

State of Illinois) SS
Belvidere, Illinois)

BELVIDERE CITY COUNCIL
REGULAR MEETING
AGENDA

April 2, 2018

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

(1) Roll Call:

(2) Pledge of Allegiance:

Invocation: Mayor Chamberlain.

(3) Public Comment: (Please register with the City Clerk):

(4) Approval of minutes of the regular meeting of the Belvidere City Council of
March 19, 2018; as presented.

(5) Public Hearing:

(6) Special Messages and Proclamations:

(A) Proclamation Honoring the Belvidere Barracudas Swim Team
Small State Champions.

(B) Veto message from Mayor Chamberlain.

(7) Approval of Expenditures: None.

(8) Committee Reports and Minutes of City Officers:

(A) Belvidere Police Department Overtime Report of March 13, 2018 through
March 22, 2018.

(B) Belvidere Fire Department Overtime Reports of March 7, 2018 and
March 14, 2018 through March 27, 2018.

(C) Minutes of Committee of the Whole – Public Safety and Finance and
Personnel of March 26, 2018.

(9) Unfinished Business:

(A) Ord. #394H – 2nd Reading: An Ordinance Granting a Special Use for a
Planned Development within the PI, Planned Industrial District
(Car Wash – 2090 Keene Parkway).

(10) New Business:

- (A) Ord. #395H – 1st Reading: An Ordinance Amending Section 110-221, Parking Violation Penalty of the City of Belvidere Municipal Code.
- (B) Ord. #396H – 1st Reading: An Ordinance Amending Section 14-452, Registration Fees of the City of Belvidere Municipal Code.

Motions forwarded from Committee of the Whole – Public Safety and Finance and Personnel of March 26, 2018.

Public Works Motions – Chairman Brooks:

- (A) Motion to approve entering into an agreement with Lakeland Biologists for the 2018 Farmington Ponds Maintenance Program at an estimated cost of \$15,000 based on their proposal dated January 30, 2018. This work will be paid for from the Farmington Ponds Special Service Areas.
- (B) Motion to approve the low bid from Trees “R” Us in the amount of \$54,600 for tree work from May 1, 2018 to April 30, 2019 for the City of Belvidere.
- (C) Motion to approve the low bid from LawnCare by Walter in the amount of \$380 per mowing for the mowing of Water Department Sites. This work will be paid from Water Department line item #61-5-810-6040.
- (D) Motion to approve the low bid from Lawn Maintenance Services in the amount of \$460 per mowing for the mowing of the Public Works Sites. This work will be paid from Street Department line item #01-5-310-6002.
- (E) Motion to approve the low bid from Lawn Maintenance Services in the amount of \$258 per mowing for the Farmington Ponds. This work will be paid from the Farmington Pond Maintenance Fund.
- (F) Motion to approve the low bid from LawnCare by Walter in the amount of \$20,416 for the 2018 landscape maintenance program. This work will be paid for from Street Department line items #01-5-310-6002 and #01-5-310-6826.
- (G) Motion to approve the low bid from Alliance Contractors in the amount of \$70,350 for the city’s annual sidewalk program. The unit prices are \$11/sf for removal and replacement of 4” sidewalk and \$16/sf for removal and replacement of 6” sidewalk. This work will be paid for from line item #01-5-310-6003.

(11) Adjournment:

State of Illinois SS
Belvidere, Illinois

**Belvidere City Council
Regular Session
Minutes**

Date: March 19, 2018

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

Mayor Chamberlain presiding:

- (1) Roll Call: Present: M. Borowicz, R. Brooks, G. Crawford, W. Frank, M. Freeman, T. Porter, T. Ratcliffe, M. Sanderson and C. Stevens.
Absent: D. Snow.

Other staff members in attendance:

Budget and Finance Director Becky Tobin, Building Director Lesa Morelock, Treasurer Cory Thornton, Public Works Director Brent Anderson, Community Development Planner Gina DelRose, Fire Chief Hyser, Police Chief Woody, City Attorney Drella and City Clerk Arco.

- (2) Pledge of Allegiance:

Invocation: Mayor Chamberlain:

- (3) Public Comment:

- (4) Approval of Minutes:

- (A) Approval of minutes of the regular meeting of the Belvidere City Council of March 5, 2018; as presented.

Motion by Ald. Sanderson, 2nd by Ald. Frank to approve the minutes of the regular meeting of the Belvidere City Council of March 5, 2018. Roll Call Vote: 9/0 in favor. Ayes: Borowicz, Brooks, Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson and Stevens. Nays: None. Motion carried.

- (5) Public Hearing: Annual Budget Ordinance.

Mayor Chamberlain opened the public hearing at 7:02 p.m. and read the publication that appeared in the Boone County Journal on March 2, 2018. The Mayor asked if there was anyone that wished to address the public hearing, there being now the public hearing closed at 7:04 p.m.

(6) Special Messages and Proclamations:

(A) Fire Chief Hyser spoke about recognition Belvidere Firefighters will receive on May 8, 2018 in Springfield for the Jackson Street Apartment fire that took place on March 10, 2017.

(7) Approval of Expenditures: General & Special Fund Expenditures: \$1,347,035.48
Water & Sewer Fund Expenditures: \$ 401,534.26

Motion by Ald. Borowicz, 2nd by Ald. Porter to approve the General & Special Fund Expenditures in the amount of \$1,347,035.48. Roll Call Vote: 9/0 in favor. Ayes: Brooks, Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Stevens and Borowicz. Nays: None. Motion carried.

Motion by Ald. Sanderson, 2nd by Ald. Borowicz to approve the Water & Sewer Fund Expenditures in the amount of \$401,534.26. Roll Call Vote: 9/0 in favor. Ayes: Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Stevens, Borowicz and Brooks. Nays: None. Motion carried.

(8) Committee Reports & Minutes of City Officers:

- (A) Belvidere Police Department Overtime Report of February 27, 2018 through March 12, 2018.
- (B) Belvidere Fire Department Overtime Report of February 20, 2018 and February 28, 2018 through March 13, 2018.
- (C) Monthly Report of Community Development/Planning of February 2018.
- (D) Monthly Report of Building Department Revenues of February 2018.
- (E) Monthly Treasurer's Report for February 2018.
- (F) Monthly General Fund Report for February 2018.
- (G) Monthly Water/Sewer Fund Report for February 2018.
- (H) Minutes of City-County Coordinating Committee of February 14, 2018.
- (I) Minutes of Planning and Zoning Commission of March 13, 2018.

Let the record show these reports and minutes were placed on file.

- (J) Minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of March 12, 2018.

Motion by Ald. Frank, 2nd by Ald. Borowicz to approve the minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of March 12, 2018. Roll Call Vote: 9/0 in favor. Ayes: Frank, Freeman, Porter, Ratcliffe, Sanderson, Stevens, Borowicz, Brooks and Crawford. Nays: None. Motion carried.

(9) Unfinished Business:

(A) Ord. #392H – 2nd Reading: Budget Ordinance.

Motion by Ald. Crawford, 2nd by Ald. Brooks to pass Ord. #392H. Roll Call Vote: 8/1 in favor. Ayes: Freeman, Porter, Ratcliffe, Sanderson, Borowicz, Brooks, Crawford and Frank. Nays: Stevens. Motion carried.

(B) Ord. #393H – 2nd Reading: An Ordinance Amending Section 66-32 (a) of the City of Belvidere Municipal Code.

Motion by Ald. Ratcliffe, 2nd by Ald. Freeman to pass Ord. #393H. Roll Call Vote: 9/0 in favor. Ayes: Porter, Ratcliffe, Sanderson, Stevens, Borowicz, Brooks, Crawford, Frank and Freeman. Nays: None. Motion carried.

(10) New Business:

(A) Ord. #394H – 1st Reading: An Ordinance Granting a Special Use for a Planned Development within the PI, Planned Industrial District (Car Wash 2090 Keene Parkway).

Let the record show Ordinance #394H was placed on file for first reading.

(B) Res. #2069-2018: A Resolution Directing the Planning Department to Publish the Zoning Map of the City of Belvidere.

Motion by Ald. Crawford, 2nd by Ald. Brooks to adopt Res. #2069-2018. Roll Call Vote: 9/0 in favor. Ayes: Ratcliffe, Sanderson, Stevens, Borowicz, Brooks, Crawford, Frank, Freeman and Porter. Nays: None. Motion carried.

(C) Res. #2070-2018: A Resolution Authorizing Certain Annual Parades for 2018.

Motion by Ald. Crawford, 2nd by Ald. Borowicz to adopt Res. #2070-2018. Roll Call Vote: 9/0 in favor. Ayes: Sanderson, Stevens, Borowicz, Brooks, Crawford, Frank, Freeman, Porter and Ratcliffe. Nays: None. Motion carried.

Motions forwarded from City-County Coordinating Committee of February 14, 2018.

(A) Motion to approve invoice #15627 in the amount of \$1,330 to Nijman Franzetti LLP with a 50/50 split between the City and County. Roll Call Vote: 9/0 in favor. Ayes: Stevens, Borowicz, Brooks, Crawford, Frank, Freeman, Porter, Ratcliffe and Sanderson. Nays: None. Motion carried.

- (B) Motion to approve invoice #15652 in the amount of \$280 to Nijman Franzetti LLP with a 50/50 split between the City and County. Roll Call Vote: 9/0 in favor. Ayes: Borowicz, Brooks, Crawford, Frank, Freeman, Porter, Ratcliffe Sanderson and Stevens. Nays: None. Motion carried.
- (C) Motion to approve invoice #15699 in the amount of \$315 to Nijman Franzetti LLP with a 50/50 split between the City and County. Roll Call Vote: 9/0 in favor. Ayes: Brooks, Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Stevens and Borowicz. Nays: None. Motion carried.
- (D) Motion to approve invoice #15698 in the amount of \$280 to Nijman Franzetti LLP with a 50/50 split between the City and County. Roll Call Vote: 9/0 in favor. Ayes: Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Stevens, Borowicz and Brooks. Nays: None. Motion carried.

Motions forwarded from Committee of the Whole – Building, Planning and Zoning and Public Works of March 12, 2018.

- (A) Motion to approve the extension of the special use for Anderson Funeral & Cremation Service. Roll Call Vote: 9/0 in favor. Ayes: Frank, Freeman, Porter, Ratcliffe, Sanderson, Stevens, Borowicz, Brooks and Crawford. Nays: None. Motion carried.
- (B) Motion to approve the extension of the special use for Biglinny Firearms Inc. Roll Call Vote: 9/0 in favor. Ayes: Freeman, Porter, Ratcliffe, Sanderson, Stevens, Borowicz, Brooks, Crawford and Frank. Nays: None. Motion carried.
- (C) Motion to approve the extension of the special use for CCSIP Properties Inc. Roll Call Vote: 9/0 in favor. Ayes: Porter, Ratcliffe, Sanderson, Stevens, Borowicz, Brooks, Crawford, Frank and Freeman. Nays: None. Motion carried.
- (D) Motion to improve the alley between E. 8th Street and E. 9th Street from end to end with pavement.

Audience members whom spoke regarding improving the alley were as follows:

Allan Morrill of 1527 Whitney Blvd, Belvidere

Charles Byers owner of 130 E. 9th Street, Belvidere

Scott Creegen of 112 E. 9th Street, Belvidere

Lanny Kruckeberg of 1528 South State Street, Belvidere

Motion by Ald. Porter to table – lost due to lack of a second.

Roll Call Vote: 7/2 in favor of improving the alley between E. 8th Street and E. 9th Street from end to end with pavement. Ayes: Sanderson, Stevens, Borowicz, Brooks, Crawford, Freeman and Porter. Nays: Ratcliffe and Frank. Motion carried.

(E) Motion to approve reducing the high water bill of \$1,141.43 for 217 North State Street by 50%. Roll Call Vote: 8/1 in favor. Ayes: Sanderson, Stevens, Borowicz, Brooks, Crawford, Frank, Freeman and Ratcliffe. Nays: Porter. Motion carried.

(F) Motion to direct staff to obtain an appraisal and plat of vacation for possible vacation and sale of a portion of the alley north of Buchanan Street. Roll Call Vote: 9/0 in favor. Ayes: Stevens, Borowicz, Brooks, Crawford, Frank, Freeman, Porter, Ratcliffe and Sanderson. Nays: None. Motion carried.

(11) Adjournment:

Motion by Ald. Borowicz, 2nd by Ald. Stevens to adjourn the meeting at 8:02 p.m. Aye voice vote carried. Motion carried.

_____ Mayor

Attest: _____ City Clerk



Proclamation

Honoring The Belvidere Barracudas Swim Team Small State Champions

WHEREAS, the hard work, dedication, sportsmanship, talent and exceptional team work of the Belvidere Barracudas swim team has enabled these athletes to earn First Place in the Illinois YMCA State Championship Small Team Division meet; and

WHEREAS, the dedicated swimmers of the Belvidere YMCA Barracudas trained diligently for over six months to qualify and prepare for the YMCA State Championship meet in some cases swimming more than 273 training miles during that period; and

WHEREAS, the Belvidere Barracudas brought honor and recognition to the City of Belvidere on the local, state and national level; and

WHEREAS, Head Coach Matthew Kopald, the assistant coaches and team member parents were integral in guiding the team to victory through their unwavering support; and

WHEREAS, Jackson Fletcher, Sarah Johnson, Kaiya Kolberg, Madeline McClain, Sonya McClain, Devon Page, Camden Taylor, Madilyn Taylor, Nolan Taylor and Oryi Tucker, swam in the YMCA State Championship Swim Meet; and

WHEREAS, this is the first time the Belvidere YMCA Barracudas have won a State level championship, having won third place the previous year.

NOW, THEREFORE, I, Mike Chamberlain, Mayor of the City of Belvidere, in the great State of Illinois, do hereby recognize and heartily congratulate the Belvidere YMCA Barracuda Swim Team and its swimmers on their outstanding accomplishments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Belvidere to be affixed this 2nd day of April, 2018.

Mike Chamberlain
Mayor of Belvidere



BELVIDERE, ILLINOIS

Established 1881

MEMO

To: Belvidere City Council

CC: City Clerk / City Attorney

Date: 2 April 2018

Re: VETO

The motion "to improve the alley between E. 8th Street and E. 9th Street from end to end with pavement", which was passed by a 7-2 vote on Monday, March 19th, 2018, is hereby disapproved and returned to City Council.

Various previous actions to vacate or improve this alley failed, either by City Council vote, or Mayoral veto. Furthermore, in a budget year that contemplated no funding available for Capital Projects, the expenditure for this project is not available.

Perhaps the most troubling aspect of this action by the City Council is the that the action was brought forward by an Alderman who personally benefits from the approval of the action, and, in fact, is the only entity that will derive substantial benefit from the action.



MIKE CHAMBERLAIN, MAYOR

401 WHITNEY BLVD. SUITE 100 • BELVIDERE, IL 61008 • PHONE: 815/544-2612 • EMAIL: MAYOR@CI.BELVIDERE.IL.US

Memo

To: Mayor and City Council
From: Mike Drella
CC: City Clerk
Date: March 20, 2018
Re: Procedures Relating to Veto

The veto process is governed by sections 3.1-40-45 and 3.1-40-50 of the Illinois Municipal Code. Copies are attached for your reference.

Section 3.1-40-45 specifically empowers the Mayor to veto an ordinance, resolution or motion. In the case of an appropriation, the Mayor has the ability to use a line item veto process. If the Mayor wishes to utilize the veto power he is required to return the motion with his written objections at the next regular meeting of the City Council that is at least five (5) days after the vote. With regard to the issue of improving the alley between East 8th St. and East 9th Street, the veto would need to be delivered at the April 2, 2018 City Council meeting. "Returning" the motion simply means placing the issue back before the Council. It does not denote physically returning a document. In the case of a motion there is no physical document.

Section 3.1-40-50 provides that when a motion is returned with written objections (vetoed), the matter will be reconsidered by the City Council at the next regular meeting following the meeting at which the veto is delivered. As such if the Mayor elects to veto the Alley motion on April 2, 2018, the matter would lie over until the next regular City Council meeting on April 16, 2018. At that time, the Council would again reconsider the original question and may override the Mayor's veto with the affirmative vote of 2/3 of the aldermen then holding office (currently seven (7) aye votes).

Please note the word "reconsider" in this context has a different meaning than the concept found in section 2-87 of the City of Belvidere Municipal Code governing motions to reconsider. The process of overriding a veto is not a "motion to reconsider" and the procedure outlined in section 2-87 do not apply to the veto process.

West's Smith-Hurd Illinois Compiled Statutes Annotated

Chapter 65. Municipalities

Act 5. Illinois Municipal Code (Refs & Annos)

Article 3.1. Officers (Refs & Annos)

Division 40. City Council

65 ILCS 5/3.1-40-45

Formerly cited as IL ST CH 24 ¶ 3.1-40-45

5/3.1-40-45. Ordinances; approval; veto

Currentness

§ 3.1-40-45. Ordinances; approval; veto. All resolutions and motions (i) that create any liability against a city, (ii) that provide for the expenditure or appropriation of its money, or (iii) to sell any city or school property, and all ordinances, passed by the city council shall be deposited with the city clerk. Except as provided in Articles 4 and 5 of this Code,¹ if the mayor approves an ordinance or resolution, the mayor shall sign it. Those ordinances, resolutions, and motions which the mayor disapproves shall be returned to the city council, with the mayor's written objections, at the next regular meeting of the city council occurring not less than 5 days after their passage. The mayor may disapprove of any one or more sums appropriated in any ordinance, resolution, or motion making an appropriation, and, if so, the remainder shall be effective. However, the mayor may disapprove entirely of an ordinance, resolution, or motion making an appropriation. If the mayor fails to return any ordinance or any specified resolution or motion with his written objections within the designated time, it shall become effective despite the absence of the mayor's signature.

Credits

Laws 1961, p. 576, § 3.1-40-45, added by P.A. 87-1119, § 2, eff. May 13, 1993.

Formerly Ill.Rev.Stat., ch. 24, ¶ 3.1-40-45.

Footnotes

¹ 65 ILCS 5/4-1-1 et seq. and 5/5-1-1 et seq.

65 I.L.C.S. 5/3.1-40-45, IL ST CH 65 § 5/3.1-40-45

Current through P.A 100-581 of the 2018 Reg. Sess.

West's Smith-Hurd Illinois Compiled Statutes Annotated
Chapter 65. Municipalities
Act 5. Illinois Municipal Code (Refs & Annos)
Article 3.1. Officers (Refs & Annos)
Division 40. City Council

65 ILCS 5/3.1-40-50

Formerly cited as IL ST CH 24 § 3.1-40-50

5/3.1-40-50. Reconsideration; passing over veto

Effective: January 1, 2000

Currentness

§ 3.1-40-50. Reconsideration; passing over veto. Every resolution and motion specified in Section 3.1-40-45, and every ordinance, that is returned to the city council by the mayor shall be reconsidered by the city council at the next regular meeting following the regular meeting at which the city council receives the mayor's written objection. If, after reconsideration, two-thirds of all the aldermen then holding office on the city council agree at that regular meeting to pass an ordinance, resolution, or motion, notwithstanding the mayor's refusal to approve it, then it shall be effective. The vote on the question of passage over the mayor's veto shall be by yeas and nays and shall be recorded in the journal.

This Section does not apply to municipalities with more than 500,000 inhabitants.

Credits

Laws 1961, p. 576, § 3.1-40-50, added by P.A. 87-1119, § 2, eff. May 13, 1993. Amended by P.A. 91-489, § 5, eff. Jan. 1, 2000.

Formerly Ill.Rev.Stat., ch. 24, ¶ 3.1-40-50.

65 I.L.C.S. 5/3.1-40-50, IL ST CH 65 § 5/3.1-40-50

Current through P.A 100-581 of the 2018 Reg. Sess.

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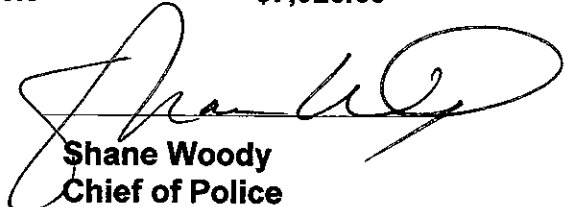
Belvidere Police Department Payroll Report

Dept: 1790

3/22/2018

For Overtime Incurred between 3/13/18 and 3/22/18

Last Name:	Employee ID:	Total Hours:	Total Overtime Pay:
Ball	00739	10	\$546.00
Bell	00813	5	\$273.00
Berillo	00941	6	\$267.66
Bird	00793	8.75	\$477.75
Blankenship	00729	7	\$382.20
Brox	00963	0.75	\$34.90
Danielak	00996	9.5	\$341.43
Delavan	00848	13.25	\$670.38
Derry	00816	25.25	\$1,378.65
Garcia	00988	2	\$80.31
Gorsuch	00756	5	\$305.78
Jones	00772	10.5	\$573.30
King	00868	15	\$758.93
Korn	00989	8	\$321.24
Kozłowski	00846	2	\$101.19
Parker, B	00686	2	\$109.20
Polnow	00886	4	\$211.85
Reese	00979	4.5	\$185.63
Washburn	00784	9	\$550.40
Zapf	00934	8	\$356.88
Totals:		155.5	\$7,926.66



Shane Woody
Chief of Police

BELVIDERE FIRE DEPT

Overtime Report

Date Between {03/07/2018} And {03/07/2018} and

Staff ID = "00971" and Activity Code = "TRE"

Activity Type Hours Wkd

Date	Time	Incident	Pay Type		Hrs Paid	Pay
00971	Heiser, Bradley Donald					
03/07/2018	10:00		OT TRE EMS Training		2.00	58.32
Staff Member Totals:					2.00	58.32
All Staff Member Totals:					2.00	58.32

Types: F=Fire, M=EMS/Medical, R=Rescue, O=Other

BELVIDERE FIRE DEPT
Overtime Report
Date Between {03/14/2018} And {03/27/2018}

Date	Time	Incident	Pay Type	Activity Type	Hours Wkd	Hrs Paid	Pay
00866	Beck, Mark E						
03/17/2018	09:00		OT	TROT Training not	1.50	2.00	76.02
				Staff Member Totals:	1.50	2.00	76.02
00754	Burdick, David J						
03/22/2018	07:00		OT	SPE EMS Drug Exchange or	1.50	1.50	65.56
				Staff Member Totals:	1.50	1.50	65.56
00809	Drall, Dan C						
03/21/2018	18:00		OT	TRD Dive/Water Rescue	1.50	2.00	75.26
				Staff Member Totals:	1.50	2.00	75.26
00966	Ellwanger, Adam A						
03/19/2018	07:30		OT	TREP Initial Paramedic	9.75	1.75	51.03
03/22/2018	07:30		OT	TREP Initial Paramedic	10.00	10.00	291.60
				Staff Member Totals:	19.75	11.75	342.63
00961	Fox, Kevin W						
03/19/2018	07:00		OT	SCS Shift Coverage for Sick	24.00	8.00	253.92
				Staff Member Totals:	24.00	8.00	253.92
00640	Harbison, Brian A						
03/25/2018	07:00		OT	SCSE Shift Coverage for	24.00	24.00	1094.64
				Staff Member Totals:	24.00	24.00	1094.64
00971	Heiser, Bradley Donald						
03/17/2018	07:00		OT	TRTM TEMS Training	5.00	5.00	145.80
				Staff Member Totals:	5.00	5.00	145.80
00601	Holmes, Gregory A						
03/14/2018	07:00		OT	TRO Officer Training	10.25	10.25	467.50
				Staff Member Totals:	10.25	10.25	467.50
00993	Mead, Stephen C.						
03/21/2018	11:30		OT	TRTM TEMS Training	5.00	5.00	131.00
03/21/2018	18:00		OT	TRD Dive/Water Rescue	1.50	2.00	52.40
				Staff Member Totals:	6.50	7.00	183.40
00755	Oates, Joshua A						
03/17/2018	07:00		OT	TRTM TEMS Training	5.00	5.00	188.15
03/27/2018	08:00		OT	TRTM TEMS Training	9.00	9.00	338.67
				Staff Member Totals:	14.00	14.00	526.82
00969	Tangye, Travis N						
03/15/2018	08:45		OT	IN Inspection Bureau	7.25	7.25	211.41
03/20/2018	07:30		OT	IN Inspection Bureau	9.25	9.25	269.73
				Staff Member Totals:	16.50	16.50	481.14

All Staff Member Totals: 124.50 102.00 3,712.69

Types: F=Fire, M=EMS/Medical, R=Rescue, O=Other

Minutes
Committee of the Whole
Public Safety and Finance and Personnel
March 26, 2018 6:00 p.m.

Call to Order - Mayor Mike Chamberlain:

Aldermen Present: M. Borowicz, R. Brooks, G. Crawford,
W. Frank, M. Freeman, T. Porter,
M. Sanderson, D. Snow and C. Stevens.
Aldermen Absent: T. Ratcliffe

Also in attendance: Treasurer Cory Thornton, Public Works
Director Brent Anderson, Captain Zumbragel, Chief Woody,
City Attorney Drella and City Clerk Arco.

Public Comment: None.

Public Forum: None.

Reports of Officers, Boards and Special Committees:

1. Public Safety, Unfinished Business: None.
2. Public Safety, New Business:
 - (A) Badge presentation by DC Gardner and DC Wallace to Officer Danielak for completing his first year of service with the Belvidere Police Department.
 - (B) Recognition by Captain Zumbragel to Firefighter Mead for completing his first year of service with the Belvidere Fire Department.
3. Finance and Personnel, Unfinished Business: None.
4. Finance & Personnel, New Business:
 - (A) Parking Violations:

Motion by Ald. Sanderson, 2nd by Ald. Crawford to approve modifying Section 110-221 of the City Code, to increase the general parking fine to \$25; \$35 if not paid within five days and not less than \$100 if a notice to appear is utilized and to increase the obstructing snow equipment violation to \$50 if paid prior to issuance of a notice to appear. Aye voice vote carried. Motion carried.

(B) Video Gaming Permit Fees.

Motion by Ald. Sanderson, 2nd by Ald. Borowicz to increase the video gaming fee per machine from \$100 to \$500.

Motion to amend by Ald. Crawford, 2nd by Ald. Brooks to increase the video gaming fee per machine from \$100 to \$200. Roll Call Vote for amendment 4/5 in favor. Ayes: Brooks, Crawford, Freeman and Porter. Nays: Borowicz, Frank, Sanderson, Snow and Stevens. Motion lost.

Roll Call on original motion 6/3 in favor. Ayes: Frank, Porter, Sanderson, Snow, Stevens and Borowicz. Nays: Brooks, Crawford and Freeman. Motion carried.

5. Other:

(A) Farmington Ponds 2018 Maintenance Agreement.

Motion by Ald. Borowicz, 2nd by Ald. Snow to approve entering into an agreement with Lakeland Biologists for the 2018 Farmington Ponds Maintenance Program at an estimated cost of \$15,000 based on their proposal dated January 30, 2018. This work will be paid for from the Farmington Ponds Special Service Areas. Aye voice vote carried. Motion carried.

(B) 2018 Tree Program Bid Tabulation.

Motion by Ald. Sanderson, 2nd by Ald. Porter to approve the low bid from Trees "R" Us in the amount of \$54,600 for tree work from May 1, 2018 to April 30, 2019 for the City of Belvidere. Aye voice vote carried. Motion carried.

(C) 2018 Mowing Program Bid Tabulation.

Motion by Ald. Frank, 2nd by Ald. Borowicz to approve the low bid from LawnCare by Walter in the amount of \$380 per mowing for the mowing of Water Department Sites. This work will be paid from Water Department line item #61-5-810-6040. Aye voice vote carried. Motion carried.

Motion by Ald. Sanderson, 2nd by Ald. Borowicz to approve the low bid from Lawn Maintenance Services in the amount of \$460 per mowing for the mowing of the Public Works Sites. This work will be paid from Street Department line item #01-5-310-6002. Aye voice vote carried. Motion carried.

Motion by Ald. Freeman, 2nd by Ald. Porter to approve the low bid from Lawn Maintenance Services in the amount of \$258 per mowing for the Farmington Ponds. This work will be paid from the Farmington Pond Maintenance Fund. Aye voice vote carried. Motion carried.

(D) Landscape Maintenance Bid Tabulation.

Motion by Ald. Frank, 2nd by Ald. Borowicz to approve the low bid from LawnCare by Walter in the amount of \$20,416 for the 2018 landscape maintenance program. This work will be paid for from Street Department line items #01-5-310-6002 and #01-5-310-6826. Aye voice vote carried. Motion carried.

(E) 2018 Sidewalk Replacement Program.

Motion by Ald. Sanderson, 2nd by Ald. Porter to approve the low bid from Alliance Contractors in the amount of \$70,350 for the city's annual sidewalk program. The unit prices are \$11/sf for removal and replacement of 4" sidewalk and \$16/sf for removal and replacement of 6" sidewalk. This work will be paid for from line item #01-5-310-6003. Aye voice vote carried. Motion carried.

(F) Executive Session to discuss Collective Bargaining Matters pursuant to Section 2 (c) (2) - FOP, IAFF and IUOE.

Motion by Ald. Frank, 2nd by Ald. Stevens to move into Executive Session at 6:48 p.m. to discuss Collective Bargaining Matters pursuant to Section 2 (c) (2) - FOP, IAFF and IUOE. Roll Call Vote: 9/0 in favor. Ayes: Crawford, Frank, Freeman, Porter, Sanderson, Snow, Stevens, Borowicz and Brooks. Nays: None. Motion carried.

Motion by Ald. Crawford, 2nd by Ald. Porter to move out of Executive Session at 7:46 p.m. Roll Call Vote: 9/0 in favor. Ayes: Frank, Freeman, Porter, Sanderson, Snow, Stevens, Borowicz Brooks and Crawford. Nays: None. Motion carried.

6. Adjournment:

Motion by Ald. Crawford, 2nd by Ald. Sanderson to adjourn meeting at 7:47 p.m. Aye voice vote carried. Motion carried.

_____ Mayor

Attest: _____ City Clerk

ORDINANCE #395H

AN ORDINANCE AMENDING SECTION 110-221,
PARKING VIOLATION PENALTY
OF THE CITY OF BELVIDERE MUNICIPAL CODE

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

SECTION 1: Section 110-221, Parking Violation Penalty, of the City of Belvidere Municipal Code is amended to read as set forth in the attached Exhibit A which is incorporated herein by this reference.

SECTION 2: 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 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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.

EXHIBIT A

Sec. 110-221. - Parking violation penalty.

- (a) Any person accused of a violation of any provision of this article prohibiting parking of a vehicle in a designated area or restricting the length of time that a vehicle may be there parked, may settle the claim against him for such illegal parking by paying to the police department the sum as described in this subsection:

Violation	Settlement
Overtime parking; parking in loading zone; all other violations of this chapter, except obstructing traffic.	\$25.00 if paid within five days of ticket issuance; \$35.00 if paid after five days but before arrest warrant or notice to appear is issued. An arrest warrant or notice to appear may be issued after ten days following the violation or sooner on the request of the defendant. After a notice to appear is issued the minimum fine shall be as set forth in Section 1-9 of the City of Belvidere Municipal Code.
Parking that is obstructing traffic, including all snow removal parking violations.	\$50.00 if paid within five days of ticket issuance but before an arrest warrant or notice to appear is issued. An arrest warrant or notice to appear may be issued after five days following the violation or sooner on request of the defendant. After a notice to appear is issued the minimum fine shall be as set forth in Section 1-9 of the City of Belvidere Municipal Code.

- (b) All money so received shall be promptly turned over to the city treasurer to be used in a manner as provided for the disposition of fines for traffic violations.
- (c) The police department is authorized to refrain from instituting prosecution for the alleged offense involved in order to effectuate the purposes of this section. However, no such settlement may be made once a complaint has been filed with the circuit clerk.
- (d) This section shall not apply to persons parking a vehicle so as to obstruct the entrance or exit to any place where police or fire department apparatus or other emergency equipment is kept or housed, or so as to block any emergency equipment from or emergency entrances to any hospital, nor shall this section apply to any person charged with parking a vehicle so as to entirely obstruct traffic in any street or alley, or parking in such a way as to reduce traffic on an arterial street to one-way traffic only; nor to any person who refuses to move a vehicle illegally parked at the request of any police officer.
- (e) If the vehicle was towed or stored pursuant to section 110-291 et seq., the claim may be settled and compromised only on payment of all storage, towing, notice and other reasonable costs, in addition to the sums specified above.

ORDINANCE #396H

AN ORDINANCE AMENDING SECTION 14-452,
REGISTRATION FEES
OF THE CITY OF BELVIDERE MUNICIPAL CODE

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

SECTION 1: Section 14-452, Registration Fees, of the City of Belvidere Municipal Code is amended to read as set forth in the attached Exhibit A which is incorporated herein by this reference.

SECTION 2: Appendix A, Fees, of the City of Belvidere Municipal Code is amended to include the fee of \$500.00 per video gaming terminal as set forth in Section 14-452 as follows:

14-452	Video Gaming Terminal Fee (per gaming terminal)	Clerk	\$500.00
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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: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: 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.

EXHIBIT A

Sec. 14-452. - Registration fees.

- (a) An annual registration fee of \$500.00 is hereby imposed upon each video gaming terminal operated within the city. The fee shall be paid prior to beginning operation of each gaming terminal. The renewal fee shall be due on the following May 1 and upon each succeeding May 1. There shall be no proration of the fee. Prior to operation of any video gaming terminal within the city a copy of the license issued by the state gaming board for each video gaming terminal, terminal operator and licensed establishment shall be filed with the city clerk.
- (b) The privilege of operating a video gaming terminal in the city is purely a personal privilege. Any new licensee who takes possession of the video gaming terminals and/or licensed establishment in the future shall file with the clerk their new license and pay a \$500.00 license fee which shall not be prorated.