

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
February 21, 2022

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

ROLL CALL: Present & answering to roll call were Commissioners Adleman, Fitzgerald, Hedrington, Morse, and Mayor Rehl.
City Attorney Roxanne Sosnowski was present
City Administrator Sonya Hoppes was present
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance:
Police Chief Adam Truman
Interim Fire Chief Gary Brown
Waste Water Treatment Plant Superintendent Jeff Reininger
Street Superintendent Steve Haas

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

INVOCATION: Mayor Rehl asked for a moment of silence.

APPROVE AGENDA: Commissioner Adleman made a motion to amend the agenda to remove item e. under New Business, and correct a typo on item g. in the amount of the item from \$26,600.00 to \$27,600.00. Commissioner Fitzgerald second the motion. Voice vote carried the motion. Commissioner Adleman made a motion to approve the agenda as amended second by Commissioner Fitzgerald. Voice vote carried the motion.

PUBLIC COMMENT: Ilah Tinder asked if there is an ordinance regarding garbage containers being required to be taken off the street after garbage pickup. Ms. Tinder said her neighbor leaves their garbage container out and is often blown in to her driveway.

APPROVAL OF MINUTES:
1. Commissioner Hedrington made a motion to approve the Minutes of the Regular Council Meeting held on February 7, 2022. Commissioner Fitzgerald second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:
1. Finance:
Commissioner Morse made a motion to approve the claims to be paid from February 5 - 18, 2022 in the amount of \$394,682.04. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
2. Reports:
Staff Report-City Administrator, Sonya Hoppes
Accounts & Finance-Commissioner Tom Fitzgerald
Health & Public Safety-Commissioner Brian Hedrington
Streets & Public Improvement-Commissioner Ryan Adleman
Public Properties-Commissioner Ken Morse
Mayor-Ted Rehl

UNFINISHED BUSINESS:
1. Discussion and/or Motion Items:
a. Council discussed private tows of inoperable nuisance vehicles under the South Beloit Ordinance Code Section 102-75. Attorney Sosnowski provided Council a memo with

photos and explained the issues the City's Code Enforcement Officer is experiencing regarding inoperable vehicles. The City has been taking the cases to Administrative Hearings. This process is limited. If remediation has not been achieved, the City could take the Findings, Decisions, and Orders (FDO's) to Circuit Court. Attorney Sosnowski said under Illinois law, the City is not required to go to court to obtain an Administrative Search Warrant in order to remove an offending vehicle. Council could approve an amendment to the City's Code of Ordinances that would provide clear due process to a vehicle owner in which the vehicle owner has been properly noticed. The City could enter into an agreement with a tow company to remove vehicles on private property as long as they are in the driveway or front yard. Vehicles could not be towed that are located in back yards. Vehicles in back yards would require a court order for removal. The driveway/front yard process would only be for cases that have received notice where nothing has been done, or has gone through the Administrative Hearing process, however; the vehicle is still not removed. Attorney Sosnowski advised options as follows:

- Ticket the owner of the vehicle/property occupant, but not tow the vehicle. (this process has failed in the past)
- Work with a tow company. Notices and a Right to a Hearing would be followed, and the cost of the tow, and all City costs could be built into the tow fee amount.

Council discussed getting an Administrative Search Warrant, and determined since the law does not require that process, and the City has the authority, the City would not seek the Administrative Search Warrant process. Consensus from Council was to review and consider approving an amendment to the City's Code of Ordinances to have a clear process for the offence, state what is considered to be an inoperable vehicle, the notice process, and the right to an appeal. The City Attorney's Office will prepare a Request for Proposal for towing companies to respond to if they would like to be considered.

- b. Commissioner Hedrington made a motion to layover Resolution 6298 authorizing the Mayor to execute a Sergeants Agreement to the Regular Council Meeting to be held on March 7, 2022. Commissioner Morse second the motion. Voice vote carried the motion.

NEW BUSINESS:

1. Discussion and/or Motion Items:

- a. Commissioner Morse made a motion to approve Ordinance 2679 approving the issuance of a Class BG Liquor License for Jenny's Slots Inc. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.
- b. Commissioner Adleman made a motion to approve Resolution 6300 approving the Memorial Day Parade. Commissioner Morse second the motion. Roll call vote showed 5 ayes.
- c. Commissioner Hedrington made a motion to approve Resolution 6301 amending Resolution 6295 regarding pay schedule for certain full and part-time Fire Department employees of the City of South Beloit, Illinois. Commissioner Fitzgerald second the motion. Attorney Sosnowski explained there was an error in the effective date. Roll call vote showed 5 ayes.
- d. Commissioner Morse made a motion to approve Resolution 6302 authorizing the City Administrator to execute a Vendor Agreement with the City of Rockford, Illinois for participation in the Low Income Household Water Assistance Program ("LIHWAP"). Commissioner Adleman second the motion. Roll call vote showed 5 ayes.
- f. Commissioner Hedrington made a motion to approve Resolution 6304 approving amendments to the Integrity Task Force's Policies and Procedures. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
- g. Commissioner Adleman made a motion to approve Resolution 6305 declaring surplus and authorizing trade in of a 1990 Ford 3930 Tractor and purchase of a 2017 Kubota Tractor for the Streets Department at a cost of \$27,600.00. Commissioner Morse

second the motion. Attorney Sosnowski said a 2/3 vote would be required to pass the Resolution per State Statute. Roll call vote showed 5 ayes.

- h. Commissioner Adleman made a motion to approve Resolution 6306 appointing member to the Library Board as follows:
- Paula Richeson is hereby appointed to the un-expired three (3) year term of Amber Laue set to expire on July 1, 2022.
- Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.

EXECUTIVE SESSION:

At 5:56 pm on a motion from Commissioner Adleman second by Commissioner Morse council approved going in to Executive Session. The purpose of Executive Session is to:

1. Discuss Collective Negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees as provided by 5 ILCS 120/2 (c)(2) of the Illinois Open Meetings Act.
2. Discuss 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 as provided by 5 ILCS 120/2 (c)(3) of the Illinois Open Meetings Act.

Commissioner Morse second the motion. Voice vote carried the motion.

RECONVENE TO OPEN SESSION:

At 7:08 pm.

ROLL CALL:

Roll call showed all members at the onset of the meeting were present.

ORDER OF BUSINESS:

None.

ADJOURN:

At 7:09 pm on a motion made by Commissioner Adleman second by Commissioner Fitzgerald. Voice vote carried the motion.

Mayor

City Clerk

Approved: