

CITY OF SOUTH BELOIT
REGULAR COUNCIL MEETING
DECEMBER 7, 2015

CALL TO ORDER: 6:02 pm, Council Chambers, City Hall by Mayor Rehl.

ROLL CALL: Present & answering to roll call were Commissioners Chambers, Duffy, Fitzgerald, Redieske and Mayor Rehl.
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 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 add an Attorney's Report as item #3 under the Report of Officers. Commissioner Chambers second the motion. Voice vote carried the motion.
Commissioner Redieske made a motion to approve the agenda as amended. Commissioner Fitzgerald second the motion. Voice vote carried the motion.

PUBLIC COMMENT: Celestino Ruffini provided an update from Visit Beloit. The City of South Beloit had a strong 3rd quarter for Hotel/Motel tax collection. New Visitor Guides are available in City Hall. New display racks are being installed at lodging properties with updated information for the region regarding activities and what to do in the area. Mr. Ruffini received a positive update regarding Nature at the Confluence last week. He will return in early February to provide a report for 2015.
Mayor Rehl introduced County Board Members in attendance, Jim Webster and David Boomer. Mr. Boomer recently took over for previous member, Kyle Logan.

APPROVAL OF MINUTES:

1. Commissioner Duffy made a motion to approve the minutes of the Regular Council Meeting held on November 16, 2015. Commissioner Fitzgerald second the motion. Voice vote carried the motion.
2. Commissioner Redieske made a motion to approve the minutes of the Special Council Meeting held on October 26, 2015. Commissioner Chambers second the motion. Voice vote carried the motion.
3. Commissioner Duffy made a motion to approve the minutes of the Special meeting Held on November 2, 2015. Commissioner Chambers second the motion. Voice vote carried the motion.
4. Commissioner Chambers made a motion to lay over the minutes of the Special Meeting held on November 9, 2015. Commissioner Fitzgerald 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 November 14-December 4, 2015 in the amount of \$321,618.45. Commissioner Chambers second the motion. Roll call vote showed 5 ayes.
2. Commissioner's Report:
Accounts & Finance-Commissioner Linda Chambers
Public Health & Safety-Commissioner Tom Fitzgerald
Streets & Public Improvements-Commissioner Jeff Redieske
Public Properties-Commissioner Lori Duffy
3. Attorney's Report:
Attorney Sosnowski informed Council of Governor Rauner's signing of Senate Bill #2039 which releases the revenues for Motor Fuel Tax, Use Tax, Video Gaming Tax and 911 funding for all municipalities. She also provided an update for the status of the cleanup of 624/900 Eastern Avenue.

There is still some cleanup remaining to be done, however; a revised settlement agreement has been submitted to the property owner and will appear on an upcoming agenda for Council approval.

Attorney Sosnowski also informed Council of a request from the owners of 420 Blackhawk Blvd. Attorney Sosnowski indicated that the property owners were requesting a waiver of a mowing fine that had been filed against the property for failure to mow the tall grass and weeds in violation of City ordinance. Consensus was needed for any possible waiver of the mowing fine. She explained the process of notices and billing that was sent to the owner of record by the Code Enforcement Department. Attorney Sosnowski was notified by the 1st National Bank Trustee to also send notices and information to the Bank Trustee and the Attorney for the Trust but this request was made after the notices had already been sent for the mowing violation. Trustee Attorney Bill Cunningham was present to speak to Council. He explained the property had previous issues dating back to last summer and that the property is currently cleaned up and about to be sold. Trust Officer, Beth Jacobson was also present and stated the trust had also sent someone to clean up the property for the violations. The current violation for the mowing had been taken care of by City contractors though and not by the Trust. The violation was for grass and tall weeds in the amount of \$300.00. Attorney Sosnowski stated the City fulfilled the requirement of the law by sending notice to the property owner of record. After discussion, consensus from Council was to prepare a waiver of the fine and bring to the next Regular Council Meeting for approval.

NEW BUSINESS:

1. Discussion and/or Motion Items:

- a. Commissioner Fitzgerald made a motion to reconsider 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. Commissioner Duffy second the motion. Attorney Sosnowski explained the Ordinance was denied by Council at the Regular Meeting held on November 16, 2015. The Zoning Board of Appeals gave a positive recommendation; however, Zoning Officer, Jessica Roberts recommended denial for the request for the Map Amendment. Attorney Bill Cunningham spoke for the applicant stating a surveyor had been obtained by the Trust to respond to the concerns Ms. Roberts stated in her recommendation for denial, and was surprised to learn the Ordinance was denied by Council. The Trust would like an opportunity to submit additional information for review and reconsideration for the Map Amendment and the Special Use Permit that is still at the Zoning Board of Appeals level. He added the car lot has been operating at that location since 1973. The lot previously had a former restaurant operating there as well. The Trust is prepared to meet the requirements, but has limited funds. Attorney Sosnowski advised that if the motion for reconsideration was approved then the matter could be laid over until the next Regular Council Meeting which would allow the Zoning Board of Appeals to receive the additional information that was now being offered to be presented by the Trust. Voice vote failed for the request to reconsider Ordinance 2178.
- b. From the Zoning Board of Appeals meeting held on November 18, 2015 a positive recommendation was given regarding a request for a Special Use Permit. Commissioner Chambers made a motion to approve Ordinance 2184 approving a Special Use Permit for offsite advertising in the (CG) Commercial General Zoning District for the property located at Gardner Street, South Beloit, Illinois, Winnebago County, PIN No. 04-04-326-001. From petitioner, New Champions, LLC. Commissioner Fitzgerald second the motion. Owner of New Champions, LLC, Randy Hughes and Attorney Bruce Ross-Shannon for Mr. Hughes were present to speak with Council regarding the request. Council asked Mr. Hughes to be more specific as to where the billboard would be placed. Mr. Hughes explained the billboard would be placed in any location favorable to the Council within the 16-acre parcel along Gardner. He added he believes the request is in conformance with the City's Code requirements for a Special Use Permit. Attorney Sosnowski gave a brief overview of the application to date. The application was reviewed by Zoning Officer, Jessica Roberts who recommended denial. Ms. Roberts had asked for additional information from the applicant, but the information was not received. The Zoning Board of Appeals did not agree with Ms. Roberts recommendations and recommended approval. Attorney Sosnowski read the Findings of Facts from the Zoning Board of Appeals. Attorney Ross-Shannon stated Ms. Roberts suggested a monument type sign; however, the applicant wants a billboard type sign. They believe they have met all the criteria for the Special Use Permit to be granted. Attorney Sosnowski said if the Council did not believe the Findings of Facts were met they would need to state it on the record as such along with the reasons. Attorney Sosnowski clarified that special use permits are up to the discretion of the City Council and it is for the Council to determine whether or not the area is appropriate, just because there is an ordinance which would allow for a billboard sign with a special use permit does not necessarily mean that the application has to be approved if

the Council does not believe the findings of fact have been met. The application can be applied for but may not be appropriate for the area. Council members voiced concern for the location being on the City's main corridor as well as the fact that the application for the sign may go against the City's Comprehensive Plan. Attorney Sosnowski stated Council should consider the application that's been received on it's own merit and not what the City's desire for the future would be concerning sign regulations the Council would like to change in the future. She added the application could be sent back to the Zoning Board of Appeals with specific direction on what information is missing and what Council would like to see before returning the application back to Council for a determination. After discussion, Council determined they would like to review the application further, and visit the site of the proposed sign. Commissioner Chambers withdrew her motion to approve and Commissioner Fitzgerald withdrew the second. Commissioner Redieske made a motion to layover Ordinance 2184 until the next Regular Council Meeting to be held on December 21, 2015. Commissioner Duffy second the motion. Roll call vote showed 5 ayes.

- c. Jenna Goodrich with Arthur J Gallagher was present to review the City's renewal proposal for Insurance coverage. Commissioner Duffy made a motion to approve Resolution 5809 approving the renewal of the City's Risk Management Insurance Policy with Arthur J Gallagher Risk Management in the amount of \$200,631. Commissioner Redieske second the motion. Roll call vote showed 5 ayes.
- d. Commissioner Fitzgerald made a motion to approve Ordinance 2182 Supplemental Appropriations for 2015 in the increased amount of \$144,502.00. Commissioner Chambers second the motion. Roll call vote showed 5 ayes.
- e. Commissioner Duffy made a motion to approve Ordinance 2183 Appropriation Ordinance for January 1-December 31, 2016 as follows:

General Fund	\$5,571,300
Hotel Fund	\$ 827,000
Motor Fuel Fund	\$ 620,000
Revolving Loan Fund	\$ 600,000
Community Development Fund	\$ 80,000
Tax Increment Financing Fund	\$ 12,000
IL Housing Development Auth Fund	\$ 26,000
Sewer Fund	<u>\$1,647,400</u>
Total	\$9,383,700

Commissioner Redieske second the motion. Roll call vote showed 5 ayes.

- f. Commissioner Redieske made a motion to approve Resolution 5810 approving a Copy Machine Lease Agreement with Impact Networking, LLC for City Hall and the Police Department for 2 Konica Minolta C554 copy machines not to exceed \$936.63 per month. Commissioner Chambers second the motion. Roll call vote showed 5 ayes.
- g. Commissioner Fitzgerald made a motion to approve bid for Lighting for the Fire Department at a cost not to exceed \$29,700.00. Commissioner Duffy second the motion. Commissioner Fitzgerald explained the Fire Chief had previously obtained proposals in September, however; there were no funds for the work to be done. Due to the end of the year funding is available. The work will need to be completed before the first of the year. Local Electric Companies were contacted to submit a quote no later than Friday, December 18th. An incomplete late bid was submitted. Council discussed whether they should accept the bid. Consensus was the bid should not be considered. Commissioner Fitzgerald withdrew his motion. Commissioner Duffy withdrew her second to the motion. Commissioner Fitzgerald made a motion to approve at a cost not to exceed \$24,050.00 a contract with Foley Electric to perform lighting fixture replacement for the Fire Department subject to Attorney approval of the contract. Commissioner Duffy second the motion. Roll call vote showed 5 ayes.
- h. Commissioner Redieske made a motion to approve Resolution 5811 approving a Preliminary Engineering Services Agreement for Federal Participation with Fehr Graham. Commissioner Duffy second the motion. City Engineer, Ben Bushman was present to speak to Council regarding the Wheeler Bridge. Mr. Bushman explained the process and said the initial bid put out in April was well over budget. Fehr Graham worked with IDOT and ITEP. It was determined to install a prefab bridge instead of the rehab. ITEP increased the amount of the funding to \$715,000. The cost of engineering for design and permitting will be \$44,500. Bidding for the project will go out again by the State in early summer. Roll call vote showed 5 ayes.
- i. Commissioner Redieske made a motion to approve Ordinance 2185 authorizing the disposal of personal property owned by the City of South Beloit (2006 Chevy Impala). Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.
- j. Commissioner Duffy made a motion to approve Ordinance 2186 Establishing the 2016 Meeting Schedules of the City and the 2016 Holiday Schedule. Commissioner Redieske second the motion. Voice vote carried the motion.
- k. Council discussed the donation of private property. The City Clerk has been contacted by a property owner who would like to donate several lots located on Prairie Commons Lane to the

City of South Beloit. If the Council was interested, the owner would like to meet with the City to discuss details regarding the donation. Consensus from Council was to consider the donation.

1. Attorney Sosnowski updated the Council on the sale of 402 Clark Street. When the title work was received the City became aware of a small strip of land that was thought to be included in the whole lot; however it was determined to be a separate parcel with a separate PIN. A cost of the strip was determined to be approximately \$3000. based on the large parcel’s square footage. The purchaser has not submitted a counter offer as of yet, but would like Council to consider the cost is based upon a parcel that is not buildable, and was based on a lot that contains a building on it. Commissioner Redieske made a motion to layover the amended purchase price for the side lot along 402 Clark Street to await a counter offer from the buyer of 402 Clark Street. Commissioner Duffy second the motion. Voice vote carried the motion.

MISCELLANEOUS
LICENSES & PERMITS:

1. Miscellaneous Licenses:

a. Allied Games, Inc	i. Neli’s Family Restaurant
b. B & B Amusement of Illinois LLC	j. Nora’s Place
c. Best Buy Auto Sales	k. Papa John’s Pizza
d. Blackhawk Express Mart	l. Pearl Lake Club Corp
e. Clancy’s Auto Sales	m. Pepsi Cola of Rockford
f. Cobra Quality Cars Inc	n. Road Ranger LLC #205
g. Cobra Quality Cars Inc	o. South Beloit American Legion
h. Dari Ripple	p. Viking Lanes

Commissioner Duffy made a motion to approve second by Commissioner Chambers. Voice vote carried the motion.

2. Tobacco Dealer Licenses:

- a. Blackhawk Express Mart
- b. Road Ranger LLC # 205

Commissioner Redieske made a motion to approve second by Commissioner Duffy. Voice vote carried the motion.

3. Retail Liquor Dealer’s Licenses:

- a. Holtz-Hirst Post 288 American Legion
- b. Pearl Lake Club Corp
- c. Road Ranger LLC #205

Commissioner Fitzgerald made a motion to approve second by Commissioner Chambers. Voice vote carried the motion.

4. RLE’s:

a. Cammya Cokes-Jena’s Eatery	f. Tricia Meyer-American Legion
b. Carol Mitok-Pearl Lake	g. Sandra Kay-American Legion
c. Ryan Roberts-Pearl Lake	h. Penny Retherford-American Legion
d. Robert Severson-Pearl Lake	i. Nyla Stien-American Legion
e. Melissa Gamer-American Legion	j. Rebekah Schwichtenberg-The Wheel

Commissioner Chambers made a motion to approve second by Commissioner Redieske. Voice vote carried the motion.

5. Video Gaming:

- a. Holtz-Hirst Post 288 American Legion
- b. Road Ranger LLC #205

Commissioner Duffy made a motion to approve second by Commissioner Redieske. Voice vote carried the motion.

ADJOURN:

At 7:55 p.m. on a motion made by Commissioner Duffy second by Commissioner Fitzgerald. Voice vote carried the motion.

Mayor

City Clerk

Approved: