

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
May 5, 2025

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

ROLL CALL: Present & answering to roll call were Commissioners Adleman, Hedrington, Morse, Prentice, and Mayor Fitzgerald.
City Attorney Roxanne Sosnowski was present
City Administrator Sonya Hoppes was present
City Clerk Tracy Patrick recorded the minutes
Department Heads in attendance:
Wastewater Superintendent Jeff Reininger
Police Chief Adam Truman
Street Supervisor Ryan Radke
Community Development Director Shawna Henthorn

PLEDGE OF ALLEGIANCE: Led by Mayor Fitzgerald and recited by all members present.

INVOCATION: Finance Director, Donald Elliott delivered the invocation.

APPROVE AGENDA: Commissioner Adleman made a motion to approve the agenda to amend laying over Item d. under New Business to the next Regular Council Meeting. Commissioner Prentice second the motion. Voice vote carried the motion.

PUBLIC COMMENT: Patty LaDue asked when the new parking regulations for odd/even parking will go into effect.
Neeley Erickson with the Illinois Realtors Association thanked Council members for removing the Residential Rental Property Registration from this agenda to obtain more information on the Crime Free Housing component. Ms. Erickson said realtors are experts in the real estate industry, and appreciate the opportunity engage as stake holders. Ms. Erickson said she submitted a Freedom of Information (FOIA) request for the Ordinance that was discussed at the last meeting, and the request was denied. Ms. Erickson expressed concern over not being able to review the draft document.

APPROVAL OF MINUTES: 1. Commissioner Adleman made a motion to approve the minutes from the Regular Council Meeting held on April 21, 2025. Commissioner Prentice second the motion. Voice vote carried the motion.

EXECUTIVE SESSION: At 5:05 pm on a motion made by Commissioner Adleman the council approved going into Executive Session. Commissioner Prentice second the motion. The purpose of Executive Session is to:

1. 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 5:26 pm.

ROLL CALL:

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

ORDER OF BUSINESS:

None

REPORT OF OFFICERS:

1. Finance:

Commissioner Morse made a motion to approve the claims paid from April 18 – May 2, 2025 in the amount of \$193,850.83. Commissioner Adleman second the motion. Roll call vote showed 5 ayes.

2. Attorney Report:

3. Reports:

City Administrator Report and Staff Report
Accounts and Finance-Commissioner Ryan Adleman
Health & Public Safety-Commissioner Ken Morse
Streets & Public Improvement-Commissioner Brian Hedrington
Public Properties-Commissioner Courtney Prentice
Mayor-Tom Fitzgerald

CORRESPONDENCE:

- a. Mayor Fitzgerald read a Proclamation for National Public Works Week

NEW BUSINESS:

1. Discussion and/or Motion Items:

- a. Stephanie Hicks said she is with CARE for PETS, not the Winnebago County Animal Control as the agenda states. Ms. Hicks provided documents for Council members regarding community cats, and Nuisance Prevention Tips for Feral Cats. Ms. Hicks said CARE for PETS partnered with Winnebago County Animal Control and spoke about the concerns for South Beloit's Code of Ordinances concerning its leash law. Ms. Hicks talked about the process for cats that are caught and taken to Animal Control. Attorney Sosnowski said the city previously had a presentation and agreement regarding feral cats; however, she did not know if the agreement was still in place.
Sara McLain spoke about the TNR (trap, neuter, release) program she has been operating since 2022. Ms. McLain said she has helped over 300 cats by trapping, neutering, and releasing, and spoke about the cats that are being euthanized. Ms. McLain spoke about the Animal Welfare Act. Commissioner Adleman said the code regarding animals is outdated. Mayor Fitzgerald said he added the item to the agenda to bring attention to the issue. Mayor Fitzgerald said most communities do not have a leash law. Mayor Fitzgerald would like to see the leash law removed from the code. Direction from Council was to have Attorney Sosnowski work on a revision to the ordinance.
- b. Commissioner Adleman made a motion to approve Ordinance 2846 Adopting a Capitalization Policy. Commissioner Prentice second the motion. Finance Director, Don Elliott reviewed the policy with Council. Roll call vote showed 5 ayes.
- c. Commissioner Adleman made a motion to approve Ordinance 2847 Adding a second Deputy Clerk position to Division 5.5 Deputy City Clerk, Article III Officers and Employees of Chapter 2 Administration of the Code of Ordinances. Commissioner Prentice second the motion. Roll call vote showed 5 ayes.
- d. Ordinance 2848 Amending Chapter 18, Businesses, by adding Article XII, Residential Rental Property Regulation was laid over.

- e. Commissioner Adleman made a motion to approve Resolution 6615 Approving a Professional Services Agreement proposal with Hach for Field Service Partnership Services for Nitratax Sensor and Controller Equipment. Commissioner Prentice second the motion. Attorney Sosnowski said the cost is not to exceed \$4,490.00. Roll call vote showed 5 ayes.
- f. Commissioner Morse made a motion to approve Resolution 6616 Approving a Professional Services Agreement proposal with Fehr Graham to perform the Environmental Protection Agency Brownfield Clean Up for the property located at 420 North Blackhawk Boulevard. Commissioner Prentice second the motion. Administrator Hoppes said the project was put out to bid, but the City only received 1 bid. The review team scored the bid appropriately, and confirmed with the IEPA that the project could be awarded to Fehr Graham. Roll call vote showed 5 ayes.
- g. Commissioner Morse made a motion to approve Resolution 6617 Approving an Agreement for Professional Services with Fehr Graham Engineering and Environmental for Assistance with Land Application of Sludge Permit. Commissioner Adleman second the motion. WWTP Superintendent, Jeff Reininger said the amount is not to exceed \$4,900.00. The regulations have changed with sludge, and help is needed with the application. Roll call vote showed 5 ayes.
- h. Commissioner Adleman made a motion to approve Resolution 6618 Approving an Agreement for Professional Services with Fehr Graham Engineering and Environment for NPDES Permit Review and Assistance for one year. Commissioner Prentice second the motion. WWTP Superintendent, Jeff Reininger said the amount is not to exceed \$11,000.00. Roll call vote showed 5 ayes.
- i. Commissioner Adleman made a motion to approve Resolution 6619 Approving an Amendment to Development Agreement with Rock River Development, LLC. Commissioner Prentice second the motion. Administrator Hoppes said there was a delay due to working with the Union Pacific (UP) Railway to acquire a small parcel. Currently, there is no right-of-way agreement with the UP. Administrator Hoppes said the IEPA is trying to assist with the transaction. Roll call vote showed 4 ayes and 1 abstain by Mayor Fitzgerald.
- j. Commissioner Morse made a motion to approve Resolution 6620 Authorizing the City to sell Surplus City Property. Commissioner Adleman second the motion. Administrator Hoppes said the property vacant lot is 910 Ingersoll. The parcel will either go out for bid or be sold at 80% of the value. Roll call vote showed 5 ayes.
- k. Commissioner Morse made a motion to approve Resolution 6621 Approving a Settlement Agreement with Jim Helsell. Commissioner Prentice second the motion. Mayor Fitzgerald said there were \$40,000 in fines. The settlement is \$10,000-with the provision the property code violations are remediated. Commissioner Adleman said the city is settling for an amount is just above what the city has into the matter; however, Mr. Helsell has other properties that are not kept up. Mayor Fitzgerald said this is part of the reason for the rental registry and mentioned absentee landlords as another issue. Roll call vote showed 5 ayes.
- l. Commissioner Adleman made a motion to approve a revised Offer of Employment Letter to Ty Conner. Commissioner Morse second the motion. Roll call vote showed 5 ayes.
- m. Commissioner Morse made a motion to approve hiring Valente Ortega as Part-time Seasonal for the Parks Department at a rate of \$15.00/hour. Commissioner Prentice second the motion. Roll call vote showed 5 ayes.
- n. Commissioner Adleman made a motion to approve hiring Cesar Alfaro as Part-time Seasonal for the Parks Department at a rate of \$15.00/hour. Commissioner Prentice second the motion. Roll call vote showed 5 ayes.
- o. Commissioner Morse made a motion to approve hiring Garrett Clayton as Part-time Seasonal for the Parks Department at a rate of \$15.00/hour. Commissioner Prentice second the motion. Roll call vote showed 5 ayes.
- p. Commissioner Adleman made a motion to approve requests for food trucks and bags tournaments from BG Liquor License holders and discuss clarification on the intent

of BG Licenses. Commissioner Mors second the motion. Administrator Hoppes said the BG Licenses were created years ago and had strict limits regarding what was allowed at the BG establishments. In the past few years, some restrictions have been lifted, and now there are more requests for restricted items to be lifted. Staff is looking for discussion from Council and direction. Commissioner Adleman said he is in favor of combining the BG license with the Class A (Bar only) License due to the cost of the BG license, the Rockford Casino, and the soon to be Ho Chunk Casino. Commissioner Prentice agreed with Commissioner Adleman but would like to limit the number. Mayor Fitzgerald said the BG Class has size limitations. Attorney Sosnowski reviewed the requirements for gaming and alcohol sales that are in place for classes BG, A, and AA licenses. Attorney Sosnowski said the BG class is required to have more in gaming income rather than alcohol sales. Commissioner Hedrington asked why the matter came up. Administrator Hoppes said the BG holders are doing things prohibited, and other BG holders are telling on each other. Council further discussed possibly tailoring the license differently, or looking at another municipalities ordinances and classifications. Clerk Patrick informed Council about the locations that have shared parking lots that could pose an imposition on other tenants if the BG holder is permitted to close off a section of the parking lot. Attorney Sosnowski suggested striking (e) and (c) from the current BG section. Clerk Patrick also mentioned if there are any restaurants within 100' of a food truck they must have approval from the restaurant owner to allow the food truck. Salvatore Ocello from Sal's Slots said the license fees are higher for BG holders. Mr. Ocello said he is asking for Cousins Maine Lobster food truck to come, and added said BG holders are trying to get creative with events. Mr. Ocello said he believes the food trucks should be allowed. Attorney Sosnowski said if the BG license holders do not have 50% more in gaming they would lose the ability to hold the class BG license. Council asked Attorney Sosnowski to bring an ordinance change back for Council review. Commissioner Adleman made a motion to approve the request for a bags tournament at Hollywood Slots, and Cousin's Maine Food truck at Sal's Slots. Roll call vote showed 4 ayes and 1 nay by Commissioner Hedrington.

ADJOURN:

At 6:41 pm on a motion by Commissioner Prentice second by Mayor Fitzgerald. Voice vote carried the motion.

Mayor

City Clerk

Approved: