

State of Illinois) SS
Belvidere, Illinois)

BELVIDERE CITY COUNCIL
REGULAR MEETING
AGENDA

April 3, 2017

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 20, 2017; as presented.

(5) Public Hearing: Annual Budget Ordinance.

(6) Special Messages and Proclamations:

(A) Police Chief Noble Notice of Completion of Probationary Period.

(B) Proclamation for National Service Recognition Day.

(7) Approval of Expenditures: None.

(8) Committee Reports and Minutes of City Officers:

(A) Belvidere Police Department Overtime Report of March 14, 2017
through March 27, 2017.

(B) Belvidere Fire Department Overtime Reports of March 8, 2017 and
March 15, 2017 through March 28, 2017.

(C) Minutes of City-County Coordinating Committee of March 8, 2017.

(D) Minutes of Committee of the Whole – Public Safety and Finance and
Personnel of March 27, 2017.

(9) Unfinished Business:

(A) Ord. #338H – 2nd Reading: Budget Ordinance.

- (B) Ord. #339H – 2nd Reading: An Ordinance Granting a Zoning District Change from SR-6, Single Family Residential – 6 District to I, Institutional District (212 and 216 Kishwaukee Street, 215 W. Lincoln Avenue and 220 W. Hurlbut Avenue).
- (C) Ord. #340H – 2nd Reading: An Ordinance Granting a Special Use for a Planned Development within the I, Institutional District (for Anderson Funeral Home and Cremation Services 218 W. Hurlbut and adjacent properties).
- (D) Ord. #341H – 2nd Reading: An Ordinance Amending Chapter 150, Zoning Ordinance of the Municipal Code (Definitions, Curbing, Maximum Fence Height and Signage).
- (E) Ord. #342H – 2nd Reading: An Ordinance Granting a Special Use for a Planned Development within the CB, Central Business District (for Iron and Coal at 300 South Main Street and 320 Whitney Blvd).

(10) New Business:

- (A) Ord. #343H – 1st Reading: An Ordinance Authorizing the Sale of Certain Personal Property (Police Department Vehicles and Seized Vehicles).
- (B) Ord. #344H – 1st Reading: An Ordinance Amending Article XI, Seized and Impounded Vehicles of Chapter 110 of the City of Belvidere Municipal Code.
- (C) Res. #2057-2017: A Resolution Directing the Planning Department to Publish the Zoning Map of the City of Belvidere.

Motions forwarded from City-County Coordinating Committee of March 8, 2017.

Motions – Vice Co-Chair Stevens:

- (A) Motion to approve TRC invoice #224409 in the amount of \$2,555.31 and TRC invoice #22317 in the amount of \$3,163.07 with a 50/50 split between the City and County.
- (B) Motion to approve Nijman Franzetti invoice #15119 in the amount of \$455 with a 50/50 split between the City and County.

Motions forwarded from Committee of the Whole – Public Safety and Finance and Personnel of March 27, 2017.

Motions – Chairman Crawford

- (A) Motion to approve the Independent Contractor Agreement for Electrical Inspection Services with R&R Electric.
- (B) Motion to approve the Good Friday Parade request for April 14, 2017.

(C) Motion to approve the purchase of eleven (11) new double hung wood replacement windows for the training room and rear of Station #1 at a cost not to exceed \$9,566.43. This expenditure would come from line item 01-5-220-6010.

(D) Motion to authorize the purchase of video equipment at a cost not to exceed \$14,393.50; 50% of the cost to be covered by budgeted Capital Funds and 50% covered by Federal Asset Forfeiture Fund.

(11) Adjournment:

State of Illinois SS
Belvidere, Illinois

**Belvidere City Council
Regular Session
Minutes**

Date: March 20, 2017

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

Mayor Chamberlain presiding:

(1) Roll Call: Present: D. Arevalo, R. Brooks, J. Sanders, G. Crawford,
W. Frank, T. Ratcliffe, M. Sanderson, D. Snow and C. Stevens.
Absent: C. Morris.

Other staff members in attendance:

Budget and Finance Director Becky Tobin, Building Director Lesa Morelock,
Treasurer Ric Brereton, Street/Water/Sewer Supt Danny Anderson, Community
Development Planner Gina DelRose, Fire Chief Hyser, Police Chief Noble, City Attorney
Drella and City Clerk Arco.

(2) Pledge of Allegiance:
Invocation: Mayor Chamberlain:

(3) Public Comment: Andy Racz commented on parks in Belvidere and their upkeep.

(4) Approval of Minutes:

(A) Approval of minutes of the regular meeting of the Belvidere City Council of
March 6, 2017; as presented.

Motion by Ald. Crawford, 2nd by Ald. Brooks to approve the minutes of the regular
meeting of the Belvidere City Council of March 6, 2017. Roll Call Vote: 9/0 in favor.
Ayes: Arevalo, Brooks, Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow and
Stevens. Nays: None. Motion carried.

(5) Public Hearing: None.

(6) Special Messages and Proclamations:

(A) Mayor Chamberlain reported on the Sister Cities trip to Paris this fall.

- (7) Approval of Expenditures: General & Special Fund Expenditures: \$1,200,020.94
Water & Sewer Fund Expenditures: \$ 552,810.64

Motion by Ald. Snow, 2nd by Ald. Sanders to approve General & Special Fund Expenditures in the amount of \$1,200,020.94. Roll Call Vote: 9/0 in favor. Ayes: Brooks, Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow, Stevens and Arevalo. Nays: None. Motion carried.

Motion by Ald. Brooks, 2nd by Ald. Crawford to approve the Water & Sewer Fund Expenditures in the amount of \$552,810.64. Roll Call Vote: 9/0 in favor. Ayes: Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow, Stevens, Arevalo and Brooks. Nays: None. Motion carried.

(8) Committee Reports & Minutes of City Officers:

- (A) Belvidere Police Department Overtime Report of February 28, 2017 through March 13, 2017.
- (B) Belvidere Fire Department Overtime Report of March 1, 2017 through March 14, 2017.
- (C) Monthly Treasurer's Report for February 2017.
- (D) Monthly General Fund Report for February 2017.
- (E) Monthly Water/Sewer Fund Report for February 2017.
- (F) Minutes of Planning and Zoning Commission of March 14, 2017.

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

- (G) Minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of March 13, 2017.

Motion by Ald. Crawford, 2nd by Ald. Snow to approve the minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of March 13, 2017. Roll Call Vote: 9/0 in favor. Ayes: Crawford, Frank, Ratcliffe, Sanderson, Snow, Stevens, Arevalo, Brooks and Sanders. Nays: None. Motion carried.

(9) Unfinished Business: None.

(10) New Business:

- (A) Ord. #338H – 1st Reading: Budget Ordinance.
- (B) Ord. #339H – 1st Reading: An Ordinance Granting a Zoning District Change from SR-6, Single Family Residential-6 District to I, Institutional District (212 and 216 Kishwaukee Street, 215 W. Lincoln Avenue and 220 W. Hurlbut Avenue).

- (C) Ord. #340H – 1st Reading: An Ordinance Granting a Special Use for a Planned Development within the I, Institutional District (for Anderson Funeral Home and Cremation Services 218 W. Hurlbut and adjacent properties).
- (D) Ord. #341H – 1st Reading: An Ordinance Amending Chapter 150, Zoning Ordinance of the Municipal Code (Definitions, Curbing, Maximum Fence Height and Signage).
- (E) Ord. #342H – 1st Reading: An Ordinance Granting a Special Use for a Planned Development within the CB, Central Business District (for Iron and Coal at 300 South Main Street and 320 Whitney Blvd).

Let the record show Ordinances #338H, #339H, #340H, #341H and #342H were placed on file for first reading.

Community Development Planner Gina DelRose left the meeting at 7:15 p.m.

Motions forwarded from Committee of the Whole – Building, Planning and Zoning and Public Works of March 13, 2017.

- (A) Motion by Ald. Snow, 2nd by Ald. Crawford to approve waiving the bidding process to make emergency repairs at Well #8. Roll Call Vote: 9/0 in favor. Ayes: Frank, Ratcliffe, Sanderson, Snow, Stevens, Arevalo, Brooks, Sanders and Crawford. Nays: None. Motion carried.
- (B) Motion to approve Great Lakes Water Resources to make emergency repairs at Well #8 at a cost estimated at \$200,000. This work will be paid for from the Water Deprecation Account. Motion by Ald. Snow, 2nd by Ald. Crawford to amend motion to include the amount of \$216,624 for emergency repairs to Well #8. Roll Call Vote to amend: 9/0 in favor. Ayes: Ratcliffe, Sanderson, Snow, Stevens, Arevalo, Brooks, Sanders, Crawford and Frank. Nays: None. Motion carried. Motion to approve as amended: 9/0 in favor. Ayes: Sanderson, Snow, Stevens, Arevalo, Brooks, Sanders, Crawford, Frank and Ratcliffe. Nays: None. Motion carried.
- (C) Motion to approve the proposal from Municipal Well & Pump in the amount of \$62,934.50 to complete the rehabilitation of Well #9. Roll Call Vote: 9/0 in favor. Ayes: Snow, Stevens, Arevalo, Brooks, Sanders, Crawford, Frank, Ratcliffe and Sanderson. Nays: None. Motion carried.

- (D) Motion to approve the EDP Grant Agreement for Tripp Road and approval of supplement agreements with Becknell and Magna. Roll Call Vote: 9/0 in favor. Ayes: Stevens, Arevalo, Brooks, Sanders, Crawford, Frank, Ratcliffe, Sanderson and Snow. Nays: None. Motion carried.
- (E) Motion to approve the proposal from ARC Design Resources to complete the design and construction engineering required for the Tripp Road Reconstruction Project at a cost not-to-exceed \$80,500. Roll Call Vote: 9/0 in favor. Ayes: Arevalo, Brooks, Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow and Stevens. Nays: None. Motion carried.
- (F) Motion to approve the installation of three new street lights along East Pleasant Street adjacent to General Mills at a cost of \$11,108. This work will be paid for from line item 01-5-330-6022. Roll Call Vote: 9/0 in favor. Ayes: Brooks, Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow, Stevens, and Arevalo. Nays: None. Motion carried.
- (G) Motion to approve the proposal from RJ Daniels in the amount of \$8,449 for a new Simplicity Cobalt Zero Turn Mower for the WWTP. This mower will be paid for from line item 61-5-820-6010. Roll Call Vote: 9/0 in favor. Ayes: Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow, Stevens, Arevalo and Brooks. Nays: None. Motion carried.
- (H) Motion by Ald. Snow, 2nd by Ald. Arevalo to waive the bidding process for rebuilding one Fairbanks 12” raw waste water pump at the WWTP. Roll Call Vote: 9/0 in favor. Ayes: Crawford, Frank, Ratcliffe, Sanderson, Snow, Stevens, Arevalo, Brooks and Sanders. Nays: None. Motion carried.
- (I) Motion to approve the proposal from Pentair in the amount of \$31,790 for rebuilding one Fairbanks 12” raw waste water pump at the WWTP. This equipment will be paid for from the plant depreciation fund. Roll Call Vote: 9/0 in favor. Ayes: Frank, Ratcliffe, Sanderson, Snow, Stevens, Arevalo, Brooks, Sanders and Crawford. Nays: None. Motion carried.
- (J) Motion to approve the proposal from Process Equipment Repair Services, in the amount of \$74,116.20 for replacement of the scum concentrator in the primary pump house at WWTP. This equipment will be paid for from the plant depreciation fund. Roll Call Vote: 9/0 in favor. Ayes: Ratcliffe, Sanderson, Snow, Stevens, Arevalo, Brooks, Sanders, Crawford and Frank. Nays: None. Motion carried.

(K) Motion to approve the proposal from RK Johnson & Associates in an amount not-to-exceed \$6,200 to complete the GIS mapping of the southern 111 acres of Storm Basin N-1. Roll Call Vote: 8/1 in favor. Ayes: Sanderson, Snow, Stevens, Arevalo, Brooks, Sanders, Frank and Ratcliffe. Nays: Crawford. Motion carried.

Danny Anderson reported Well #7 is also down with an issue with the motor. The motor should be covered under warranty.

(11) Adjournment:

Motion by Ald. Snow, 2nd by Ald. Arevalo to adjourn the meeting at 7:33 p.m. Aye voice vote carried. Motion carried.

_____ Mayor

Attest:

_____ City Clerk

COUNTY OF BOONE)
STATE OF ILLINOIS) SS

CERTIFICATE OF PUBLICATION

David C. Larson being first duly sworn on his oath deposes and says that the BOONE COUNTY JOURNAL is a secular newspaper of general circulation published in the city of Belvidere, in the County of Boone and State of Illinois and printed elsewhere and that said newspaper has been so published and printed and of general circulation in said city and county for more than one year continuously last past.

Affiant further says that said newspaper is published by The Boone County Journal.

Affiant further says that he is empowered by said company, as proprietor, to make and execute Certificates of Publication as to and concerning notices and publications appearing or published in said newspaper required by law to be published or certified.

Affiant newspaper further says and certifies that the public notice in the matter **Annual Budget Meeting Notice** of which the printed copy is attached to this certificate is true and correct copy, was duly published in one issue of said Boone County Journal beginning on the 17th day of March A.D. 2017 in conformity to the statute in such case made.

Publication fee to be invoiced



David Larson, Publisher
The Boone County Journal

Dated This 17th Day of March, 2017

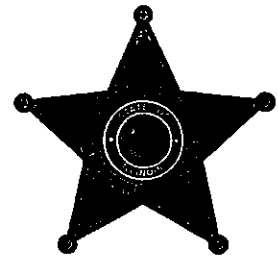
CITY OF BELVIDERE, ILLINOIS NOTICE OF PUBLIC HEARING
ANNUAL BUDGET ORDINANCE
Notice is hereby given that the corporate authority of the City of Belvidere, Illinois will hold a Public Hearing at 7:00 p.m. Monday April 3, 2017, on Ordinance 338H, the proposed annual Budget Ordinance for the 2017-2018 fiscal year. The Public Hearing shall take place in the City Council Chambers, 401 Whitney Boulevard, Belvidere, Illinois.
Copies of the proposed annual Budget Ordinance are accessible for the examination by the public during business hours at the office of the Belvidere City Clerk, 401 Whitney Boulevard, Belvidere, Illinois.
City of Belvidere, Illinois Shauna Arco
City Clerk
Published in The Boone County Journal 3-17-17

Belvidere Police Department

Jan W. Noble - Chief of Police

Shane Woody - Deputy Chief, Operations

Matthew Wallace - Deputy Chief, Administration



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TO: BOARD OF FIRE AND POLICE COMMISSIONERS

FROM: CHIEF JAN W. NOBLE *JWN*

DATE: APRIL 4, 2017

RE: NOTICE OF COMPLETION OF PROBATIONARY PERIOD

The Belvidere Police Department would like to acknowledge and congratulate Officer Zachary Reese, Badge #407, on the completion of his first year of employment with the Department on April 4, 2017. Officer Reese has successfully met the Department's standards as outlined in the Personnel Performance and Evaluation System.

Officer Reese is hereby removed from probationary status and is granted full authority as an Officer of the Belvidere Police Department.

JWN/sd

Cc: Personnel File



Proclamation

NATIONAL SERVICE RECOGNITION DAY

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's mayors are increasingly turning to national service and volunteerism as a cost-effective strategy to meet city needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our cities and counties, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, City of Service, and mayors across the country to recognize the impact of service on the Mayors Day of Recognition for National Service on April 4, 2017.

NOW THEREFORE, I, Michael Chamberlain, as Mayor of Belvidere, do hereby proclaim April 4, 2017, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our city; to thank those who serve; and to find ways to give back to their communities.

IN WITNESS WHEREOF, I hereunto set my hand and affixed the Seal of the City of Belvidere this 3rd day of April, 2017.



CITY-COUNTY COORDINATING COMMITTEE
MINUTES

March 8, 2017 6:00 P.M.
County Board Room, 1212 Logan Avenue

CALL TO ORDER

The meeting of the City-County Coordinating Committee was called to order by Vice Co-Chair Clayton Stevens at 6:00 P.M.

ROLL CALL

County:

Cathy Ward, Co-Chairman
Carl Larson, Vice Co-Chair
Sherry Branson
Jeffrey Carlisle
Brad Stark

City:

Clayton Stevens, Vice Co-Chair
Wendy Frank
Tom Ratcliffe

Others:

Ken Terrinoni
Dr. Doug Jenson
Lt. Perry Gay

Karl Johnson Ex Officio

Members Absent:

County

City

Dan Snow
Daniel Arevalo
Mayor Chamberlain

APPROVAL OF MINUTES

A motion was made by Brad Stark to approve the minutes of the February 8, 2017 meeting as presented. Motion seconded by Wendy Frank. Motion passed (8-0).

APPROVAL OF AGENDA

A motion was made by Cathy Ward to approve the agenda as presented. Motion seconded by Jeffrey Carlisle. Motion passed (8-0).

PUBLIC COMMENT

PUBLIC COMMENT

No public comment was made.

ROCK VALLEY COLLEGE – DR. JENSON

Dr. Jenson, President of Rock Valley College spoke to the committee. Dr. Jenson gave some background on himself via a presentation presented. He is a product of a community college. Rock Valley College touches over 30,000 people per year. The average age of adult students is twenty-four. There are sixty different course areas offered through the college. He feels the more education an individual has the more protected they become. Dr. Jenson will touch on community development, workforce development and economic development. If there is going to be a strong community there must be a strong workforce. Dr. Jenson surveyed the committee members that have been touched in some way by Rock Valley College and there was 100% response. Dr. Jenson suggested watching a video called "Success in the New Economy". He spoke in regards to the roll of Rock Valley College to establish a unified system for workforce and talent development and looks at it as talent development linked to opportunity. He referenced the video and spoke about the ratio of 1:2:7. It basically says for every professional in the community there needs to be two professionals with a Bachelor degree or higher to support them, there needs to be a ratio of seven technical workers. The idea is to take individuals and turn them into 7's after then they go on to 2's and then pursue higher degrees. This has been a very consist ratio. He spoke on numerous programs with support from various areas and gave examples of these. There are programs offered in downtown Rockford. There is tremendous opportunity at Rock Valley College.

There was a question and answer session and comments from the committee. Discussion was held. Everyone has their own journey to success. A community college is where you go where someone will believe in you before you
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are capable of believing in yourself. He feels this is what it comes down to. Get started and don't quit. Dr. Jenson thanked the committee for letting him speak.

E-911 REPORT –PUBLIC SAFETY BUILDING

911 REPORT

Lt. Gay reviewed the 911 report with the committee. The NINGA project is moving along and projected to start in the fall of 2017. One dispatcher is in the field training program. Mr. Carlisle asked if there were any bills that could be consolidated. Lt. Gay explained that all the telephone systems will consolidate with the other eleven counties and controlled by one vendor. Phone lines for the 911 system are different than all the others. The bank account balance is good. Lt. Gay discussed the Public Safety Building on the radio project which was completed today. The beginning of April should be the start of the new system. There are still issues with overtime and discussed this with the committee. Lt. Gay said they are using Mid-City for most of their office supplies with no issues. Mr. Terrinoni said three months into the fiscal year everything is fairly predictable at this point. The wild card will be the overtime and staffing throughout the year.

GIS

There was no report given.

LANDFILL

APPROVAL OF INVOICE: TRC

A motion was made by Sherry Branson to approve invoice #224409 in the amount of \$2,555.31 and invoice #223217 in the amount of \$3,163.07 with a 50/50 split between the City and County. Motion seconded by Cathy Ward. Motion passed (8-0).

APPROVAL OF INVOICE: NIJMAN FRANZETTI

A motion was made by Thomas Ratcliffe to approve invoice #15119 in the amount of \$455.00 with a 50/50 split between the City and County. Motion seconded by Jeffrey Carlisle. Discussion was held. Motion passed (8-0).

ILLINOIS EPA/LANDFILL COMMUNICATION

Mr. Terrinoni stated there was an inspection done by the Rockford office of the landfill and passed. This is not to be confused with the groundwater issues. Mr. Terrinoni discussed the landfill multiyear plan in predicting dollars needed for the year and explained this to the committee. Discussion was held. Mr. Carlisle would like to pursue using trees for the VOC and also the salt situation pertaining to the wells and discussed this with the committee. There was discussion held. Cathy Ward would like to see something done to lower costs spent on the landfill. Discussion continued. Mr. Terrinoni will get a strategy going on this matter.

INFORMATIONAL ITEMS AND OTHER BUSINESS

WATER PRESERVATION AND PROTECTION ALLIANCE (WPPA)

Sherry Branson stated there was a lack of protection of the Boone County water supply and explained this to the committee giving a history of this topic to date. At the next PZB committee meeting on April 5th there will be a presentation given on the geological survey standpoint on what can be done to reduce the County's risk for groundwater contamination etc. including a discussion on updating the Comprehensive Plan. Mr. Terrinoni said the Planning Commission has already discussed and recommends the County update their Comprehensive Plan. When the Strategic Plan was written this was also listed as an objective. The PZB committee discussed this topic and the direction from the committee was for the staff to work with the staff in the regional governments in Belvidere and with RMAP to come up with some preliminary steps on moving forward with updating the Comprehensive Plan. The intent is to make changes not rewrite the plan. Mr. Terrinoni said this needs to involve the City, Poplar Grove and RMAP in working together is the approach being taken.

INVITATION TO OTHER GOVERNMENTS

Mr. Terrinoni said he just participated in the District 100 strategic planning process that was recently completed. Maybe invite a representative from that team to comment about the plan. The committee was in agreement.

City-County Coordinating Committee Minutes

March 8, 2017

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CORRESPONDENCE

Cathy Ward discussed the Public Safety referendum. Also, the shooting range is moving to a new location. The completion should be in July, 2017.

EXECUTIVE SESSION

No executive session.

ADJOURNMENT

ADJOURN THE MEETING

A motion was made by Brad Stark to adjourn the meeting. Motion seconded by Jeffrey Carlisle. Motion passed (8-0). Meeting was adjourned at 7:10 p.m.

Recorded by,

Julaine Drake
Office Manager

Minutes
Committee of the Whole
Public Safety and Finance and Personnel
March 27, 2017 6:00 p.m.

Call to Order - City Clerk Shauna Arco.

Motion by Ald. Snow, 2nd by Ald. Stevens to appoint Alderman Ratcliffe as acting chairman. Roll Call Vote: 6/3 in favor: Ayes: Arevalo, Frank, Ratcliffe, Sanderson, Snow and Stevens. Nays: Brooks, Sanders and Crawford. Motion carried.

Aldermen Present: D. Arevalo, R. Brooks, J. Sanders,
G. Crawford, W. Frank, T. Ratcliffe,
M. Sanderson, D. Snow and C. Stevens.

Aldermen Absent: C. Morris.

Also in attendance: Budget and Finance Director Becky Tobin, Building Director Lesa Morelock, Public Works Director Brent Anderson, Fire Chief Hyser, Police Chief Noble, Lt Craig Wilcox, City Attorney Drella and City Clerk Arco.

Public Comment: Sheriff David Ernest spoke on the Public Safety Tax.

Public Forum: None.

Reports of Officers, Boards and Special Committees:

1. Other:

- (A) Business Registration Ordinance - keep on agenda.

Audience members whom spoke on the subject of the Business Registration Ordinance.

Stephen Anderson, Diann Anderson, Anita Koziol, William Hajdys, Teri Foust, Steve Cadie and Jack Barnes.

- (B) Independent Contractor Agreement for Electrical Inspection Services.

Motion by Ald. Crawford, 2nd by Ald. Snow to approve the Independent Contractor Agreement for Electrical Inspection Services with R&R Electric. Aye voice vote carried.
Motion carried.

(C) Good Friday Parade Request.

Motion by Ald. Snow, 2nd by Ald. Crawford to approve the Good Friday Parade request for April 14, 2017. Aye voice vote carried. Motion carried.

2. Public Safety, Unfinished Business: None.

3. Public Safety, New Business:

(A) Seized and Impounded Vehicles.

Motion by Ald. Crawford, 2nd by Ald. Snow to forward to City Council in ordinance form Article XI - Seized and Impounded Vehicles. Aye voice vote carried. Motion carried.

(B) An Ordinance Authorizing the Sale of Certain Personal Property (Police Department Vehicles and Seized Vehicles).

Motion by Ald. Snow, 2nd by Ald. Sanderson to forward to City Council An Ordinance Authorizing the Sale of Certain Personal Property (Police Department Vehicles and Seized Vehicles). Aye voice vote carried. Motion carried.

(C) Replacement Windows.

Motion by Ald. Snow, 2nd by Ald. Crawford to approve the purchase of eleven (11) new double hung wood replacement windows for the training room and rear of Station #1 at a cost not to exceed \$9566.43. This expenditure would come from line item 01-5-220-6010. Aye voice vote carried.
Motion carried.

4. Finance and Personnel, Unfinished Business:

(A) Budget Discussion.

5. Finance & Personnel, New Business: None.

6. Executive Session:

- (A) Pursuant to Section 2 (c) (14) of the Open Meetings Act to discuss Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing prior or future criminal investigations, when discussed by a public body with criminal investigatory.

Motion by Ald. Snow, 2nd by Ald. Crawford to move into executive session at 8:07 p.m. pursuant to Section 2 (c) (14) of the Open Meetings Act to discuss Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing prior or future criminal investigations, when discussed by a public body with criminal investigatory. Roll Call Vote: 9/0 in favor. Ayes: Brooks, Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow, Stevens and Arevalo. Nays: None. Motion carried.

Motion by Ald. Arevalo, 2nd by Ald. Brooks to move out of executive session at 8:22 p.m. Roll Call Vote: 9/0 in favor. Ayes: Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow, Stevens, Arevalo and Brooks. Nays: None. Motion carried.

(B) Equipment Purchase.

Motion by Ald. Snow, 2nd by Ald. Crawford to authorize the purchase of video equipment at a cost not to exceed \$14,393.50; 50% of the cost to be covered by budgeted Capital Funds and 50% covered by the Federal Asset Forfeiture Fund. Aye voice vote carried. Motion carried.

7. Adjournment:

Motion by Ald. Snow, 2nd by Ald. Crawford to adjourn meeting at 8:24 p.m. Aye voice vote carried. Motion carried.

ORDINANCE #343H
AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PERSONAL PROPERTY
(POLICE DEPARTMENT VEHICLES AND SEIZED VEHICLES)

WHEREAS, the City of Belvidere Police Department is in possession of certain used vehicles, described in Exhibit A that are no longer needed or useful; and

WHEREAS, a Court of competent jurisdiction forfeited an interest in certain motor vehicles which are also described in Exhibit A and vested title in said vehicle to the City of Belvidere; and

WHEREAS, the Vehicles constitutes surplus personal property within the meaning of 65 ILCS 5/11-76-4; and

WHEREAS, the Corporate Authorities of the City find that the previously referenced Vehicles are no longer necessary or useful to or in the best interest of the City.

NOW THEREFORE IT IS THEREFORE 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 as if fully set forth.

SECTION 2: The Mayor, or his designee, is authorized and directed to sell the Vehicles identified in Exhibit A by any means authorized by State Statute, including but not limited to an internet auction site.

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.

Ayes:
Nays:
Absent:

ORDINANCE #343H
AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PERSONAL PROPERTY
(POLICE DEPARTMENT VEHICLES AND SEIZED VEHICLES)

WHEREAS, the City of Belvidere Police Department is in possession of certain used vehicles, described in Exhibit A that are no longer needed or useful; and

WHEREAS, a Court of competent jurisdiction forfeited an interest in certain motor vehicles which are also described in Exhibit A and vested title in said vehicle to the City of Belvidere; and

WHEREAS, the Vehicles constitutes surplus personal property within the meaning of 65 ILCS 5/11-76-4; and

WHEREAS, the Corporate Authorities of the City find that the previously referenced Vehicles are no longer necessary or useful to or in the best interest of the City.

NOW THEREFORE IT IS THEREFORE 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 as if fully set forth.

SECTION 2: The Mayor, or his designee, is authorized and directed to sell the Vehicles identified in Exhibit A by any means authorized by State Statute, including but not limited to an internet auction site.

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.

Ayes:
Nays:
Absent:

ORDINANCE #344H
AN ORDINANCE AMENDING ARTICLE XI,
SEIZED AND IMPOUNDED VEHICLES
OF CHAPTER 110 OF
THE CITY OF BELVIDERE MUNICIPAL CODE

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

SECTION 1: Article XI, Seized and Impounded Vehicles of Chapter 110 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:

APPROVED:

Mayor Michael W. Chamberlain

ATTEST:

City Clerk Shauna Arco

(SEAL)

Passed:
Approved:
Published:

EXHIBIT A

ARTICLE XI. - SEIZED AND IMPOUNDED VEHICLES

Sec. 110-571. - In general.

This article is deemed necessary for the preservation of the public peace, health and safety and is intended to create safer roadways within the city by deterring drivers from committing certain offenses while offsetting some of the city's administrative costs associated with these offenses.

(Ord. No. 66H, § 1(exh. A), 6-21-10)

Sec. 110-572. - Definitions.

Owner. The record title holder(s) of the vehicle as registered with the Illinois Secretary of State, or if not registered in the State of Illinois, the Secretary of State of the particular state where the vehicle is registered and any lessee of a motor vehicle.

Lienholder. Any Lienholder of record as registered with the Illinois Secretary of State, or the Secretary of State of the particular state where a vehicle is registered.

(Ord. No. 66H, § 1(exh. A), 6-21-10)

Sec. 110-573. - Vehicles subject to seizure and impoundment.

A motor vehicle that is used in connection with any of the following violations shall be subject to seizure and impoundment by the City, and the Owner shall be liable to the City for an Administrative Fee in the sum of \$300.00, which is in addition to any and all applicable fines, costs and towing costs and storage fees:

- (a) Driving under the influence of alcohol, other drug(s), intoxicating compound(s), or any combination thereof in violation of 625 ILCS 5/11-501, as amended from time to time, but only in conformance and pursuant to 625 ILCS 5/4-203;
- (b) Driving while driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked in violation of 625 ILCS 5/6-303, as amended from time to time, but only in conformance and pursuant to 625 ILCS 5/4-203;
- (c) Operation of or use of a motor vehicle in violation of 625 ILCS 5/11-506, but only in conformance and pursuant to 625 ILCS 5/4-203;
- (d) Operation or use of a motor vehicle in aggravated fleeing or attempting to elude a police officer in violation of 625 ILCS 5/11-204.1, as amended from time to time;
- (e) Operation of or use of a vehicle without a valid driver's license in violation of 625 ILCS 5/6-101, as amended from time to time;
 - (1) If the operator's license has been expired for greater than one (1) year; or
 - (2) The operator has never been issued a driver's license or permit either due to age or otherwise.
 - (3) This section shall not apply where the driver's license is invalid only because the driver is less than 17 years of age and is operating a vehicle in violation of the Child Curfew Act (720 ILCS 555/0.01 et seq.).
- (f) Operation or use of a motor vehicle in connection with the commission or attempted commission of any offense in violation of and as outlined in 720 ILCS 5/36-1.

- (g) A vehicle may also be impounded under this article pursuant to any other lawful authority including but not limited to impoundment pursuant to a lawful felony arrest. In the event that a vehicle is impounded under this article and is later becomes the subject of asset forfeiture pursuant to 720 ILCS 570/505, or a similar law, that statute shall control.
- (h) Operation or use of a motor vehicle in commission of or in the attempt to commit, a felony or in violation of the Cannabis Control Act (with the exception of civil violations).
- (i) Operation of or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act.
- (j) Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Section 24-1, 24-1.5 or 24-3.1 of the Criminal Code of 1961 or the Criminal Code of 2012.
- (k) Operation or use of a motor vehicle while soliciting, possessing or attempting to solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act.
- (l) Operation of or use of a motor vehicle by a person against whom a warrant has been issued by a Circuit Clerk in Illinois for failing to answer charges that the driver violated Sections 6-101, 6-303 or 11-501 of the Illinois Vehicle Code.
- (m) Operation of or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961 or the Criminal Code of 2012.
- (n) Operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in the violation of the Criminal Code of 1961 or the Criminal Code of 2012.

(Ord. No. 66H, § 1(exh. A), 6-21-10)

Sec. 110-574. - Imposition of administrative fee.

The administrative fee of \$300.00 imposed on the Owner of any motor vehicle(s) that is seized and impounded under this article shall be paid to the City Police Department and shall be placed in the City's general fund. In addition, all costs for towing and storage must be paid to the private towing company. The private tow company may place a hold on the vehicle until its costs are paid pursuant to the company's normal practices.

(Ord. No. 66H, § 1(exh. A), 6-21-10)

Sec. 110-575. - Seizure and impoundment procedures.

Whenever a police officer has reason to believe that the driver of a motor vehicle has committed an offense eligible for seizure and impoundment of a vehicle as enumerated in this Article, the officer may provide for the towing of that motor vehicle to a City approved towing or impound facility. The Owner, or Person identifying himself or herself as the Owner of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense shall be notified of the impoundment and of the Owner's right to an administrative hearing. The Police Department shall also provide notice that the vehicle will remain impounded pending the completion of an administrative hearing, unless the Owner of the vehicle, or a Lienholder of record, posts a bond equal to the administrative fee and pays all towing and other related charges.

A police officer shall not impound a vehicle under this article if the vehicle is properly insured and, prior to impoundment, an individual with a valid driver's license is available to take possession of the vehicle with the Owner's permission or the Owner who holds a valid license is not the violator and takes possession of

such a properly insured vehicle. In order for a third party to take possession of the vehicle, the Owner, must give that permission in person to the police officer and sign a release to be provided by the department.

(Ord. No. 66H, § 1(exh. A), 6-21-10)

Sec. 110-576. - Release from impound.

Unless, the Administrative Hearing officer, after a hearing, or a Court, upon administrative appeal, orders otherwise, motor vehicles seized and impounded under this article shall remain impounded until all costs associated with the towing and storage of the vehicle is paid to the private towing company and:

- (a) The Owner or Owner's agent appears at the City Police Department and remits the \$300.00 administrative fee and executes a waiver of their right to an Administrative Hearing (in which event the scheduled Initial Hearing shall be stricken; or
- (b) The Owner or Lienholder appears in person at the City Police Department and requests an Administrative Hearing to contest the imposition of the \$300.00 administrative fee, signs the City's notice acknowledging receipt of the hearing date and posts a bond in the sum of \$300.00.

Upon payment of the administrative fee or bond the Owner's request for a hearing, the City Police Department shall inform the private towing company that the city is releasing its hold on the vehicle. However, the private towing company shall have the right to hold the vehicle until the costs associated with the towing and storage have been paid in full or other arrangements for payment have been made in a manner consistent with the company's normal practices.

Lienholders with a perfected lien upon an impounded vehicle may take possession of the vehicle if the Lienholder has obtained a judgment for possession of the vehicle either under the appropriate replevin or foreclosure laws, provides a certified copy of such judgment to the City and pays the administrative impound fee and all associated towing and impound costs.

(Ord. No. 66H, § 1(exh. A), 6-21-10)

Sec. 110-577. - Notice required.

- (a) As set forth above, if the Owner of the vehicle is in the vehicle at the time of the incident, he/she will be personally provided notice that the impounded vehicle is subject to a \$300.00 administrative fee under this article in addition to any costs imposed by the private towing company and in addition to any other fines or penalties assessed for the underlying violation. The Owner shall also be informed of their right to contest this fee at a preliminary hearing and at an administrative hearing and the procedures for requesting such hearing. The Owner shall receive this notice prior to impoundment.
- (b) At the time of the impoundment the Owner of the vehicle shall be provided the date and time, which is not less than seven (7) days after the date of the impoundment, of an initial hearing. If the Owner of the vehicle is not present at the impoundment, notice shall be mailed on the next day advising the Owner of the date and time of the Initial Hearing. Nothing shall preclude the Chief or his designee from providing the Initial Hearing at a time earlier than the date and time contained on the notice if so requested by the Owner.
- (c) If the Owner does not appear at the Initial Hearing, or if they appear and request an Administrative Hearing, all interested parties of record, including the Owner and any Lienholders of record shall be mailed a notice, by first class mail that their car has been impounded pursuant to this article and is subject to a \$300.00 administrative fee, in addition to any costs imposed by the private towing company.

This notice shall be sent via First Class Mail to the Owner and any Lienholder of record, at the address as registered with the Secretary of State, and shall contain the date, time and location

of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of the mailing of the notice of hearing. Notice of the impoundment and the Administrative Hearing shall also be mailed by first class mail to any interested party, including the Owners and Lienholders of record, of the vehicle within ten (10) days of the impoundment, unless the Owner waives the administrative hearing and redeems the vehicle from impoundment.

(Ord. No. 66H, § 1(exh. A), 6-21-10)

Sec. 110-578. - Review of seizure and impoundment. Administrative Hearings.

- (a) Initial Hearing. The date contained in the Notice required by section 110-577 shall be an initial hearing date which shall be before the Chief of Police (the Chief) or his designee. At that date and time, the Chief or his designee shall advise the Owner or Lienholder of the vehicle of their rights under this Article and ascertain whether they wish to contest the impoundment.
 - (i) If the Owner or Lienholder wishes to contest the impoundment, the Chief or his designee shall schedule a hearing before the Administrative Hearing Officer. The subject vehicle shall remain impounded unless the Owner or Lienholder complies with the bond requirements of Section 110-576.
 - (ii) Alternatively, if the Owner chooses not to contest the impoundment, the Owner shall execute a waiver of the right to Administrative Hearing and the Vehicle may be released in compliance with Section 110-576.
 - (iii) If the Chief, or his designee, after reviewing the facts surrounding the impoundment, including but not limited to any evidence provided by the Owner of the vehicle, determines that the vehicle should be released to the Owner without payment of the administrative fee, the Chief or his designee may order the release of the vehicle after payment of all other fees associated with the towing and storage of the vehicle.
 - (iv) If the Owner fails to appear at the Initial Hearing, the Owner and any Lienholder shall be deemed to be defaulted and be deemed to have waived their right to an Administrative Hearing. If the Owner or Lienholder previously posted a bond and obtained possession of the vehicle, the matter shall be closed. If the vehicle is still impounded, the Chief, or his designee, shall schedule a date before the Administrative Hearing Officer for a hearing at which the Owner or Lienholder, being defaulted, may not enter evidence.
 - (v) The Owner may redeem the vehicle by paying all administrative fees, tow fees and storage fees, and waive administrative hearing at any time prior to the Administrative Hearing, in which case, the Administrative Hearing shall be cancelled.
- (b) Administrative Hearing. The Owner shall be given a reasonable opportunity to be heard at the Administrative Hearing. The formal rules of evidence shall not apply and hearsay evidence shall be admissible if it is of the type commonly relied upon by a reasonably prudent person. If the basis for impoundment is sustained by the Administrative Hearing Officer, any administrative fee or bond posted to secure release of the vehicle shall be deemed forfeited. Unless the Administrative Hearing Officer overturns the basis for impoundment, no vehicle shall be released until the administrative fee and all costs of towing and storage are paid in full.
- (c) The Administrative Hearing Officer does not have authority to order the refund of the costs assessed by a private towing and/or storage entity. These costs must be paid regardless of the outcome of the administrative hearing. Further, the ruling of the Hearing Officer shall have no effect on any pending criminal, petty or civil offenses related to the incident for which the vehicle was impounded.
- (d) Unless stayed by a court of competent jurisdiction, any fine, penalty or administrative fee imposed under this Article which remains unpaid in whole or in part after the expiration of the

deadline to seek judicial review under the Administrative Review Law may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

- (e) Any vehicle not retrieved within 35 days after the Administrative Hearing Officer issues a written decision, either sustaining or overruling the impoundment, shall be deemed abandoned and disposed of in accordance with Article II of Chapter 4 of the Illinois Vehicle Code.
- (f) Administrative appeal. The Owner or Lienholder may appeal the decision of the Administrative Hearing Officer pursuant to the administrative review law of the state (735 ILCS 5/3-101 et seq.). In the event the city is successful in defending any such appeal, the Owner shall pay all of the city's costs of court and reasonable attorney's fees.

(Ord. No. 66H, § 1(exh. A), 6-21-10)

Sec. 110-579. - Stolen vehicles.

The administrative fee imposed by the city under this article shall not be charged if the motor vehicle used during the commission of the offense was stolen at that time of the offense and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered or reasonably should have been discovered.

(Ord. No. 66H, § 1(exh. A), 6-21-10)

Sec. 110-580 Administrative Hearing Officer.

The Mayor shall appoint an Administrative Hearing Officer to conduct all Hearings under Section 110-578 above at a rate of pay to be approved by the City Council either in the Annual Budget or otherwise. The appointment shall comply with Section 5/11-208.7 of the Illinois Vehicle Code (625 ILCS 5/11-208.7). The Administrative Hearing Officer shall have all of the rights, powers and responsibilities set forth in Sections 5/11-208.7 and 5/11-208.3 of the Illinois Vehicle Code.

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RESOLUTION #2057-2017

**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 February 2017 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

