

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
June 15, 2020

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

ROLL CALL: Present & answering to roll call were Commissioners Fitzgerald, Morse, and Mayor Rehl.
Commissioner Hedrington 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 Adam Truman
Street Superintendent 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 second by Commissioner Morse.
Voice vote carried the motion.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES:
1. Commissioner Morse made a motion to approve the minutes of the Regular Council Meeting held on June 1, 2020, and the Special Meeting held on May 28, 2020. Commissioner Fitzgerald second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:
1. Finance:
Commissioner Morse made a motion to pay the claims to be paid from May 30-June 12, 2020 in the amount of \$260,929.54. Roll call vote showed 3 ayes, 1 absent by Commissioner Hedrington, and 1 vacant.
2. Attorney Report:
4. Commissioner's Report:
Accounts & Finance-Commissioner Tom Fitzgerald
Public Properties-Commissioner Ken Morse

UNFINISHED BUSINESS:
1. Discussion and/or Motion Items:
a. Commissioner Fitzgerald made a motion to approve Ordinance 2521 amending various provisions of Chapter 86-Streets, Sidewalks, and other Public Places of the City Code of Ordinances. Commissioner Morse second the motion. Council discussed the maximum width for the flare. Attorney Sosnowski said 18' would be minimum and 20' would be the maximum for the flare according to the ordinance. Commissioner Fitzgerald spoke about a 4-family building that has a 4-family driveway and asked why the width there was allowed to be so wide. Zoning Official, Jessica Roberts said she would have to look at the location, however; it would make sense to add the maximum width in to the code for multi-family developments since a wider approach would most likely be needed. Attorney Sosnowski said normally with a multi-family development an ordinance would be passed that would include specific regulations for the development including the driveway. Attorney Sosnowski said every possibility cannot be included in the code, however; that is the purpose of the variance process-because of each unique development, as well as the number of families for each development. It was determined that nothing could be done with the developments that have already been built. It was also determined Ms. Roberts will go look at the properties Commissioner Fitzgerald has questions and concerns for. Ms. Roberts said normally a 4-family development or more would most likely have a parking lot. Street Superintendent, Mike Murphy said originally, the location

- Commissioner Fitzgerald spoke about was a private condo association that was developed with private roads, and the roads were only given to and accepted by the city a few years ago. Roll call vote showed 3 ayes, 1 absent by Commissioner Hedrington, and 1 vacant.
- b. Mayor Rehl said previously this item was on the Special Meeting Agenda in May. Thought was given to the item, however; the Governor was specific regarding businesses opening early and how it could affect licenses for businesses and withholding funds from municipalities. Council does not want to put businesses at risk. Commissioner Fitzgerald said he spoke with Senators Severson and Cabello. Both senators are ready to open. 19 states have opened and Covid cases are spiking. Consensus from Council was not to go against the Governors Executive Orders. Commissioner Morse made a motion to approve Ordinance 2524 establishing guidelines for certain businesses that have been closed due to the COVID-19 Pandemic. No second was made to the motion. The motion died for a lack of a second.
 - c. Commissioner Fitzgerald made a motion to approve Ordinance 2528 amending Chapter 10 Animals, Article I, In General, of the City of South Beloit Code of Ordinances. Commissioner Morse second the motion. Attorney Sosnowski said the original ordinance that was recently passed prohibited honey bees. At the last meeting 2 ordinances were presented to Council. Both allowed honey bees; however, 1 allows without restrictions, and the other included restrictions. At the request of Council from the last meeting, a professional Bee Keeper was present to speak to Council about honey bees. Rafael Ortega gave a brief overview of his experience with honey bees, the benefits of honey bees to the environment, as well as the number of items that can be made from the honey. Commissioner Morse expressed concern for small lot sizes where residents would want to have honey bees. Mr. Ortega provided Council with his opinion regarding what would be safe lot sizes as well as some issues he believes should be regulated. Attorney Wiktorina Goscik reviewed the proposed ordinance that includes regulations. After discussion it was determined regulations would be required per the ordinance, and a permit would be required prior to any honey bees being allowed. Roll call vote showed 3 ayes, 1 absent by Commissioner Hedrington, and 1 vacant.

NEW BUSINESS:

1. Discussion and/or Motion Items:
 - a. Commissioner Morse made a motion to approve Resolution 6138 appointing Commissioner until the next municipal election. Commissioner Fitzgerald second the motion. Roll call vote showed 3 ayes, 1 absent by Commissioner Hedrington, and 1 vacant.
 - b. City Clerk, Tracy Patrick administered the Oath of Office to Ryan Adleman as Commissioner of Streets and Public Improvements.
 - c. Commissioner Fitzgerald made a motion to approve a request for a deviation for a driveway replacement located at 15537 Bombay Blvd. by Glen Laidig. Commissioner Morse second the motion. Zoning Official, Jessica Roberts said because Ordinance 2521 was passed the request by Mr. Laidig would be exempt from the 24' requirement. Attorney Sosnowski said no action would need to be taken. Mr. Laidig asked if he could extend to 18', however; Ms. Roberts said the plan would need to be as it was submitted in his application.
 - d. Council had a discussion regarding how to handle fences in the floodplain. Mayor Rehl said there is some concern for limited options for homeowners located within the floodplain or floodway, and posed the question if previous ordinances should be amended. Mayor Rehl asked City Engineer, Seth Gronewold how to handle fences within the floodplain. Mr. Gronewold said the City's current ordinance regarding fences in the floodplain is quite liberal already. The bottom line is how to handle both the floodplain and keep the city within the guidelines. The floodway is not within the city's authority. Commissioner Morse said the intent is not to deviate the water flow. Commissioner Morse asked if it would be possible to require certain portions of the fence to be removable, or have a hinge to open in order for the water to be allowed to flow through the fenced area. Commissioner Morse added that chain link fences are better, however; they will still stop debris and prohibit the flow. Commissioner Adleman said he reviewed the state of Michigan's website regarding the same issue and found they allowed the bottoms of the fences to be cut off. The site also said it should be considered to know where the waters flow in order to know how the fence would be constructed. Commissioner Adleman said he believes it may be a non-issue if we know what direction the flow is going. Mayor Rehl said the only issue would be if the owner had an animal that could go under the fenced in area. Commissioner Fitzgerald said the city allowed homes to be build in the flood zone and believes the city should allow homeowners to upgrade their properties. Mr. Gronewold said the floodplain is not as much about flow, but more about the direction of the water. Ultimately, the Illinois Department of Natural Resources (IDNR) does not recommend fences in the floodplain however; allowing removable portions of the fence is an option. Attorney Sosnowski Attorney Szeto had some

thoughts on this item and would be at the next Regular Council Meeting to discuss with Council. Attorney Sosnowski added that any change would require an amendment to the ordinance if it would be something different than the alternate slats that are currently required.. Mr. Gronewold explained the alternate slats have been followed based on previous conversations with the IDNR. Council agreed to have a revised ordinance at the next Regular Council Meeting.

- e. Commissioner Adleman made a motion to approve a fee for Radio Antenna Applications. Commissioner Fitzgerald second the motion. Attorney Sosnowski said when the ordinance was passed at the last meeting the fee was not discussed. Commissioner Fitzgerald said he thinks an 18' antenna is too high. Attorney Sosnowski said the City does not have the authority to restrict the antenna height. Council agreed to set the Permit Fee for ground-mounted and roof-mounted antenna's both in the amount of \$25.00 each. Roll call vote showed 4 ayes and 1 absent by Commissioner Hedrington.
- f. Commissioner Morse made a motion to approve Resolution 6139 approving an RDA with Norman Oldenburg. Commissioner Adleman second the motion. Attorney Sosnowski said the RDA is for Bubbles and Bows parking lot. Roll call vote showed 4 ayes and 1 absent by Commissioner Hedrington.
- g. Commissioner Adleman made a motion to approve Resolution 6140 approving the selection of City's Health Insurance Plan for 2020-2021. Commissioner Morse second the motion. Clerk Patrick said the insurance plan is a renewal with BCBS. The renewal rate saw a 6 1/2 % increase. Roll call vote showed 4 ayes and 1 absent by Commissioner Hedrington.
- h. Commissioner Morse made a motion to approve Resolution 6141 approving incentives for employees following the selection of HMO Health Insurance Plan for 2020-2021. Commissioner Fitzgerald second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Hedrington.
- i. Commissioner Morse made a motion to approve Resolution 6142 appointing member to the Library Board as follows:
 - Ryan Adleman is hereby re-appointed as Director for the Library Board for a three (3) year term set to expire on July 1, 2023.Commissioner Fitzgerald second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Hedrington.
- j. Commissioner Morse made a motion to approve Resolution 6143 authorizing Change Order No. 2 for the South Beloit WWTP project in a cost reduction amount of \$74,434.00. Commissioner Adleman second the motion. City Engineer, Seth Gronewold said the cost is down over \$700,000 from the original price. The project is approximately 60% complete. Roll call vote showed 4 ayes and 1 absent by Commissioner Hedrington.
- k. Commissioner Adleman made a motion to approve Resolution 6144 authorizing the twenty second IEPA Loan Disbursement Request in the amount of \$1,090,887.27. Commissioner Fitzgerald second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Hedrington.
- l. Commissioner Fitzgerald made a motion to approve Ordinance 2529 Amending Chapter 6 Alcoholic Beverages, Article III, Retail License, Section 6-82, of the City of South Beloit Code of Ordinances. Commissioner Morse second the motion. Attorney Sosnowski said the ordinance was requested by Commissioner Fitzgerald. Commissioner Adleman asked if dart boards were permitted in the small boutiques. Attorney Sosnowski said the Gaming Boutiques were prohibited from dartboards as well as other amenities that bars can have. Commissioner Fitzgerald said Roscoe has an unlimited number of Gaming Boutique licenses, and they have made over \$400,000. Mayor Rehl said increasing the number of licenses won't bring in more gamblers, it will just spread out the gamers among more locations. Commissioner Fitzgerald said he was more concerned with what the City gets for their portion of gaming income. Roll call vote showed 4 ayes and 1 absent by Commissioner Hedrington.

MISCELLANEOUS

LICENSES AND PERMITS:

1. Business Licenses:
 - a. Mat Fairburn
 - b. Dennis Smith

Commissioner Adleman made a motion to approve all licenses second by Commissioner Morse. Voice vote carried the motion.

EXECUTIVE SESSION:

1. At 6:43 pm on a motion made by Commissioner Morse second by Commissioner Adleman. The purpose for Executive Session is to:
 1. Discuss the purchase or release of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired as provided by 5 ILCS 120/2 (c) (5) of the Illinois Open Meetings Act.
 2. Discuss the setting of a price for lease or sale of property owned by the public body as provided by 5 ILCS 120/2 (c) (6) of the Illinois Open Meetings Act.
 3. Discuss Pending Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting as provided by 5 ILCS 120/2 (c) (11) of the Illinois Open Meetings Act.
 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 7:12 pm.

ROLL CALL:

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

ORDER OF BUSINESS:

- a. Commissioner Adleman made a motion to approve Resolution 6145 regarding the release or continued hold for confidentiality minutes of Executive Session. Commissioner Fitzgerald second the motion. The review of Executive Session Minutes showed release of April 15, 2019, May 6, 2019, and May 20, 2019, and no release of April 29, 2019, June 17, 2019, and July 15, 2019. Roll call vote showed 4 ayes and 1 absent by Commissioner Hedrington.

ADJOURN:

At 7:13 pm on a motion made by Commissioner Adleman second by Commissioner Morse. Voice vote carried the motion.

Mayor

City Clerk

Approved: