Finance Committee and then to the full board on the 15th of September.

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

Windy Pearson, 711 S. Carroll, spoke about working together and the good that can come about if the Freeport Housing Authority and the Freeport Township work together. She spoke about her experience of needing assistance when on disability. She is an advocate of homeownership and the two entities need to work together so they can serve the people in the best way possible. They should not bicker but instead come face to face and communicate with each other.

Antwon Harris, 1071 Arnold Avenue, spoke in support of Ms. Jennifer Smith-Norman as an appointment to the Housing Authority Board because first and foremost she is invested in Freeport. He spoke of her experience in changing lives through her work in the schools and Freeport Township. Mr. Harris described his work experience with Senator Dave Syverson and Representative Adam Kinzinger and he understands the tough decisions that need to be made in government. He stated his support of Ms. Smith-Norman's appointment.

Jennifer Smith Norman, 1108 Oakhill Drive, stated she is humbled by Mayor Gitz's appointment to the Freeport Housing Authority. She is ready and able to take on the duties to serve on the board. She explained her interest in obtaining a seat on the Freeport Housing Authority to offer oversight, support, and to exercise proper diligent control with respect to the activities of the housing agency. Her experience she has gained through Freeport Township and various Freeport schools provide her the background to take on the challenge. She explained her duties as the Freeport Township General Assistance and Training Coordinator. She stated she is looking forward to working with Mr. Williams.

City Clerk Zuravel read aloud a letter written by Dennis Jordan. He spoke about his concerns about the hesitancy by the Council at the last meeting to move forward with the appointment of Jennifer Smith-Norman as a Housing Authority Commissioner. He stated it is most unusual for an employee of the Housing Authority to speak against a mayoral appointment of a highly qualified candidate for its board. He pleaded with Mayor Gitz and the City Council to investigate the Housing Authority of the City of Freeport.

City Clerk Zuravel read aloud a letter written by Rhonda Becker. She spoke about her support of the appointment of Jennifer Smith Norman as an excellent choice for position on the Freeport Housing Authority Board. She spoke about her knowledge of her background and she is motivated and committed to making Freeport a better place.

CONSENT AGENDA

The following items were presented on the Consent Agenda in the council packet and Mayor Gitz read the listed items into the record: [Consent Agenda PDF](#)

A. Approval to Receive and Place on File:

- 1) 2017 City Holiday Schedule
- 2) 2017 City Council Calendar of Meetings
- 3) 2017 Committee of the Whole Calendar of Meetings

B. Approval of R-2016-44: Resolution to Request Temporary Closure of Streets Aquin Catholic High School Homecoming Parade

C. Approval of Water & Sewer Bills Payable (Registers #619, 623, 624) --- \$295,306.99

D. Approval of Motor Fuel Tax Register #0086 --- \$25,310.60

E. Approval of Payroll for pay period ending August 20, 2016 --- \$406,577.65

F. Approval of Finance Bills Payable (Registers #613, 614, 617, 618, 620, 621, 622, 625, 626, TBA) --- \$651,126.26

Alderpersion Busker moved for approval of the consent agenda, seconded by Alderpersion Chesney. The motion to approve the Consent Agenda prevailed by a roll call vote of;

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

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

Nays: None

The consent agenda items were approved.

City Clerk Zuravel noted the date for the Aquin Homecoming Parade will be Sunday, October 2, 2016.

INTRODUCTION OF NEW STAFF MEMBERS

Mayor Gitz introduced new staff members including firefighter, Nicholas LaVanway, and grants coordinator, Nancy McDonald. Fire Chief Miller provided a brief overview of the experience of Firefighter LaVanway in the Spring Valley and Princeton area including certification as a paramedic.

Ms. McDonald stated she is looking forward to finding and securing grant funds to support the City goals.

ACCEPTANCE OF HOUSING AUTHORITY BOARD APPOINTMENT

Acceptance of the following Appointment - Effective immediately, Mayor James L. Gitz appoints Jennifer Smith-Norman to the Housing Authority Board to fill a vacancy. This appointment shall be effective until October 31, 2019. [view appt](#)

Aldersperson Chesney moved for approval of the appointment of Ms. Norman-Smith to the Housing Authority, seconded by Aldersperson Klemm. Motion prevailed by a roll call vote of:

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

Nays: None

COMMUNICATION TO COUNCIL

Finance Director Guary Bernadelle presented to council the 2016 First Quarter Financial Report. As of July 31, 2016, revenues and expenditures should be at 25% of the year's Spending Plan. The general fund is positive as revenues are over budget and expenditures are under budget. Director Bernadelle noted his comments provided in the report.

Aldersperson Brashaw asked about the balance for the fireworks line item. Director Bernadelle explained the check was received this morning and he will provide updated numbers in the next report.

Aldersperson Brashaw motioned to receive and place on file the report, seconded by Aldersperson Busker. Motion prevailed by voice vote without dissent.

ORDINANCES -- FIRST READING

1st READING OF ORDINANCE #2016-47:

An Ordinance Amending Chapters 220 (Council), 226 (Mayor), 228 (City Clerk), and 230 (City Treasurer) To Fix The Inauguration Date For Elected Officials

The ordinance as presented at the Committee of the Whole states by establishing the third Monday in May for Calendar Year 2017 it would allow this City Council to learn the official results of the City Manager Referendum scheduled to be held on November 8, 2016 before setting the compensation for those City Officials elected by the April 4, 2017 General Municipal Election. It also states the Council finds it is in the best interests of the citizens of

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

the City of Freeport, to effectuate the orderly transfer and transition of business by establishing the third Monday in May of each Election Year as the date of the commencement of the terms of office for those City Officials elected during the immediately preceding April.

Aldersperson Koester moved for approval of the ordinance, seconded by Aldersperson Ross.

Aldersperson Koester motioned to suspend the rules for immediate consideration of the ordinance this evening, seconded by Aldersperson Ross. Motion failed by roll call vote of:

Yeas: Koester (1)

Nays: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, and Chesney (7)

City Clerk Zuravel stated the motion for suspension of rules for immediate consideration failed by a vote of 7-1.

Mayor Gitz stated per council rules the ordinance is automatically laid over to the next meeting.

Aldersperson McClanathan asked, "Because Attorney Phillips is not present this evening, could we please have this item placed on the Committee of the Whole agenda so he would be available to answer if there are any questions on this?" Mayor Gitz agreed to place the item for discussion on the Committee of the Whole agenda.

The ordinance was automatically laid over for a second reading at the next council meeting.

RESOLUTIONS

RESOLUTION R-2016-45:

Resolution To Create A Joint 911 Consolidation Committee By The City of Freeport and Stephenson County

Mayor Gitz explained the City of Freeport has a 911 Emergency Telephone System Operations Center that serves the people of Freeport and Stephenson County also maintains a 911 Emergency Telephone System Operations Center to serve the areas of Stephenson County outside the City of Freeport. He stated it has been recommended that it would be in the best interests of both the City of Freeport and Stephenson County to formally explore the consolidation of both of these 911 Operations Centers so that a single 911 operations center would serve both the City and the County. A consolidated 911 operations center would be expected to resolve in cost savings, greater efficiency and improved service. A formal study committee comprised of representatives of both the City and the County could identify issues, weigh alternatives and examine the costs of consolidation together with expected savings. This resolution recognizes that the City Council finds that its creation of this 911 Consolidation Committee is in the best interests of the residents of the City of Freeport. By this resolution, it creates a 911 ad hoc committee to be known as the "911 Consolidation Committee" comprising of five persons including the Stephenson County Sheriff, the City of Freeport Police Chief, a member of the County Board appointed by the County Board Chairperson, a member of the Freeport City Council appointed by the Mayor, and the Chairperson of the current 911 Emergency Telephone Services Board. Mayor Gitz stated the 911 Consolidation Committee created by this Resolution shall meet regularly commencing in September, 2016 to discuss and make recommendations regarding the possible consolidation of 911 Emergency Telephone Services (inclusive of dispatch services) within the City of Freeport and Stephenson County into a single 911 operations and dispatch center to serve both jurisdictions. This Committee shall file its written recommendations with both the County Board and the City of Freeport no later than November 30, 2016. The 911 Consolidation Committee shall be charged with identifying all major implementation issues associated with 911 Emergency Telephone Service consolidation, providing cost estimates for various alternatives, and determining the most effective and economical cost alternative for consolidation of services as well as making a recommendation regarding the

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

advisability of consolidation itself. The 911 Consolidation Committee shall automatically expire after its report and recommendations are tendered to City and County authorities.

Chief Barkalow and Chief Miller stated their support in moving forward with the committee to see what is best for the citizens of Freeport.

Aldersperson Klemm moved for adoption of Resolution 2016-45, seconded by Aldersperson Koester.

Mayor Gitz stated he will speak to council members to learn their interest in serving on the committee this week.

Motion prevailed by a roll call vote of:

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

Nays: None

Resolution R-2016-45 was adopted.

OTHER

REPORTS OF DEPARTMENT HEADS

Police

Chief of Police Todd Barkalow provided an update on work on the roof of the Police Station noting the project was 98% completed.

Fire Department

Fire Chief Scott Miller stated the roof work on Station #1 was completed prior to the start of school. Chief Miller provided information on the Citizens' Fire Academy to be held on Wednesday's beginning on September 28, 2016 at 6:30 pm to 8:30 pm at the Central Fire Station and continuing for a seven week program. Each week different topics will be led by members of the Freeport Fire Department. Chief Miller stated the applications will be placed on the website and will also be available at the Central Fire Station on South Street.

City Engineer

City Engineer Gallagher provided an update on the Water and Sewer projects noting due to whether there was complications to complete the project before school but they should be finishing the projects with the striping along Empire Street. They have completed storm sewer improvements on Fruit and Illinois Street have completed the mill and paving of that section on August 29. He explained that they have experienced inlet failings on Brick and Fruit so they had to be careful with this project.

City Engineer Gallagher stated for the Phase B project they completed all the water service connections. On Park Crest and Laurel they completed the curb and inlets along with the installation of the driveways. He explained there have been many force main breaks at the Laurel Street lift station and they will need to do a complete reconstruction for the water main. The project on Concord, Laurel and Park Crest installed 200 feet of new water main.

The contractor will be working on reseeding and getting the grass to grow as we move into fall with the cooler temperatures.

The next project that will begin is Empire Street from Burchard to McKinley to install the pedestrian/bike path in front of Read Park. Water and Sewer will make connections at Stephenson and Park Boulevard which will require

MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.

partial closure of the intersection in the coming weeks. They will begin heading west down Pearl City Road with the new 16" watermain in front of Parkview. They have secured the permits to proceed with that portion.

City Engineer Gallagher noted the Tutty's Crossing boat launch is being used although there was an issue with damaged pieces so that the lift is not fully functional. The contractor will replace those parts.

Public Works

Public Works Director Tom Dole provided a written report of three weeks' worth of activities for his department crews. Alderperson Chesney suggested these reports be added to the website.

Community Development

Community Development Director Mills provided an update on an emergency demolition 707 E. Orin because the Building Inspector noticed a beam had worsened to cause a dangerous and unsafe building. They also took down a three car garage on Carroll that had its own PIN numbers that was dangerous as well.

Finance

Finance Director Bernadelle explained he has been working with the auditors and they will together look at the findings and make the applicable corrections to move forward. He will also follow up with Mayor Gitz about the non-bargaining cost of living wage increase. Mayor Gitz stated they will revisit the number but it will be contingent upon collective bargaining negotiations. They will work to avoid the gap between a supervisor and employee.

Alderperson McClanathan asked about the audit and its timing for the results. Director Bernadelle stated this year the audit will be on time.

Alderperson Koester requested a report by Mayor Gitz at the Committee of the Whole on how the non-bargaining raises are progressing. He noted there are firefighters waiting to retire and this is holding things up. Mayor Gitz stated he has charged Attorney Phillips with the review and he will let the council know the outcome.

Library

Director Dickerson provided a report on the 2016 Local History Series that will be hosted by the Freeport Public Library Foundation and free to the public on topics such as "W.T. Rawleigh" on September 7 and the Lost Freeport Photos, the Final Installment on September 14. She stated that these images provide an intriguing look at the everyday life in Freeport in the early 1900's with over 1,000 "new" images.

Mayor's Report

Mayor Gitz provided an update of work and how it is progressing for the future home of City Hall. It was suggested to provide the council members a brief tour and this will be scheduled before the Committee of the Whole meeting next week. Mayor Gitz provided an update on the leaf waste disposal bid noting that one of the bidders has withdrawn so that leaves one responsive bid.

Alderperson McClanathan asked Mayor Gitz about the progress for outstanding contracts. Mayor Gitz stated he is working on those and now that the a5 invoicing he will gain consensus with the CVB executive director.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

Discussion was held on amending the structure of Committee of the Whole to Council Committees. Alderperson Chesney provided that the intent is to replace the Committee of the Whole structure with committees. He provided the following:

"220.11 Council Committees

- (a) Establishment. The Following committees of Council are hereby created:
 - (1) The Finance and Intergovernmental Relations Committee;
 - (2) The Public Works and Utilities Committee;
 - (3) The Community Development Committee;
 - (4) The Public Safety Committee; and
- (a) Selection and Appointment. The Council shall recommend and the Mayor shall appoint the members of all standing committees subject to the approval of a majority of the members of Council. If Council fails to approve the Council's and Mayor's proposed committee chairpersons and members, the Council and Mayor shall submit new appointments, until Council approves the proposed committee appointments by a majority of its membership. They Mayor and Council may hold special or regular meetings of Council, as necessary, to complete the committee appointment and approval process in a timely manner.
- (b) Chairpersons and Number of Members. All standing committees shall consist of four members. The members of the standing committees shall select a chairperson and the vice-chairperson of each standing committee. In the absence of a chairperson, the vice-chairperson shall preside over a standing committee's meeting. In the absence of a chairperson and vice-chairperson, the Alderperson with the most consecutive years of service on Council shall act as a Chairperson Pro Tem.
- (c) Terms. Members of all standing committees shall serve for a period of two years, and until the new Council and/or Mayor elected after each respective general City election is seated, provided, however, that the standing committee members re-elected shall continue to serve on the same standing committee until their successors on that standing committee are appointed and qualified.
- (d) Vacancies. In the event of the death, resignation, or absences from the City of any member of a standing committee, or the refusal or inability of any person to serve on any of the standing committees to which he or she has been appointed, the Mayor shall fill such vacancy subject to approval by the majority of the City Council's membership.
- (e) Special Committees. All special committees shall be appointed by the Mayor, with the approval of the City Council.

Section 2. That Section 222.02 entitled "COMMITTEE APPROVAL" of Chapter 222 (ORDINANCES AND RESOLUTIONS) of the Codified Ordinances of the City of Freeport, Illinois is hereby amended as follows:

222.02 COMMITTEE APPROVAL.

No ordinance shall be submitted for a first reading until it has received the approval of either the Finance and Intergovernmental Affairs Committee or the standing committee having general jurisdiction over the subject matter of such ordinance, or a vote which results in a tie for approval and disapproval from either such committee. Upon presentation of an ordinance without such approval or tie vote, it shall be referred to the appropriate committee. The provisions of this section shall not apply to the special zoning ordinances referred to in Section 1242.12 pf the Planning and Zoning Code or the preliminary or final plats under Section 1224.05 of the Planning and Zoning Code."

Mayor Gitz noted Attorney Phillips provided his comments on the draft ordinance and this document was provided in the packet.

City Clerk Zuravel provided the following document and reviewed each item with the City Council:

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

“OPEN MEETINGS ACT – DON’T LEAVE HOME WITHOUT IT!”

	Committee	Committee of the Whole
Sets and Prepares Agenda	Chair prepares agenda following consensus with department head. Chair provides to City Clerk for posting.	City Clerk prepares agenda based on consensus and meetings with administration.
Posting of Meetings	Agendas must be posted no later than 48 hours before meeting and must be provided to media and posted on website once received by City Clerk. NOTE- Agenda must be posted at meeting location 48 hours prior to a meeting (chair responsible if meeting held outside City Hall)	Agendas must be posted no later than 48 hours before meeting and must be provided to media and posted on website. City Clerk provides posting on bulletin boards and media
Location of Meetings	Public Meetings must be handicap accessible. No locked entrances. Seating for public.	Council Chambers
Quorum of a public body is a majority of the total number of members of the body	If committee is three persons then the quorum is two. If committee is four persons then the quorum is three.	5 members out of eight members
Majority of a quorum	In order to pass an item out of committee need unanimous consensus of three members if a committee is three or four members.	3 members out of eight members
Illegal Meeting	Discussion of public business between two members.	Any discussion of public business not posted with a majority of a quorum present (three aldermen/mayor).
Public Comment	Any person shall be permitted an opportunity to address public officials under rules established and recorded by public body.	Council rules allow for public comment of agenda items and non-agenda items.
Agenda Items	Agenda must be complete to provide a reasonable description of the items to be considered. You may only act on agenda items.	Agenda must be complete to provide a reasonable description of the items to be considered. You may only act on agenda items.
Minutes	Chairperson provides summary of matters discussed and decided.	City Clerk provides summary of matters discussed and decided.

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

	Committee	Committee of the Whole
Posting of Minutes	Must approve minutes within 30 days after that meeting or at the second subsequent meeting. Must be available for public inspection after approval. Must be posted on website within 10 days after approval and remain posted for 60 days. Suggest minutes are provided for consent agenda on regular basis.	Must approve minutes within 30 days after that meeting or at the second subsequent meeting. Must be available for public inspection after approval. Must be posted on website within 10 days after approval and remain posted for 60 days.
Annual Calendar	Post date, time and place of meetings at the beginning of the calendar. Provide to City Clerk no later than December 15th.	Annual Calendar of Meetings posted by City Clerk and written by ordinance.
Members	Member of any public body must take one time mandatory OMA training.	Member of any public body must take one time mandatory OMA training.

What happens if we start out with a quorum, but it is lost during the meeting?

No Quorum, No Vote.

No Quorum, No Meeting.

No Quorum, No Business.

So a quorum of the eight-member Village Board is four, and a majority of the quorum is three. Therefore, when two Trustees discuss Village business in private, they are not violating the Open Meetings Act. But if a third Trustee is present, they cannot discuss public business. This has been a serious problem for the corporate authorities of other governmental types which only have five members. For example, in a Park District with five commissioners, a quorum is three and a majority of the quorum is two. Until the Open Meetings Act was amended in 2007, no two Park District commissioners could discuss district business outside of properly convened meeting. In 2007 the Act was amended to provide that, for a five-member Board, a meeting occurred when a quorum, i.e., three members, were present, not a majority of a quorum, i.e., two members. Further, all actions by five-member Boards require no less than the affirmative vote of at least three members even if a majority of those present are in agreement. Thus, two members can no longer control business if only three members of the five-member body are present, since any action requires a minimum of three affirmative votes.

As previously noted, because OMA applies separately to committees and other subgroups of public bodies, the number of members of the committee or subgroup, not the number of members of the principal body, will determine whether OMA applies. Thus, although two members of a seven-member board can discuss board business in compliance with OMA's requirements, those two members cannot meet privately to discuss committee business if they are members of a committee with only three members."

Aldersperson Miller made a motion to refer discussion to the September Committee of the Whole. She asked for the topic to be one of the first items on the agenda. This motion was seconded by Aldersperson Busker. Motion prevailed by voice vote without dissent.

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

Aldersperson Koester stated he would like to see the Request of Proposal exclusive to that and to move it forward to the Committee of the Whole. Aldersperson Klemm seconded the motion.

Aldersperson Chesney stated his support of continuing with the Request of Proposal for Legal Services.

Aldersperson Klemm stated his support of working together with the administration to be able to gather costs for general counsel. Aldersperson Klemm stated the intent is not to change the person overseeing union negotiations. Aldersperson Chesney agreed that the arbitration of the bargaining agreements would not need to be listed. He stated for the other legal services they are looking for a baseline.

Aldersperson McClanathan explained that the Request for Proposal purpose is to find the cost and level of expertise for these legal services. The RFP is about best practices and it does not necessarily mean a change.

Aldersperson Brashaw stated her support of looking at pricing for the 2017 budget.

Aldersperson Klemm withdrew his second on sending the discussion to the Committee of the Whole. It was declared the motion dies for lack of a second.

Aldersperson Chesney made a motion to approve the Request for Proposal by amending the due date to October 14, 2016, seconded by Aldersperson Miller.

Mayor Gitz requested the non-binding Request for Proposal to be saved until April.

Aldersperson McClanathan motioned to amend on its face and remove reference to labor negotiations in the Request for Proposal for Legal Services. This motion was seconded by Aldersperson Chesney. Mayor Gitz stated there is a motion on the floor to strike the provision for labor counsel and asked for a voice vote. The motion prevailed by voice vote without dissent.

Contract Attorney Michael Phillips, Esq. entered council chambers during the discussion of Council Committees.

Aldersperson McClanathan stated his support of receiving the RFP as a means of a resource and it does not mean we need to change the work with Attorney Phillips or Attorney Guare.

Aldersperson Busker provided his support of checking prices and it will not hurt to see the numbers.

City Clerk Zuravel noted that the due date of October 15, 2016 is a Friday at 5:00 pm and if the council wanted this to go into the next packet then documents would need to be prepared on Saturday. General consensus of the council was to amend it on its face to make the due date on October 12, 2016 at 5:00 pm.

Mayor Gitz requested a roll call vote on the motion to approve the Request for Proposal taking out the reference to labor negotiations. The motion prevailed by a roll call vote of;

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

Nays: Koester (1)

COUNCIL REPORTS

Aldersperson Chesney recommended attendance at the Collaborate Freeport meetings.

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

Aldersperson McClanathan stated there will be a presentation on Collaborate Freeport in October. He also requested future Committee of the Whole topics on pension reporting, property tax levy and their issues.

Aldersperson Ross thanked Community Development for the reseeded of lots where the houses came down and Public Works for the improvements on Louis and Arcade.

Aldersperson Miller stated there will be a Special Event at Tutty's Crossing on September 24, 2016 beginning with a "Small Town Big Heroes" ceremony. Then at 10:00 am the "Tour de Freeport" will begin with a ten mile interactive bike ride for families. Then in the afternoon there will be the Pretzel City Brewfest on the Freeport Art Museum lot on the corner of Douglas and Chicago.

Aldersperson Brashaw asked drivers to watch out for children crossing the street now that school has begun. She congratulated Jennifer Smith-Norman for her appointment on the Housing Authority Board. She stated her experience on the board and noted it was a time consuming position for which she learned a lot. Aldersperson Brashaw thanked the crews working on Empire and Stephenson. She also noted there have been a lot of people using the new path on Empire Street.

Aldersperson Koester provided an update on the Sky Concert 2017. He stated they are still working on a date because of the Stephenson County Fair schedule. He received a letter from Big Radio that they will not participate in the Sky Concert next year. He will be in attendance at the Brewfest as Uncle Sam collecting donations for the fireworks. The committee hopes to contract with the vendor by November. If you are interested in volunteering, please contact Aldersperson Koester because they need more volunteers.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Dixie Ditsworth (Pastor Ditsworth), Manor Street, provided compliments to City Engineer Gallagher on the work he oversees for the Water and Sewer Commission and the street projects. She noted he has been out measuring and with his level the entire summer. Ms. Ditsworth invited council and administration to attend a prayer breakfast on September 29, 2016 from 7:00 am to 8:00 am at 9 East Coffee.

Tom Teich, provided an update on the Special Olympics that was held at the Freeport Lanes. He noted there are bumps on Lamm Road that need to be fixed.

Patricia Allbritton (Pastor Pat) stated it is with a heavy heart that it is her last evening to share with the City Council. She will keep everyone in her heart and will continue to pray for everyone involved with the council meetings. She noted since she has started coming, there has been a transformation.

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

The following exceptions were read into the record for council to enter an Executive (closed) Session 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
- 5 ILCS 120/2 (c) (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

At 8:12 p.m., Alderperson Busker made a motion to enter executive session, seconded by Alderperson Koester. The motion prevailed by a roll call vote of;
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none

At 9:03 p.m., Alderperson Klemm made a motion to return from executive session, seconded by Alderperson McClanathan. The motion prevailed by a roll call vote of;
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none

ACTION ON SEMI-ANNUAL REVIEW AND APPROVAL OF EXECUTIVE SESSION MINUTES AND TAPES

Alderperson Brashaw stated that 5 ILCS/120 2.06 provides that minutes of closed sessions should be made public once a public body determines that it is no longer necessary to protect the public interests or the privacy of an individual by keeping the minutes confidential. The City of Freeport City Council, in closed session, reviewed the minutes of past closed sessions currently kept in a closed file and determined the following;

Alderperson Brashaw made a motion to approve the following minutes with specific notice that their tapes are not released:

- January 4, 2016 – in regard to subject #1 under 5 ILCS 120/2 (c) (11) Litigation and subject #2 (c) (21) Approval of Minutes of Closed Session
- January 19, 2016 - in regard to 5 ILCS 120/2 (c) (11) Litigation
- February 16, 2016 –in regard to subject #1 under 5 ILCS 120/2 (c) (11) and subject #2 under 5 ILCS 120/2 (c) (2) collective negotiating matters
- March 7, 2016 – in regard to subject #1 under 5 ILCS 120/2 (c) (6) setting of a price for sale or lease of property owned by public body and subject #2 under 5 ILCS 120/2 (c) (11) Litigation
- April 11, 2016 – in regard to under 5 ILCS 120/2 (c) (6) setting of a price for sale or lease of property owned by public body
- July 5, 2016 – in regard to subject #1 under 5 ILCS 120/2 (c) (2) collective negotiating matters and subject #2 under 5 ILCS 120/2 (c) (11) Litigation

This motion was seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

Alderperson Brashaw moved to make a determination that the need for confidentiality still exists in relation to all other closed session minutes and tapes identified as not released. This motion was seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

Alderperson Brashaw moved to make a determination that the need for confidentiality exists as to the minutes from the following closed session meetings or portions of minutes for all of the above except for the minutes from January 4, 2016 subject #2 Approval of Minutes of Closed Session and 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: January 4, 2016 subject #2 Approval of Minutes of Closed Session. This motion was seconded by Alderperson Busker. Motion prevailed by voice vote without dissent.

Alderperson Brashaw moved to authorize destruction of verbatim recordings of the following closed sessions all of which are over 18 months old and the written minutes of these closed sessions have been previously approved by

**MINUTES COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 2016 AT 6:00 P.M.**

this City Council with the dates of: March 2, 2015 for minutes semiannual review; December 1, 2014 for appointment, employment and compensation; September 2, 2014 for purchase or lease of real property; and August 4, 2014 for subject #1 for collective negotiating matters and subject #2 for the minutes. This motion was seconded by Alderperson Busker. Motion prevailed by voice vote without dissent.

Upon a motion duly made and seconded, the meeting was adjourned at 9:09 PM.

s/ Meg Zuravel

Meg Zuravel
City Clerk