

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
July 6, 2021

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 Wiktoria Goscik was present
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance:
Police Chief Adam Truman
Fire Administrator Dan Zerfass
Waste Water Treatment Plant Superintendent Jeff Reininger

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 Adleman second the motion. 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 21, 2021. Commissioner Morse second the motion. Voice vote carried the motion.
2. Commissioner Fitzgerald made a motion to lay over the minutes of the Public Hearing held on June 21, 2021. Commissioner Hedrington second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:

1. Finance:
Commissioner Adleman made a motion to approve the claims to be paid from June 19-July 2, 2021 in the amount of \$494,133.28. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
1. 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. From the Zoning Board of Appeals Meeting held on May 19, 2021 a negative recommendation was given regarding a Special Use Permit in the (CT) Commercial Traffic Zoning District to allow a Planned Unit Development for a free-standing electronic message sign and pylon sign in excess of height and size with the address 7000 First Ranger Drive, South Beloit, Illinois, Winnebago County, with PIN No. 04-03-300-019. Commissioner Adleman made a motion to approve Ordinance 2620 approving a Special Use Permit in the (CT) Commercial Traffic Zoning District to allow a Planned Development for a free-standing electronic message sign and pylon sign in excess of height and size with the address 7000 First Ranger Drive, South Beloit, Illinois, Winnebago County with PIN No. 04-03-300-019. Commissioner Hedrington second the motion. Zoning Official, Jessica Roberts attended via phone conference. Mayor Rehl asked if Ms. Roberts was able to meet with Attorney Keys regarding the Special Use Permit. Ms. Roberts said they were able to meet and reviewed the suggested conditions for the sign approval. Commissioner Fitzgerald asked why the condition referenced changing white vinyl

window coverings to black vinyl window coverings if the Special Use Permit was for an electronic sign. Ms. Roberts explained the Planned Unit Development could allow the focus to be on the vinyl window coverings due to the belief that there would not be any effort in the change of size or reduction in the height of the sign on the applicants' part. This criteria could accomplish higher architectural features without reducing the signage. Attorney Marvin Keys was present on behalf of the applicant. Attorney Keys said there were no issues with any of the conditions with the exception of the vinyl window coverings. Attorney Keys said he was not able to confirm if changing the window coverings to black would be something the applicant would be willing to do, or if it would cause a hardship. Attorney Keys asked that condition #2 not be a requirement. Attorney Goscik said the ordinance did not include any conditions as it was written. Commissioner Adleman made a motion to amend the ordinance to include all conditions excluding condition #2. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes. Commissioner Fitzgerald made a motion to approve the ordinance as amended. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.

NEW BUSINESS:

1. Discussion and/or Motion Items:

- a. Max Rude was sworn in by the City Clerk as a Full Time Fire Fighter
- b. Commissioner Morse made a motion to approve a request for a Community Picnic at the City Park from noon – 8 pm for 300-350 people from Gujarati samaj n il on August 1, 2021. Commissioner Fitzgerald second the motion. Voice vote carried the motion.
- c. Commissioner Adleman made a motion to approve Ordinance 2630 approving a Class A, and Class J Liquor License for Seed Real Estate, LLC Hidden Creek Series. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.
- d. From the Zoning Board of Appeals meeting held on June 16, 2021 a positive recommendation was given regarding a Text Amendment to Chapter 118-Zoning, Article III – Districts, Section 118-182 (CG) Commercial General District, (d) Special Uses to add (17) Methadone Clinic, as a Special Use Permit in the (CG) Commercial General District of the City of South Beloit Code of Ordinances. Commissioner Hedrington made a motion to approve Ordinance 2631 approving a Text Amendment to Chapter 118-Zoning, Article III – Districts, Section 118-182 (CG) Commercial General District, (d) Special Uses to add (17) Methadone Clinic, as a Special Use Permit in the (CG) Commercial General District of the City of South Beloit Code of Ordinances. Commissioner Adleman second the motion. Commissioner Adleman said he has researched the item and is not sure this type of clinic is needed in the City of South Beloit. Commissioner Adleman said he would prefer it not be allowed. Attorney Goscik advised that legally, this type of clinic has to be permitted somewhere in the city. Commissioner Fitzgerald asked if the requirement was the same for all cities. Attorney Goscik said in her research of other municipalities she found that some allow the clinics outright and others require them as a Special Use. Commissioner Adleman asked why Council has to go through the process if this type of clinic is required to be permitted. Attorney Goscik explained the process is to amend the code. Commissioner Adleman said there are other cities close to South Beloit that currently have Methadone Clinics, and does not believe the City would need a clinic at this time. Commissioner Adleman said he spoke with Police Chief Truman and Fire Administrator Zerfass to see if there would be a need based on South Beloit's population. Commissioner Fitzgerald asked if the clinic would serve both Illinois and Wisconsin. Commissioner Adleman said through his research as long as the patient's insurance covers the visit, they could be served at this location. Mayor Rehl asked Chief Truman if he believed there would be any issues. Chief Truman said he reached out the Winnebago County Overdose Prevention Specialist and found there are over 100 Methadone Clinics in Illinois. The clinics have proven to be helpful with addiction. Chief Truman said the Specialist believes this type of clinic would be good for South Beloit, however; there have been no problems within the city. Attorney Goscik said the applicant also operates another Methadone Clinic in Loves Park. Zoning Official, Jessica Roberts said the text amendment would allow the use in the Commercial General Zoning District as a Special Use. Mayor Rehl said the text amendment would provide the vehicle to apply for the use. Attorney Goscik advised this Council may not see a need now, however; in 5 years a new Council could allow the use. Fire Administrator Zerfass said the Tollway Inn has had issues with overdoses. Narcan is often used by friends who are present with the overdosed person to bring the overdosed person back. Commissioner Adleman said he believes there was discussion a few weeks ago regarding expired doses of Narcan. Chief Truman said the city had expired doses of Narcan, but now has received fresh doses. Commissioner Adleman said the expired doses further show the city does not currently need a clinic. Council agreed to add the text amendment at this time. Roll call vote showed 5 ayes.

- e. From the Zoning Board of Appeals meeting held on June 16, 2021 a positive recommendation was given regarding a Special Use Permit in the (CG) Commercial General Zoning District for a Methadone Clinic at the property located at 1409 Pate Plaza, South Beloit, Illinois, Winnebago County, with PIN No. 04-04-100-002. Commissioner Adleman made a motion to approve Ordinance 2632 approving a Special Use Permit in the (CG) Commercial General Zoning District for a Methadone Clinic at the property located at 1409 Pate Plaza, South Beloit, Illinois, Winnebago County, with PIN No. 04-04-100-002. There was no second to the motion. The motion died for a lack of a second.
- f. From the Zoning Board of Appeals meeting held on June 16, 2021 a negative recommendation was given regarding a Zoning Map Amendment from the (CR) Commercial General Zoning District to the (R2) Two-Family Residential Zoning District for the property commonly known as 507 Northwestern Avenue, South Beloit, Illinois, Winnebago County, with PIN No. 04-05-306-003. Commissioner Fitzgerald made a motion to approve Ordinance 2633 approving a Zoning Map Amendment from the (CR) Commercial General Zoning District to the (R2) Two-Family Residential Zoning District for the property commonly known as 507 Northwestern Avenue, South Beloit, Illinois, Winnebago County, with PIN No. 04-05-306-003. Commissioner Adleman second the motion. Zoning Official, Jessica Roberts said the property is currently zoned as Commercial Retail (CR) along with the 4 lots adjacent to the property. The CR intent was to be re-developed along Blackhawk Blvd. The property is in the middle of CR zoning. Staff and the Zoning Board of Appeals recommended denial primarily because if the property was re-zoned the property would still be non-conforming. Ms. Roberts said although commercially zoned property can still be maintained there is still the ability to acquire property that is CR zoned. Ms. Roberts said the property was recently sold. Ms. Roberts said the City's Comprehensive Plan shows mixed commercial use, and added the property would still be non-conforming in size. Ms. Roberts added if the property was destroyed it could not be built as a home, but could be converted to a small retail shop. Mayor Rehl said the concern was not being able to sell the property. Commissioner Hedrington said years ago the road was constructed differently, which is why the properties were zoned as CR. Council agreed the desire was to leave the zoning as commercial. Roll call vote showed 5 nays. The item failed.
- g. From the Zoning Board of Appeals meeting held on June 16, 2021 a positive recommendation was given regarding a Variance in the (IL) Light Industrial Zoning District, and Article IX Off-Street Parking and Loading, for parking lot dimensions and drive aisle from the permitted 5 feet setback down to 0 feet and the drive aisle of 24 feet down to 19 feet for the property located at 667 Progressive Lane, South Beloit, Illinois, Winnebago County with PIN No. 04-18-102-007. Commissioner Adleman made a motion to approve Ordinance 2634 approving a Variance in the (IL) Light Industrial Zoning District, and Article IX Off-Street Parking and Loading, for parking lot dimensions and drive aisle from the permitted 5 feet setback down to 0 feet and the drive aisle of 24 feet down to 19 feet for the property located at 667 Progressive Lane, South Beloit, Illinois, Winnebago County with PIN No. 04-18-102-007. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
- h. Commissioner Morse made a motion to approve Resolution 6243 authorizing the City to sell surplus property. Commissioner Adleman second the motion. Attorney Adleman said previous discussions were had regarding the property located at 866 Marvin. Commissioner Adleman would like this property removed from the list of surplus properties. Commissioner Morse said there have been discussions regarding re-developing the ball diamond on the north side of the park. Attorney Goscik said she would strike this property from the Resolution. Roll call vote showed 5 ayes.
- i. Commissioner Adleman made a motion to approve Resolution 6244 approving an Agreement with Warner Electric, LLC. Commissioner Fitzgerald second the motion. Commissioner Adleman said he was contacted by Warner Electric, who is testing a clutch on a mower and offered the mower to the City to test the new mower at no charge. Roll call vote showed 5 ayes.
- j. Commissioner Morse made a motion to approve Resolution 6245 approving and authorizing the Mayor to sign an Agreement with Fehr Graham for Construction Engineering Services for the Bike Path. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.
- k. Commissioner Morse made a motion to approve Resolution 6246 approving the Final Pay Estimate regarding the City's MFT Street Project, City Hall Parking Lot Project, and the City Fire Department Parking Lot Project. Commissioner Fitzgerald second the motion. City Engineer, Brandon Boggs reviewed the work done for each project. Roll call vote showed 5 ayes.
- l. Commissioner Hedrington made a motion to approve Resolution 6247 appointing member to the Library Board as follows:
 - Crystal Ellis is hereby appointed to a three (3) year term that expires on July 1, 2024.

- Commissioner Adleman second the motion. Roll call vote showed 5 ayes.
- m. Commissioner Fitzgerald made a motion to approve Resolution 6248 appointing member to the Police and Fire Commission Board as follows:
- Robert McLain is hereby appointed to complete the three (3) year term of Erick Wnuck with said term to expire December 31, 2023.
- Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.
- n. Commissioner Morse made a motion to approve Resolution 6249 re-appointing members to the Police and Fire Commission Board as follows:
- Tracy Switzer-Cacciapaglia is hereby re-appointed for a term of one (1) year with said term to expire December 31, 2021.
 - Todd Strasser is hereby re-appointed for a term of two (2) years with said term to expire December 31, 2022.
- Commissioner Adleman second the motion. Roll call vote showed 5 ayes.

MISCELLANEOUS
LICENSES AND PERMITS:

1. Business Licenses:
 - a. Hidden Creek
2. Miscellaneous Licenses:
 - a. Hidden Creek Estates
3. RLE's:
 - a. Olivia Cimino-Hidden Creek Estates
 - b. Adeline Doyle-Quick Hit Slots
 - c. Aaron Frank-Hidden Creek Estates
 - d. Kimberly Malavolti-Hidden Creek Estates
 - e. Jared Malavolti-Hidden Creek Estates
 - f. Rohitkumar Patel-Quick Hit Slots
 - g. Lois Ware-Quick Hit Slots

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

EXECUTIVE SESSION:

At 5:56 pm on a motion from Commissioner Morse second by Commissioner Fitzgerald the council approved going in to executive session. 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.

Voice vote carried the motion.

RECONVENE TO
OPEN SESSION:

At 6:53 pm.

ROLL CALL:

Roll call showed all members at the reconvening of the meeting.

ORDER OF BUSINESS:

None.

ADJOURN:

At 6:53 pm on a motion made by Commissioner Adleman second by Commissioner Fitzgerald. Voice vote carried the motion.

Mayor

City Clerk

Approved: