

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
February 4, 2019

CALL TO ORDER: 5:02 pm, Council Chambers, City Hall by Mayor Pro Tem Commissioner Fitzgerald.

ROLL CALL: Present & answering to roll call were Commissioners Duffy, Fitzgerald, Moore, and Teeters. Mayor Rehl 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 Commissioner Fitzgerald and recited by all members present.

INVOCATION: Commissioner Fitzgerald asked for a moment of silence.

APPROVE AGENDA:
Commissioner Moore made a motion to amend the agenda to move Item 1a. under New Business to after Public Comment. Commissioner Duffy second the motion. Voice vote carried the motion.
Commissioner Duffy made a motion to approve the agenda as amended second by Commissioner Moore. Voice vote carried the motion.

PUBLIC COMMENT:
None.

NEW BUSINESS:
1. a. Reverend Dan Herman provided a bio and explained what he would provide to the Police and Fire employees, and to the public as the City of South Beloit's Chaplain. Reverend Herman delivered an invocation.
Reverend Herman was sworn in by City Clerk, Tracy Patrick

APPROVAL OF MINUTES:
Commissioner Duffy made a motion to approve the minutes of the Regular Council Meeting held on January 22, 2019. Commissioner Moore second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:
1. Finance:
Commissioner Teeters made a motion to approve the claims to be paid from January 19-February 1, 2019 in the amount of \$554,637.39. Commissioner Duffy second the motion. Roll call vote showed 4 ayes and 1 absent by Mayor Rehl.
Attorney Sosnowski said the bills for Asphalt Maintenance Systems were being held out until the next Regular Council Meeting.
Finance Director, Don Elliott said Council still needed to approve the bills for the Motor Fuel Tax (MFT).
Commissioner Duffy made a motion to approve the MFT payment in the amount of \$68,694.52. Commissioner Moore second the motion. Roll call vote showed 4 ayes and 1 absent by Mayor Rehl.
2. Attorney Report:
None
4. Commissioner's Report:
Accounts & Finance-Commissioner Moore
Public Health & Safety-Commissioner Tom Fitzgerald
Streets & Public Improvements-Commissioner Lori Duffy
Public Properties-Commissioner Angela Teeters

UNFINISHED BUSINESS:
1. Discussion and/or Motion Items:

- a. From the Zoning Board of Appeals meeting held on January 16, 2019 a positive recommendation was given regarding a Special Use Permit. Commissioner Teeters made a motion to approve a Special Use Permit to allow a banquet hall/facility in the (CR) Commercial Retail Zoning District for the property commonly known as 1212 Shirland Avenue, South Beloit, Illinois, Winnebago County, with PIN No. 04-06-177-001. From petitioner Oops III, LLC. Commissioner Duffy second the motion. Attorney Sosnowski reviewed the request and explained how the banquet hall would be set up and operate. No building permits have been submitted yet. The application shows a full bar. There would be no food, however; food would be catered in. Plans for the facility would need to be reviewed by the City. Council discussed the Liquor License Classification the business would qualify for. Attorney Sosnowski said staff is proposing an amendment to the Liquor Code. There could be a specific class added for a banquet hall/facility. Roll call vote showed 4 ayes and 1 absent by Mayor Rehl.

NEW BUSINESS
CONTINUED:

1. Discussion and/or Motion Items:

- b. Commissioner Teeters made a motion to approve Resolution 6012 authorizing the fifth IEPA Loan Disbursement request in the amount of \$465,930.00. Commissioner Moore second the motion. Roll call vote showed 4 ayes and 1 absent by Mayor Rehl.
- c. Commissioner Duffy made a motion to approve Resolution 6013 authorizing the Mayor to execute a Professional Agreement for Engineering Services for the City of South Beloit for 2019 with Fehr Graham Engineering and Environmental. Commissioner Moore second the motion. Council reviewed the agreement and had questions regarding the fee schedule. Commissioners Duffy and Moore withdrew their motions. Commissioner Moore made a motion to layover Resolution 6013 until the next meeting. Commissioner Duffy second the motion. Voice vote carried the motion.
- d. Commissioner Duffy made a motion to approve Resolution 6014 authorizing the Mayor to sign a contract for cleaning services for City Hall and the Police Department with Crystal Image Cleaning Inc. Commissioner Moore second the motion. Roll call vote showed 4 ayes and 1 absent by Mayor Rehl.
- e. Attorney Sosnowski said Staff would like to have Council review the proposed changes and bring back to the next Council Meeting for any further additions, deletions, or changes. Commissioner Teeters made a motion to lay over Ordinance 2408 amending Chapter 6 Alcoholic Beverages. Commissioner Duffy second the motion. Attorney Sosnowski reviewed the proposed changes that staff is making for the amendment of the City's Liquor Code. The current Liquor Code is confusing in some areas such as the closing hours established. The changes would not change the closing hours, but would help provide clarity for each class regarding the closing hours. As part of the amendment, staff is recommending eliminating the Class B and BB Licenses. Attorney Sosnowski said this is the first time rewriting the entire Liquor Code since at least 2010. Another recommendation from staff is setting a cap to limit the number of license for each class. Commissioner Teeters asked what the reason for the caps would be. Attorney Sosnowski explained that most all communities have caps as did South Beloit. The caps were removed when Mayor Duffy was on the Council. Video gaming is an issue with the number of BG Bar Boutique License being maxed. Some applicants want to apply for a Class A license in order to have the video gaming; however, they don't qualify for a Class A license. Previously, the City approved a Class A license for an establishment that was operating as a Bar Boutique once the establishments receipts were reviewed. The City increased the number of BG Licenses in order to bring the establishment into compliance without having to shut them down. Council also discussed possibly eliminating the Live Entertainment Class, but increasing the fee for each class that could potentially have live entertainment. Council will discuss further at the next meeting to review any further changes. Voice vote carried the motion.
- f. Commissioner Duffy made a motion to approve Ordinance 2409 amending certain provisions of the City of South Beloit Employee Handbook relating to Military Leave. Commissioner Teeters second the motion. Attorney Sosnowski explained in 2019 Legislature changed regarding ISERRA. In order to follow these laws, the City's Handbook needs to be amended. The City Clerk has a document regarding how the change will be enforced. Roll call vote showed 4 ayes and 1 absent by Mayor Rehl.
- g. Commissioner Teeters made a motion approve Ordinance 2410 amending certain provisions of the City of South Beloit Employee Handbook relating to employee

- reimbursement of expenses incurred during employment. Commissioner Moore second the motion. Attorney Sosnowski explained the amendment is due to a change in the Illinois Law. Roll call showed 4 ayes and 1 absent by Mayor Rehl.
- h. Commissioner Duffy made a motion to approve revising the employment offer letter to Public Works Supervisor, Mike Murphy. Commissioner Moore second the motion. Commissioner Fitzgerald read the employment letter. Roll call vote showed 4 ayes and 1 absent by Mayor Rehl.
 - i. Commissioner Moore made a motion to approve revising the employment offer letter to City Clerk/HR Director Tracy Patrick. Commissioner Duffy second the motion. Commissioner Fitzgerald read the employment letter. Roll call vote showed 4 ayes and 1 absent by Mayor Rehl.

MISCELLANEOUS
LICENSES AND PERMITS:

- 1.. RLE's:
 - a. Natasha Martinez-Road Ranger #205
 - b. Angela Pulido-Road Ranger #205
 - c. Jirika Sims-Road Ranger #205

Commissioner Teeters made a motion to approve all licenses second by Commissioner Moore. Voice vote carried the motion.

EXECUTIVE SESSION:

At 6:14 pm on a motion made by Commissioner Teeters second by Commissioner Moore. Voice vote carried the motion. The purpose for Executive Session is to:

- 1. Discuss possible litigation as provided by 5 ILCS 120/2 (c) (11) of the Illinois Open Meetings Act regarding Jory Wasmund vs. City of South Beloit
- 2. Discuss possible litigation as provided by 5 ILCS 120/2 (c) (11) of the Illinois Open Meetings Act regarding Kathy and Norbert Gerber vs. City of South Beloit
- 3. Discuss possible litigation as provided by 5 ILCS 120/2 (c) (11) of the Illinois Open Meetings Act regarding Lawrence Rowlette vs. City of South Beloit
- 4. Review closed session minutes including semi-annual review of closed session minutes pursuant to 5 ILCS 120/2 (c) (21) of the Illinois Open Meetings Act

RECONVENE TO
OPEN SESSION:

At 6:39 pm.

ROLL CALL:

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

ORDER OF BUSINESS:

- 1 Commissioner Duffy made a motion to approve Ordinance 6015 regarding the release and continued hold for confidentiality of Executive Session Minutes. Commissioner Moore second the motion. The review of the minutes showed partial release for the Executive Session Minutes of the October 2, 2017 and November 6, 2017 meetings, and no release for the Executive Session Minutes of the September 18, 2017, October 30, 2017, November 13, 2017, and November 20, 2017 meetings. Roll call vote showed 4 ayes and 1 absent by Mayor Rehl.

ADJOURN:

At 6:42 pm on a motion made by Commissioner Fitzgerald second by Commissioner Duffy. Voice vote carried the motion.

Mayor

City Clerk

Approved: