

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
July 19, 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, and Mayor Rehl.
Commissioners Hedrington and Morse were absent
City Attorney Wiktor Goscik was present
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance:
Police Sergeant Dan Roggenbuck
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 Adleman made a motion to approve the minutes of the Regular Council Meeting held on July 6, 2021, and the minutes of the Public Hearing held on June 21, 2021. Commissioner Fitzgerald second the motion. Voice vote carried the motion.

NEW BUSINESS:
1. Commissioner Fitzgerald made a motion to approve Resolution 6250 approving the selection of Foth Companies for the Zoning and Subdivision Codes rewrite. Commissioner Adleman second the motion. Jeff Muenkel and Orrin Sumwalt were present from Foth Companies. Council discussed the need for updating the City's Zoning and Subdivision Code. Zoning Official, Jessica Roberts was present. Ms. Roberts said there was optional Services that are available for the update that include Zoninghub Implementation and Visioning 2D/3D Modeling, however Ms. Roberts said she did not believe those services were needed at this time. Mr. Muenkel said if the City would like the additional services they could be added at a later date. The cost of the update without the additional services is \$74,000. Mr. Muenkel reviewed the process of the update, and said the timeline would take approximately 8 months. Mr. Muenkel said there would be a Guiding Committee that would include staff and some Council members. Mr. Muenkel said there would most likely be a Planning Charette to address questions. Commissioner Fitzgerald asked if the code would still be able to be amended after the update is complete. Ms. Roberts said the code could be amended after the adoption of the change as there may be tweaks that need to be made. Ms. Roberts said the code has not been updated since 1972. Commissioner Adleman made a motion to amend the motion for the selection of Foth Companies for the rewrite of the Zoning and Subdivision Codes at a cost of \$74,000. Commissioner Fitzgerald second the motion. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse. Commissioner Fitzgerald made a motion to approve Resolution 6250 as amended. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse.

REPORT OF OFFICERS:
1. Finance:
Commissioner Adleman made a motion to approve the claims to be paid from July 3-16, 2021 in the amount of \$314,794.39. Commissioner Fitzgerald second the motion. Roll call vote showed 3 ayes and 2 absent from Commissioners Hedrington and Morse.

1. Attorney Report:
None

3. Commissioner's Report:

Accounts & Finance-Commissioner Tom Fitzgerald

Health & Public Safety

Streets & Public Improvement-Commissioner Ryan Adleman

NEW BUSINESS CONTINUED:

1. Discussion and/or Motion Items:

- a. Commissioner Adleman made a motion to approve Ordinance 2635 amending Chapter 6 Alcoholic Beverages, Article III, Retail License, Section 6-82 of the City of South Beloit Code of Ordinances. Commissioner Fitzgerald second the motion. Attorney Goscik explained the ordinance would provide an additional class of Liquor License for convenience/fuel stores to have video gaming. Attorney Goscik said the establishments would only be able to serve beer and wine. Council discussed the annual fee for the license, if there would be a maximum number of licenses allowed, and if the area for gaming would need to be limited for square footage. After discussion Council determined the cost of the added license would be in addition to the Class D Liquor required for convenience/fuel stores. The cost would be \$6,700 for 2021, and increase to \$7,500 in line with the same fee as the Bar Boutique license. It was also determined there would be no limit to the license allowed, and there would be no square footage maximum. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse.
- b. Commissioner Adleman made a motion to approve Ordinance 2636 amending Chapter 6, Alcoholic Beverages, Article IV, Employees, Section 6-111 of the City of South Beloit Code of Ordinances. Commissioner Fitzgerald second the motion. Attorney Goscik said there have been businesses that have asked for the serving age to be lowered to 18-year-olds. Council discussed the requirement for the Retail Employee License as well as Bassett Training. Sergeant Roggenbuck said 18-year-olds should be required to have the same License and Bassett Training. Sergeant Roggenbuck added that if officers had to go in to an establishment, they would not be able to discern why an 18-year-old would have a drink if they aren't old enough to legally drink. Commissioner Adleman said he believes the request is due to a shortage of workers. Council agreed if the age limit is lowered to 18 to be able to serve, the server would need to have a uniform or wear something indicating they are a server. Council determined a bartender would still need to be on the premise, and the bartender would be required to be 21 years old. After further discussion, Commissioner Adleman made a motion to layover Ordinance 2636. Commissioner Fitzgerald second the motion. Voice vote carried the motion.
- c. Commissioner Fitzgerald made a motion to approve Ordinance 2637 amending Section 10-3 of Chapter 10, Animals, Article I, In General, of the City of South Beloit Code of Ordinances. Commissioner Adleman second the motion. Attorney Goscik said the ordinance is cleaning up the bee keeping and hives portion of the Code. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse.
- d. Commissioner Fitzgerald made a motion to approve Ordinance 2638 amending Chapter 34 Environment, Article III, Nuisance, Section 34-65 of the City of South Beloit Code of Ordinances. Commissioner Adleman second the motion. Attorney Goscik said the amendment is changing the charge for mowing fees the City charges for properties that aren't mowed to a 1-hour minimum charge. Commissioner Adleman said charging more would not make people pay the fees, and recommended a lower fee. Mayor Rehl said there are additional costs along with the mowing and believes there needs to be a minimum fee. Attorney Sosnowski was present and said staff asked for the fee amount. Attorney Sosnowski reviewed the process and time efforts Code Enforcement puts into the notices for sending the violations. Attorney Sosnowski added the City has a contract for lawn mowing services that the City is charged for. The purpose is to capture all the costs involved, not just the mowing time. Commissioner Adleman said he would like to see a percentage of the fines go back to the street department in order to help pay for equipment upkeep as well as staff time. Attorney Sosnowski suggested ½ of the fee be designated to the street department and ½ of the fee be designated to the Code Enforcement Department. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse.
- e. Commissioner Fitzgerald made a motion to approve Ordinance 2639 amending Chapter 86 – Streets, Sidewalks and Other Public Places, Article III, Construction of Sidewalks of South Beloit Code of Ordinances. Commissioner Adleman second the motion. Attorney Goscik said the ordinance was drafted requiring homeowners to complete and submit an application for any sidewalks on private property in order to determine if the construction complies with any zoning requirements. Commissioner Fitzgerald said he believes the requirement is an intrusion.

- City Engineer, Brandon Boggs said the review would look at drainage and utility easements that may be encroached on or covered up. Attorney Sosnowski said without a permit the City would have no knowledge if the sidewalk construction would meet the zoning requirements that also includes setbacks. After further discussion, Commissioner Adleman made a motion to layover the ordinance, second by Commissioner Fitzgerald. Voice vote carried the motion.
- f. Commissioner Adleman asked that Resolution 6251 appointing Sonya Hoppes to serve as City Administrator be laid over due to the decision being huge and important. Commissioner Adleman said he would prefer all Council Members be present to vote. Mayor Rehl said there would be a Special Meeting on July 27th. Council could add the item to the agenda and vote at that meeting. Commissioner Adleman made a motion to layover Resolution 6251. Commissioner Fitzgerald second the motion. Voice vote carried the motion.
 - g. Commissioner Fitzgerald made a motion to approve Resolution 6252 approving a Waiver and Release Agreement. Commissioner Adleman second the motion. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse.
 - h. Commissioner Adleman made a motion to approve Resolution 6253 authorizing the Thirty-third IEPA Loan Disbursement in the amount of \$775,023.24. Commissioner Fitzgerald second the motion. Roll call vote showed 3 ayes and 2 absent by Commissioners Fitzgerald and Morse.
 - i. Commissioner Adleman made a motion to approve Resolution 6254 appointing member to the Zoning Board of Appeals as follows:
 - Patrick O’Gorman is hereby appointed as a Member of the Zoning Board of Appeals to fill the unexpired five (5) year term of Greg Guth with said term to expire September 2021. In addition, Patrick O’Gorman is hereby appointed to serve a five (5) year term thereafter, with said term to expires September 2026.
 Commissioner Fitzgerald second the motion. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse.
 - j. Commissioner Adleman made a motion to approve Resolution 6255 appointing Courtney Prentice as chairperson to the Zoning Board of Appeals. Commissioner Fitzgerald second the motion. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse.
 - k. Commissioner Fitzgerald made a motion to approve Resolution 6256 re-appointing member to the Police Pension Board as follows:
 - Elizabeth Rozsa is hereby appointed to a two (2) year term set to expire on the second Tuesday of May, 2023.
 Commissioner Adleman second the motion. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse.
 - l. Commissioner Fitzgerald made a motion to approve Resolution 6257 re-appointing members to the Stateline Mass Transit Board as follows:
 - Phil Samuels is hereby re-appointed as Trustee for the SMTD for a term of one (1) year with said term to expire in July 2022.
 - Pam Clifton is hereby re-appointed as Trustee for the SMTD for a term of two (2) years with said term to expire in July 2023.
 - Gus Larson is hereby re-appointed as Trustee for the SMTD for a term of three (3) years with said term to expire in July 2023.
 Commissioner Adleman second the motion. Roll call vote showed 3 ayes and 2 absent by Commissioners Hedrington and Morse.

MISCELLANEOUS
LICENSES AND PERMITS:

1. Business Licenses:
 - a. Vanessa Yoss Photography
2. RLE's:
 - a. Stephanie Johnson-South Beloit American Legion
 - b. Leah Keirn-Hidden Creek
 - c. Laura Olsen-Hidden Creek
 - d. Katherine Trotter-Hidden Creek

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

EXECUTIVE SESSION:

At 6:15 pm on a motion from Commissioner Adleman 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.
 2. Discuss collective negotiating matters as provided by 5 ILCS 120/2 (c)(2) of the Illinois Open Meetings Act.
- Commissioner Fitzgerald second the motion. Voice vote carried the motion.

RECONVENE TO
OPEN SESSION:

At 7:08 pm.

ROLL CALL:

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

ORDER OF BUSINESS:

None.

ADJOURN:

At 7:08 pm on a motion made by Commissioner Adleman second by Commissioner Fitzgerald. Voice vote carried the motion.

Mayor

City Clerk

Approved: