

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
January 21, 2020

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

ROLL CALL: Present & answering to roll call were Commissioners Duffy, Fitzgerald, Hedrington, and Mayor Rehl. Commissioner Morse was absent.
City Attorney Roxanne Sosnowski was present
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance:
Fire Chief Mike Davenport
Police Chief Adam Truman
Public Works Supervisor 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 Duffy made a motion to amend the agenda to remove Items 1 c. and 1 i. under New Business. Commissioner Fitzgerald second the motion. Voice vote carried the motion.
Commissioner Hedrington made a motion to approve the agenda as amended second by Commissioner Fitzgerald. Voice vote carried the motion.

PUBLIC COMMENT: Tim McMahon was present from the Lion's Club. Mr. McMahon said he is upset because the Lion's Club is required to come every year to request funds from the City's Hotel Motel Fund. Mr. McMahon expressed an option that because of the amount of people that attend their events he felt Lion's Club should not have to go before the Council every year. Mr. McMahon is upset that funds are given to Rockford (RAEDC) and Beloit (Visit Beloit) and asked how much money each receives as well as what they do for the community. Mr. McMahon would like to see the funds put back into the community.

APPROVAL OF MINUTES:
1. Commissioner Hedrington made a motion to approve the minutes of the Regular Council Meeting held on January 6, 2020. Commissioner Fitzgerald 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 4-17, 2020 in the amount of \$340,222.43. Commissioner Hedrington second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
2. Attorney Report:
None
4. Commissioner's Report:
Accounts & Finance-Commissioner Tom Fitzgerald
Public Health & Safety-Commissioner Brian Hedrington
Streets & Public Improvements-Commissioner Lori Duffy

UNFINISHED BUSINESS:
1. Discussion and/or Motion Items:
a. Commissioner Fitzgerald made a motion to approve the request for a contribution to the South Beloit Lion's Club in the amount of \$5,000 from the Hotel Motel fund. Commissioner Hedrington second the motion. In discussion Mayor Rehl stated that the City Attorney has always been clear in their opinion to the Council that requests from the Lion's Club for Hotel Motel tax dollars would not qualify unless it was proven that the funds were to be used to

promote tourism and overnight hotel stays. As such it was Mayor Rehl's opinion that the funds not come from the Hotel Motel fund for this request. Mayor Rehl said the Lion's Club is a service club; not the same as the Beloit or Rockford government agencies that receive funds from the Hotel Motel Fund. Mayor Rehl asked that the motion be amended in the amount to \$2,500 from the General Fund. That motion was seconded by Commissioner Duffy. Attorney Sosnowski said there have been previously been several memos drafted regarding the requirements for obtaining funds from the Hotel Motel Tax fund. Attorney Sosnowski reviewed the State Statute requirements. The decisions have always been made as a policy decision by Council. Council discussed the appropriate use of funds that can be given from the fund, and what had been given from the fund in the past. Council also discussed how other municipalities disburse their funds from the Hotel Motel Fund. Attorney Sosnowski advised Council that while the events that are put on by groups such as the Lion's Club, Vets Roll and other clubs are valuable, if the events do not qualify for the funds from the Hotel Motel Fund, it becomes a policy decision as to whether the funds should be given from the City's General Fund. Attorney Sosnowski advised there have been other Municipal Attorneys who have given the opinion that requests for funding these types of groups should not be given from the General Fund. Council discussed the differences between the disbursements given in the past. Commissioner Fitzgerald said he has seen the decision change several times since he has been on Council and would like to have a standard and set a criteria that can be continued from year to year. Roll call vote showed 2 ayes, 1 abstain by Commissioner Fitzgerald, 1 nay by Commissioner Hedrington, and 1 absent by Commissioner Morse. The motion failed. Commissioner Duffy said if funds are given from the General Funds every organization would have to be given funds when requested. Roll call vote for \$5,000 from the Hotel Motel Fund showed 1 aye, 1 abstain by Commissioner Fitzgerald, 2 nays by Commissioner Duffy and Mayor Rehl, and 1 absent by Commissioner Morse. The motion died. Council agreed a policy needs to be established so the issue can be resolved.

NEW BUSINESS:

1. Discussion and/or Motion Items:

- a. Commissioner Duffy made a motion to approve Ordinance 2493 approving a Class EV Special Event Liquor License for Jackson 620 d/b/a The Wheel for an event to be held on February 1, 2020. Commissioner Hedrington second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- b. Commissioner Fitzgerald made a motion to approve Ordinance 2494 amending various provisions of Chapter 102 Traffic and Vehicles, Article II, Stopping, Standing, and Parking, in the City of South Beloit Code of Ordinances. Commissioner Duffy second the motion. Council discussed the need for odd/even parking. Attorney Sosnowski reviewed the concerns that were discussed regarding the need for odd/even parking at the monthly Staff Development and Pre-Code Meetings. Fine amounts for street parking in the event of a Snow Emergency will be \$75.00. A violation of the odd/even parking will be \$30.00. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- d. Commissioner Fitzgerald made a motion to approve Ordinance 2496 amending Various Provisions of Chapter 14. Attorney Sosnowski said the changes are to clean up the language in the code to match the Winnebago County Code. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- e. Commissioner Duffy made a motion to approve Ordinance 2497 amending Chapter 62 Offenses and Miscellaneous Provisions Article 3 Offenses Against the Public Peace. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- f. Commissioner Hedrington made a motion to approve Ordinance 2498 amending Chapter 6 Alcoholic Beverages Article 3 Retail Licenses. Attorney Sosnowski said the amendments will remove the Class C license and will allow all liquor holders to open at 10 am on Sundays. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- g. Commissioner Duffy made a motion to approve Resolution 6100 approving a Settlement Agreement with Berkland Development LLC. Commissioner Fitzgerald second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- h. Commissioner Hedrington made a motion to approve Resolution 6101 approving a Settlement Agreement with Emma Ray. Commissioner Fitzgerald second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- j. Commissioner Hedrington made a motion to approve Resolution 6103 authorizing the addition of The State Bank Group as an Authorized Designated Depository for the City of South Beloit. Commissioner Fitzgerald second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.

- k. Commissioner Duffy made a motion to approve Resolution 6104 authorizing the adoption of the updated Winnebago County Multi-Hazard Mitigation Plan. Commissioner Hedrington second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- l. Commissioner Hedrington made a motion to approve Resolution 6105 approving pay increases for certain employees. Commissioner Fitzgerald second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- m. Commissioner Duffy made a motion to approve a motion to waive formal bidding/quote requirements to allow for the emergency purchase of securing property located at 200 Dearborn Avenue in the amount of \$22,273.43. Commissioner Fitzgerald second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Morse.
- n. Council discussed a possible 1% Sales Tax Referendum for the purpose of street replacement and repairs. Council discussed Rockton and Roscoe, who are both pursuing 1% Sales Tax Referendums. Council discussed the Cannabis tax, however; that will not be enough for road repairs. Council agreed funds the City receives from the Motor Fuel Tax is insufficient to support the street work that is needed in the City. Attorney Sosnowski reviewed the legal steps to place the question for a 1% sales tax on a ballot. Council would need to pass a Resolution for the question regarding the increase to be placed on the ballot. Attorney Sosnowski recommended Council present a clear Public Relations Campaign to show exactly how the funds will be spent, and to add a sunset on the tax. Finance Director, Don Elliott said a 1% sales tax increase would provide between \$500,000-600,000 in additional funds. Council agreed if the question would be asked it should be placed on the Spring ballot.

MISCELLANEOUS
LICENSES & PERMITS:

- 1. RLE's:
 - a. Crysta Churchill-Artisan
 - b. Timothy Lewis Jr-Fas Mart #5156
 - c. Mollie Rae-Mustang's

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

EXECUTIVE SESSION:

- At 6:19 pm on a motion made by Commissioner Duffy second by Commissioner Hedrington. The purpose for Executive Session is to:
- 1. Discuss the purchase or lease of real property as provided by 5 ILCS 120/2 (c) (1) of the Illinois Open Meetings Act.

RECONVENE TO
OPEN SESSION:

At 6:32 pm.

ROLL CALL:

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

ORDER OF BUSINESS:

None

ADJOURN:

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

Mayor

City Clerk

Approved: