

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
MARCH 19, 2018

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

ROLL CALL: Present & answering to roll call were Commissioners Chambers, Duffy, Fitzgerald, Jones, and Mayor Rehl.
City Attorney Aaron Szeto was present
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance:
Fire Chief Mike Davenport
Police Chief Pat Hoey
Public Works Superintendent Jeff Reininger

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 Chambers made a motion to approve the agenda second by Commissioner Duffy. Voice vote carried the motion.

PUBLIC COMMENT: Matt Schulte said he had asked at the last meeting to have the Flying J on the agenda for discussion. Mayor Rehl informed Mr. Schulte that the City will be meeting with the owners at the next Staff Development Meeting in April. Mayor Rehl will contact Mr. Schulte regarding any issues and concerns. Mayor Rehl stated the City will also be looking at the City's Code to ensure concerns are addressed according to the City's Code of Ordinances.

APPROVAL OF MINUTES:

1. Commissioner Duffy made a motion to approve the minutes of the Special Meeting held on February 26, 2018. Commissioner Fitzgerald second the motion. Voice vote carried the motion.
2. Commissioner Chambers made a motion to approve the minutes of the Regular Council Meeting held on March 5, 2018. Commissioner Fitzgerald second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:

1. Finance:
 - a. Commissioner Jones made a motion to approve the claims to be paid from March 2-16, 2018 in the amount of \$236,335.37. Commissioner Chambers second the motion. Roll call vote showed 5 ayes.
2. Attorney Report:

None.
3. Commissioner's Report:

Accounts & Finance-Commissioner Linda Chambers
Public Health & Safety-Commissioner Tom Fitzgerald
Streets & Public Improvements-Commissioner Lori Duffy
Public Properties-Commissioner Nick Jones

UNFINISHED BUSINESS:

Discussion and/or Motion Items:

1. c. Commissioner Jones made a motion to approve a request for a waiver of penalty fees for the property located at 1508 Hayes Avenue from Russell Davis. Commissioner Duffy second the motion. Mayor Rehl reminded Council Mr. Russell is asking for a reduction in the sewer bill because he believes he was wronged by Illinois American Water for the water bill. Mayor Rehl asked Deputy Clerk Karen Brandenburg to

Speak to Council regarding what she has done with the account and any negligence that was on the part of Mr. Davis. Ms. Brandenburg said she had worked with Mr. Davis since 2016. Each time Mr. Davis came in Ms. Brandenburg called Illinois American Water (IAW) to try and assist with the issue. Due to credits from IAW, the City was able to remove 3 large usage reads on the account. Ms. Brandenburg said the reason why IAW was writing off the balance on the IAW account was because they were unable to collect payment from the tenant, whose name their bill was in and not because of any error in billing. The meter was also changed out by IAW 2 times. Mr. Davis thought there was an issue with the meter, however; because there were 0 reads the meter caught up and there were no meter issues. Clerk Patrick reminded Council we have previously waived over \$14k in penalties when previous tenant accounts with the City were settled. Public Works Director, Jeff Reininger said at the last meeting Mr. Davis was supposed to contact him in regards to checking the water for any possible leaks at the location, and Mr. Davis has not contacted him to date. Council discussed the request by Mr. Davis. Commissioner Fitzgerald said there was no amount to be waived for the Council to vote on. Commissioner Chambers said Mr. Davis is requesting a 0 balance on the account. Council asked for the total amount in penalties. Ms. Brandenburg explained when IAW gave credits on the water billing; she adjusted for the amounts, and recalculated the penalties for the sewer billing. Commissioner Chambers said the account has been adjusted as it should be. Commissioner Chambers also added Mr. Davis feels it should be given a 0 balance, however; Mr. Davis lied about the water issue when he attempted to apply for a catastrophic water loss, which is an issue, but he admitted he lied about it. Council asked for an amount of penalties. Ms. Brandenburg left the meeting to calculate the amount in penalties. The matter was postponed to return back for further discussion after Ms. Brandenburg verified the account for the amount of penalties.

After Item 1. a. was considered, Council resumed the discussion. Ms. Brandenburg confirmed the total amount of penalties on the account is \$824.99. Mayor Rehl said there has been a significant amount of staff time for this issue. Also, there has been a significant amount of penalties previously waived on the account. Clerk Patrick recommended if the Council is not in favor of approving any waiver of penalties to consider waiving the most current penalties that were on the March billing due to Mr. Davis asking to have the matter resolved in February, and only contingent upon the account being paid in full.

Attorney Szeto reviewed the motion on the floor as a motion to waive penalties minus the March billing penalties contingent upon payment in full. If Council is in favor of waiving all penalties the vote should be yes, if not, the vote should be nay. Roll call vote showed 5 nays.

NEW BUSINESS:

Discussion and/or Motion Items:

1. a. Commissioner Duffy made a motion to reconsider a reduction of Code Enforcement Fines and Costs, and Mowing Costs in the amount of \$1,846. for the property located at 553 Northwestern Avenue from Home America. Commissioner Fitzgerald second the motion. Commissioner Duffy said she was willing to reconsider the request after obtaining more information. Commissioner Duffy said she previously asked if Council would consider a lower amount, but it was not discussed at the last meeting. Commissioner Fitzgerald said after speaking to the Clerk and Public Works Director the amount could be reduced on the sewer lien instead of the Code and Mowing cost, and would still leave a balance due on the sewer lien. Attorney Szeto explained the request from Home America and that they had informed the City that if the Council was not in favor of reducing the fees, Home America would not attempt to sell the property and would deed the property over to the City. Commissioner Chambers said this property is in better condition than any other property the City has obtained. The property could be sold by the City and rehabbed by a new owner. Council discussed the possibility to sell the property if the property was deeded to the City. The property could be sold by the City, and rehabbed, however, does the City

want to be in the realtor business, and is the process the City has to go through as well as the cost the City would have to incur to sell the property worth it. Also, previous vacant lots sold by the City have been sold for \$500.

The roll call vote regarding the motion to reconsider showed 4 ayes and 1 nay by Commissioner Chambers.

Public Works Superintendent, Jeff Reininger said he has concerns regarding mowing the property until the time that the property would be sold if it is deeded to the City as well as the possibility of not recovering the more than \$5,000 that was put into the recent sewer lateral cost for the property. Mr. Reininger suggested waiving the amount for the sewer lien portion of the amount due to the City.

The roll call vote to approve the reduction of Code Enforcement Fines and Costs, and Mowing Costs in the amount of \$1,846. for the property located at 553 Northwestern Avenue from Home America showed 4 ayes and 1 nay by Commissioner Chambers.

- b. Commissioner Chambers made a motion to approve Resolution 5946 regarding the Memorial Day Parade. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
- c. Commissioner Fitzgerald made a motion to approve Resolution 5947 authorizing the purchase of 1 new Watchguard 4RE In-Car Video Camera System, 1 Stalker Moving Radar, and Vehicle Graphics for the South Beloit Police Department at a cost not to exceed \$4,000 over the previously approved amount of \$39,325.95. Commissioner Duffy second the motion. Roll call vote showed 5 ayes.

MISCELLANEOUS

LICENSES AND PERMITS:

1. Business Licenses:
 - a. H.E.L.P Builders
 - b. Kitson Auctioneering

2. Miscellaneous Licenses:
 - a. Allied Games, Inc.

3. RLE's:
 - a. Alexandria Thiering-Artisan

4. Tattoo Artist:
 - a. Ian Currey

Commissioner Jones made a motion to approve all licenses second by Commissioner Chambers. Voice vote carried the motion.

ADJOURN:

At 6:04 pm on a motion made by Commissioner Duffy second by Commissioner Jones. Voice vote carried the motion.

Mayor

City Clerk

Approved: