

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
September 3, 2019

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

ROLL CALL: Present & answering to roll call were Commissioners Duffy, Fitzgerald, Hedrington, Morse, and Mayor Rehl.
City Attorney Kristine Gibbons was present
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance:
Fire Chief Mike Davenport
Police Chief Adam Truman
Public Works Supervisor Mike Murphy

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

PUBLIC COMMENT:
Paul Baxter said he lives in Prairie Hill Commons. Mr. Baxter said he is aware of a petition regarding a light post being installed that is going in his backyard and he is against the petition. Mr. Baxter said his family are stargazers so the light will prohibit the quality of darkness in the backyard, and does not believe the light is needed.
Commissioner Duffy will follow up with the issue.
Larry Kramar asked if the sewer rates were set to increase every 3 months for the next 10 years. Mayor Rehl explained the rates are set to increase due to the new sewer plant. Mr. Kramar also said the potholes on Blackhawk Blvd are terrible. Mayor Rehl explained Blackhawk Blvd and Gardner Street are state highways. The state does have some plans for fixing a portion of Blackhawk Blvd.
Taylor Vronch spoke about the "Broken Window Theory" and said there are broken windows at the Garden Hotel. Mr. Vronch said vandalism generally follows. Mr. Vronch spoke about speeders and potholes being issues on Gardner Street.

APPROVAL OF MINUTES: Commissioner Morse made a motion to approve the minutes of the Regular Council Meeting held on August 19, 2019. Commissioner Hedrington second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:

1. Finance:
Commissioner Fitzgerald made a motion to approve the claims to be paid from August 17-30, 2019 in the amount of \$466,136.56. Commissioner Duffy second the motion. Roll call vote showed 5 ayes.
2. Attorney Report:
Attorney Gibbons said she was contacted by a Commissioner who was concerned with the unlimited number of cats allowed. Attorney Gibbons said there are other municipalities who have a limit of 3 cats allowed. Commissioner Fitzgerald said the question came up with a previous council, but was not acted on. Commissioner Morse said there is an issue especially with feral cats. After discussion, Council asked for an Ordinance to be bought back for Council to consider.
4. Commissioner's Report:
Streets & Public Improvements-Commissioner Lori Duffy
Public Properties-Commissioner Ken Morse
Accounts & Finance-Commissioner Brian Hedrington
Public Health & Safety-Commissioner Tom Fitzgerald

EXECUTIVE SESSION:

At 5:31 pm on a motion made by Commissioner Morse second by Commissioner Duffy. Voice vote carried the motion. The purpose for Executive Session is to:

1. Discuss litigation issues as provided by 5 ILCS 120/2 (c) (11) of the Illinois Open Meetings Act.

RECONVENE TO
OPEN SESSION:

At 5:56 pm

ROLL CALL:

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

UNFINISHED BUSINESS:

1. Discussion and/or Motion Items:

- a. Commissioner Morse made a motion to approve Resolution 6069 approving a Settlement Agreement and authorizing the Mayor to execute the same. Commissioner Duffy second the motion. Roll call vote showed 4 ayes and 1 nay by Commissioner Hedrington.

NEW BUSINESS:

1. Discussion and/or Motion Items:

- a. Commissioner Hedrington made a motion to approve Ordinance 2456 approving a Class EV Special Event Liquor License for Jackson 620 d/b/a The Wheel for an event to be held on September 12, 2019. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
- b. Commissioner Duffy made a motion to approve Ordinance 2457 approving a Class CE Crafting Establishments Liquor License for Angela Hefi d/b/a The Craft Shop Creative Studio. Commissioner Morse second the motion. Roll call vote showed 5 ayes.
- c. From the Zoning Board of Appeals Meeting held on August 22, 2019 a positive recommendation was given regarding a Zoning Variance. Commissioner Duffy made a motion to approve Ordinance 2458 approving a Zoning Variance in the front yard setback from the required 10' down to 6" to allow a freestanding sign in the (CR) Commercial Retail Zoning District for the property located at 1655 Blackhawk Blvd., South Beloit, Illinois, Winnebago County, with PIN No. 04-07-402-001. From petitioner Beloit Health System. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
- d. From the Zoning Board of Appeals Meeting held on August 22, 2019 a positive recommendation was given regarding a Text Amendment. Commissioner Fitzgerald made a motion to approve Ordinance 2459 amending Section 118-370 of the City's Code of Ordinances – Revocation. Attorney Gibbons explained the Ordinance would allow the City to recoup costs uncured by the City from any Special Use Permit Holder who is in process of or is having the Special Use Permit revoked. Commissioner Duffy second the motion. Roll call vote showed 5 ayes.
- e. From the Zoning Board of Appeals Meeting held on August 22, 2019 a positive recommendation was given regarding a Text Amendment. Commissioner Fitzgerald made a motion to approve Ordinance 2460 amending Chapter 94 – Taxation, of the City Code of Ordinances to impose a Municipal Cannabis Retailers' Occupation Tax. Commissioner Duffy second the motion. Attorney Gibbons explained the Ordinance was a model from the Illinois Municipal League for a 3% sales tax. Roll call vote showed 5 ayes.
- f. From the Zoning Board of Appeals Meeting held on August 22, 2019 a positive recommendation was given regarding a Text Amendment. Commissioner Hedrington made a motion to approve Ordinance 2461 amending Section 118-03 of the City of South Beloit Zoning Code regarding "Definitions" to include Definitions Related to Adult-Use Cannabis, and to consider a Text Amendment to Section 118-183 (d) of the City of South Beloit Zoning Code to allow for various Adult-Use Cannabis uses in the Commercial Traffic (CT) Zoning District by Special Use Permit, and to consider a Text Amendment to the City Zoning Code to Create a New Article XVII to Provide Regulations Regarding Adult-Use Cannabis. Commissioner Fitzgerald second the motion. Attorney Gibbons said the Ordinance is from an Illinois Municipal League model and that the Zoning Board of Appeals limited the allowed use to be only in the CT District. Roll call vote showed 5 ayes.
- g. Commissioner Hedrington made a motion to approve Ordinance 2462 authorizing the Disposal of Items of Personal Property owned by the City of South Beloit (handguns

and shotguns). Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.

- h. Commissioner Duffy made a motion to approve Ordinance 2463 approving Site Amendment to SBA Communications Agreement. Commissioner Morse second the motion. Attorney Gibbons explained the lease agreement is to extend the cell tower lease. Roll call vote showed 5 ayes.
- i. From the Zoning Board of Appeals Meeting held on August 22, 2019 a positive recommendation was given regarding a Tentative Replat. Commissioner Duffy made a motion to layover Resolution 6072 approving a Tentative Replat of PBC Linear for the property located at 6402 Rockton Road with PIN No. 04-15-300-013. From applicant Schroeder Beloit LLC. Commissioner Morse second the motion. Voice vote carried the motion.
- j. Commissioner Fitzgerald made a motion to approve Resolution 6073 appointing Michael Drella as Administrative Hearing Officer. Commissioner Duffy second the motion. Roll call vote showed 5 ayes.
- k. Commissioner Duffy made a motion to approve Resolution 6074 approving an amendment to the Master Agreement for Traffic Signal Maintenance with the Illinois Department of Transportation. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.
- l. Commissioner Duffy made a motion to approve the Snowplow Contract bid letting. Commissioner Fitzgerald second the motion. Commissioner Hedrington asked why the City is not doing all its own plowing and why there is a need to contract out services for snowplowing. Council discussed the number of employees who currently hold CDL Driver's licenses, and City owned equipment that is used for plowing. Public Works Supervisor, Mike Murphy explained the smaller trucks don't have the capability to throw salt. If the trucks are doing the alleys they would be taken off the main streets and those would be delayed in getting plowed. Commissioner Duffy said another issue is employees are limited to the number of hours they can plow before they have to take a break. Roll call vote showed 4 ayes and 1 nay by Commissioner Hedrington.

MISCELLANEOUS
LICENSES AND PERMITS:

- 1. Business License's:
 - a. The Craft Shop

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

ADJOURN:

At 6:16 pm on a motion made by Commissioner Duffy second by Commissioner Fitzgerald. Voice vote carried the motion.

Mayor

City Clerk

Approved: