

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
July 6, 2020

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

ROLL CALL: Present & answering to roll call were Commissioners Adleman, Fitzgerald, Hedrington, Morse and Mayor Rehl.
City Attorney Aaron Szeto was present
Deputy Clerk Karen Brandenburg recorded the minutes
Department Heads in attendance:
Fire Chief Mike Davenport
Police Chief Adam Truman
Wastewater Treatment Plant Superintendent Jeff Reininger
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 Hedrington made a motion to approve the agenda. Commissioner Fitzgerald second the motion. Voice vote carried the motion.

PUBLIC COMMENT: Maria Cruz Lange stated she purchased a house at 428 Pheon. She stated the road in front of her property and the neighbors is in very bad shape. Ms. Lange said she spoke to the neighbors and they said no one listens. Ms. Lange stated this is a community of families and feels this road should be fixed before the Industrial Park for the safety and pride of the neighborhood. Mayor Rehl said we are not able to act since this item was not on the agenda, but Commissioner Adleman and Street Superintendent Mike Murphy will look into this.

APPROVAL OF MINUTES: 1. Commissioner Morse made a motion to approve the minutes of the Regular Council Meeting held on June 15, 2020. Commissioner Adleman second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:

- Finance:
Commissioner Fitzgerald made a motion to approve the claims to be paid from June 13-July 2, 2020 in the amount of \$2,138,828.96. Commissioner Adleman second the motion. Roll call vote showed 5 ayes.
- Attorney Report:
City Attorney, Aaron Szeto wanted to update the Council on the title search that was done to see what liens were recorded for the Buddyville property. Council's consensus was to move forward with obtaining the Tax Certificate from Elizabeth Reents in exchange she would give the City of South Beloit the Tax Certificate for Buddyville to then enter into a Settlement Agreement for her other properties with code violations. Buddyville is in bad shape and not in the City Limits. The City doesn't have jurisdiction to enforce code violations. The City is looking to obtain ownership for the properties and then annex the property into the City limits once the property is annexed it can be sold and get back on the tax roll. There is a Mortgage showing on the title search, but the Tax Certification would trump any existing Mortgage. City Attorney, Aaron Szeto was given conformation to move forward to obtain the Tax Certification.

City Attorney, Aaron Szeto wanted to update Council in the Covid-19 situation with Winnebago County Health Department. The Winnebago County Health Department shut down a couple of establishments in the City of South Beloit. A Freedom of Information request (FOIA) was filed to get the Health Department documents as to see if warnings were given before shutting them down for serving people inside before allowed. It was determined from the documents; no prior warning was given. City Attorney, Roxanne Sosnowski drafted a letter to reconsider the Ordinance that was just passed by Winnebago County Health Department to put a process in place to give businesses

an opportunity to correct wrong behavior that they are not aware of instead of just shutting them down.

4. Commissioner's Report:

Accounts & Finance-Commissioner Tom Fitzgerald
Public Health & Safety-Commissioner Brian Hedrington
Streets & Public Improvements-Commissioner Ryan Adleman
Public Properties-Commissioner Ken Morse

UNFINISHED BUSINESS:

1. Discussion and/or Motion Items:

- a. City Attorney, Aaron Szeto stated the City of South Beloit has a lot of areas in the Floodway and Floodplain. The Floodway is regulated by the IDNR and the Floodplain is up to the local municipalities. The City of South Beloit has a Floodplain Ordinance that has limits to the type of structures and repairs that can be done. The rules that are written right now, allow fences to be in the Floodplain, but have to be chain link for water to pass through or have gaps in between the panels to allow water to pass through. This takes away for having a privacy fence. City Attorney, Aaron Szeto stated from his understanding from the last council meeting, is that the Council acknowledges we have Floodplain in the City of South Beloit and the Council feels that people should be allowed to take down an old fence and put a new fence up. Council wants to allow construction of Privacy Fences in the Floodplain, subject to permitting, but fence has to have either a gate, removable panels or shadow box for water to flow through. City Attorney, Aaron Szeto will bring the amended Ordinance to the next Council meeting for approval.

NEW BUSINESS:

1. Discussion and/or Motion Items:

- a. Commissioner Adleman made a motion to approve Ordinance 2530 approving a Zoning Variance in the (R1) residential One-Family Zoning District for a fence in the front yard from the maximum allowed of 4' up to 6' in height for the property located at 15639 Taylor, South Beloit, Illinois, Winnebago County, with PIN No. 04-04-406-001. City Attorney, Aaron Szeto stated the Zoning Board of Appeals made a positive recommendation to approve the Zoning Variance in the (R1) Residential One-Family Zoning District. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
- b. Commissioner Hedrington made a motion to approve Ordinance 2531 approving a text Amendment to Article IX Off-Street Parking and Loading of the City of South Beloit Zoning Code of Ordinances. City Attorney, Aaron Szeto stated the City of South Beloit made several changes to the driveway ordinance, so this Text Amendment will match the changes to the other sections of the code. Commissioner Morse second the motion. Roll call vote showed 5 ayes.
- c. Commissioner Morse made a motion to approve Ordinance 2532 approving a Text Amendment to create a new Article XIX: Drive Through Windows at Liquor Stores of the City of South Beloit Zoning Code of Ordinances. City Attorney, Aaron Szeto stated this is an Ordinance that would allow for all Commercial Districts that are Package Liquor Stores to apply for a Special Use Permit for Drive-Thru Window Sales. This inquiry came from Everett's Liquor Store for a safety standpoint. The Ordinance is drafted with Rules and Restrictions for the Drive Through. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.
- d. Commissioner Adleman made a motion to approve Resolution 2533 approving the Tentative and Final Plat of Prestige Subdivision for the property located at 14339 Willowbrook Rd with PIN No. 04-15-100-014. City Attorney, Aaron Szeto stated the Developer for this property is looking to build storage units to allow for indoor and outdoor storage. Some of the conditions for the Special Use Permit was to plat the property and screen the property with either plants or trees. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes. City Engineer, Seth Gronewold stated the Final Plat will need to include the location of the storm water easement and detention. Commissioner Adleman made a motion to amend approving the Tentative and Final Plat with the condition of an updated plat showing the location of the storm water easement and detention. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
- e. Commissioner Hedrington made a motion to approve Ordinance 2534 amending Chapter 6 Alcoholic Beverages, Article III, Retail License, Section 6-82, of the City of South Beloit Code of Ordinances. City Attorney, Aaron Szeto was given permission to check neighboring states to find a comparable annual fee cost for drive throughs. Commissioner Adleman second the motion. Roll call vote showed 5 ayes.

- f. Commissioner Adleman made a motion to approve Resolution 6146 Awarding bid regarding 2020 MFT Streets Project and City Hall and City Fire Station Parking Lot Projects. City Engineer, Seth Gronewold stated the City of South Beloit held the Bid Opening early this morning with 3 companies submitting bids. The companies were William Charles, Curran and Rock Road. Rock Road came in with the lowest bid. The Engineers base price for the Industrial Park was \$615,000.00 and the bid came in at \$454,000.00. The Engineers base price for City Hall Parking was \$126,400.00 and the bid came in at \$126,012.00. The Engineers base price for the Fire Department was \$80,600.00 and the bid came in at \$75,600.00. Seth Gronewold stated the bids were done this way because there are 3 different funding sources to pay for the projects. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
- g. Commissioner Adleman made a motion to approve Resolution 6147 approving and authorizing the Mayor to sign a Memorandum of Understanding with Riverbend Stadium Authority, Inc. Riverbends request to the City of South Beloit was to utilize the City's property on the south side of Shirland Avenue for a parking lot for the Stadium. This memorandum is a general understanding between the parties. The Riverbend Stadium Authority Inc will pay for the cost of building the parking lot and environmental work for the City of South Beloit properties. The City of South Beloit is responsible for vacating the railroad right-a-way. The City's Attorney has been in contact with the railroad company. Once the railroad is vacated, the City will lease the property to Riverbend Stadium Authority Inc. for one dollar and then the construction of the parking lot will begin. This is the City's contribution to the project. City Attorney, Aaron Szeto stated the Lease will cover the City if anyone were to get hurt on the City's property. The City will take on the cost of vacating the railroad right-a-way and Platting of the property. The City of South Beloit wants the rights to be able to extend the water lines under Shirland Avenue for the City of South Beloit Future Development on the parcel next to the parking lot on South Beloit side. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.

MISCELLANEOUS
LICENSES & PERMITS:

1. RLE's:
 - a. Jonathan Barker-Fasmart #5232
 - b. Nicole Dodds-Fasmart #5232
 - c. Elaine Parker-Palpable of Beloit
 - d. Haley Rich-Fasmart #5232
2. Video gaming Licenses:
 - a. Hollywood Slots
3. Tattoo Artist Licenses:
 - a. Koby Braskett- (Piercing only)

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

ADJOURN:

At 6:26 pm on a motion made by Commissioner Adleman, second by Commissioner Fitzgerald. Voice vote carried the motion.

Mayor

City Clerk

Approved: