BELVIDERE CITY COUNCIL REGULAR MEETING AGENDA

January 3, 2022

Convened in the Council Chambers, 401 Whitney Blvd, Belvidere IL at 7:00 p.m. Mayor Clinton Morris presiding.

- (1) Roll Call:
- (2) Pledge of Allegiance: Invocation: Mayor Morris
- (3) Public Comment: (Please register with the City Clerk):
- (4) Approval of Minutes:
 - (A) Approval of minutes of the regular meeting of the Belvidere City Council of December 20, 2021; as presented.
- (5) Public Hearing:
 - (A) Vacation of a Portion of an Alley Generally Lying North of 121 N. State Street.
- (6) Special Messages and Proclamations:
 - (A) Jessica Perillo Boone County Health Department.
- (7) Approval of Expenditures: None.
- (8) Committee Reports and Minutes of City Officers: None.
- (9) Unfinished Business:
 - (A) Ord. #559H 2nd Reading: An Ordinance Vacating a Portion of an Alley Generally Lying North of 121 N. State Street in the City of Belvidere, Illinois.

 Tabled December 20, 2021.
 - (B) Ord. #562H 2nd Reading: An Ordinance Granting a Special Use to Allow Accessory Outdoor Storage within the PI, Planned Industrial District (1930-1960 West Chrysler Drive).
 - (C) Ord. #563H 2nd Reading: An Ordinance Re-Adopting and Affirming Ordinance 506G, An Ordinance Providing for the Number of Aldermen in the City of Belvidere.
- (10) New Business: None.
- (11) Adjournment:

State of Illinois) SS Belvidere, Illinois)

BELVIDERE CITY COUNCIL REGULAR MEETING MINUTES

Date: December 20, 2021

Convened in the Belvidere Council Chambers, 401 Whitney Blvd, Belvidere Illinois at 7:00 p.m.

Call to order by Mayor Morris.

(1) Roll Call: Present: Brereton, Fleury, Frank, Freeman, Mulhall, Porter, Prather, Snow and Stevens.

Absent: McGee.

Other staff members in attendance:

Public Works Director Brent Anderson, Fire Chief Al Hyser, Police Chief Shane Woody, Budget and Finance Officer Shannon Hansen, Director of Buildings Kip Countryman, Community Development Planner Gina DelRose, City Attorney Mike Drella and City Clerk Sarah Turnipseed.

- (2) Pledge of Allegiance: Invocation:
- (3) Public Comment:
 - (A) John Albertini thanked the City of Belvidere officials and employees for all their hard work this last year and wished everyone a Merry Christmas.
- (4) Approval of Minutes:
 - (A) Approval of minutes of the regular meeting of the Belvidere City Council of December 6, 2021; as presented.

Motion by Ald. Prather, 2nd by Ald. Snow to approve the minutes of the regular meeting of the Belvidere City Council of December 6, 2021. Aye voice vote carried. Motion carried.

- (5) Public Hearing:
 - (A) Proposed Property Tax Levy.

Belvidere City Council December 20, 2021

Mayor Morris opened the public hearing at 7:05p.m. and stated the publication for the Proposed Property Tax Levy appeared in the Boone County Journal on December 9, 2021. Mayor Morris asked if there was anyone present to address the public hearing, there being none the public hearing closed at 7:06p.m.

(B)Renewal of Comcast of Illinois/Indiana/Ohio LLC.

Mayor Morris opened the public hearing at 7:06p.m. and stated the publication for the Renewal of Comcast of Illinois/Indiana/Ohio LLC appeared in the Boone County Journal on December 9, 2021. Mayor Morris asked if there was anyone present to address the public hearing, there being none the public hearing closed at 7:07p.m.

- (6) Special Messages and Proclamations:
 - (A) Budget and Finance Officer Shannon Hansen announced that RFP's for Audit Services and a Proposed Budget will be presented in January.
 - (B) Report of Growth Dimensions by Executive Director Pam Lopez-Fettes. Discussion took place.
- (7) Approval of Expenditures: General & Special Fund Expenditures: \$1,661,692.85 Water & Sewer Fund Expenditures: \$635,156.31

Motion by Ald. Fleury, 2nd by Ald. Porter to approve the General & Special Fund Expenditures in the amount of \$1,661,692.85. Discussion took place. Roll Call Vote: 9/0 in favor. Ayes: Brereton, Fleury, Frank, Freeman, Mulhall, Porter, Prather, Snow and Stevens. Nays: None. Motion carried.

Motion by Ald. Prather, 2nd by Ald. Porter to approve the Water & Sewer Fund Expenditures in the amount of \$635,156.31. Roll Call Vote: 9/0 in favor. Ayes: Fleury, Frank, Freeman, Mulhall, Porter, Prather, Snow, Stevens and Brereton. Nays: None. Motion carried.

- (8) Committee Reports and Minutes of City Officers:
 - (A) Monthly Report of Belvidere Police Department Overtime for November 2021.
 - (B) Monthly Report of Belvidere Fire Department Overtime for November 2021.
 - (C) Monthly Report of Community Development Department/Planning Department for November 2021.
 - (D) Monthly Report of Building Department Revenues, Residential Building Permits and Case Reports for November 2021.
 - (E) Monthly General Fund Report for November 2021.
 - (F) Monthly Water/Sewer Fund Report November 2021.
 - (G) Monthly CD Investments for November 2021.
 - (H) Minutes of Planning and Zoning Commission December 14, 2021.

Let the record show these reports were placed on file.

(I) Minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of December 13, 2021.

Motion by Ald. Brereton, 2nd by Ald. Mulhall to approve the minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of December 13, 2021. Aye voice vote carried. Motion carried.

(9) Unfinished Business:

(A) Ord. #553H – 2nd Reading: An Ordinance Levying Taxes for all Corporate Purposes for the City of Belvidere, Boone County, Illinois for the fiscal year beginning May 1, 2021 and ending April 30, 2022.

Motion by Ald. Snow, 2nd by Ald. Fleury to pass Ordinance #553H. Motion by Ald. Porter, 2nd by Ald. Brereton to amend Ord.#553H to change the library portion of the tax levy from \$759,415.00 to \$744,525.00. Discussion took place. Roll Call Vote to Amend: 6/3 in favor. Ayes: Frank, Freeman, Mulhall, Porter, Stevens and Brereton. Nays: Prather, Snow and Fleury. Motion carried. Further discussion took place. Motion by Ald. Porter, 2nd by Ald. Freeman to amend Ord.#553H to add a new Section 3 to the ordinance as follows: "The requirements of Section 3-5 of the Illinois Library Act (75 ILCS 5/3-5) are specifically abrogated and waived for purposes of this Ordinance 553H pursuant to the City of Belvidere's home rule authority. The Library Taxes provided for in the Illinois Library Act shall be levied in the amount set forth in this Ordinance 553H." Roll Call Vote to Amend: 7/2 in favor. Ayes: Freeman, Mulhall, Porter, Prather, Stevens, Brereton and Frank. Nays: Snow and Fleury. Motion carried. Roll Call Vote to pass Ordinance #553H as amended: 6/3 in favor. Ayes: Mulhall, Porter, Stevens, Brereton, Frank and Freeman. Nays: Prather, Snow and Fleury. Motion carried.

(B) Ord. #554H – 2nd Reading: An Ordinance Making a Levy and Providing for a Special Service Area #2 Tax in the City of Belvidere, Boone County, Illinois for the fiscal year beginning May 1, 2021 and ending April 30, 2022.

Motion by Ald. Snow, 2nd by Ald. Frank to pass Ordinance #554H. Discussion took place. Roll Call Vote: 9/0 in favor. Ayes: Porter, Prather, Snow, Stevens, Brereton, Fleury, Frank, Freeman and Mulhall. Nays: None. Motion carried.

(C) Ord. #555H – 2nd Reading: An Ordinance Making a Levy and Providing for a Special Area #3 Tax in the City of Belvidere, Boone County, Illinois for the fiscal year beginning May 1, 2021 and ending April 30, 2022.

Motion by Ald. Snow, 2nd by Ald. Stevens to pass Ordinance #555H. Roll Call Vote: 9/0 in favor. Ayes: Prather, Snow, Stevens, Brereton, Fleury, Frank, Freeman, Mulhall and Porter. Nays: None. Motion carried.

(D) Ord. #559H – 2nd Reading: An Ordinance Vacating a Portion of an Alley Generally Lying North of 121 N. State Street in the City of Belvidere, Illinois.

Motion by Ald. Porter, 2nd by Ald. Frank to table Ordinance #559H to January 3, 2022. Aye voice vote carried. Motion carried.

(E) Ord. #560H – 2nd Reading: An Ordinance Authorizing the Execution of a Cable Franchise Agreement between the City of Belvidere and Comcast of Illinois/Indiana/Ohio LLC.

Motion by Ald. Stevens, 2nd by Ald. Snow to pass Ordinance #560H. Roll Call Vote: 9/0 in favor. Ayes: Snow, Stevens, Brereton, Fleury, Frank, Freeman, Mulhall, Porter and Prather. Nays: None. Motion carried.

(F) Ord. #561H – 2nd Reading: An Ordinance Authorizing the Sale of Certain Personal Property (Fire Department Vehicle).

Motion by Ald. Stevens, 2nd by Ald. Snow to pass Ordinance #561H. Roll Call Vote: 9/0 in favor. Ayes: Stevens, Brereton, Fleury, Frank, Freeman, Mulhall, Porter, Prather and Snow. Nays: None. Motion carried.

(10) New Business:

- (A) Ord. #562H 1st Reading: An Ordinance Granting a Special Use to Allow Accessory Outdoor Storage within the PI, Planned Industrial District (1930-1960 West Chrysler Drive).
- (B) Ord. #563H 1st Reading: An Ordinance Re-Adopting and Affirming Ordinance 506G, An Ordinance Providing for the Number of Aldermen in the City of Belvidere.

Let the record show that Ordinance #562H and Ordinance #563H were placed on file for first reading.

Motions forwarded from Committee of the Whole – Building, Planning and Zoning and Public Works of December 13, 2021.

- (A) Motion to approve the proposal from Ceroni Piping, in the amount of \$2,480.00, for furnishing and installing a new air dryer for the Well #10 filtration system. This equipment will be paid for from Line item #61-5-810-6020. Roll Call Vote: 9/0 in favor. Ayes: Brereton, Fleury, Frank, Freeman, Mulhall, Porter, Prather, Snow and Stevens. Nays: None. Motion carried.
- (B) Motion to waive the bidding requirements for the purchase of filter fabric screens for the Waste Water Treatment Plant. Roll Call Vote: 9/0 in favor. Aye: Fleury, Frank, Freeman, Mulhall, Porter, Prather, Snow, Stevens and Brereton. Nays: None. Motion carried.

(C) Motion to approve the purchase of 1100 filter fabric screens from Veolia Water Technologies (Kruger parent company), at a cost of \$123,298.38 (including shipping). These screens will be paid for from Line Item #61-5-820-6010. Roll Call Vote: Frank, Freeman, Mulhall, Porter, Prather, Snow, Stevens, Brereton and Fleury. Nays: None. Motion carried.

(11) Adjournment:

Motion by Ald. Stevens, 2nd by Ald. Frank to adjourn meeting at 7:53 p.m. Aye voice vote carried. Motion carried.

	Mayor	
Attest:	City Clerk	

NOTICE OF PUBLIC HEARING ON VACATION OF A PORTION OF AN ALLEY

The City of Belvidere will conduct a Public Hearing on January 3, 2022 at 7:00 p.m. at the Belvidere City Council Chambers, 401 Whitney Boulevard, Belvidere, Illinois, to discuss consideration of a vacation of a remnant alley generally lying North of 121 N. State Street in the City of Belvidere, Boone County, Illinois.

The purpose of the public hearing will be to allow all interested persons to be heard concerning the proposal for vacation. Copies of the proposed ordinance vacating the remnant alley are available at the office of the City Clark 101 Union Populated Private Priv of the City Clerk, 401 Whitney Boulevard, Belvidere, Illinois 61008.

By order of the Corporate Authorities of the City of Belvidere, Boone County, Illinois.

Dated: December 9, 2021 Sarah Turnipseed, City Clerk. Published in The Boone County Journal Dec 9, 2021

ORDINANCE #559H

AN ORDINANCE VACATING A PORTION OF AN ALLEY GENERALLY LYING NORTH OF 121 N. State St. IN THE CITY OF BELVIDERE, ILLINOIS

WHEREAS, a remnant alley exists generally lying North of 121 N. State Street (the Alley) in the City of Belvidere, Illinois; and

WHEREAS, the Alley is legally described and depicted on the Attached Exhibit A which is incorporated herein by this reference (also referred to herein as the Vacated Parcel); and

WHEREAS, the Alley is no longer necessary for the public good and portions of the Alley have been previously vacated; and

WHEREAS, the City of Belvidere is a home rule unit of government within the meaning of Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and; and

WHEREAS, after proper notice, a public hearing was held on December 20, 2021 pursuant to Section 11-91-1 of the Illinois Municipal Code; and

WHEREAS, the Corporate Authorities of the City of Belvidere find that it is in the public interest to vacate the Alley as it no longer serves the public and the City will be relieved of any maintenance obligations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Belvidere, Boone County, Illinois as follows:

SECTION 1: The foregoing recitals are incorporated herein as if fully set forth.

SECTION 2: The Alley is hereby vacated in accordance with 65 ILCS 5/11-91-1 et seq. and title to the Vacated Parcel shall devolve upon the adjoining properties the same as if the Alley had been dedicated by common law plat and in accordance with section 11-91-2 of the Illinois Municipal Code (65 ILCS 5/11-91-2) and as set forth in this Ordinance. The Mayor is authorized to execute and the Clerk to Attest any documents necessary or convenient to transfer title to the Vacated Parcel to the adjoin properties.

SECTION 3: The Parcels which shall acquire title to the Vacated Alley pursuant to 65 ILCS 5/11-31-2 are as shown on the Attached Exhibit A and are:

PIN 05-26-434-015

PIN 05-26-434**-**007

PIN 05-26-434-006

SECTION 4: That all maps, journals and other records of the City be changed accordingly.

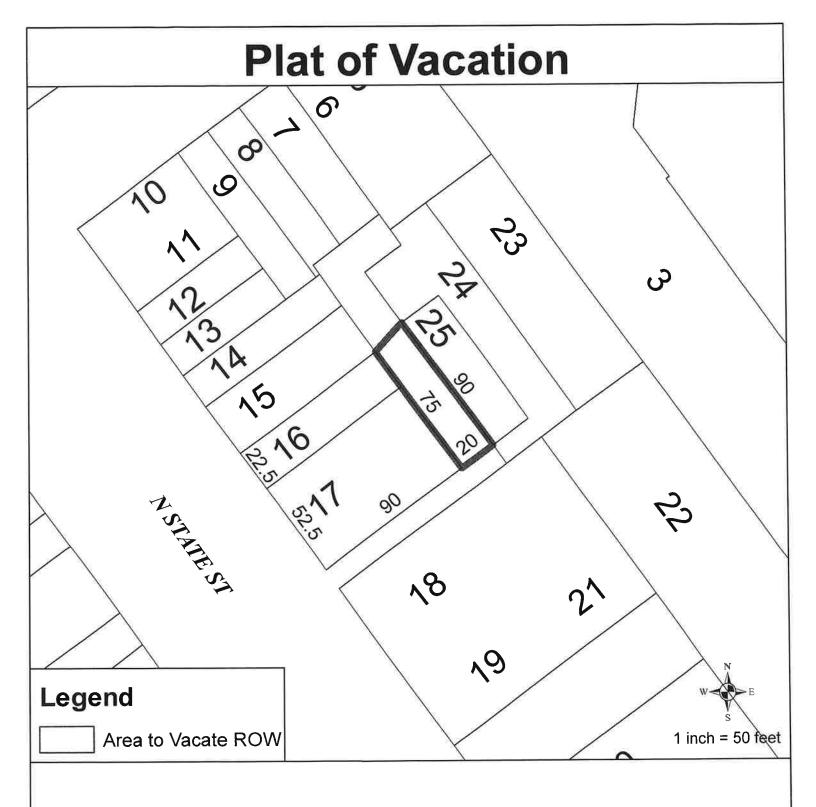
<u>SECTION 5</u>: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

<u>SECTION 6</u>: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Ayes: .		
Nays:		
Absentees:	₩.	
		APPROVED:
		Mayor Clinton Morris
(SEAL)		
ATTEST:		
	City Clerk Sarah Turnipsee	d
Passed:		
Approved:		
Published:		

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ALLEY VACATION - 121 North State Street

Legal Description:

Beginning at the Northeast corner of Lot Sixteen (16) in Assessor's Survey of Block 2 in Joel Walker's Addition to Belvidere recorded in Book 23 of Deeds, page 451; thence Northeasterly 78' to a point on the Westerly line of said Lot Twenty-five (25); thence Southwesterly 20' to the Southeast corner of Lot Seventeen (17) in said Assessor's Survey; thence Northwesterly 75' to the Point of Beginning; situated in the County of Boone and State of Illinois.

ORDINANCE NO. 562H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW ACCESSORY OUTDOOR STORAGE WITHIN THE PI, PLANNED INDUSTRIAL DISTRICT (1930-1960 West Chrysler Drive)

WHEREAS, The City of Belvidere has adopted Chapter 150, Zoning Ordinance in accordance with the provisions of Illinois Compiled Statutes to regulate the use of land and to specify the minimum requirements for improvements on land in the City of Belvidere; and

WHEREAS, Special Uses are certain municipal or private uses that due to their physical or operational characteristics may pose a threat to the value, use and enjoyment of adjoining property; are reviewed on a case by case basis; and are permitted only by permission of the Belvidere City Council; and,

WHEREAS, The applicant and property owner, ACJA Enterprises, LLC (Kevin Bunge), 700 West Locust Street, Belvidere, IL 61008 is requesting a special use for accessory outdoor storage at 1930-1960 West Chrysler Drive; and

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the City of Belvidere Planning and Zoning Commission held a public hearing on December 14, 2021 concerning the proposed Special Use; and,

WHEREAS, the City of Belvidere Planning and Zoning Commission having examined the application and having considered the evidence, both oral and documentary and being fully advised about the premises did make findings of fact and a recommendation; and,

WHEREAS, the corporate authorities of the City considered the findings of fact and concur with the recommendation of the Planning and Zoning Commission,

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein by this reference.

Section 2. That a Special Use in the PI, Planned Industrial District to allow for accessory outdoor storage on the property depicted in Attachment A and legally described as:

Parcel 1:

Lot One Hundred Thirty-Eight (138) as designated upon the Plat No. 3 of Oakbrook Woods, being a subdivision of part of the Northwest Quarter (1/4) of Section 2, Township 43 North, Range 3 East of the Third Principal Meridian, Belvidere, Illinois, the plat of which subdivision is recorded in Plat Index File Envelope 250-A as Document No. 2001R02223 in the Recorder's Office of Boone County, Illinois; described as follows: Beginning at the Northeast Corner of said Lot One Hundred Thirty-Eight (138); thence South 00 degrees 07 minutes 27 seconds West along the East Line of said Lot, a distance of 344.99 feet to the Southeast Corner of said Lot; thence North 89 degrees 52 minutes 33 seconds West along the South Line of said Lot, a distance of 171.57 feet; thence North 61 degrees 25 minutes 58 seconds West along the South Line of said Lot, a distance of 136.48 feet; thence North 27 degrees 22 minutes 45 seconds West along the Southwesterly Line of said Lot, a distance of 116.89 feet; thence North 89 degrees 52 minutes 34 seconds West along the South Line of said Plat No. 3 of Oakbrook Woods, a distance of 78.11 feet to the Southwest Corner of said Plat No. 3 of Oakbrook Woods; thence North 00 degrees 41 minutes 33 seconds East along the West Line of said Plat No. 3 of Oakbrook Woods, a distance of 152.13 feet; thence North 2 degrees 07 minutes 37 seconds West along the West Line of said Plat No. 3 of Oakbrook Woods, a distance of 24.20 feet to the Northwest Corner of said Plat No. 3 of Oakbrook Woods; thence South 89 degrees 52 minutes 33 seconds East along the North Line of said Plat No. 3 of Oakbrook Woods, a distance of 423.11 feet to the Place of Beginning; subject to Perpetual Roadway Easement to the Illinois State The Illinois State Toll Highway Commission by instrument dated May 27, 1968 and recorded July 8, 1968 as Document No. 12194 in the Recorder's Office of Boone County, Illinois, situated in the Country of Boone and the State of Illinois. PIN: 07-02-151-020

Parcel 2:

Lots One Hundred Thirty-Seven (137) as designated upon the Plat No. 3 of Oakbrook Woods, being a Subdivision of part of the Northwest Quarter (1/4) of Section 2, Township 43 North Range 3 East of the Third Principal Meridian, Belvidere, Illinois, the Plat of which Subdivision is recorded in Plat Index File Envelope 250-A as Document No. 2001R02223 in the Recorder's Office of Boone County, Illinois; situated in the County of Boone and the State of Illinois. PIN: 07-02-151-021

is hereby approved, subject to the following conditions:

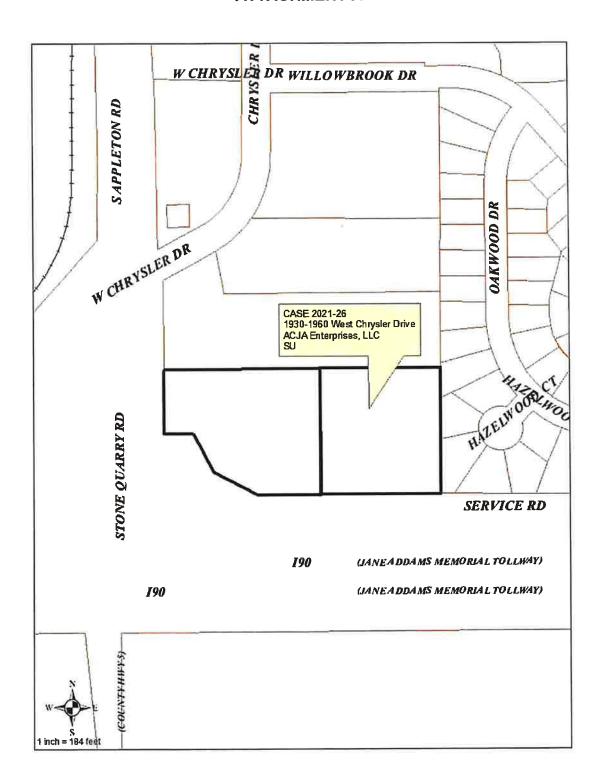
- 1. The outdoor storage area shall be in substantial conformance with the site plan submitted.
- 2. The outdoor storage area shall not be utilized until the outer self-storage buildings are constructed.
- 3. Items such as but not limited to boats, trailers, campers and recreational vehicles can be stored onsite. Storage of aggregate, recyclable materials, etc. is not permitted.
- **Section 3.** That the premises shall be used in accordance with and subject to the applicable provisions of the Zoning Ordinance of the City of Belvidere and shall not be used except as may otherwise be expressly authorized by the applicable law and the special use.
- **Section 4.** That acceptance of any of the benefits of this Special Use shall be deemed acceptance of all the terms and conditions set forth herein.
- **Section 5**. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.
- **Section 6**. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 7. This ordinance shall be in full force and e passage, approval, and publication in pamphlet form as property.	
PASSED by the City Council of the City of Belvidere this 2022.	s day of,

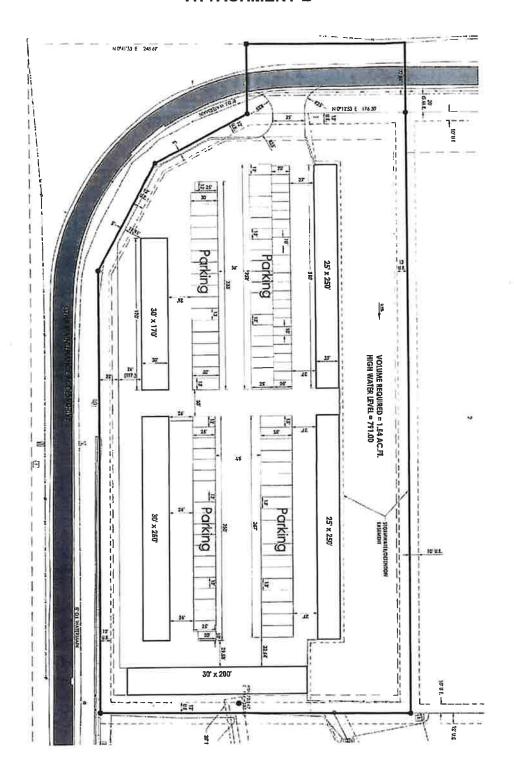
APPROVED by the Mayor of the City of Belvidere this ____ day of _____, 2022.

ATTEST:	Clint Morris, Mayor
Sarah Turnipseed, City Clerk	
Ayes: Nays: Absent:	
City Council Members Voting Aye:	
City Council Members Voting Nay:	
Date Published:	Sponsor:

ATTACHMENT A



ATTACHMENT B



ORDINANCE #563H AN ORDINANCE RE-ADOPTING AND AFFIRMING ORDINANCE 506G, AN ORDINANCE PROVIDING FOR THE NUMBER OFALDERMEN IN THE CITY OF BELVIDERE

WHEREAS, Section 3.1-20-10 of the Illinois Municipal Code (65 ILCS 5/3.1-20-10) allows municipalities, with a population between 20,000 and 50,000 inhabitants, to fix the number of alderpersons at ten (10) as opposed to fourteen (14); and

WHEREAS, the City Council of the City of Belvidere adopted Ordinance 506G on August 5, 2002 setting the number of aldermen for the City of Belvidere at ten (10) in conformance with Section 3.1-20-10 of the Illinois Municipal Code (65 ILCS 5/3.1-20-10); and

WHEREAS, the 2020 Census reveals that the population of the City of Belvidere remains between 20,000 and 50,000 inhabitants; and

WHEREAS, the Illinois Municipal Code has been amended and now refers to "alderpersons" instead of "aldermen".

NOW, THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Belvidere, Boone County, Illinois, as follows:

SECTION 1: Ordinance 506G is hereby re-affirmed and re-adopted such that the number of alderpersons shall remain ten (10), being two from each ward.

SECTION 2: Section 2-36(d) of the City of Belvidere Municipal Code is amended to read as follows:

"(d) The number of alderpersons shall be ten, being two from each ward."

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as required by law which publication is hereby authorized.

Voting Aye: ...
Voting Nay: ...
Absent:

	Clinton Morris Mayor	
ATTEST: Sarah Turnipseed City Clerk	(SEAL)	
Passed: Approved: Published: J:\Draft Ordinances\readopting 506G.d	oc	