

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
MARCH 2, 2015

CALL TO ORDER: 6:00 pm, Council Chambers, City Hall by Mayor Schoonover.

ROLL CALL: Present & answering to roll call were Commissioners Baden, Barber, Chambers, and Mayor Schoonover. Commissioner LaMendola was absent.
City Attorney Roxanne Sosnowski was present.
City Clerk Tracy Patrick recorded the minutes.
Department Heads in attendance:
Fire Chief Ken Morse
Police Chief Dean Steigemeier
Public Works Foreman Mike Murphy

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

INVOCATION: Led by Finance Director Donald Elliott.

APPROVE AGENDA: Commissioner Chambers made a motion to approve the agenda second by Commissioner Barber. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.

PUBLIC COMMENT: Ilah Tinder asked why residents on Gardner Street would be denied for the home improvement grant because they are in the flood zone but be forced to replace their laterals. She also stated that she has seen a city vehicle at Rock Energy for a city employee who also works part time at Rock Energy and would like to know why the employee is using a city vehicle for transportation to a job that's not with the city.

APPROVE MINUTES: Commissioner Baden made a motion to approve the minutes of the Regular Council Meeting held on February 16, 2015. Commissioner Chambers second the motion. Roll call vote showed 3 ayes, 1 abstain by Mayor Schoonover, and 1 absent by Commissioner LaMendola.

REPORT OF OFFICERS: Commissioner Baden made a motion to approve the claims to be paid from February 14-27, 2015 in the amount of \$372,496.59. Commissioner Chambers second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.

Finance:

Donald Elliott

Monthly Reports:

Fire Department

Police Department

Public Works Department

Commissioners Reports:

Accounts & Finance-Commissioner Linda Chambers

Public Health & Safety-Commissioner John LaMendola

Streets & Public Improvements-Commissioner Donald Barber

Public Properties-Commissioner Sonya Baden

FOIA Report:

Requestor

Julie Reinhold

Date:

2/18/15

Information requested:

1. Rules on zoning changes in South Beloit. 2. Current zoning map of South Beloit. 3. Any changes made to zoning on the properties listed below and meeting minutes associated with changes: a. 04-18-202-002, b. 04-18-226-024, c.04-18-226-024. 4. Any notifications to the public of zoning changes related to the properties listed on this document and meeting minutes. 5. Names of business and located at parcel 04-18-226-024 and what they are licensed to do. 6. Any code violations, complaints or warnings and violations of any kind filed or issued, including resolution, fines assessed both paid or unpaid on the following parcel

numbers: a. 04-18-202-002, b. 04-18-226-024, c. 04-18-201-019.

Attorney Report:

Attorney Sosnowski reviewed a memo that was provided to Council regarding Governor Rauner's recent announcement regarding the Local Government Distributive Fund (LGDF) cuts he is proposing and what this would mean to the City. If the cut is 4% this would be an approximate loss in the amount of \$400k. She advised Council to consider this when planning the next budget, and stated that some cut would be likely.

Regarding the upcoming election, she advised that candidates' campaign signs are not permitted on municipal properties, no campaigning on any city properties is allowed, and there is use of municipal funds for campaigning purposes. These laws are per state statutes.

Attorney Sosnowski also clarified some misinformation regarding the City's retention of Konicek & Dillon regarding the collection of an unpaid RLF loan, as well as the timeframe of events for the lawsuit filed against the company with the unpaid RLF loan. Konicek & Dillon filed suit against the company and worked on the suit for approximately 16 months. As part of the out of court settlement with the company, the city negotiated \$350k that was put back into the RLF Fund. The retention contract with Konicek & Dillon was for a contingency fee of 33.3% of the amount recovered in litigation. The City then negotiated with Konicek & Dillon for a flat fee. Konicek & Dillon agreed to accept \$30k instead of the full amount that would have been for several thousand dollars more under the original retention agreement. Mayor Schoonover added that at the time this occurred, the city was also at risk of losing several grants through the government.

UNFINISHED BUSINESS:

1. Discussion/and or Motion Items:

- a. Commissioner Baden made a motion to approve Ordinance 2141 to amend Chapter 38 Fire Prevention and Protection Article III Fire Prevention Code. Commissioner Chambers second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.

NEW BUSINESS:

1. Discussion/and or Motion Items:

- a. From the Zoning Board of Appeals meeting held on February 18, 2015 a positive recommendation was given regarding a request for a map amendment. Commissioner Chambers made a motion to approve Ordinance 2144 approving a Map Amendment from the (CR) Commercial Retail District to the (CG) Commercial General District for the property located at 1035 Blackhawk Boulevard, South Beloit, Illinois, Winnebago County PIN No. 04-07-238-002 from petitioner Peter Rallo. Commissioner Barber second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.
- b. From the Zoning Board of Appeals meeting held on February 18, 2015 a positive recommendation was given regarding a request for a Special Use Permit. Attorney Sosnowski reviewed staff recommendations and conditions. She explained that the recommendations initially included as condition #6 requiring 1 of the 2 access points be removed from the property to Blackhawk Boulevard within a two year time frame upon issuance of the SUP. At their meeting, Zoning Board members voted to remove that condition. Attorney Sosnowski also recommended that Council add a condition requiring the property owner to obtain the required Use Permit from Illinois Department of Transportation or a letter of approval to allow both access points. Commissioner Baden made a motion to approve Ordinance 2145 approving a Special Use Permit to allow an open sales lot in the (CG) Commercial General District as amended to add the stated condition. After discussion, Commissioner Baden withdrew her motion. Commissioner Chambers made a motion to send the item back to the Zoning Board of Appeals for their recommendation for the condition. Commissioner Barber second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.
- c. From the Zoning Board of Appeals Meeting held on February 18, 2015 a positive recommendation was given regarding a request for a Special Use Permit. Commissioner Chambers made a motion to approve Ordinance 2146 approving a Special Use Permit to allow an electronic graphic display sign in the (CR/CT) Commercial Retail/Commercial Traffic Districts for the property located at 200 Dearborn Avenue, South Beloit, Illinois Winnebago County, PIN No 04-05-277-002 from petitioner Garden Hotel c/o Chad Bryden. Commissioner Barber second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.
- d. Commissioner Barber made a motion to layover the donation of 531 Hayes Avenue by property owner Marvin Tyrer Estate. Commissioner Baden second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.

- e. Commissioner Chambers made a motion to approve Ordinance 2147 amending Chapter 38 of the City of South Beloit Code of Ordinances revising the Fire Prevention Code. Commissioner Barber second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.
- f. Commissioner Chambers made a motion to approve Ordinance 2148 an Ordinance Amending Chapter 1 General Provisions Section 1-8 General Penalty for Violation of Code; Continuing Violations; Nonpayment of Fines and Costs. Commissioner Baden second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.

MISCELLANEOUS
LICENSES & PERMITS:

- 1. Miscellaneous Licenses:
 - a. Wendy's
- 2. RLE's:
 - a. Lisa Kozak-Road Ranger #156
 - b. Tammi Keniston-Jena's Eatery
- 3. Tattoo Establishment:
 - a. Twilight Dreamz
- 4. Tattoo Artist:
 - a. Ian Currey-Twilight Dreamz
 - b. Michael Harrolle-Twilight Dreamz

Commissioner Chambers made a motion to approve all licenses second by Commissioner Barber. Roll call vote showed 4 ayes and 1 absent by Commissioner LaMendola.

ADJOURN:

At 7:10 pm on a motion made by Commissioner Barber second by Commissioner Baden. Voice vote carried the motion.

Mayor

City Clerk

Approved: