

State of Illinois) SS  
Belvidere, Illinois)

BELVIDERE CITY COUNCIL  
REGULAR MEETING  
AGENDA

January 3, 2023

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

(1) Roll Call:

(2) Pledge of Allegiance:  
Invocation:

(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 19, 2022; as presented.

(5) Public Hearing: None.

(6) Special Messages and Proclamations:

(7) Approval of Expenditures: None.

(8) Committee Reports and Minutes of City Officers: None.

(9) Unfinished Business:

(A) Ord. #606H – 2<sup>nd</sup> Reading: An Ordinance Granting a Special Use to Allow  
Indoor Sales or Service within the NO, Neighborhood Office District (1550 Pearl  
Street).

(10) New Business: None.

(11) Adjournment:

State of Illinois) SS  
Belvidere, Illinois)

BELVIDERE CITY COUNCIL  
REGULAR MEETING  
MINUTES

Date: December 19, 2022

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: R. Brereton, W. Frank, M. McGee, N. Mulhall,  
T. Porter, S. Prather, D. Snow and C. Stevens.

Absent: M. Fleury and M. Freeman.

Other staff members in attendance:

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

(2) Pledge of Allegiance:  
Invocation: Mayor Morris.

- (3) Public Comment:
- 1) John Albertini thanked the City Council and wished everyone a Merry Christmas and Happy New Year.
  - 2) Mayor Morris reminded everyone that the Committee of the Whole Meeting of December 27, 2022 has been cancelled and the next City Council meeting will be Tuesday, January 3, 2023.
  - 3) Mayor Morris thanked the Department Heads, City Clerk and staff, and all employees of the City of Belvidere and wished everyone a Merry Christmas and Happy New Year.

(4) Approval of Minutes:

(A) Approval of minutes of the regular meeting of the Belvidere City Council of  
December 5, 2022; as presented.

Motion by Ald. Mulhall, 2<sup>nd</sup> by Ald. Snow to approve the minutes of the regular meeting of the Belvidere City Council of December 5, 2022. Aye voice vote carried. Motion carried.

(5) Public Hearing:

(A) Proposed Property Tax Levy.

Mayor Morris opened the public hearing at 7:08p.m. and stated the publication for the Proposed Property Tax Levy appeared in the Boone County Journal on December 8, 2022. Mayor Morris asked if there was anyone present to address the public hearing there being none the public hearing closed at 7:09p.m.

(6) Special Messages and Proclamations:

- (A) Report of Growth Dimension by Business Enterprise Manager Heather Wick.
- (B) Report of IDA Public Library by Director Mindy Long.

(7) Approval of Expenditures: General & Special Fund Expenditures: \$3,466,677.64  
Water & Sewer Fund Expenditures: \$ 517,892.94

Motion by Ald. Porter 2<sup>nd</sup> by Ald. McGee to approve the General & Special Fund Expenditures in the amount of \$3,466,677.64. Roll Call Vote: 8/0 in favor. Ayes: Brereton, Frank, McGee, Mulhall, Porter, Prather, Snow and Stevens. Nays: None. Motion carried.

Motion by Ald. Snow, 2<sup>nd</sup> by Ald. McGee to approve the Water & Sewer Fund Expenditures in the amount of \$517,892.94. Roll Call Vote: 8/0 in favor. Ayes: Frank, McGee, 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 Pay for November 2022.
- (B) Monthly Report of Belvidere Fire Department Overtime Pay for November 2022.
- (C) Monthly Report of Community Development Department/Planning Department for November 2022.
- (D) Monthly Report of Building Department Revenues, Residential Building Permits, Commercial Permits and Case Reports for November 2022.
- (E) Monthly General Fund Report for November 2022.
- (F) Monthly Water/Sewer Fund Report November 2022.
- (G) Monthly CD Investments for November 2022.
- (H) Minutes of Planning and Zoning Commission of December 13, 2022.

Let the record show these reports were placed on file.

Belvidere City Council  
December 19, 2022

(I) Minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of December 12, 2022.

Motion by Ald. Prather, 2<sup>nd</sup> by Ald. Snow to approve the minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of December 12, 2022. Aye voice vote carried. Motion carried.

(9) Unfinished Business:

(A) Ord. #603H – 2<sup>nd</sup> Reading: An Ordinance Levying Taxes for all Corporate Purposes for the City of Belvidere, Boone County, Illinois for the fiscal year beginning May 1, 2022 and ending April 30, 2023.

Motion by Ald. Snow, 2<sup>nd</sup> by Ald. Mulhall to pass Ord. #603H. Motion by Ald. Snow, 2<sup>nd</sup> by Ald. Prather to amend Ord. #603H to change the library portion of the tax levy from \$807,494 to \$773,503. Roll Call Vote to Amend: 6/2 in favor. Ayes: McGee, Mulhall, Porter, Prather, Snow and Stevens. Nays: Brereton and Frank. Motion carried. Discussion took place concerning tax levy. Motion by Ald. Porter, 2<sup>nd</sup> by Ald. McGee to amend Ord. #603H to change the city portion of the tax levy from \$5,367,696 to \$5,233,131. Further discussion took place concerning tax levy options. Roll Call Vote to Amend: 5/4 in favor. Ayes: Porter, Brereton, Frank, McGee and Mayor Morris. Nays: Mulhall, Prather, Snow and Stevens. Motion carried. Roll Call Vote to pass Ordinance #603H as amended: 7/1 in favor. Ayes: Porter, Prather, Snow, Brereton, Frank, McGee and Mulhall. Nays: Stevens. Motion carried.

(B) Ord. #604H – 2<sup>nd</sup> 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, 2022 and ending April 30, 2023.

Motion by Ald. Snow, 2<sup>nd</sup> by Ald. Frank to pass Ord. #604H. Roll Call Vote: 8/0 in favor. Ayes: Prather, Snow, Stevens, Brereton, Frank, McGee, Mulhall and Porter. Nays: None. Motion carried.

(C) Ord. #605H – 2<sup>nd</sup> 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, 2022 and ending April 30, 2023.

Motion by Ald. Frank, 2<sup>nd</sup> by Ald. Porter to pass Ord. #605H. Roll Call Vote: 8/0 in favor. Ayes: Snow, Stevens, Brereton, Frank, McGee, Mulhall, Porter and Prather. Nays: None. Motion carried.

(10) New Business:

(A) Waive Sec. 2-88, Referral to Committees, with respect to approval of an Independent Contractor Agreement for a Plumbing Inspector.

Motion by Ald. Snow, 2<sup>nd</sup> by Ald. Prather to Waive Sec. 2-88, Referral to Committees, with respect to approval of an Independent Contractor Agreement for a Plumbing

Inspector. Roll Call Vote: 8/0 in favor. Ayes: Stevens, Brereton, Frank, McGee, Mulhall, Porter, Prather and Snow. Nays: None. Motion carried.

(B) Res. #2022-26 – A Resolution Authorizing the Mayor to Execute an Independent Contractor Agreement for Plumbing Inspection Services.

Motion by Ald. Snow, 2<sup>nd</sup> by Ald. Prather to adopt Res. #2022-26. Discussion took place concerning Agreement for Plumbing Inspection Services. Roll Call Vote: 8/0 in favor. Ayes: Brereton, Frank, McGee, Mulhall, Porter, Prather, Snow and Stevens. Nays: None. Motion carried.

(C) Ord. #606H – 1<sup>st</sup> Reading: An Ordinance Granting a Special Use to Allow Indoor Sales or Service within the NO, Neighborhood Office District (1550 Pearl Street).

Let the record show that Ordinance #606H was placed on file for first reading.

Motions forwarded from Committee of the Whole – Building, Planning and Zoning and Public Works of December 12, 2022

(A) Motion to approve the Frontier North utility easement across Municipal Parking Lot #7. Discussion took place concerning easement. Roll Call Vote: 8/0 in favor. Ayes: Frank, McGee, Mulhall, Porter, Prather, Snow, Stevens and Brereton. Nays: None. Motion carried.

(B) Motion to execute the memorandum of understanding to apply for the FY 2022 AFG Regional Communications Grant. Roll Call Vote: 8/0 in favor. McGee, Mulhall, Porter, Prather, Snow, Stevens, Brereton and Frank. Nays: None. Motion carried.

(11) Adjournment:

Motion by Ald. McGee, 2<sup>nd</sup> by Ald. Prather to adjourn meeting at 8:17p.m. Aye voice vote carried. Motion carried.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 606H**

**AN ORDINANCE GRANTING A SPECIAL USE  
TO ALLOW INDOOR SALES OR SERVICE  
WITHIN THE NO, NEIGHBORHOOD OFFICE DISTRICT  
(1550 Pearl Street)**

**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, Ruth Mendez, 531 Pearl Street, Belvidere, IL 61008 on behalf of the property owner, LHC Properties, LLC, 992 Belvidere Road, Belvidere, IL 61008 is requesting a special use to allow indoor sales or service at 1550 Pearl Street; 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 13, 2022 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 NO, Neighborhood Office District to allow for indoor sales or service on the property depicted in Attachment A and legally described as:

Lots Five (5), Seven (7) and Nine (9) in Block Eight (8) as designated upon the Plat of "Highland" situated in Belvidere, according to the Plat thereof recorded in the Recorder's Office of Boone County, Illinois; situated in the County of Boone and the State of Illinois. PIN: 05-36-308-003.

is hereby approved, subject to the following conditions:

1. The hours of operation shall be limited from 6:00am to 11:00pm.
2. The privacy fence shall not inhibit safe sight distance for motorists entering and leaving the property.
3. The parking lot shall be re-stripped in substantial compliance with the Belvidere Zoning Ordinance.
4. Parking lot light fixtures shall adhere to residential requirements and not exceed 25 feet in height.

**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 effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**PASSED** by the City Council of the City of Belvidere this \_\_\_\_ day of \_\_\_\_\_, 2023.

**APPROVED** by the Mayor of the City of Belvidere this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Clint Morris, Mayor

**ATTEST:**

\_\_\_\_\_  
Sarah Turnipseed, City Clerk

Ayes: \_\_\_\_ Nays: \_\_\_\_ Absent: \_\_\_\_

City Council Members Voting Aye: \_\_

City Council Members Voting Nay: \_\_

Date Published:

Sponsor: \_\_\_\_\_

