

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
NOVEMBER 2, 2015

CALL TO ORDER: 6:00 pm, Council Chambers, City Hall by Mayor Rehl.

ROLL CALL: Present & answering to roll call were Commissioners Duffy, Fitzgerald, Redieske and Mayor Rehl. Commissioner Chambers was absent.
City Attorney Roxanne Sosnowski was present.
City Clerk Tracy Patrick recorded the minutes.
Department Heads in attendance:
Fire Chief Ken Morse
Police Chief Dean Stiegemeier
Public Works Supervisor 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 Duffy made a motion to approve the agenda second by Commissioner Redieske. Voice vote carried the motion.

PUBLIC COMMENT: None

APPROVAL OF MINUTES: Commissioner Fitzgerald made a motion to approve the minutes of the Regular Council Meeting held on October 19, 2015. Commissioner Duffy second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:

1. Finance:
Commissioner Duffy made a motion to approve the claims to be paid from October 17-30, 2015 in the amount of \$454,844.81. Commissioner Redieske second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.
2. Commissioner's Report:
Public Health & Safety-Commissioner Tom Fitzgerald
Streets & Public Improvements-Commissioner Jeff Redieske
Public Properties-Commissioner Lori Duffy

UNFINISHED BUSINESS:

1. Discussion and/or Motion Items:
 - a. Commissioner Fitzgerald made a motion to approve Resolution 5799 appointing Commissioner Linda Chambers, Finance Director, Don Elliott, Dave Oswald, Meghan Moss, and Mayor Ted Rehl to the Revolving Loan Fund Committee. Commissioner Redieske second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.

NEW BUSINESS:

1. Discussion and/or Motion Items:
 - a. Council discussed the request for penalty fees to be waived for sewer billing from Diana Holman. Ms. Holman's daughter, Olivia was present on her behalf. Mayor Rehl reminded Council of Ms. Holman previously speaking to Council regarding her bill. It was verified that all her bills were returned by mail. Clerk Patrick offered the 50% waiver of penalties. She would like to have additional penalties waived. Attorney Sosnowski added that historically, when penalties grow and the owner is unaware due to the bills not being received, the City has offered full usage and admin charges with 10% of the penalties be paid along with any lien release fee. The property is also in foreclosure so, in lieu of litigation as well as possibly having the property back on the tax roll with a short sale this

offer could be considered by Council. Commissioner Redieske made a motion to approve the request for penalty fees to be lowered to 10% plus usage fees and lien release fee in the total amount of \$1,817.74 for sewer billing to be paid from Diana Holman. Commissioner Duffy second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.

- b. Council discussed the request for fines in the amount of \$5000.00 and cost in the amount of \$500.00 to be withdrawn for Code Violation costs from Winners Circle Experts, LLC. Attorney Sosnowski reviewed the history of the violations with Council as well as options for consideration. LLC owner, Steve Erikson resides in Florida. Agent for the property, Rhonda Surratt was present to represent Mr. Erikson. She stated the tenants were foster parents and would not allow them on the property to clean anything. They also made the property considerably worse once they found out they were being evicted. Council determined the property owner is ultimately responsible. Commissioner Redieske made a motion to approve the request for fines in the amount of \$5000.00 and cost in the amount of \$500.00 to be withdrawn for Code Violation costs from Winners Circle Experts, LLC as amended to fines in the amount of \$2500.00 and costs in the amount of \$500.00 to be payable within 60 days. A settlement agreement will be drafted as stated. If the amended fines and costs are not paid the settlement agreement will be considered to be in default. The amount owed will revert to the original fines and cost for the full amount. Commissioner Duffy second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.
- c. From the Zoning Board of Appeals Meeting held on October 21, 2015 a positive recommendation was given regarding a request for a Map Amendment. Council discussed the request and the historical use of the property. They also discussed this property being one of the properties that are part of the main entrance to the City. Attorney Sosnowski explained the applicant had also submitted a Special Use Permit for the property which was pulled by the applicant for additional information to be provided to the ZBA. Commissioner Duffy made a motion to layover Ordinance 2178 approving a Map Amendment for the (CR) Commercial Retail District to the (CG) Commercial General District for the property located at 1334/1338 Gardner Street South Beloit, Illinois, Winnebago County, PIN Nos. 04-05-427-004 and 04-05-427-005. From petitioner First National Bank as Trustee for Mannino Living Trust and Stephanie Mannino until the Special Use Permit is reviewed with a recommendation by the ZBA. Commissioner Fitzgerald second the motion. Voice vote carried the motion.
- d. From the Zoning Board of Appeals Meeting held on October 21, 2015 a positive recommendation was given regarding a Zoning Variation. Commissioner Redieske made a motion to approve Ordinance 2179 approving a Zoning Variation in the (IL) Light Industrial Zoning District for the offstreet parking stall size and parking setback requirements down to 5' on the (ROW) right of way corner for the property located at 239 Oak Grove Avenue South Beloit, Illinois, Winnebago County, PIN Nos. 04-06-429-002 and 04-06-429-004. From petitioner Axiom Foods, Inc. Commissioner Duffy second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.
- e. Commissioner Duffy made a motion to reconsider Resolution 5800 retaining Firescope Mid-America Fire Service and Emergency Service Consulting to prepare a study of Fire department services at a cost not to exceed \$14,500.00. Commissioner Fitzgerald second the motion. Chief Morse addressed the Council stating he believes the recommendation for the study's timing is poor with the budget process. He has submitted a budget cutting \$80k from the Fire Department. He does not believe the City should spend the funds for the study with the proposed cuts that has been submitted. Fire Captain, Gary Brown asked if the Council would be prepared to put additional funding toward the Fire Department if the study shows additional needs for the department. Mayor Rehl stated Council is aware of potential costs to the City, and said the decision is not personal. The Board's responsibility is to make sure funds are spent as they should be. Departments are being looked at. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.
- f. Commissioner Redieske made a motion to layover the request for change order from Insituform in the amount of \$8,918.00. Commissioner Duffy second the motion. Voice vote carried the motion.
- g. Commissioner Redieske made a motion to approve Resolution 5801 Award of snow removal contract to Asphalt Maintenance Systems for the 2015-2016 winter season. Commissioner Duffy second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.

- h. Commissioner Duffy made a motion to approve Ordinance 2180 amending Chapter 82 of the City of South Beloit Code of Ordinances regarding Solid Waste to change the billing cycle for garbage collection service fees from a quarterly basis to a monthly basis effective December 1, 2015. Commissioner Redieske second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Chambers.

MISCELLANEOUS
LICENSES & PERMITS:

1. RLE'S:
a. Gweneth Schuyler-Got Slots
b. Shondra Scott-Got Slots

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

EXECUTIVE SESSION:

At 7:13 pm on a motion made by Commissioner Duffy second by Commissioner Redieske. Voice vote carried the motion. The purpose for Executive Session is to:

1. Discuss the sale of real property as provided by 5 ILCS 120/2 (c) (5) of the Illinois Open Meetings Act
2. Discuss litigation as provided by 5 ILCS 120/2 (c) (11) of the Illinois Open Meetings Act regarding City of South Beloit vs. HCP, LLC, South Beloit Iron and Metal Processing Incorporated, Steve Hoefler; and Dwayne Ronczkowski

RECONVENE TO
OPEN SESSION:

At 7:33 pm on a motion made by Commissioner Redieske second by Commissioner Fitzgerald. Roll call showed all members present at onset of the meeting.

ORDER OF BUSINESS:

Commissioner Redieske made a motion to layover the discussion of the sale of real property. Commissioner Fitzgerald second the motion. Voice vote carried the motion.

ADJOURN:

At 7:35 pm on a motion made by Commissioner Duffy second by Commissioner Redieske. Voice vote carried the motion.

Mayor

City Clerk

Approved: