

CITY OF SOUTH BELOIT  
REGULAR COUNCIL MEETING  
MARCH 5, 2018

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

ROLL CALL: Present & answering to roll call were Commissioners Chambers, Duffy, Fitzgerald, and Mayor Rehl. Commissioner Jones was absent.  
City Attorney Aaron Szeto was present  
City Clerk Tracy Patrick recorded the minutes  
Department Heads in attendance:  
Fire Chief Mike Davenport  
Police Chief Pat Hoey  
Public Works 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 Chambers made a motion to approve the agenda second by Commissioner Duffy. Voice vote carried the motion.

PUBLIC COMMENT: Matt Schulte would like to have a discussion regarding The Flying J on the next meeting in regards to parking, noise, signage, garbage and trash issues. Commissioner Fitzgerald said he spoke with Code Enforcement Officer, Shawna Henthorn. She will be visiting the site for code violations and report back to Council. Commissioner Fitzgerald also spoke with Attorney Sonsowski in regards to speaking with the owner of the Flying J.

APPROVAL OF MINUTES:

1. Commissioner Fitzgerald made a motion to approve the minutes of the Regular Meeting held on February 19, 2018. Commissioner Duffy second the motion. Voice vote carried the motion.
2. Commissioner Duffy made a motion to layover the minutes of the Special Council Meeting held on February 26, 2018. Commissioner Chambers second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:

1. Finance:
  - a. Commissioner Chambers made a motion to approve the claims to be paid from February 17-March 2, 2018 in the amount of \$266,279.25. Commissioner Fitzgerald second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Jones.
2. Attorney Report:

None.
3. Commissioner's Report:

Accounts & Finance-Commissioner Linda Chambers  
Public Health & Safety-Commissioner Tom Fitzgerald  
Streets & Public Improvements-Commissioner Lori Duffy

OLD BUSINESS:

Discussion and/or Motion Items:

1. c. Commissioner Chambers made a motion to approve Ordinance 2337 amending Chapter 82 Section 82-35 of the City of South Beloit Code of Ordinances Regulating Refuse and Yard Waste and Garbage Receptacles. Commissioner Duffy second the motion. Council discussed the proposed Ordinance and determined the Ordinance was too restrictive regarding the storage of the receptacles. The bigger issue is removing the receptacles from off the street after the garbage has been collected, as

well as the recycle bins not having any type of lids. Commissioner Chambers made a motion to amend her motion to removing section (b). provision regarding where to store the receptacles. Commissioner Duffy second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Jones.

- b. Commissioner Duffy made a motion to approve Ordinance 2238 amending chapter 102 Traffic and Vehicles Division 2 regarding Abandoned and Inoperable Vehicles. Commissioner Chambers second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Jones.

NEW BUSINESS:

Discussion and/or Motion Items:

1. a. Commissioner Fitzgerald made a motion to approve Ordinance 2342 authorizing the issuance of a Class EV Special Event Liquor License for Jackson 620 LLC d/b/a The Wheel to be held on March 8, 2018. Commissioner Chambers second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Jones.
- b. Commissioner Fitzgerald made a motion to approve a request for waiver of penalty fees for the property located at 1508 Hayes Avenue from Russell Davis. Commissioner Duffy second the motion. Property owner, Russell Davis was present to speak to Council regarding the request. Mr. Davis explained he has had issues with the sewer bill for the City because of the bill for Illinois American Water (IAW). The IAW bill was in the tenant's name, so Mr. Davis was not able to obtain information from IAW on the account and has contacted the Illinois Commerce Commission regarding his inability to obtain information on his own property. Mr. Davis stated IAW was clearing the balance on the account according to Deputy Clerk, Karen Brandenburg's discussion with IAW. Mr. Russell is not confident that the IAW reads are accurate due to the meter being changed out 2 times, and feels he should only be charged the normal fee without the penalties added. Clerk Patrick explained the City has not received any payment on the account since June 16, 2016. Mr. Davis has been in several times to resolve the City's sewer bill, however the City is not able to adjust the bill unless IAW gives an adjustment unless there is a catastrophic water loss. Karen has contacted IAW on numerous occasions being told each time that the account was "in dispute". IAW did give a credit, which Karen adjusted the credit and penalty amounts from the date of the credit. Public Works Superintendent, Jeff Reininger said that typically water meters are not wrong. Council asked if Jeff would go to the property to see if he would be able to determine if there was a leak. Council would also like to know why IAW is clearing the balance on the account. Commissioners Fitzgerald and Duffy withdrew their motions. Commissioner Fitzgerald made a motion to layover the item second by Commissioner Duffy. Voice vote carried the motion.
- c. Commissioner Duffy made a motion to approve a reduction of Code Enforcement Fines and Costs, And Mowing Costs in the amount of \$1,846. for the property located at 553 Northwestern Avenue from Home America. Commissioner Fitzgerald second the motion. Attorney Szeto reviewed the prior request approved by the Council on February 5, 2018 to waive \$4,500 in cost for Code Violation Fees and a brief history of the property. Commissioner Chambers stated she is not in favor of waiving any further fees. Attorney Szeto said the communication from Home America stated that if the City is unwilling to waive the requested amount, the property will not be sold, and Home America will deed the property over to the City. Commissioner Fitzgerald said should the City obtain the deed to the property, the cost to demolish the property would be over \$13k or more if there is asbestos present. Commissioner Fitzgerald was in favor of waiving the additional request. Public Works Superintendent, Jeff Reininger said the PW Department would not want to continue to incur the added expense for mowing the property if the property is deeded to the City. The property is in a flood zone, and limited to what can be improved on the property. Mr. Reininger suggested the amount be reduced from the sewer lien instead of the Code Enforcement and mowing costs. Commissioner Duffy suggested possibly waiving a lower amount than the requested amount. Roll call vote showed 2 ayes, 2 nays by Commissioners Chambers and Duffy, and 1 absent by Commissioner Jones. The motion failed.
- d. From the Zoning Board of Appeals Meeting held on February 21, 2018 a positive recommendation was given regarding a replat. Commissioner Fitzgerald made a motion to approve Resolution 5943 approving the Replat of Lot 94 of Dearborn

Heights Third Addition commonly known as 15516 and 15511 Lucena Court. Commissioner Duffy second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Jones.

- e. From the Zoning Board of Appeals Meeting held on February 21, 2018 a positive recommendation was given regarding a variance. Commissioner Fitzgerald made a motion to approve Ordinance 2343 approving a Variance in the required side yard setback from 5' down to 0' between the properties in the Multi-Family (RM) Zoning District commonly known as 15516 and 15511 Lucena Court, South Beloit, Illinois, Winnebago County, PIN No. 04-04-377-01. From petitioner Paul Johnson. Commissioner Chambers second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Jones.
- f. From the Zoning Board of Appeals Meeting held on February 21, 2018 a positive recommendation was given regarding an amendment to the City's Comprehensive Plan. Commissioner Chambers made a motion to approve Ordinance 2344 approving an amendment to the City's Comprehensive Land Use Plan/Map. Commissioner Duffy second the motion. Attorney Szeto said the amendment area is on Stateline Road. The area is currently residential, however; the City has been getting requests for Commercial/Industrial uses. The amendment will not change the zoning, but will help in the zoning/planning capacity when requests come in since the Comprehensive Plan is used as a tool for zoning requests. Roll call vote showed 4 ayes and 1 absent by Commissioner Jones.
- g. Commissioner Fitzgerald made a motion to approve Resolution 5944 hiring Benning Group to Perform the City's Annual Audit. Commissioner Chambers second the motion. Roll call vote showed 4 ayes and 1 absent by Commissioner Jones.
- h. Commissioner Duffy made a motion to approve Resolution 5945 adopting an Intergovernmental Agreement to allow for cooperation and participation with other area communities on issues of common concern. Commissioner Fitzgerald second the motion. Mayor Rehl explained the Resolution will appoint Mayor Rehl as the City's representative for the Council after matters have been discussed and determined by the City's Council members. The agreement will include several other municipalities. Each municipality will have representation for important matters that may affect it's municipality. Roll call vote showed 4 ayes and 1 absent by Commissioner Jones.

## MISCELLANEOUS

### LICENSES AND PERMITS:

- 1. Business Licenses:
  - a. Blackhawk Machine Products
  - b. Blackhawk Mini Storage
  - c. CP's Lawn Service
  - d. Land of Inkin Tattoo's
  - e. Rock Energy Cooperative
  - f. Tollway In
- 2. Miscellaneous Licenses:
  - a. J & J Ventures
  - b. Tollway Inn
- 3. RLE's:
  - a. Tirsha Holt-Fast Mart #5232
  - b. Taylor Mueller-Artisan
  - c. Whitney Walraven-Palpable
  - d. Alicia Wattels-The Wheel
- 4. Tattoo Establishment:
  - a. Land of Inkin Tattoos
- 5. Tattoo Artist:
  - a. Adam Redzept

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

ADJOURN:

At 6:42 pm on a motion made by Commissioner Duffy second by Commissioner Chambers. Voice vote carried the motion.

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Mayor

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City Clerk

Approved: