



City Council  
**COMMITTEE OF THE WHOLE**  
*City of Belvidere, Illinois*

Alderman Sheryl Prather	Chairman Building
Alderman Natalie Mulhall	Vice-Chairman Building
Alderman Ric Brereton	Chairman Finance and Personnel
Alderman Wendy Frank	Vice -Chairman Finance and Personnel
Alderman Tom Porter	Chairman Planning & Zoning
Alderman Mike McGee	Vice-Chairman Planning & Zoning
Alderman Clayton Stevens	Chairman Public Safety
Alderman Matthew Fleury	Vice-Chairman Public Safety
Alderman Marsha Freeman	Chairman Public Works
Alderman Daniel Snow	Vice-Chairman Public Works

**AGENDA**

March 14, 2022  
6:00 p.m.  
City Council Chambers  
401 Whitney Blvd., Belvidere, Illinois

Call to Order:

Roll Call:

Public Comment:

Public Forum:

Reports of Officers, Boards, and Special Committees:

1. Building, Planning & Zoning, Unfinished Business: None.
2. Building, Planning & Zoning, New Business:
  - A. Building Department - Update.
  - B. Planning & Zoning Department - Update.

- C. Re-appointment of Alexandra (Sandie) Omiotek to the Belvidere Historic Preservation Commission.
  - D. Resolution Directing the Planning Department to Publish the Zoning Map of the City of Belvidere.
  - E. FY 2023 Community Development Budget.
3. Public Works, Unfinished Business: None.
4. Public Works, New Business:
- A. Public Works Department – Update.
  - B. Certificate of Satisfactory Completion – Little Caesars Subdivision.
  - C. Well #11 Drilling – Engineering Services Proposal.
  - D. Landfill #1 Groundwater Monitoring Bid Tabulation.
  - E. Landfill #2 Groundwater Monitoring Bid Tabulation.
  - F. 2022 Sidewalk Replacement Program Bid Tabulation.
  - G. 2022 Tree Program Bid Tabulation.
  - H. Landscape Maintenance Bid Tabulation.
  - I. 2022 Mowing Program Bid Tabulation.
  - J. FY 2023 Public Works Budget.
5. Other:
- A. Sidewalk Café Ordinance.
  - B. Heritage Days and Heritage Days BBQ Showdown 2022.
  - C. Executive Session to discuss appointment, employment, compensation, discipline, performance or dismissal of a specific employee or official pursuant to 2(c)(1) of the Open Meeting Act.
6. Adjournment:

## **MEMO**

**DATE:** March 9, 2022  
**TO:** City Council and Clerk  
**FROM:** Mayor Clinton Morris  
**RE:** Re-appointment of Alexandra (Sandie) Omiotek

The Belvidere Historic Preservation Commission is comprised of seven (7) members, each serving a 3-year term. Sandie Omiotek is serving a term that expires April 30, 2022 and has agreed to serve another three-year term (ending 2025). She has a long history of promoting historic preservation and community support.

**Requested Motion:** Motion to consent to and approve the appointment of Ms. Omiotek to the Belvidere Historic Preservation Commission for a three-year term, ending in May 2025.

## Gina Delrose

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**From:** Sandie Omiotek <SandieO@idapubliclibrary.org>  
**Sent:** Wednesday, March 9, 2022 2:30 PM  
**To:** Gina Delrose  
**Subject:** Re: term expires

This message originated from an **External Source**. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

March 9, 2022

To Whom it may concern:

I am writing to request my reappointment as a member of the Belvidere, Illinois Historic Preservation Board.

Thank you.

Alexandra Omiotek

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**From:** Gina Delrose <gdelrose@ci.belvidere.il.us>  
**Sent:** Wednesday, March 9, 2022 10:17 AM  
**To:** Sandie Omiotek <SandieO@idapubliclibrary.org>  
**Subject:** term expires

Sandie-

Your term on historic preservation expires next month 😞 can you please send me a letter or email stating that you would like to be reappointed.

Thank you!!!!

*Gina DelRose*

Community Development Planner  
City of Belvidere  
401 Whitney Boulevard, 61008  
(o) 815-547-7177  
(f) 815-547-0789

**RESOLUTION #2022-10**

**A RESOLUTION DIRECTING THE PLANNING DEPARTMENT  
TO PUBLISH THE ZONING MAP OF THE CITY OF BELVIDERE**

WHEREAS, Illinois statute requires municipalities to publish a zoning map annually; and

WHEREAS, the City of Belvidere has compiled and attached hereto as Exhibit A, a zoning map (dated March 2022 and current with all approved map amendments and annexation) depicting zoning districts as required by state statute, and

WHEREAS, the Official Zoning Map is on file and available for public inspection and purchase at the Belvidere Community Development Department at 401 Whitney Boulevard, Belvidere.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Belvidere that the Planning Department is directed to publish the Official Zoning Map by posting a copy of the map on the office of the Planning Department's web site. The Planning Department is further authorized to make the Official Zoning Map available for purchase.

Approved:

\_\_\_\_\_ Mayor

Attest:

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

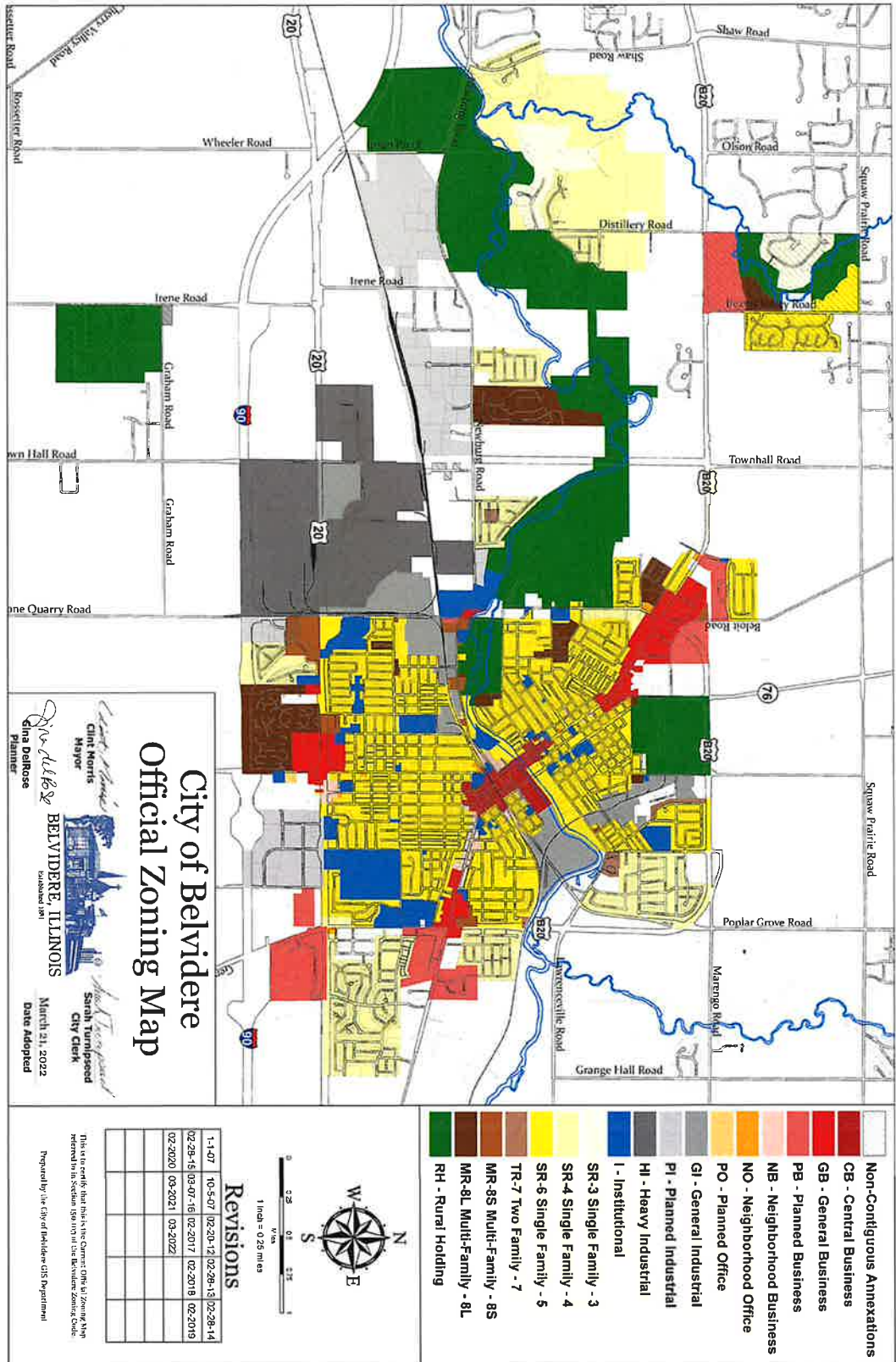
Ayes:

Nays:

Absent:

Approved:

**EXHIBIT A**



# Memo

**To:** Mayor and City Council  
**From:** Brent Anderson, Director of Public Works  
**Date:** 3/3/2022  
**Re:** Certificate of Satisfactory Completion – Little Caesars Subdivision

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In accordance with Section 151.61(B) of the City's Subdivision Control Ordinance, I do hereby certify that the public improvements for the Little Caesars Subdivision have been completed and the improvements have been inspected and approved by this department.

I would recommend that the City Council approve a resolution accepting the public improvements that have been completed for the Little Caesars Subdivision.



Director of Public Works

RESOLUTION #:  
A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS OF  
LITTLE CAESARS SUBDIVISION

WHEREAS, the City Council of the City of Belvidere approved the final Plat of Subdivision of Little Caesars Subdivision on February 6, 2017 (hereinafter the Subdivision; and

WHEREAS, the owner/developer of the Subdivision has certified that all public improvements, identified on said Plat to be dedicated to the City of Belvidere, and required to be constructed by owner/developer, are completed according to the City of Belvidere Municipal Code and the directives of the City's Department of Public Works; and

WHEREAS, the owner/developer dedicated certain Public Improvements to the City of Belvidere as identified on the Final Plat of Subdivision.

NOW, IT IS THEREFORE RESOLVED, by the Mayor and City Council of the City of Belvidere, Illinois as follows:

- 1) The foregoing recitals are hereby incorporated by this reference.
- 2) The Public Improvements identified as being dedicated to the City of Belvidere on the Final Plat of Subdivision for the Little Caesars Subdivision are hereby accepted by the City of Belvidere. This acceptance does not relieve Owner or its successors and/or assigns from any obligation relating to any other improvements which are noted on said plat.
- 3) The Clerk is authorized to record this resolution with the Boone County Recorder of Deeds.

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

Ayes:  
Nays:  
Absent:  
Date Approved:



# Memo

**To:** Mayor and City Council  
**From:** Brent Anderson, Director of Public Works  
**Date:** 3/8/2022  
**Re:** Well #11 Drilling – Engineering Services Proposal

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Based on the PFAS Evaluation and Well #11 Preliminary Design Report, the City is proceeding with construction of a new deep well facility in order to replace Wells #3 and #4 and allow for continued growth of the City's water service area.

The next step in the construction process is to design, bid and drill the new well. Attached to this memo is a proposal from Strand Associates for the engineering services required to complete the well drilling at a cost not-to-exceed \$48,750.00. A breakdown of this cost is included in their proposal. The new well will be designed for a capacity of 2000 gallons per minute. The estimated construction cost for the well drilling is \$800,000. The preliminary opinion of probable cost for the entire project is \$5,135,000. Funding for this project will be through the Public Water Supply Loan Program and the funding nomination form for this program will be submitted by March 31, 2022. The EPA Water Supply Loan Program includes principal forgiveness, the same as their Sewer Loan Program that we are currently utilizing. The amount of the principal forgiveness will be determined once the loan agreement is approved. In the same way as the sewer loan, the water loan will require a rate increase in order to secure the loan payback. Based on the preliminary cost estimate of \$5,135,000 and the current loan program terms, a rate increase of \$0.25 to \$0.30 will be required.

Included in their proposal is a project schedule. The well drilling portion should be completed by December 2022. The final step in the process, well facility design and construction, should be completed by May 2024.

I would recommend approval of the proposal from Strand Associates, in the amount not-to-exceed \$48,750.00, to complete the engineering services required for the drilling of well #11. This work will be paid for from the Water Plant Depreciation Fund.



**Strand Associates, Inc.®**  
910 West Wingra Drive  
Madison, WI 53715  
(P) 608.251.4843

February 18, 2022

Mr. Brent Anderson  
City of Belvidere  
401 Whitney Boulevard  
Belvidere, IL 61008

Re: Well No. 11 – City of Belvidere, Illinois

Dear Mr. Anderson:

This letter presents the next steps in implementing the new Well No. 11 and facility. Based on the recently completed Per- and Polyfluoroalkyl Substances (PFAS) Evaluation and Well No. 11 Preliminary Design report, the City of Belvidere (City) plans to proceed with a new deep well and facility intended to replace Wells No. 3 and 4 and allow for continued growth of the City's water service area.

We suggest the following Scope of Services for the Well No. 11 Well Drilling project.

### **Scope of Services**

#### **Well Drilling Design and Bidding-Related Services**

1. Prepare Bidding Documents using Engineers Joint Contract Documents Committee C 700 Standard General Conditions of the Construction Contract, 2018 edition, technical specifications, and engineering drawings. The technical specifications will include the construction of one new deep aquifer well anticipated to be minimum 19-inch diameter, 1,500 feet deep and capable of pumping 2,000 gpm. The drawings will include a site plan showing property lines, contours, and proposed building location and a cross section of the anticipated well construction.
2. Submit draft bid documents to City for review and input.
3. Prepare prebid opinion of probable cost for the well drilling project and submit to City.
4. Review the draft bidding documents with City, incorporate review comments, and submit two copies of the final bidding documents to City.
5. Submit two copies of drawings and specifications to the IEPA along with applicable construction permit forms for review and approval.
6. Distribute bidding documents electronically through QuestCDN, available at [www.questcdn.com](http://www.questcdn.com). Submit Advertisement to Bid to City for publishing.
7. Prepare addenda and answer questions during bidding.
8. Attend bid opening, tabulate and analyze bid results, and assist City in the award of the construction contract.
9. Prepare three sets of contract documents for signature.

Mr. Brent Anderson  
 City of Belvidere  
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**Well Drilling Construction-Related Services**

1. Provide contract administration services, including attendance at preconstruction conference, review of contractor’s shop drawing submittals, review of contractor’s periodic pay requests, attendance at construction progress meetings, periodic site visits, and participation in project closeout.
2. Observe test pumping of the well and analyze data to finalize production pump design. Observation will include staking of the well centerline and periodic construction and general observation trips during various stages in the drilling process, including casing installation, grouting, well development, plumbness, and alignment, and final test pumping and water quality tests. A total of eight site visits are included.

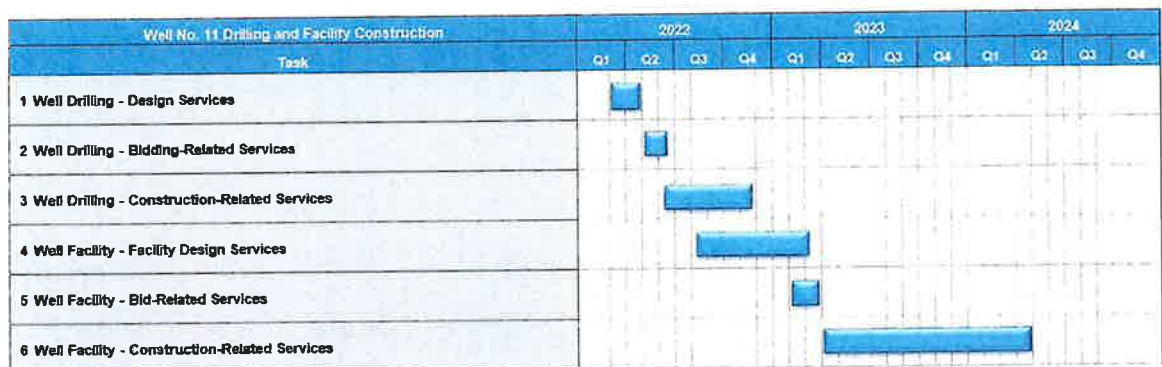
**Well Facility Design and Construction**

We will prepare a separate agreement for well facility design, bidding, and construction-related services in parallel with the well drilling phase.

**Project Schedule**

The project schedule below shows typical timeframes for each phase of the project. Well drilling will be complete in the fall of 2022, with well facility design to begin during well drilling. Final facility design will occur when water quality information is available from the well construction. Construction of the well facility will occur in 2023 and be complete in the spring of 2024.

If they City would like to pursue funding through the Public Water Supply Loan Program, we will submit the Funding Nomination Form by the March 31, 2022, deadline and submit bidding documents and loan application ahead of the June 15, 2022, deadline.



**Preliminary Opinion of Probable Cost**

The following table presents an opinion of probable cost for the well drilling and facility construction as presented in the recent preliminary design report.

Item	Cost Opinion
Well No. 11 Drilling	\$800,000
Well No. 11 Facility with Iron Filtration	\$3,150,000
<b>Construction Subtotal</b>	<b>\$3,950,000</b>
30 percent contingency, engineering, legal	\$1,185,000
<b>Total Preliminary OPCC</b>	<b>\$5,135,000</b>

Mr. Brent Anderson  
City of Belvidere  
Page 3  
February 18, 2022

**Engineering Fee**

We propose the following fees for the Well No. 11 well drilling phase of the project. We will finalize the scope and fee for the well facility engineering during the well drilling phase.

Task	Fee
Well Drilling Design and Bidding-Related Services	\$26,300
Well Drilling Construction-Related Services	\$22,450
<b>Total Fee</b>	<b>\$48,750</b>

Please call with any questions regarding this proposal.

Sincerely,

STRAND ASSOCIATES, INC.®



Michael J. Forslund, P.E.

Enclosure(s)

# Memo

**To:** Mayor and City Council  
**From:** Brent Anderson, Director of Public Works  
**Date:** 3/7/2022  
**Re:** Landfill #1 Groundwater Monitoring – Bid Tabulation

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The following bids were received for the two year groundwater monitoring of Belvidere Municipal Landfill #1, beginning with the July 2022 sampling period:

- |   |             |
|---|-------------|
| 1. Pace Analytical Services<br>2231 West Altorfer Drive<br>Peoria, Illinois 61615 | \$12,920.00 |
| 2. A3 Environmental<br>3030 Warrenville Road<br>Lisle, IL 60532                   | \$20,500.00 |

I would recommend approval of the low bid from Pace Analytical Services for the groundwater monitoring at Belvidere Municipal Landfill #1 from July 2022 until August 2023 in the amount of \$12,920.00..

# Memo

**To:** City Council/County Board  
**From:** Brent Anderson, Director of Public Works  
**Date:** 3/7/2022  
**Re:** Landfill #2 Groundwater Monitoring – Bid Tabulation

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The following bids were received for the two-year groundwater monitoring of Belvidere Municipal Landfill #2, beginning with the April 2022 sampling period:

- |   |              |
|---|--------------|
| 1. Pace Analytical Services<br>2231 West Altorfer Drive<br>Peoria, Illinois 61615 | \$76,445.80  |
| 2. A3 Environmental, PLLC<br>3030 Warrenville Road<br>Lisle, Illinois 60532       | \$100,120.00 |

I would recommend approval of the low bid from Pace Analytical Services, in the amount of \$76,445.80, for the groundwater monitoring at Belvidere Municipal Landfill #2 for two years, beginning with the April 2022 sampling period.

# Memo

**To:** Mayor and City Council  
**From:** Brent Anderson, Director of Public Works  
**Date:** 3/8/2022  
**Re:** 2022 Sidewalk Replacement Program

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The following bids were received for the City's annual sidewalk replacement program:

Bidder	Amount
1. Globe Construction 1781 W Armitage Ct Addison, IL 60101	\$147,410.00
2. Stenstrom Excavation & Blacktop Group 2422 Center Street Rockford, IL 61108	\$159,640.00
3. Campos Construction 1201 12 <sup>th</sup> Street Rockford, IL 61104	\$186,775.00
4. Alliance Contractors Inc. 1166 Lake Avenue Woodstock, IL 60098	\$209,485.00

I would recommend approval of the low bid from Globe Construction, in the amount of \$147,410.00, for the City's annual sidewalk program. The unit prices are \$8.10/sf for removal and replacement of 4" sidewalk and \$7.10/sf for removal and replacement of 6" sidewalk. This work will be paid for from Line Item #01-5-310-6003 and Line Item #41-5-110-7900.

2021 unit prices: \$8.15/sf for 4" and \$7.20/sf for 6"  
2020 unit prices: \$8.73/sf for 4" and \$7.50/sf for 6"  
2019 unit prices: \$10.45/sf for 4" and \$8.800/sf for 6"  
2018 unit prices: \$11.00/sf for 4" and \$16.00/sf for 6"

# Memo

**To:** Mayor and City Council  
**From:** Brent Anderson, Director of Public Works  
**Date:** 3/8/2022  
**Re:** 2022 Tree Program Bid Tabulation

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The following bids were received for the 2022 Tree Work Program:

- |  |             |
|--|-------------|
| 1. Minnihan's Tree Service LLC<br>2785 Garden Prairie Road<br>Garden Prairie, IL 61038 | \$48,400.00 |
| 2. Trees "R" Us, Inc<br>P.O. Box 6014<br>Wauconda, IL 60084                            | \$57,200.00 |
| 3. Tree Care Enterprises, Inc.<br>5563 Kilburn Avenue<br>Rockford, IL 61101            | \$61,600.00 |

I would recommend approval of the low bid from Minnihan's Tree Service, in the amount of \$48,400.00, for tree work from May 1, 2022 to April 30, 2023 for the City of Belvidere.

The unit prices for this contract are as follows:

	2022	2021	2020
1. Tree Removal (6" to 15" Dia)	\$17.00/In Dia	\$18.00/In Dia	\$21.00/In Dia
2. Tree Removal (Over 15" Dia)	\$30.50/In Dia	\$31.00/In Dia	\$32.00/In Dia
3. Stump Grinding	\$7.00/In Dia	\$9.00/In Dia	\$10.00/In Dia

This work will be paid for from Forestry Funds. The budget for this work is \$40,000.00.



# Memo

**To:** Mayor and City Council  
**From:** Brent Anderson, Director of Public Works  
**Date:** 3/8/2022  
**Re:** Landscape Maintenance Bid Tabulation

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The following bids were opened today for the 2022 landscape maintenance program:

- 1. Lawn Maintenance Services \$21,775.00  
3344 Garden Prairie Road  
Garden Prairie, IL 61038
  
- 2. Area Services, Inc \$23,079.90  
11801 Slough Road  
Belvidere, IL 61008
  
- 3. LawnCare by Walter, Inc. \$24,430.00  
31745 North Alleghany Road  
Grayslake, Illinois 60030

I would recommend approval of the low bid from Lawn Maintenance Services, in the amount of \$21,775.00, for the 2022 landscape maintenance program. This work will be paid for from Street Department Line Items #01-5-310-6002 and #01-5-310-6826.

2021 Price: \$23,404.98  
2020 Price: \$23,705.00  
2019 Price: \$23,721.00  
2018 Price: \$20,416.00

# Memo

**To:** Mayor and City Council  
**From:** Brent Anderson, Director of Public Works  
**Date:** 3/8/2022  
**Re:** 2022 Mowing Program – Bid Tabulation

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The following bid was received for the mowing of Water Department properties, Public Works properties and the Farmington Ponds:

- |  |   |
|--|---|
| 1. LawnCare by Walter, Inc.<br>4235 S Perryville Rd<br>Cherry Valley, IL 61016 | Water: \$420.00 per mowing, \$820.00 herbicide<br>Public Works: \$800.00 per mowing, \$2,178.00 herbicide<br>Ponds: \$225.00 per mowing, \$720.00 herbicide |
|--|---|

Based on review of the bid, I would recommend the following:

Approval of the low bid from LawnCare by Walter, in the amount of \$420.00 per mowing, for the mowing of Water Department Sites. This work will be paid from Water Department Line Item #61-5-810-6040.

- 2021: \$350.00 per mowing
- 2020: \$285.00 per mowing
- 2019: \$380.00 per mowing
- 2018: \$390.00 per mowing

Approval of the low bid from LawnCare by Walter, in the amount of \$800.00 per mowing, for the mowing of the Public Works Sites. This work will be paid from Street Department Line Item #01-5-310-6002.

- 2021: \$720.00 per mowing
- 2020: \$520.00 per mowing
- 2019: \$480.00 per mowing
- 2018: \$460.00 per mowing

Approval of the low bid from LawnCare by Walter, in the amount of \$225.00 per mowing, for the Farmington Ponds. This work will be paid from the Farmington Pond Maintenance Fund.

- 2021: \$225.00 per mowing
- 2020: \$225.00 per mowing
- 2019: \$270.00 per mowing
- 2018: \$258.00 per mowing

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #533H

AN ORDINANCE PROVIDING FOR TEMPORARY RELIEF  
FROM THE FULL REQUIREMENTS OF SECTION 98-12(a)(3)  
OF THE CITY OF BELVIDERE MUNICIPAL CODE  
FOR FISCAL YEAR 2022 (5/1/2021 – 4/30/2022)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 3<sup>RD</sup> DAY OF MAY 2021.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 4<sup>TH</sup> DAY OF MAY, 2021.

Published in Pamphlet Form this 4<sup>th</sup> day of May 2021.

ORDINANCE #533H  
AN ORDINANCE PROVIDING FOR TEMPORARY RELIEF  
FROM THE FULL REQUIREMENTS OF SECTION 98-12(a)(3)  
OF THE CITY OF BELVIDERE MUNICIPAL CODE  
FOR FISCAL YEAR 2022 (5/1/2021 – 4/30/2022)

WHEREAS, The Corporate Authorities of the City of Belvidere previously enacted Section 98-12(a)(3) of the City of Belvidere Municipal Code to allow Sidewalk Café allowing for Sidewalk Café's within the City of Belvidere and placing certain restrictions upon their operations; and

WHEREAS, on June 1, 2020 the Corporate Authorities of the City of Belvidere enacted Ordinance 496H which provided temporary relief from the full requirements of Section 98-12(a)(3) of the City of Belvidere Municipal Code in reaction to the COVID-19 pandemic and the Governor's Executive Orders in response to the pandemic; and

WHEREAS, The Governor of the State of Illinois, pursuant to his executive powers, continues to limit the operations of commercial and hospitality industries within the State in response to the continuing COVID-19 pandemic; and

WHEREAS, the Corporate Authorities of the City of Belvidere desire to assist restaurants and bars in operating in compliance with the Governor's Executive Orders and the Guidelines and rules of promulgated by DECO as well as relevant health departments and officials, including but not limited to, the Boone County Health Department; and

WHEREAS, the Corporate Authorities find that it is essential and urgent that this Ordinance take effect immediately upon its passage to comply with the Governor's and DCEO's orders relating to outside dining and to provide a mechanism for City restaurants and bars to remain open thus helping to preserve jobs and businesses.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belvidere as follows:

**SECTION 1:** The foregoing recitals are incorporated herein by this reference.

**SECTION 2:** The \$75.00 application fee required by section 98-12(a)(3)(a) is waived for fiscal year 2022.

**SECTION 3:** The size requirements of Section 98-12(a)(3)(b)(4) as follows: Activities shall provide for a minimum pedestrian width of four (4) feet at all times. No part of the Sidewalk Café shall be closer than three (3) feet of the vehicle right of way (curb). No activities of the Sidewalk Café my block or impede pedestrian traffic along the sidewalk, or ingress and egress to the business it fronts or neighboring businesses.

**SECTION 4:** Section 98-12(a)(3)(h) is modified to provide that the permitted sidewalk café must comply with all restrictions, regulations and laws of the Boone County Health Department, DCEO, Executive Orders of the Governor of the State of Illinois, orders and regulations of either the Belvidere Local Liquor Commissioner or the State of Illinois Liquor Commission and any other lawful law or regulation. The Guidelines and Toolkit published by DCEO, and as they may be amended in the future, are hereby adopted and incorporated in this ordinance as if fully set forth.

**SECTION 5:** Section 98-12(a)(3)(I) is modified to provide that Sidewalk Cafés must cooperate and allow inspection at any reasonable hour by any employee or agent of the City or by any State of Illinois or Boone County agency with regulatory authority.

**SECTION 6:** Section 98-12(a)(3)(n)(1) is modified to provide that the supplied dram shop insurance shall name the City of Belvidere as an additional insured and shall specifically note coverage for the area of the Sidewalk Café.

**SECTION 7:** Section 98-12(a)(3)(n)(4), prohibiting a Sidewalk Café to allow consumption of alcohol where at least 50% of revenue is derived from the sale of food for consumption on premises and requiring alcohol service incidental to the provision of food only, shall not be applicable nor enforced during fiscal year 2022.

**SECTION 8:** Section 98-12(a)(3)(n)(5), allowing the requirement of a beautification project as a condition of receiving permission for sale and consumption of alcohol in a sidewalk café is not applicable or enforceable during fiscal year 2022.

**SECTION 9:** Section 98-12(a)(3)(n)(6) is amended to read as follows: *Any Sidewalk Café with specific permission to serve alcoholic beverages shall enclose the permitted area from the remainder of the public way, and be maintained in accordance with a plan reasonably approved by the City. The boundary shall be no less than 24 inches or more than 36 inches in height. The boundary shall be durable so that it shall not collapse or fall over due to wind or incidental contact with patrons or pedestrians. The boundary may have movable sections to aid in public access to seating as long as the boundary complies with the submitted plan. The boundary shall be maintained in place during operating hours. No boundary may be stabilized by bolting to the sidewalk. Non-permissible enclosure of City property, within the boundaries of the Sidewalk Café, shall include, but is not limited to, parking meters, fire hydrants, and utility or signal control boxes. These types of items can be identified as items which must be accessible to the public or to the City for emergency services. The sidewalk Café serving alcohol shall be located in accordance with Section 98-12(a)(3)(b)(4).*

**SECTION 10:** The remainder of Section 98-12, as well as all other codes and regulations of the City of Belvidere, shall remain in full force and effect.

**SECTION 11:** The modifications to Section 98-12 of the Belvidere Municipal Code set forth in this Ordinance are specifically allowed in response to the

Executive Orders of the Illinois Governor in relation to the COVID-19 Pandemic and are solely intended for a limited duration. The modifications provided herein shall cease upon the expiration of the Sidewalk Café permits issued for Fiscal Year 2022. Thereafter, all permitted Sidewalk Café's shall comply with Section 98-12 in its entirety without regard to this Ordinance.

**SECTION 12:** Violation of any of the laws, regulations rules or orders, including but not limited to the DCEO Guidelines and Toolkit referenced in this Ordinance shall constitute a nuisance and may be enforced as a violation of this Ordinance in accordance with section 98-12(b). Suspension or revocation of sidewalk café permits for a violation of this Ordinance or any other City Code or Ordinance shall be in accordance with Section 98-12(b) and Section 26-43 of the City of Belvidere Municipal Code.

**SECTION 13:** 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 14:** This Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor. The Clerk shall nonetheless publish this Ordinance in pamphlet form as required by law.

Voting Aye: McGee, Mulhall, Porter, Prather, Snow, Stevens, Brereton, Fleury, Frank, and Freeman.

Voting Nay: None.

Absent: None.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
City Clerk Sarah Turnipseed

(SEAL)

Passed: May 3, 2021.

Approved: May 4, 2021.

Published: May 4, 2021.

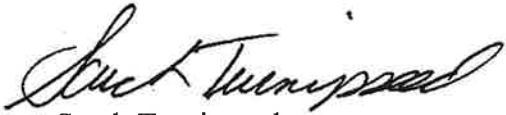


**AFFIDVAIT**

STATE OF ILLINOIS     )  
  )  
COUNTY OF BOONE     )

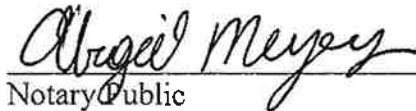
Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #533H of the City of Belvidere, Illinois, in pamphlet form on May 4, 2021, and as a convenience for the public; I posted the pamphlet form of Ordinance #533H on the bulletin board in the lobby at 401 Whitney Blvd., Belvidere, Illinois; said location being readily accessible to the public during business hours of the City Clerk's Office.



Sarah Turnipseed  
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME  
this 4<sup>th</sup> day of May, 2021.

  
Notary Public

# Memo

To: City Council  
From: Clinton Morris, Mayor  
Date: March 10, 2022  
Re: Heritage Days Festival

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We are planning for Heritage Days 2022 and always looking at how we can improve our policies and processes. Going forward to ensure all the events, contracts and expenditures for Heritage Days and Heritage Days BBQ Showdown are executed in a timely manner, I am requesting the motion stated below. Please keep in mind all Heritage Day funds come from donations/contributions.

**Requested Motion:**

Motion to authorize the Mayor to execute such agreements and expend funds in the Heritage Days account currently \$36,955.37. Further the Mayor is authorized to execute such agreements and expend additional funds which are received as donation or contribution for the Heritage Days Festival and Heritage Days BBQ Showdown. Section 5/8-1-7 is abrogated for these purposes.