

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
February 5, 2024

CALL TO ORDER: 5:00 pm, Council Chambers, City Hall by Mayor Fitzgerald

ROLL CALL: Present & answering to roll call were Commissioners Adleman, Hedrington, Morse, Prentice, and Mayor Fitzgerald
City Attorney Roxanne Sosnowski was present
City Administrator Sonya Hoppes was present
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance:
WWTP Superintendent Jeff Reininger
Police Chief Adam Truman
Street Superintendent Steve Haas
Fire Chief Jason Griffin
Community Development Director Shawna Henthorn

PLEDGE OF ALLEGIANCE: Led by Mayor Fitzgerald and recited by all members present.

INVOCATION: City Clerk, Tracy Patrick delivered the invocation.

APPROVE AGENDA: Commissioner Adleman made a motion to approve the agenda. Commissioner Prentice second the motion. Voice vote carried the motion.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES:
1. Commissioner Morse made a motion to approve the Minutes of the Regular Council Meeting held on January 16, 2024. Commissioner Prentice second the motion. Voice vote carried the motion.

REPORT OF OFFICER

1. Finance:
Commissioner Adleman made a motion to approve the claims paid from January 13 – February 2, 2024 in the amount of \$2,662,820.30. Commissioner Prentice second the motion. Roll call vote showed 5 ayes.
2. Attorney Report:
3. Reports:
City Administrator Report and Staff Report
Accounts and Finance-Commissioner Ryan Adleman
Health & Public Safety-Commissioner Ken Morse
Streets & Public Improvement-Commissioner Brian Hedrington
Public Properties-Commissioner Courtney Prentice
Mayor-Tom Fitzgerald

ORDINANCES-FIRST READ:

- a. From the Zoning Board of Appeals meeting held on January 30, 2024 a positive recommendation was given regarding Ordinance 2777 approving a Planned Unit Development Agreement for 1220 Dearborn Avenue, South Beloit, IL. Commissioner Morse made a motion to approve the first reading of Ordinance 2777 approving a Planned Unit Development Agreement for 1220 Dearborn Avenue,

South Beloit, IL. Commissioner Adleman second the motion. Community Development Director, Shawna Henthorn said Staff and the Pearl Lake team have been working on the Planned Unit Development. The agreement lays out the changes. Attorney Sosnowski said Attorney Miller provided a memo for Council that includes the Zoning Board of Appeals (ZBA) recommendations as well as 2 items the developer is requesting that the ZBA does not have the ability to address. 1.) Sewer Connection fee relief. 2.) Professional fee relief for fees regarding Engineer, Legal, Planning, and Development fees. City Administrator Hoppes said the developer does not want to pay all the connection fees up front but rather as the connections are added in sections. Administrator Hoppes said the professional fee relief is a policy decision. Administrator Hoppes advised Council either the developer or the taxpayer will pay the fees. Initial consensus showed no fee waiver would be provided. Developer, Lance Beatch said he would propose phase 1 connecting approximately 48 of the 142 site connections. Mr. Beatch said he is not happy with no fee relief being provided for this development. Commissioner Adleman voiced concern for who would be policing the connections. Commissioner Prentice was concerned with any change in ownership to the development. WWTP Superintendent, Jeff Reininger said he plans to make more frequent visits for flow meter reads. Attorney Sosnowski said the language could be amended requiring payment prior to inspection and include connections to be on a phased basis. Mayor Fitzgerald asked for reconsideration regarding a portion of fee waiver recommending 25%. Council agreed to possibly consider a reduction once the final amounts are tallied and provided. Roll call vote showed 5 ayes.

- b. From the Zoning Board of Appeals meeting held on January 30, 2024 a positive recommendation was given regarding Ordinance 2778 approving a Special Use Permit in the (UT) Urban Transitional Zoning District to allow a Planned Unit Development for a RV resort, which includes vacation home rentals, recreation and swimming facilities for the property located at 1220 Dearborn Ave. South Beloit, Illinois 61080, Winnebago County, with PINs: 04-08-476-002, 04-08-426-001, 04-08-226-001, 04-08-251-004, 04-08-251-003, & 04-08-204-003. Commissioner Adleman made a motion to approve the first reading of Ordinance 2778 approving a Special Use Permit in the (UT) Urban Transitional Zoning District to allow a Planned Unit Development for a RV resort, which includes vacation home rentals, recreation and swimming facilities for the property located at 1220 Dearborn Ave. South Beloit, Illinois 61080, Winnebago County, with PINs: 04-08-476-002, 04-08-426-001, 04-08-226-001, 04-08-251-004, 04-08-251-003, & 04-08-204-003. Commissioner Prentice second the motion. Ms. Henthorn said the item goes with item a. Ordinance 2777. The property is a 40-acre parcel that is split in half and needs to be rezoned. Attorney Sosnowski said the majority of the property is zoned correctly. Ms. Henthorn said as items were changed or added it triggered extra review. Roll call vote showed 5 ayes.
- c. From the Zoning Board of Appeals meeting held on January 17, 2024 a positive recommendation was given regarding Ordinance 2779 approving a Zoning Map Amendment for the property commonly known as 1322 Gardner St., South Beloit, IL 61080, with PIN: 04-05-427-003 proposing that said property be zoned from the (R1) Single-family Zoning District, to the (CT) Commercial Traffic Zoning District. approving a Zoning Map Amendment for the property commonly known as 1322 Gardner St., South Beloit, IL 61080, with PIN: 04-05-427-003 proposing that said property be zoned from the (R1) Single-family Zoning District, to the (CT) Commercial Traffic Zoning District. Commissioner Adleman made a motion to approve the first reading of Ordinance 2779 approving a Zoning Map Amendment for the property commonly known as 1322 Gardner St., South Beloit, IL 61080, with PIN: 04-05-427-003 proposing that said property be zoned from the (R1) Single-family Zoning District, to the (CT) Commercial Traffic Zoning District. approving a Zoning Map Amendment for the property commonly known as 1322 Gardner St.,

South Beloit, IL 61080, with PIN: 04-05-427-003 proposing that said property be zoned from the (R1) Single-family Zoning District, to the (CT) Commercial Traffic Zoning District. Ms. Henthorn said the item should have been from Commercial Retail to Commercial Traffic. Commissioner Adleman made a motion to amend the agenda to reflect the (CR) Commercial Retail Zoning District to the (CT) Commercial Traffic Zoning District. Voice vote carried the motion. Roll call vote showed 4 ayes and 1 nay by Commissioner Morse.

- d. From the Zoning Board of Appeals meeting held on January 17, 2024 a positive recommendation was given regarding Ordinance 2780 approving a Special Use Permit in the (CT) Commercial Traffic Zoning District to allow a Planned Unit Development for an Adult – Use Cannabis, for the property located at 1322 Gardner St., South Beloit, Illinois 61080, Winnebago County, with PIN No. 04-05-427-003. Commissioner Prentice made a motion to approve the first reading of Ordinance 2780 approving a Special Use Permit in the (CT) Commercial Traffic Zoning District to allow a Planned Unit Development for an Adult – Use Cannabis, for the property located at 1322 Gardner St., South Beloit, Illinois 61080, Winnebago County, with PIN No. 04-05-427-003. Commissioner Adleman second the motion. Commissioner Adleman said there is already 1 cannabis facility. The location is near a residential area, and he is not in favor of a second location. Commissioner Morse said the city already has 1 and he is not in favor of a second location. Commissioner Prentice asked what the vision should be for the intersection after the hotel is demolished. Commissioner Prentice said he's not against a second dispensary, but possibly at a different location. Mayor Fitzgerald said he does not believe the location would be detrimental. Mayor Fitzgerald said it's no different than a bar. Folks can choose to go in or not. Commissioner Adleman said he agrees with Commissioner Prentice and would like to see somewhere in a more discrete location. The city needs to make the proposed area better and added the money is good for the City however not at the proposed location. Commissioner Prentice said the Ordinance will go to a second read and Council should think about the City's long-term plan for that area. Roll call vote showed 5 ayes.
- e. From the Zoning Board of Appeals meeting held on January 17, 2024 a positive recommendation was given regarding Ordinance 2781 amending a Special Use Permit for the property in the (IL) Light Industrial Zoning District to allow for auto repair and retail auto paint and supplies which are permitted uses in the (CG) Commercial General Zoning District for the property located at 633 Progressive Lane, South Beloit, Illinois, Winnebago County, with PIN No. 04-18-102-008. Commissioner Morse made a motion to approve Ordinance 2781 amending a Special Use Permit for the property in the (IL) Light Industrial Zoning District to allow for auto repair and retail auto paint and supplies which are permitted uses in the (CG) Commercial General Zoning District for the property located at 633 Progressive Lane, South Beloit, Illinois, Winnebago County, with PIN No. 04-18-102-008. Commissioner Adleman second the motion. Voice vote carried the motion. Commissioner Adleman made a motion to approve moving to the second read Ordinance 2781 amending a Special Use Permit for the property in the (IL) Light Industrial Zoning District to allow for auto repair and retail auto paint and supplies which are permitted uses in the (CG) Commercial General Zoning District for the property located at 633 Progressive Lane, South Beloit, Illinois, Winnebago County, with PIN No. 04-18-102-008. Commissioner Morse second the motion. Voice vote carried the motion. Commissioner Prentice made a motion to approve Ordinance 2781 amending a Special Use Permit for the property in the (IL) Light Industrial Zoning District to allow for auto repair and retail auto paint and supplies which are permitted uses in the (CG) Commercial General Zoning District for the property located at 633 Progressive Lane, South Beloit, Illinois, Winnebago County, with PIN No. 04-18-102-008. Commissioner Morse second the motion. Roll call vote showed 5 ayes.

- f. Commissioner Morse made a motion to approve Ordinance 2782 amending Section 34-135, Code Hearing Division and Section 34-145 Judgement on Findings, Decision, Order of Article VI Code Enforcement Hearing Division. Commissioner Adleman second the motion. Voice vote carried the motion. Commissioner Morse made a motion to approve and move to the second read Ordinance 2782 amending Section 34-135, Code Hearing Division and Section 34-145 Judgement on Findings, Decision, Order of Article VI Code Enforcement Hearing Division. Commissioner Prentice second the motion. Voice vote carried the motion. Commissioner Prentice made a motion to approve Ordinance 2782 amending Section 34-135, Code Hearing Division and Section 34-145 Judgement on Findings, Decision, Order of Article VI Code Enforcement Hearing Division. Commissioner Morse second the motion. Roll call vote showed 5 ayes.

RESOLUTIONS:

- a. Commissioner Morse made a motion to approve Resolution 6499 appointing member to the Parks & Rec Board as follows:
- Trisha Dunaway is hereby appointed as Member for the Parks and Recreation Board to fill the unexpired four (4) year term of Christina Tressillian with said term to expire in December 2025.
- Commissioner Prentice second the motion. Roll call vote showed 5 ayes.

EXECUTIVE SESSION:

At 6:10 pm on a motion made by Commissioner Adleman the council approved going into Executive Session. Commissioner Prentice second the motion. The purpose of Executive Session is to:

1. Discuss personnel issues as provided by 5 ILCS 120/2 (c) (1) of the Illinois Open Meetings Act.
2. Discuss 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 as provided by 5 ILCS 120/2 (c) (11) of the Illinois Open Meetings Act.
3. Discuss Collective negotiating matters as provided by 5 ILCS 120/2 (c) (2) of the Illinois Open Meetings Act.
4. Discuss the purchase of real property as provided by 5 ILCS 120/2 (c) (5) of the Illinois Open Meetings Act.

RECONVENE TO OPEN SESSION:

At 7:14 pm.

ROLL CALL:

Roll call showed all members previously at the meeting at the reconvening of the meeting.

ORDER OF BUSINESS:

None.

ADJOURN:

At 7:14 pm on a motion by Commissioner Adleman second by Commissioner Prentice. Voice vote carried the motion.

Mayor

City Clerk

Approved: