

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
February 1, 2021

CALL TO ORDER: 5:08 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
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance via conference call:
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 Fitzgerald made a motion to approve the agenda amending the numbers on Resolutions under New Business as follows:
a. 6174 to 6204
b. 6175 to 6205
c. 6176 to 6206
d. 6177 to 6207
e. 6178 to 6208
f. 6179 to 6209
Commissioner Morse second the motion. Voice vote carried the motion.

PUBLIC COMMENT: Angelo Eterno introduced himself and gave a brief bio. Mr. Eterno said he is running for the Rockton Township Supervisor in the next election. Mr. Eterno said he believes there needs to be a change of people on the board.

APPROVAL OF MINUTES:
1. Commissioner Morse made a motion to approve the minutes of the Regular Council Meeting held on January 4, 2021, and the minutes of the Regular Council Meeting held on January 19, 2021. 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 January 16-29, 2021 in the amount of \$422,755.36. Commissioner Adleman second the motion. Roll call vote showed 5 ayes.
2. Attorney Report:
None
3. 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

UNFINISHED BUSINESS:
1. Discussion and/or Motion Items:
a. Commissioner Adleman made a motion to approve Ordinance 2549 amending Chapter 106 Utilities, Article III Sewers and Sewage Disposal, Section 106-160 of the City of South Beloit Code of Ordinances. Commissioner Morse second the motion. Attorney Szeto said the ordinance was previously laid over from the last Regular Council Meeting. The ordinance has

to do with the Rock River Water Shed (RRWS). The ordinance proposed a one-time fee that would be charged on the sewer bills of \$4.00 for the initial \$15,000 fee and .34 cents thereafter per month for the annual fees of belonging to the RRWS. Attorney Szeto explained the City is already a member of the RRWS. WWTP Superintendent, Jeff Reininger currently serves on the board. Standards include what levels can be discharged into the Rock River. The State of Illinois gave cities options of putting together their own plans, or allowing regions to group together and split the costs. The costs include belonging to the RRWS for testing in order to respond to the Illinois Department of Natural Resources (IDNR) and the Illinois Environmental Protection Agency (IEPA), and the consultants. Attorney Szeto said if the city was not part of the RRWS and providing input as to what standards should be, the state would likely set high standards that we would then just have to follow. Council discussed whether the fees should be passed on to the residents on the sewer bill, or if the city should absorb the fee and find the funding from another source such as the General Fund. Commissioner Adleman asked Supt. Reininger if he believes the fee will be static or if the annual cost would be adjusted. Supt. Reininger said the cost should be less than projected and should go down. Commissioner Hedrington asked what other communities are part of the RRWS. City Engineer, Seth Gronewold said every municipality along the Rock River watershed. Mr. Gronewold said this is not just for wastewater, but also includes storm sewer water as well. Mr. Gronewold added that it's an effort to identify issues and standards along the watershed. Mr. Gronewold said Jeff has been proactive regarding ensuring the cost is split fairly for the size of each user within the RRWS, and it's beneficial having him serve on the board. After discussion, Council agreed they would not be in favor of passing the additional cost on to the residents. Funding would come out of the General Fund each year. Roll call vote showed 5 nays. The motion failed.

NEW BUSINESS:

1. Discussion and/or Motion Items:

- a. Commissioner Morse made a motion to approve Resolution 6204 approving Grant Agreements for the South Beloit Step One Grant. Commissioner Fitzgerald second the motion. Mayor Rehl said the Resolution is regarding the grant agreements that were awarded to bars and restaurants that applied for the grant. Finance Director, Don Elliott said the applicants had to submit expenses that qualify for funding. Not all bars and restaurants applied for the grant, and not all that applied were awarded funds. Council discussed the process of the applications, what businesses applied, and what businesses did not qualify for the grant. Commissioner Hedrington said he was not happy that there were funds being awarded to one business that have not been compliant, and was reported on the news as being non-compliant with the Governor's Executive Orders during Covid. Roll call vote showed 5 ayes.
- b. Commissioner Fitzgerald made a motion to approve Resolution 6205 approving Change Order No. 6 for the City Hall project by Sjoström & Sons in the amount of \$1,580.15. Commissioner Adleman second the motion. Roll call vote showed 5 ayes.
- c. Commissioner Fitzgerald made a motion to approve Resolution 6206 approving pay application Number 3 regarding the City's ADA project at City Hall in the amount of \$37,981.33. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.
- d. Commissioner Morse made a motion to approve Resolution 6207 approving a refund to the Illinois Department of Transportation (IDOT) for the Oak Grove Avenue and Doner Drive project in the amount of \$22,606.95. Commissioner Hedrington second the motion. City Engineer, Seth Gronewold explained the cost reduction, stating that IDOT overpaid the City for the project. The City needs to reimburse the refund amount back to IDOT. Roll call vote showed 5 ayes.
- e. Commissioner Hedrington made a motion to approve Resolution 6208 approving the purchase of repairs to the Baldor Blower at the Waste Water Treatment Plant by McGilvra Electric at a cost not to exceed \$2,580.00. Commissioner Adleman second the motion. Roll call vote showed 5 ayes.
- f. Commissioner Morse made a motion to approve Resolution 6209 approving the purchase of a Stryker Power-Load System for the Fire Department at a cost not to exceed \$32,900.00. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.
- g. Council discussed the current Driveway Ordinance. Attorney Szeto provided a copy of the current ordinance. Commissioner Fitzgerald said he does not agree with the required 8' of base and believes that is too much of a required base for a residential driveway. Commissioner Fitzgerald said he does not believe the City should tell residents how much base is required with the exception of the driveway that is in the City's right-of-way. Commissioner Fitzgerald said he believes the aggregate base is more for drainage. Mayor Rehl asked City Engineer, Seth Gronewold to compare better vs. best requirements. Mr. Gronewold said according to IDOT's

manual regarding the base, the requirement is more for pavement design computation and is for stability and not just drainage. The bare minimum standard is 8" of base, and 3" of aggregate. Mr. Gronewold said the same requirement is used for bike paths. Attorney Szeto reviewed several other local municipalities, that ranging from 6" base 2" aggregate to 8" base with 3" aggregate. Attorney Szeto said Rockton does not have their requirements codified, however; he spoke with the Village Engineer and was told that his recommendation would be 10" base with 3" aggregate. Commissioners Fitzgerald and Hedrington said they believe for new construction the requirement should be 8" base with 3" aggregate, however; any driveways being replaced should only require 6" of base due to base previously being down. Mr. Gronewold said sometimes there's no base on old driveways, and asked how driveways could be enforced to know if there was previous base or not. Zoning Officer, Jessica Roberts was attending virtually, and said Council should be aware when enforcing standards in the City's right-of-way vs. standards on private property, and agreed that could be an issue. Attorney Szeto asked if it would be practical to have separate requirements for the private portion of the driveway, and the right-of-way portion of the driveway. Commissioner Fitzgerald said there is an issue with contractors that do work in the City that are not according to the City's specifications. Commissioner Fitzgerald said he believes the permit should have both the owner and contractor being responsible for the work being done. Commissioner Morse said he believes the issue is not a City issue, and the issue is between the property owner and the contractor. Commissioner Morse said it's not the City's responsibility. Commissioner Fitzgerald said he doesn't want contractors to be able to do work in the City if they aren't following the required specifications. Commissioner Adleman said he would agree the contractor and owner should both sign the application, however; does not think the City should care what the amount of base should be on the private portion of the driveway. Commissioner Fitzgerald said he does not believe the City should go on private property to see how deep the base is. Mayor Rehl said the City has to have standards. The biggest complaint he hears is that the City looks awful because of the gravel driveways. Council needs to determine if the ordinance regarding the base amount of 8" needs to be revised or not. Clerk Patrick asked what the requirement would be for new construction. Mayor Rehl said recent building proved that new construction brings issues as well with contractors who did not build according to the City standards. Attorney Szeto said the Council, as policy makers, needs to set the standards of quality first for how they want the City to look then deal with the issue regarding the contractors following the rules. Also, set a standard that will not need to have exceptions or need to be continually changed. Setting standards then changing or making exceptions creates additional problems. Attorney Szeto said when exceptions are requested, the Council appears to then second guess the policy that was made, and further problems are created. Commissioners Fitzgerald and Hedrington believe 8" would still be too much for private driveways. Council discussed the 6" base and 6" concrete requirement. Mr. Gronewold said the requirement for concrete would be nothing less than 6" for vehicle loading. Mr. Gronewold said asphalt relies more on the base for structural strength. Concrete doesn't need as much structural strength because of the composition strength itself. Both recommendations for asphalt and concrete are for pavement design itself. Commissioner Morse said the City needs to keep the standard that's been set and stop cheapening the City. Commissioner Adleman agreed with Commissioner Morse, but asked how to enforce the issue. Attorney Szeto suggested adding the contractor to the application as an additional signature required for the application. Consensus regarding amending the current ordinance standard from 8" base and 3" asphalt was no from Commissioners Morse, Adleman, and Mayor Rehl, and yes by Commissioners Fitzgerald and Hedrington. The permit will be amended to provide that both contractors and owners need to sign the permit application and in signing, they acknowledge that they are familiar with the codes and regulations of the City and will follow them; however, the ordinance remains as it currently is. Contractors will be notified of the change to the permit.

- h. Council discussed possible revisions to the Recreational Vehicle Ordinance. Attorney Szeto provided drawings from the current Driveway Ordinance for Council. Attorney Szeto said staff has always interpreted the ordinance regarding the flare as being a driveway extension of the driveway and would therefore need to be asphalted. Council discussed the need to have the flare to be able to have access get to the side pad, which can be gravel, asphalt, or concrete. Council agreed the intent of the flare addition would be to have access to the side pad. Consensus was the ordinance should be amended to change the flare as an access to the side pad, and not be considered as an extension of the driveway. The maximum of 2 RV's allowed at all times remains, and only 1 RV can be parked in the driveway during the seasonal parking of April 15th - October 15th. Attorney Szeto said a City Newsletter has been drafted and will be sent out with

the sewer billing regarding the RV Ordinance. Enforcement for the new RV seasonal parking will begin on October 15th.

- i. Zoning Official, Jessica Roberts spoke to Council regarding current zoning and fence permits. Currently, the City does not have any fees for certain permits. Ms. Roberts suggested a fee of \$25.00. Council would like to have the opportunity to consider the matter. Clerk Patrick will call around and get a consensus from Council to get thoughts and opinions.

City Engineer, Seth Gronewold provided a financial update for the Waste Water Treatment Plant. Mr. Gronewold said there has been \$30,000,000 in construction completed (not paid). The City is still holding 1.9% (\$4,000,000) retainage. The total payout via the IEPA Loan is just over \$28,000,000. The total contract is currently at \$33,993,000. The original construction amount was \$34,000,000. Currently there is a total deduction of \$709,000. Mr. Gronewold said the project is a lump sum, and the cost does not go up unless there are change orders. Per schedule, the majority of the plant will be started up in March, and the full plant will start up in November 2021.

MISCELLANEOUS
LICENSES AND PERMITS:

1. Miscellaneous Licenses:
 - a. Dennis Smith
 - b. Dione Desigz
 - c. Hippie Chic Beauty & Boutique

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

EXECUTIVE SESSION:

1. At 7:12 pm on a motion made by Commissioner Adleman second by Commissioner Morse. The purpose for Executive Session is to:
 1. Discuss personnel issues as provided by 5 ILCS 120/2 (c)(1) of the Illinois Open Meetings Act.

RECONVENE TO
OPEN SESSION:

At 7:48 pm.

ROLL CALL:

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

ORDER OF BUSINESS:

None.

ADJOURN:

At 7:48 pm on a motion made by Commissioner Adleman second by Commissioner Fitzgerald. Voice vote carried the motion.

Mayor

City Clerk

Approved: