

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
APRIL 16, 2018

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

ROLL CALL: Present & answering to roll call were Commissioners Duffy, Fitzgerald, Jones, and Mayor Rehl. Commissioner Chambers was absent.
City Attorney Roxanne Sosnowski 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 Duffy made a motion to approve the agenda second by Commissioner Fitzgerald. Voice vote carried the motion.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES:
1. Commissioner Jones made a motion to approve the minutes of the Regular Council Meeting held on April 2, 2018. Commissioner Duffy 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 31-April 2, 2018 in the amount of \$271,737.32. Attorney Sosnowski stated the payments in the amount of \$7,845.60 and \$770.00 will be released contingent on approval of work in City Hall being completed and approved by the City Clerk and Public Works Director. Commissioner Duffy second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.
2. Attorney Report:

Attorney Sosnowski provided an update regarding the recent concerns by resident Matt Schulte with Flying J. After researching City records, there were no conditions included in the Special Use Permit approved for Flying J. The issues would be Code Enforcement relating to nuisance and noise, however; the noise from the trucks backing up is not enforceable due to safety reasons. There is no State Law regulating the 24 hour operation. Council will be receiving a memo shortly regarding the matter in further detail.
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

NEW BUSINESS:

Discussion and/or Motion Items:

1. a. Commissioner Jones made a motion to approve Resolution 5950 Memorial Day Parade. Commissioner Fitzgerald second the motion. Clerk Patrick said the initial Resolution that Council approved previously did not reflect the proper amount of insurance the Illinois Department of Transportation requires and needed to be re-approved showing the correct amount. Voice vote carried the motion.

- b. Commissioner Fitzgerald made a motion to layover Resolution 5951 a Resolution of the City of South Beloit, Illinois authorizing the Mayor to Sign an Intergovernmental Cooperation Agreement for Mutual Aid with the Winnebago County Sheriff's Office, the City of Beloit, Wisconsin Police Department and the Rock County, Wisconsin Sheriff's Office until the second Regular Council Meeting in May. Commissioner Jones second the motion. Voice vote carried the motion.
- c. Commissioner Duffy made a motion to approve Ordinance 2345 an Ordinance of the City of South Beloit amending Chapter 18 Businesses to Impose Late Fees for Untimely Filing of Licenses. Commissioner Fitzgerald second the motion. Council discussed the late fees currently imposed on all licenses are \$50.00. When the Ordinance was initially written, it was written as an Ordinance that wasn't specific to a section of the code and was not codified. Although the Ordinance was effective it didn't amend the code. This Ordinance will be amending the code and be codified into the code. Council discussed whether the late fee should be on a percentage based or flat fee since the license fees vary in amounts, which seems unfair for smaller license fees to be charged the same as larger license fees. After discussion, Commissioner Duffy made a motion to amend the proposed Ordinance to impose a late fee of 10% of the cost of the license or a minimum of \$50.00, whichever is less, and to amend the late fee amount to be due if the license is not paid within 5 days of the due date instead of 10 days. Commissioner Jones second the motion. Commissioner Fitzgerald made a motion to approve Ordinance 2345 as amended second by Commissioner Duffy. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.
- d. Commissioner Jones made a motion to approve payment to Custom Design Construction (CDC) for Change Order 3.5 in the amount of \$5,641.79. Commissioner Duffy second the motion. Jeff Losinske, owner of CDC was present to speak with Council regarding the Change Order details and cost. Mayor Rehl said there is a difference of opinion as to whether the pay the change order or not, and concerns with what is entailed in the change order. Clerk Patrick said primary concerns with the invoice are the cost of labor being charged. Attorney Sosnowski reviewed the invoice, which included clean up costs for interior and exterior work that was done in October when leaking occurred from the roof. Mr. Losinske said in May CDC patched the roof from a leak. At the time CDC said the leak would hold for 90 days. Mr. Losinske said October was a rainy season and the roof leaked again in a different area. CDC does not warranty patches. Clerk Patrick explained CDC was called for the leaks each time the leaks occurred because they were the roof contractor. CDC did not advise the City of the labor rate charges that would be due for clean up. There was no discussion regarding rates to be charged for cleanup between CDC and the City. Commissioner Jones said it seemed like there was a breakdown in communication. Attorney Sosnowski provided a timeline of events and payments that have been made to CDC. Mayor Rehl said there are concerns regarding why the bill for the work done in October wasn't submitted until January 31st. After discussion Council determined the work was done and the bill should be paid. Also, there should have been better communication between CDC and the City regarding costs and charges. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.

MISCELLANEOUS
LICENSES AND PERMITS:

- 1. Miscellaneous Licenses:
 - a. Dos Amigos Taqueria
- 2. RLE's:
 - a. Chasidy Floyd-Jena's
 - b. Shayna Pittman-Artisan

Commissioner Duffy made a motion to approve all licenses second by Commissioner Fitzgerald. Voice vote carried the motion.

ADJOURN:

At 6:33 pm on a motion made by Commissioner Jones second by Commissioner Fitzgerald. Voice vote carried the motion.

Mayor

City Clerk

Approved: