

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
November 16, 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 Roxanne Sosnowski was present
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance:
Police Chief Adam Truman
Fire Chief Administrator Dan Zerfass
Waste Water 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 second by Commissioner Adleman. Voice vote carried the motion.

PUBLIC COMMENT: Eric Butler said he would like clarification regarding a code violation he received for a temporary 10x8 shed structure. Mr. Butler said he needs to use the structure for lawn equipment and winter items. Mayor Rehl advised the public comment portion does not allow for discussion on a matter unless an item is on the agenda. Mr. Butler said he previously spoke with Code Enforcement Officer, Shawna Henthorn regarding the violation. Mayor Rehl said the item would be considered and discussed at the next Staff Development Meeting.
Justin Mullins said he has the same issue as Mr. Butler. Mr. Mullens said he researched the City's Code of Ordinances, but was not able to find anything regarding a temporary shed. Mr. Mullins would like the same consideration as Mr. Butler.
Mary Lange provided photos of streets on and around Pheon Drive. Ms. Lange said there are numerous potholes in the streets and it's sad that the street has deteriorated to that condition. Ms. Lange said she is concerned with the safety of children and residents in that area and would like to see the streets in that area repaired. Commissioner Adleman said the item will be up for discussion later in the meeting.

APPROVAL OF MINUTES: 1. Commissioner Fitzgerald made a motion to approve the minutes of the Regular Council Meeting held on November 2, 2020. 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 October 31 – November 13, 2020 in the amount of \$500,336.86. Commissioner Morse second the motion. Roll call vote showed 5 ayes.
2. Attorney Report:
4. Commissioner's Report:
Accounts & Finance-Commissioner Tom Fitzgerald
Health & Public Safety-Commissioner Brian Hedrington
Streets & Public Improvement-Commissioner Ryan Adleman
Public Properties-Commissioner Ken Morse

NEW BUSINESS:

- a. Commissioner Adleman made a motion to approve Ordinance 2568 amending various provisions of the City of South Beloit Code of Ordinances regarding Miscellaneous Permit

- Fees. Commissioner Morse second the motion. Attorney Sosnowski said the changes were updates for expiration dates match to the fiscal year dates. Roll call vote showed 5 ayes.
- b. Commissioner Morse made a motion to approve Ordinance 2569 authorizing the City to sell surplus City property. Commissioner Hedrington second the motion. Attorney Sosnowski said the sale will be for all properties acquired by the City. Many had been acquired in 2019. Roll call vote showed 5 ayes.
 - c. Commissioner Hedrington made a motion to approve Ordinance 2570 amending Chapter 6 Alcoholic Beverages, Article III, Retail Licenses, Section 6-77, of the City of South Beloit Code of Ordinances. Commissioner Adleman second the motion. Attorney Sosnowski said the amendment is to clean up the code regarding fingerprint-based background checks for liquor holders. Roll call vote showed 5 ayes.
 - d. Commissioner Fitzgerald made a motion to approve Resolution 6175 approving the Estimated Tax Levy amounts. Commissioner Adleman second the motion. Mayor Rehl made a recommendation for Council to help out residents with a small step to freeze the City's portion of property taxes for this year only. This would be a contribution to constituents. Finance Director, Don Elliott said the law allows for just over 1% increase, which would be approximately \$20,000. Commissioner Morse made a motion to amend the amount of the Estimated Tax Levy that will reflect the amount from \$1,340,000 to \$1,320,000. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
 - e. Commissioner Hedrington made a motion to approve Resolution 6176 approving Change Orders and ratifying the Emergency Purchase of additional repairs to City Hall by Sjostrom & Sons pursuant to Section 2-491 of the City of South Beloit Code of Ordinances. Commissioner Morse second the motion. Mayor Rehl said during the construction of the ramp for City Hall it was discovered that there were 2 separate sewer lines to the building. Roll call vote showed 5 ayes.
 - f. Commissioner Morse made a motion to waive Section 2-488 requirement to bid through formal public bid procedures to authorize the formal purchase of a 2020 Pierce Saber Pumper Fire Truck. Commissioner Adleman second the motion. Mayor Rehl said he and Commissioner Fitzgerald spoke with Finance Director, Don Elliott. The used truck the City was considering would not be in the City's best interest. A used vehicle could be someone else's problems. Chief Zerfass said the truck has 147 miles on it. The truck is currently in Florida, and will need some modifications, but it is hoped the truck will be delivered by Christmas. Roll call showed 5 ayes.
 - g. Commissioner Hedrington made a motion to approve Resolution 6177 approving and authorizing the Mayor to sign an agreement with Macqueen Emergency LLC. for the purchase of a 2020 Pierce Saber Pumper Fire Truck at a cost not to exceed \$498,000.00. Commissioner Morse second the motion. Roll call vote showed 5 ayes.
 - h. Commissioner Morse made a motion to approve Resolution 6178 approving and authorizing a Public Advisory Question to be placed on the Ballot at the April 6, 2021 Consolidated Election. Commissioner Hedrington second the motion, Council discussed placing the question "Shall the City of South Beloit eliminate the annual period of open burning of yard waste within the City?" Commissioner Adleman said he believes the question is a hot topic and believes something needs to be done about this, however; he is unsure if this is the what should be done. Commissioner Adleman said in his neighborhood there are lots of leaves. If he had to bag them it would take a very long time, and he would need to take off work in order to clean up all the leaves. Commissioner Morse said this has been an issue for over 40 years. Fire Chief, Dan Zerfass said the Fire Department gets calls from Wisconsin residents regarding open burning. Chief Zerfass said he has been researching a solution in the event the question passes. Commissioner Fitzgerald asked what the City's back up plan will be and believes that there should be a plan in place. Commissioner Fitzgerald said this is different from other communities. Commissioner Morse said there is an option with the City's garbage company and believes it's time for the City to clean up it's act. Commissioner Morse said the City cannot ignore people's health issues or the environmental issues open burning causes. Mayor Rehl said if residents decide not to have open burning the City will have to resolve the issue. Roll call vote showed 4 ayes and 1 nay by Commissioner Fitzgerald.
 - i. Commissioner Adleman made a motion to approve Resolution 6179 approving use of MFT funds for 2021 Streets Projects. Commissioner Morse second the motion. Commissioner Adleman said the funds would be to finish De La Tour, Pheon Dr., and Lozenge Dr. The determination was based off of the 2016 Street Study. Commissioner Fitzgerald asked what the City would do about Hayes and Liston? Commissioner Adleman said it doesn't make sense to do those streets until the sewer construction is completed, but Hayes and Liston would most likely be completed in 2022 or 2023. WWTP Superintendent, Jeff Reininger said there will still

be some heavy-duty traffic on those roads until the new plant is completed. Commissioner Adleman said they considered the cold patch expense; that has been spent on the De La Tour area vs. on Hayes Ave, however, it was determined that the MFT funds would be best used for the De La Tour streets as recommended. Commissioner Fitzgerald said residents on Hayes were promised their street would be taken care of. Commissioner Fitzgerald said he has listened to residents on Hayes Ave. ask for something to be done with the streets there and would like to have that area taken care of first. Commissioner Adleman clarified what would be done with the project. Street Superintendent, Mike Murphy said this project would finish the area, and would last 20 years. Mr. Murphy said this would be the best project for the money to be spent, and would help eliminate excessive manpower and money being spent on cold patch on streets that do not hold the patches because of heavy traffic. Mr. Murphy also said this project will not include any sidewalks or ADA compliance areas. Commissioner Hedrington said there are other areas that need taken care of like South Hackett. Commissioner Hedrington said there could be cut outs done in the roads that could be done that would help as well. Roll call vote showed 3 ayes and 2 nays by Commissioners Fitzgerald and Hedrington.

- j. Commissioner Morse made a motion to approve seeking a Proposal and Court Order to appoint Orput Companies as Receiver for the Garden Hotel. Attorney Sosnowski said Staff has concerns with the ongoing issues including the need to respond to calls for break-ins, the additional staff time and expense spent on patrolling and boarding up the property at the Garden Hotel. Foreclosure is still pending. The City has had some response from Attorneys that have indicated that they are representing the owners of the Hotel. The matter will be up in court next month for a status on the City's pending foreclosure. The Counsel handling the case for the City has recommended that the City request a receiver to be put in place. Quotes were obtained and received. At most, the amount would be \$2,000 monthly. The City would have to ask the court if a receiver could be appointed and approved. If approved by the court, Orput Companies would walk the property inside and outside once a week, and guarantee a response to calls. Any amount paid would get credited to what the City already paid to credit bid the property on the foreclosure proceeding. Police would still need to respond. Commissioner Hedrington asked what the current cost is now. Street Superintendent, Mike Murphy said he would estimate his department has been there at least 5 times in the past 3 months. Attorney Sosnowski said Orput Companies would be responsible for maintaining the security of the property and explained the process for how this could be done. Mayor Rehl said if approved, the funds spent would be added in as part of the funding the City would seek for recovery in court. Attorney Sosnowski said the services would be on a weekly basis and reviewed what Orput Companies would do as the caretaker of the property. If approved, the court would need to approve the receiver, and a contract would need to be drafted for the services. If the receiver is not put in place, there should be a modification to the Street Department budget. Council determined the money would best be spent into the City continuing to maintain the property. Roll call vote showed 5 nays. The motion failed.
- k. Commissioner Adleman made a motion to approve advertising for hiring a new employee for the Waste Water Treatment Plant. Commissioner Morse second the motion. Mayor Rehl said the City was aware there would need to be an additional hire for the WWTP once it got closer to full operation. Commissioner Hedrington asked if the new hire would be required to have a CDL License. WWTP Superintendent, Jeff Reininger said the WWTP Department only has 1 CDL vehicle. Commissioner Hedrington said the Street Department may need to have employees from the WWTP Department to assist with snow plowing. It was determined a CDL License would be required as part of the position. Roll call vote showed 5 ayes.

MISCELLANEOUS LICENSES:

1. Business License's:
 - a. Best of Beloit Vintage Mall & U-Haul

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

2. RLE's:
 - a. Isaac Figgins III – Jena's

Commissioner Morse made a motion to approve the license second by Commissioner Fitzgerald. Voice vote carried the motion.

EXECUTIVE SESSION:

At 6:12 pm on a motion made by Commissioner Adleman second by Commissioner Fitzgerald. The purpose for Executive Session is to:

1. Discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees as provided by 5 ILCS 120/2 (c)(1) of the Illinois Open Meetings Act.
2. 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.

RECONVENE TO
OPEN SESSION:

At 6:33 pm.

ROLL CALL:

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

ORDER OF BUSINESS:

None

ADJOURN:

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

Mayor

City Clerk

Approved: