



CITY COUNCIL, CITY OF LOVES PARK, ILLINOIS
Journal of Proceedings
Regular Meeting, Monday, February 7, 2022
City Hall Council Chambers

Mayor Gregory Jury called the meeting to order at 6:00 p.m.

Alderman Doug Allton opened the meeting with an invocation, followed by the Pledge of Allegiance.

Present: Aldermen John Pruitt, Jim Thompson, Mark Peterson, A. Marie Holmes, Robert Schlensker, Doug Allton, Nancy Warden, John Jacobson, Jim Puckett, Dan Jacobson

Also Present: City Clerk Bob Burden
City Attorney Gino Galluzzo

1. Approve Minutes 01/31/22 The Journal of Proceedings for the regular meeting of January 31, 2022 was approved as submitted by the city clerk on a motion by Alderman Schlensker. Second by Alderman Allton. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
2. Commerce Commission Hearing Received a notice from the Illinois Commerce Commission of a hearing regarding Commonwealth Edison Company, to be held February 15, 2022 in the offices of the Commission, Chicago, IL. Placed on file.
3. Committee Minutes City Clerk Bob Burden presented the minutes of the Committee of the Whole meeting held Monday, January 31, 2022.
4. Committee Of The Whole Minutes Alderman John Jacobson moved to approve the minutes of the Committee of the Whole meeting held Monday, January 31, 2022. Second by Alderman Schlensker. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
5. General Fund Bills Alderman John Jacobson presented the General Fund and all other bills dated January 31, 2022, in the amount of \$182,995.66, and moved that they be paid. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
6. Water Department Bills Alderman John Jacobson presented the Water Department bills dated January 31, 2022, in the amount of \$242,910.37, and moved that they be paid. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
7. Public Safety Report Alderman Allton presented the Fire Department Report dated February 7, 2022; presented the Police Department Report dated February 7, 2022, to be placed on file.
8. Public Works Report Alderman Schlensker presented the Street Department Report dated February 7, 2022; presented the Water Department Report for February 7, 2022, to be placed on file.
9. Finance Committee Alderman John Jacobson of the Finance and Administration Committee presented the General Fund and all other bills dated February 7, 2022, in the amount of \$278,637.54, for consideration at next week's city council meeting; presented the minutes from the committee meeting held January 31, 2022, to be placed on file.

10. Public Works Committee
Alderman Schlensker of the Public Works Committee presented the Water Department list of bills dated January 31, 2022, in the amount of \$105,590.68, for consideration at next week's city council meeting.
11. Codes & Regulations
Alderman Warden of the Codes and Regulations Committee presented the minutes from the committee meeting held December 6, 2021, to be placed on file.
12. Community Development
Alderman Pruitt of the Community Development Committee presented the minutes from the committee meeting held January 3, 2022, to be placed on file.
13. Plat No. 4 Breckenridge Subdivision
Alderman Pruitt presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this Resolution, that Plat No. 4 Breckenridge Subdivision, being part of the Southwest Quarter of the Northwest Quarter and Part of the Northwest Quarter of the Southwest Quarter of the section 35, Township 45 North, Range 2 East of the Third Principal Meridian, City of Loves Park, Winnebago County, Illinois, be approved as recommended by the City of Loves Park Community Development Committee. Motion carried. Second by Alderman Warden. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
RESOLUTION NO. 22-14
14. A To Z Towing Service Agreement
Alderman John Jacobson presented the following resolution authorizing the Mayor to execute a Service Agreement between the City of Loves Park, Illinois and A To Z Towing, Inc. **WHEREAS**, the City of Loves Park, Boone and Winnebago Counties, Illinois ("City"), is a duly constituted, organized and validly existing municipality within the meaning of Section 1 of Article VII of the 1970 Constitution of the State of Illinois, and is operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq., as amended; and **WHEREAS**, A to Z Towing, Inc., an Illinois corporation, having its principal place of business at 6905 Elm Ave, Loves Park, IL 61111 ("A to Z") provides towing and vehicle storage services; and **WHEREAS**, City desires to update the agreement with A to Z to allow for increased fees to reflect the added costs that have been incurred since the agreement first went into effect; and **WHEREAS**, the City has determined that the terms of the Service Agreement are acceptable and are in the best interest of the City and its citizens. **NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Loves Park, Illinois, that by the adoption of this resolution, that the City hereby agrees:
1. The above recitals are hereby incorporated into this Resolution as if fully stated herein.
 2. The City Council hereby approves the Service Agreement and authorizes the Mayor or his designee to execute the Service Agreement, in substantially the same form as attached hereto as Exhibit "A".
 3. This Resolution will be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.
- Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
RESOLUTION NO. 22-15
15. Public Question To Electors To Continue Municipal Retailers' & Municipal Service Occupation Taxes
Alderman Jacobson presented the following resolution providing for the submission of a public question to the electors of the City of Loves Park, Illinois, at the General Primary Election to be held on June 28, 2022, as to whether the City should continue to impose a Non-Home Rule Municipal Retailers' Occupation Tax and a Non-Home Rule Municipal Service Occupation Tax for expenditure on public infrastructure. **WHEREAS**, the City of Loves Park, Boone County and Winnebago County, Illinois (the "City") is an Illinois municipal corporation organized and operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and **WHEREAS**, the City is a non-home rule municipality; and

16. Public Question
To Electors To
Continue
Municipal
Retailers' &
Municipal
Service
Occupation
Taxes
(Continued)

WHEREAS, pursuant to 65 ILCS 5/8-11-1.1, the corporate authorities of a non-home rule municipality may, upon approval of the electors of the municipality, impose by resolution a Municipal Retailers' Occupation Tax and Municipal Service Occupation Tax; and **WHEREAS**, revenues from such Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax may be used for expenditure on public infrastructure; and **WHEREAS**, with strong support from the citizens of Loves Park, a referendum was passed on March 18, 2014, authorizing a Municipal Retailers' Occupation Tax and a Municipal Service Occupation Tax be imposed; and **WHEREAS**, the tax revenue has provided the funds for successful road and other infrastructure improvements around the City with significant contributions of non-residents who shop within the City; and **WHEREAS**, the current tax expires in 2024 and the City is requesting to continue the Municipal Retailers' Occupation Tax and a Municipal Service Occupation Tax for an additional ten-year period thereafter; and **WHEREAS**, the City intends to continue the use such revenue solely for expenditure on public infrastructure as provided for by statute; and **WHEREAS**, in the event the imposition of the Municipal Retailers' Occupation Tax and a Municipal Service Occupation Tax is approved by the voters, the City will only levy such taxes through June 30, 2034, after which date the levy will expire; and **WHEREAS**, the Mayor and the City Council hereby find and determine that it is advisable, necessary and in the best interest of the City that the proposition to impose a one percent (1%) Municipal Retailers' Occupation Tax and a Municipal Service Occupation Tax pursuant to 65 ILCS 5/8-11-1.3 and 65 ILCS 5/8-11-1.4, be submitted to the electors of the City at an election to be held and conducted in accordance with the general election laws set forth in the Illinois Election Code. **NOW THEREFORE BE IT RESOLVED**, by the corporate authorities of the City of Loves Park, Illinois, that by the adoption of this Resolution, whose recitals are incorporated herein, that the City hereby agrees:

1. **Recitals.** The foregoing recitals are hereby adopted as the findings of the corporate authorities of the City and are incorporated herein as if stated fully.
2. **Proposition to Adopt Sales Tax.** It is hereby found to be necessary and in the best interest of the City that the proposition to continue the imposition of a percent (1%) Non-Home Rule Municipal Retailers' Occupation Tax and Service Occupation Tax, pursuant to 65 ILCS 5/8-11-1.3 and 65 ILCS 5/8-11-1.4, be submitted to the electors of the City in order to provide for expenditures on public infrastructure including but not limited to, repairs, maintenance, improvements, and reconstruction of roadways, drainage systems, pedestrian and bikeway facilities and water systems.
3. **Submission of Question.** A public question, in substantially the following form, shall be placed upon the ballot and submitted to the qualified electors of the City at the General Primary Election to be held on June 28, 2022 ("Primary Election"), to wit:

"Shall the corporate authorities of the City of Loves Park, Illinois be authorized to continue to levy a Municipal Retailers' Occupation Tax and a Municipal Service Occupation Tax, at a rate of one percent (1%), until June 30, 2034 to be used for expenditures on public infrastructure, including but not limited to repairs, maintenance, improvements and reconstruction of roadways, drainage systems, pedestrian and bikeway facilities and water systems?" YES or NO.

4. **Notice.** In addition to those notices required by to be given by the Boone County Clerk and the Winnebago County Clerk pursuant to the Illinois Election Code, the City Clerk shall give notice that the public question will be on the ballot at least ten (10) days before the date of the Primary Election by posting a notice at the Loves Park City Hall, the City's principal office. The City may also, but is not required to, post the notice electronically on its website. The notice shall be substantially in the following form:

17. Public Question
To Electors To
Continue
Municipal
Retailers' &
Municipal
Service
Occupation
Taxes
(Continued)

NOTICE IS HEREBY GIVEN that at the General Primary Election to be held on Tuesday, the twenty-eight day of June, 2022, the following proposition will be submitted to the voters of the City of Loves Park, Boone County and Winnebago County, Illinois:

“Shall the corporate authorities of the City of Loves Park, Illinois be authorized to continue to levy a Municipal Retailers’ Occupation Tax and a Municipal Service Occupation Tax, at a rate of one percent (1%), until June 30, 2034 to be used for expenditures on public infrastructure, including but not limited to repairs, maintenance, improvements and reconstruction of roadway, drainage systems, pedestrian and bikeway facilities and water systems?”

The polls at the election will be open at 6:00 a.m. and will continue to be open until 7:00 p.m. of that day.

- 5. **Election Procedures.** The Primary Election shall be conducted, in all respects, in accordance with the provisions of the Illinois Election Code and with all laws providing for notice, publication, ballots, polling places and other procedures relating to such election.
- 6. **Direction to City Clerk.** The City Clerk is hereby directed to certify a copy of this Resolution to the Clerk of Boone County and the Clerk of Winnebago County not less than sixty-eight (68) days prior to the date of the Primary Election, in order that the public question set forth herein may be submitted to the electors at said election. This Certification shall be in substantially the same form as Exhibit “A”, attached hereto and made a part hereof.
- 7. **Conflict.** That all ordinances, orders or resolutions or parts thereof in conflict herewith be and the same hereby are repealed, and this Resolution shall be in full force and effect upon its adoption and that this Resolution in any event shall be deemed to be subject to modification and application to comply with the General Election Law.

Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)

RESOLUTION NO. 22-16

18. 1st Reading
Future Land Use
Map Of The City
Of Loves Park
Comprehensive
Plan

Alderman Warden presented for first reading an ordinance amending the Future Land Use Map of the City of Loves Park Comprehensive Plan, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Thompson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
Laid over

19. 1st Reading
ZMA For 4XXX
Bell School
Road

Alderman Warden presented for first reading an ordinance providing for a Zoning Map Amendment for the property known as 4XXX Bell School Road, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Thompson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
Laid over

20. 1st Reading
SUP For 4180
N. Perryville
Road

Alderman Warden presented for first reading an ordinance providing for a Special Use Permit for the property known as 4180 N. Perryville Road, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Thompson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
Laid over

21. 1st Reading
SUP For 7003
N. Alpine Road
Alderman Warden presented for first reading an ordinance providing for a Special Use Permit for the property known as 7003 N. Alpine Road, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Thompson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
Laid over
22. 1st Reading
Class E Liquor
License For
6350 Forest Hills
Road
Alderman Warden presented for first reading an ordinance providing for a Class E Liquor License for the property known as 6350 Forest Hills Road, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Thompson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
Laid over
23. 1st Reading
Class R-1 Liquor
License For
7784 Forest Hills
Road
Alderman Warden presented for first reading an ordinance providing for a Class R-1 Liquor License for the property known as 7784 Forest Hills Road, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Thompson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
Laid over
24. Suspend Rules
Alderman Warden moved to suspend any and all rules to bring the ordinance providing for a Class E Liquor License for 6350 Forest Hills Road in for second reading. Second by Alderman Thompson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
25. ORD 4455-22
Class E Liquor
License For
6350 Forest Hills
Road
Alderman Warden presented for second reading an ordinance providing for a Class E Liquor License for the property known as 6350 Forest Hills Road, and moved for passage of the ordinance. Second by Alderman Thompson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
ORDINANCE NO. 4455-22
26. Motion To Enter
Closed Session
Alderman Jacobson moved to enter closed session pursuant 5 ILCS 120-2 c to discuss the appointment, employment compensation or performance of specific personnel. Second by Alderman Pruitt. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
27. Closed Session
City Council entered closed executive session at 6:13 p.m.
28. Reconvene To
Regular Order
Alderman Schlensker moved to reconvene to regular order of business at 6:29 p.m. Second by Alderman Thompson. Motion carried. 10 Ayes (Aldermen Pruitt, Thompson, Peterson, Holmes, Schlensker, Allton, Warden, John Jacobson, Puckett, Dan Jacobson)
29. Adjourn
Alderman Schlensker moved that the meeting be adjourned. Second by Alderman Allton. Motion carried by voice vote. The meeting was adjourned at 6:30 p.m.

APPROVED:

Robert J. Burden, City Clerk

STANDING COMMITTEE MEETINGS:

Community Development:	Following Council Meeting 6:15 p.m.
Finance and Administration:	Prior to Council Meeting 5:40 p.m.
Public Works:	Prior to Council Meeting 5:15 p.m.
Zoning Board of Appeals:	3 rd Thursday of the Month 5:30 p.m.