

State of Illinois) SS
Belvidere, Illinois)

BELVIDERE CITY COUNCIL
REGULAR MEETING
AGENDA

June 5, 2023

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

(1) Roll Call:

(2) Pledge of Allegiance:
Invocation:

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

(4) Approval of Minutes:

(A) Approval of Minutes of the regular meeting of the Belvidere City Council of May 15, 2023; as presented.

(5) Public Hearing: None.

(6) Special Messages and Proclamations: None.

(7) Approval of Expenditures: None.

(8) Committee Reports and Minutes of City Officers:

(A) Approval of Minutes of Committee of the Whole – Public Safety, Finance & Personnel of May 22, 2023; as presented.

(9) Unfinished Business:

(A) Ord. #627H – 2nd Reading: An Ordinance Approving A Final Plat Titled Crosslink Business Park No. 2 Subdivision.

(B) Ord. #628H – 2nd Reading: An Ordinance Granting A Special Use to Allow Indoor Commercial Entertainment Within the PB, Planned Business District.(1868 Crystal Parkway).

(C) Ord. #629H – 2nd Reading: An Ordinance Amending Section 110-92, Yield Intersections, of the City of Belvidere Municipal Code to Add Grover St. and Biester Dr. as Two-Way Yield.

(10) New Business:

(A) Ord. #630H - 1st Reading: An Ordinance Amending Ordinance No. 235H, An Ordinance Designating An Enterprise Zone for the City of Belvidere, Boone County, The Village of Capron and The Village of Poplar Grove.

Motions forwarded from Committee of the Whole – Public Safety, Finance & Personnel of May 22, 2023.

Motions of Public Works – Chairman Daniel Snow:

- (A) Motion to approve the proposal from Williams Brothers Construction, in the amount of \$115,520.58, to complete the installation of the new primary electrical service and ductwork for the WWTP. This work will be included in a change order for the 2018 WWTP Improvement Project and paid for as part of the IEPA loan for this project.

Motions of Finance & Personnel – Chairman Wendy Frank:

- (B) Motion to proceed and obtain bids for residential solid waste collection in City of Belvidere.

(11) Adjournment:

State of Illinois) SS
Belvidere, Illinois)

BELVIDERE CITY COUNCIL
REGULAR MEETING
MINUTES

Date: May 15, 2023

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

Call to order by Mayor Morris.

(1) Roll Call: Present: J. Albertini, R. Brereton, M. Fleury, W. Frank, M. Freeman
M. McGee, N. Mulhall, T. Porter, S. Prather and D. Snow.

Absent: None.

Other staff members in attendance:

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

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

(3) Public Comment: Mayor Morris announced the passing of Anne Eickstadt and
extended condolences to her family, friends and co-workers at the IDA Public Library.

(4) Approval of Minutes:

(A) Approval of minutes of the regular meeting of the Belvidere City Council of
May 1, 2023; as presented.

Motion by Ald. Prather, 2nd by Ald. Albertini to approve the minutes of the regular
meeting of the Belvidere City Council of May 1, 2023. Aye voice vote carried. Motion
carried.

(5) Public Hearing: None.

(6) Special Messages and Proclamations:

(A) Mayor Morris presented National Police Week Proclamation to Police Chief
Shane Woody.

(B) Report of Growth Dimensions by Executive Director Pam Lopez-Fettes.

(C) Report of IDA Public Library by Library Director Mindy Long.

- (7) Approval of Expenditures: General & Special Fund Expenditures: \$1,854,888.08
Water & Sewer Fund Expenditures: \$ 723,664.20

Motion by Ald. Prather, 2nd by Ald. McGee to approve the General & Special Fund Expenditures in the amount of \$1,854,888.08. Discussion took place concerning expenditures. Roll Call Vote: 10/0 in favor. Ayes: Albertini, Brereton, Fleury, Frank, Freeman, McGee, Mulhall, Porter, Prather and Snow. Nays: None. Motion carried.

Motion by Ald. Snow, 2nd by Ald. Porter to approve the Water & Sewer Fund Expenditures in the amount of \$723,664.20. Roll Call Vote: 10/0 in favor. Ayes: Brereton, Fleury, Frank, Freeman, McGee, Mulhall, Porter, Prather, Snow and Albertini. Nays: None. Motion carried.

(8) Committee Reports and Minutes of City Officers:

- (A) Monthly Report of Belvidere Police Department Overtime Pay for April 2023.
- (B) Monthly Report of Belvidere Fire Department Overtime Pay for April 2023.
- (C) Monthly Report of Community Development Department/Planning Department for April 2023.
- (D) Monthly Report of Building Department Revenues, Residential Building Permits, Commercial Permits and Case Reports for April 2023.
- (E) Monthly General Fund Report for April 2023.
- (F) Monthly Water/Sewer Fund Report April 2023.
- (G) Monthly CD Investments for April 2023.
- (H) Minutes of Planning and Zoning Commission of May 9, 2023.

Let the record show these reports were placed on file.

- (I) Minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of May 8, 2023.

Motion by Ald. Fleury, 2nd by Ald. Prather to approve the minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of May 8, 2023. Aye voice vote carried. Motion carried.

(9) Unfinished Business:

- (A) Ord. #626H – 2nd Reading: An Ordinance Authorizing the Sale of Certain Personal Property (Police Department Vehicles).

Motion by Ald. Prather, 2nd by Ald. Snow to pass Ord. #626H. Roll Call Vote: 10/0 in favor. Ayes: Fleury, Frank, Freeman, McGee, Mulhall, Porter, Prather, Snow, Albertini and Brereton. Nays: None. Motion carried.

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(10) New Business:

- (A) Ord. #627H – 1st Reading: An Ordinance Approving A Final Plat Titled Crosslink Business Park No. 2 Subdivision.
- (B) Ord. #628H – 1st Reading: An Ordinance Granting A Special Use to Allow Indoor Commercial Entertainment Within the PB, Planned Business District. (1868 Crystal Parkway).
- (C) Ord. #629H – 1st Reading: An Ordinance Amending Section 110-92, Yield Intersections, of the City of Belvidere Municipal Code to Add Grover St. and Biester Dr. as Two-Way Yield.

Let the record show that Ordinances #627H, #628H, #629H were placed on file for first reading.

Motions forwarded from Committee of the Whole – Building, Planning and Zoning and Public Works of May 8, 2023.

- (A) Motion to consent to and approve the appointment of Kim Coniglio to the Belvidere Historic Preservation Commission for a three-year term, ending in April 30, 2026. Roll Call Vote: 10/0 in favor. Ayes: Frank, Freeman, McGee, Mulhall, Porter, Prather, Snow, Albertini, Brereton and Fleury. Nays: None. Motion carried.
- (B) Motion to approve the 2023 Street Maintenance Program as proposed in the memo dated May 4, 2023. Discussion took place concerning Appleton Road, Chrysler Drive and ADA Compliance. Roll Call Vote: 10/0 in favor. Ayes: Freeman, McGee, Mulhall, Porter, Prather, Snow, Albertini, Brereton, Fleury and Frank. Nays: None. Motion carried.
- (C) Motion to approve the low bid from Northern Illinois Service, in the amount of \$706,478.50, for the Irene - Hawkey 16" water main extension. This work will be paid for from Line Item #61-4-810-4510, Connection Fees and DCEO Grant Funds. Roll Call Vote: 10/0 in favor. Ayes: McGee, Mulhall, Porter, Prather, Snow, Albertini, Brereton, Fleury, Frank and Freeman.
- (D) Motion to approve of the proposal from CES, Inc, in an amount not-to-exceed \$105,200.00, to complete the construction engineering for the Irene Road Realignment Project. This work will be paid for from capital funds with reimbursement from grant funds. Roll Call Vote: 10/0 in favor. Ayes: Mulhall, Porter, Prather, Snow, Albertini, Brereton, Fleury, Frank, Freeman and McGee. Nays: None. Motion carried.
- (E) Motion to outfit 160 for ALS and Water Rescue Response not to exceed \$16,500.00 to be paid for out of the Capital Fund. Roll Call Vote: 10/0 in favor. Ayes: Porter, Prather, Snow, Albertini, Brereton, Fleury, Frank, Freeman, McGee and Mulhall. Nays: None. Motion carried.

Belvidere City Council
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(F) Motion to approve the low bid from Window World to replace 5 windows at Fire Station 1 at a cost of \$6,252.00 to be paid for out of line item 01-05-220-6010. Discussion took place concerning amount budgeted and warranties. Roll Call Vote: 10/0 in favor. Ayes: Prather, Snow, Albertini, Brereton, Fleury, Frank, Freeman, McGee, Mulhall and Porter. Nays: None. Motion carried.

(G) Motion to approve the Corpus Christi Procession parade permit request from St. James Catholic Church for June 11, 2023. Roll Call Vote: 10/0 in favor. Ayes: Snow, Albertini, Brereton, Fleury, Frank, Freeman, McGee, Mulhall, Porter and Prather. Nays: None. Motion carried.

(11) Adjournment:

Motion by Ald. Snow, 2nd by Ald. Fleury to adjourn meeting at 7:58p.m. Aye voice vote carried. Motion carried.

Mayor

Attest:

City Clerk

Minutes
Committee of the Whole
Public Safety and Finance and Personnel
May 22, 2023
6:00 p.m.

Date: May 22, 2023

Convened in the Belvidere Council Chambers, 401 Whitney Blvd., Belvidere, Illinois at 6:00p.m.

Call to Order – Mayor Clinton Morris:

Roll Call:

Present: J. Albertini, R. Brereton, M. Fleury, W. Frank, M. Freeman,
M. McGee, T. Porter, S. Prather and D. Snow.

Absent: N. Mulhall.

Other staff members in attendance:

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

Public Comment: Mayor Morris announced the swearing-in earlier today of new Firefighter Jason Jankowski.

Mayor Morris announced the Memorial Day Program will take place Monday, May 29th in the parking lot at the VFW.

Mayor Morris announced that Ald. Prather will no longer be able to fulfill her office and tonight would be her last meeting.

Public Forum: None.

Reports of Officers, Boards, and Special Committees:

Mayor Morris with City Council consent moved the Tornado Response Recognition and EMS Week Proclamation under 5. - Other.

1. Public Safety, Unfinished Business: None.
2. Public Safety, New Business:

(A) Police Department – Update.

Police Chief Shane Woody presented an update.

(B) Fire Department - Update.

Fire Chief Shawn Schadle presented an update.

3. Finance & Personnel, Unfinished Business: None.
4. Finance & Personnel, New Business:

(A) Finance Department – Update.

Budget and Finance Officer Shannon Hansen presented an update.

5. Other:

(A) Enterprise Zone Benefit Levels Amendment.

Motion by Ald. Prather, 2nd by Ald. Fleury to forward to City Council an Ordinance Amending Ordinance #235H, An Ordinance Designating An Enterprise Zone for the City of Belvidere, Boone County, The Village of Capron and the Village of Poplar Grove. Discussion took place concerning amendment to Enterprise Zone Benefit Levels. Roll Call Vote: 9/0 in favor. Ayes: Albertini, Brereton, Fleury, Frank, Freeman, McGee, Porter, Prather and Snow. Nays: None. Motion carried.

(B) Public Works – WWTP Primary Electric Service.

Motion by Ald. Snow, 2nd by Ald. Prather to approve the proposal from Williams Brothers Construction, in the amount of \$115,520.58, to complete the installation of the new primary electrical service and ductwork for the WWTP. This work will be included in a change order for the 2018 WWTP Improvement Project and paid for as part of the IEPA loan for this project. Discussion took place concerning project. Aye voice vote carried. Motion carried.

(C) Tornado Response Recognition.

Police Chief Woody presented Valor awards to Officer Danielak, Officer McDermott, Officer Weiland, Officer Reese, Officer Ellingson, Officer Garcia and Officer Rackley for their response to the tornado on March 31, 2023.

Fire Chief Schadle presented Medal of Valor to Lt. Tangye, Firefighter Loudenbeck, Firefighter Pavlatos, Firefighter Trujillo and Firefighter Heiser for their response to the tornado on March 31, 2023.

Fire Chief Schadle presented Meritorious Conduct Awards to Lt. Drall, Firefighter Beck, Firefighter Kriebs, Firefighter Ellwanger, Firefighter Heiser and Firefighter Thornton for their response to the tornado on March 31, 2023.

Fire Chief Schadle presented Life Saving Awards to Mercy MD1 Matthew Smetana and Lifeline Elite Paramedic Lauren Schultz for their response to the tornado on March 31, 2023.

(D) EMS Week Proclamation.

Mayor Morris presented EMS Week Proclamation to Fire Chief Schadle.

(E) Solid Waste Collection.

Discussion took place concerning solid waste collection in the City of Belvidere. Motion by Ald. Porter, 2nd by Ald. McGee to proceed and obtain bids for residential solid waste collection in City of Belvidere. Aye voice vote carried. Nays: Freeman. Motion carried.

6. Adjournment:

Motion by Ald. Albertini 2nd by Ald. McGee to adjourn meeting at 7:46p.m. Aye voice carried. Motion carried.

_____ Mayor

Attest: _____ City Clerk

ORDINANCE NO. 627H

**AN ORDINANCE APPROVING
A FINAL PLAT TITLED
CROSSLINK BUSINESS PARK NO. 2 SUBDIVISION**

WHEREAS, the City of Belvidere has adopted a Subdivision Ordinance (Chapter 151 of the Belvidere Municipal Code) in accordance with the provisions of Illinois Compiled Statutes to regulate the division of land and specify the minimum requirements for public improvements on land in the City of Belvidere; and,

WHEREAS, the applicant, William Hupperich (Manhard Consulting, Ltd), 1 Overlook Point, Suite 290, Lincolnshire, Illinois 60069 on behalf of the owners (described in the attached subdivision plat [hereof referenced as Attachment A]), has petitioned the City of Belvidere for approval of the final plat titled Crosslink Business Park No. 2 Subdivision.

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

Section 1. That the attached Final Plat titled Crosslink Business Park No. 2 Subdivision be, and is hereby approved, subject to the following conditions:

1. A Plat of Vacation for the portions of Morriem Drive and Crosslink Parkway being vacated shall be recorded.
2. Per Section 151.30.a.2 of the Belvidere Subdivision Code, an affidavit of ownership which shall include the dates the respective holdings of land were acquired together with the book and page of each conveyance to the present owner as recorded in the County Recorder of the Deed's office.
3. Per Section 151.40.d of the Belvidere Subdivision Code, existing monuments shall be shown or called out on existing boundaries, boundary corners and section corners.
4. Surveyor Note 4 shall be updated to state that all property is zoned HI, Heavy Industrial District.
5. The Surveyor's Certificate Block and Owner's Certificate Blocks shall be revised to mirror the language found in Appendix A of the Belvidere Subdivision Code.
6. The School District Certificate Block(s) shall read: I (we) hereby certify that the property herein described in the surveyor's certificate to the best of my knowledge is located within the boundaries of School District No. 100 in Boone County, IL.
7. If the wetland delineated lines are a restrictive line, then the lines shall be dimensioned so they can be plotted by others.

8. All proposed easements shall be dimensioned with bearings and distances so they can be plotted by others.
9. The existing 30' wide ingress/egress easement recorded as Document No 2011R07268 shall be vacated.
10. A portion of this property is covered by water recapture Ordinance #343G. The following recapture fee shall be paid prior to recorded of the final plat: 124.04 Acres @ \$2,230.00/Acres = \$276,609.20.
11. A drainage overlay shall be submitted.
12. All public improvements shall be completed in accordance with approved construction plans for the development. An engineer's estimate of cost for the public improvements to be completed as a part of this project shall be submitted along with the construction plans for the development.
13. A Performance Bond or Letter-of-Credit is required for all public improvements on forms provided by the City and must be submitted prior to the recording of the Final Plat or prior to the approval and release of the construction plans for the development by the Director of Public Works.
14. A construction inspection fee in the amount of three percent of the approved engineer's estimate of costs for the public improvements must be paid to the City Clerk prior to approval and release of the construction plans for the development by the Director of Public Works.
15. The revised plat shall be presented to the planning department for review and approval before any signatures are obtained.
16. The plat shall be recorded with the County Recorder of Deeds within 90 days of City Council approval, unless a plat-recording extension is granted.
17. The plat shall be in compliance with all applicable codes, ordinances, and agreements

Section 2. That the Mayor and City Clerk are hereby authorized and directed to execute the plat upon presentment of a proper guarantee for the construction of the required subdivision improvements and payment of the construction inspection fee in accordance with the Belvidere Subdivision Ordinance.

Section 3. That the City Clerk is hereby authorized and directed to cause the final plat to be recorded with the Boone County Recorder of Deeds after the plat is properly executed by all of the officers of the City of Belvidere.

Section 4. That this Ordinance shall be in full force and effect from and after its passage as provided by local law and pursuant to Illinois State Statutes. This written and foregoing Ordinance is published by authority of the corporate authorities of the City of Belvidere in pamphlet form on this date.

PASSED by the City Council of the City of Belvidere this _____ day of _____, 2023.

APPROVED by the Mayor of the City of Belvidere this _____ day of _____, 2023.

Clint Morris, Mayor

ATTEST:

Sarah Turnipseed, City Clerk

Ayes: _____ Nays: _____ Absent: _____

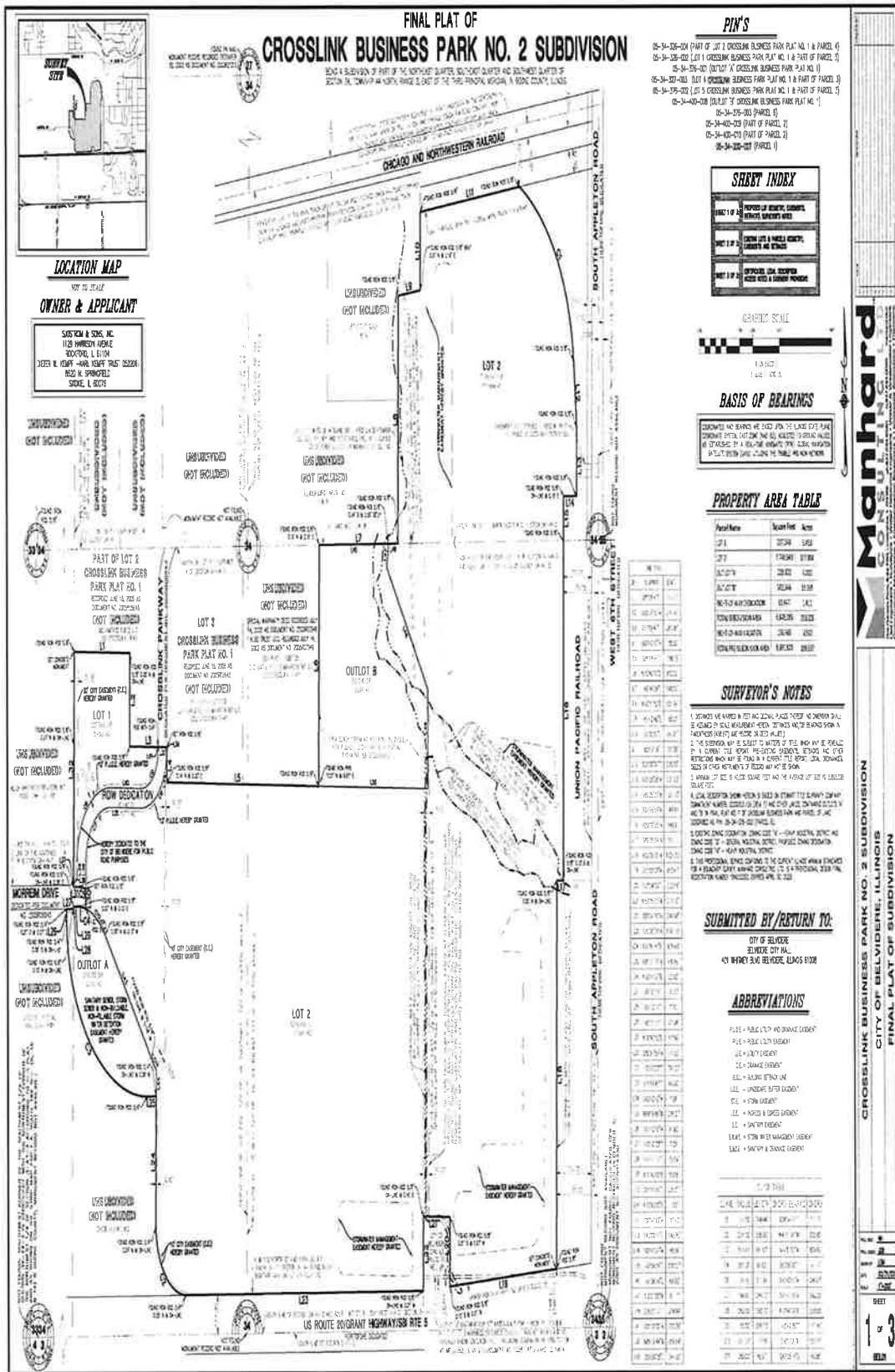
City Council Members Voting Aye:

City Council Members Voting Nay:

Date Published:

Sponsor: _____

ATTACHMENT A



Manhard CONSULTING

CROSSLINK BUSINESS PARK NO. 2 SUBDIVISION
CITY OF BELLEVUE, ILLINOIS
FINAL PLAT OF SUBDIVISION

SHEET
1 OF 3

ORDINANCE NO. 628H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
WITHIN THE PB, PLANNED BUSINESS DISTRICT
(1868 Crystal Parkway)**

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

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

WHEREAS, The applicant, May's Belvidere LLC, 100 W. Higgins Road #H71, South Barrington, IL 60010 on behalf of the property, Belvidere Retail, LLC, 5277 Trillium Boulevard, Hoffman Estates, IL 60192 is requesting a special use to permit indoor commercial entertainment which includes a bar and video gaming; and.

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the City of Belvidere Planning and Zoning Commission held a public hearing on May 9, 2023 concerning the proposed Special Use; and,

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

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

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

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

Section 2. That a Special Use in the PB, Planned Business District for indoor commercial entertainment on the property depicted in Attachment A and legally described as:

Lot 3 as designated upon Final Plat 2 of Belvidere Retail Subdivision, being a part of the Northeast Quarter (1/4) of Section 1, Township 43 North, Range 3 East of the Third Principal Meridian and part of the Northwest Quarter (1/4) of Section 6, Township 43, Range 4 East of the

Third Principal Meridian, according to the Plat thereof recorded March 6, 2023 in Plat Index File Envelope No. 403-A as Document No. 2023R00824 in the Recorder's Office of Boone County, Illinois; situated in the County of Boone and State of Illinois. PIN: 08-06-152-004

Is hereby approved, subject to the following conditions:

1. The special use is only for the tenant space commonly known as 1868 Crystal Parkway.
2. Open alcohol is prohibited outside the premises unless otherwise permitted.

Section 3. That the premises shall be used in accordance with and subject to the applicable provisions of the Zoning Ordinance of the City of Belvidere and shall not be used except as may otherwise be expressly authorized by the applicable law and the special use.

Section 4. That acceptance of any of the benefits of this Special Use shall be deemed acceptance of all the terms and conditions set forth herein.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 7. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Belvidere this ____ day of _____, 2023.

APPROVED by the Mayor of the City of Belvidere this ____ day of _____, 2023.

Clinton Morris, Mayor

ATTEST:

Sarah Turnipseed, City Clerk

Ayes: ____ Nays: ____ Absent: ____

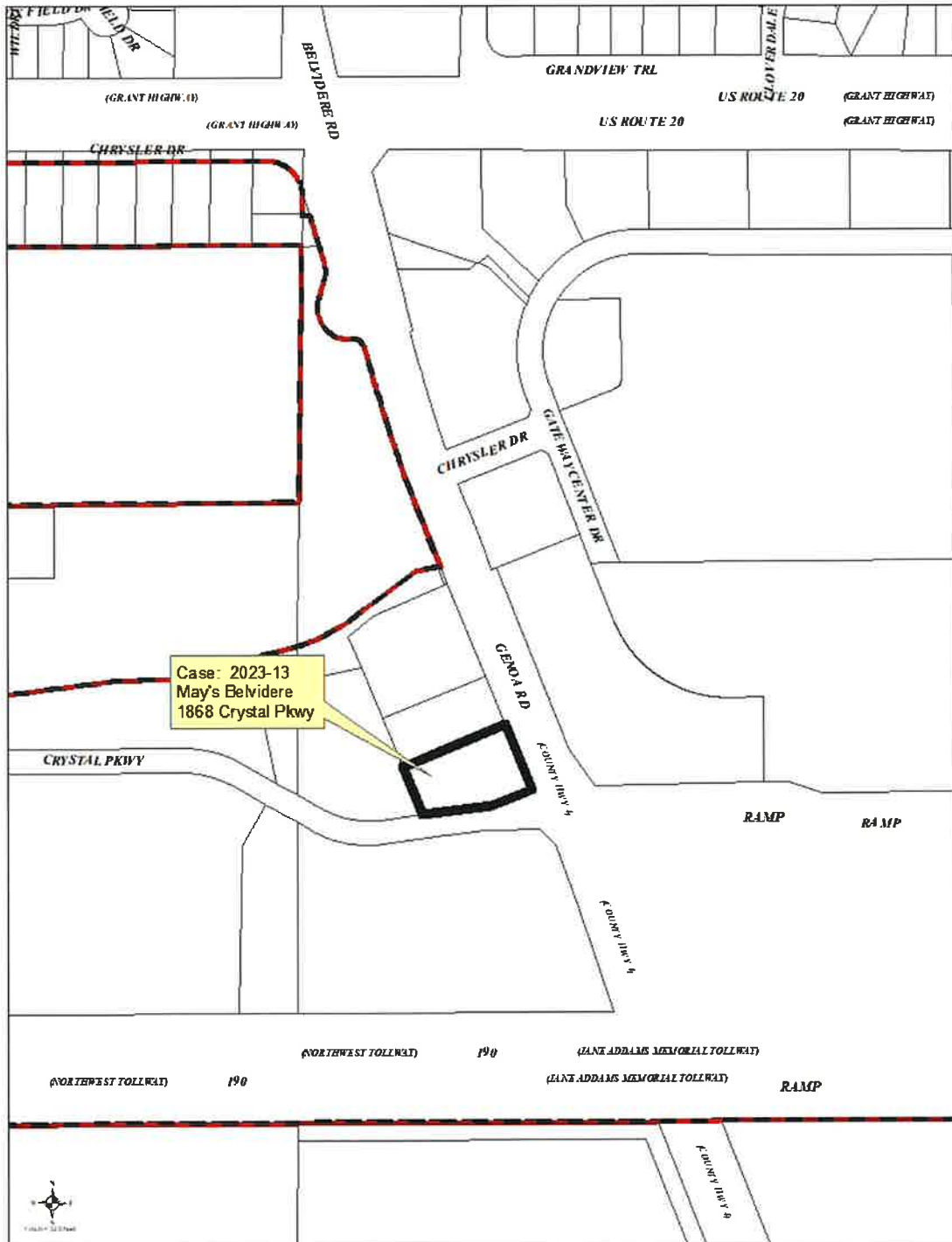
City Council Members Voting Aye: __

City Council Members Voting Nay: __

Date Published:

Sponsor: _____

ATTACHMENT A



ORDINANCE #629H
 AN ORDINANCE AMENDING SECTION 110-92, Yield Intersections,
 OF THE CITY OF BELVIDERE MUNICIPAL CODE
 TO ADD GROVER St. AND BIESTER Dr.
 AS TWO-WAY YIELD

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

SECTION 1: Section 110-92, Yield Intersections, of the City of Belvidere Municipal Code is hereby amended to add the intersection of Grover St. and Biester Dr. as a two-way yield intersection on Grover St. as follows:

Grover St.	Biester Dr.	2 Way Yield on Grover St. / East & West	
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SECTION 2: The Official Traffic Regulation Map shall be amended in conformance with this Ordinance.

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: _____

APPROVED:

Mayor Clinton Morris

ATTEST:

City Clerk Sarah Turnipseed

(SEAL)

Passed:
Approved:
Published:

ORDINANCE NO. 630H

AN ORDINANCE AMENDING ORDINANCE NO. 235H,
AN ORDINANCE DESIGNATING
AN ENTERPRISE ZONE
FOR THE CITY OF BELVIDERE,
BOONE COUNTY,
THE VILLAGE OF CAPRON AND
THE VILLAGE OF POPLAR GROVE

WHEREAS, The City of Belvidere and Boone County previously established an Enterprise Zone in December of 1984 pursuant to the Illinois Enterprise Zone Act; and

WHEREAS, the City of Belvidere, Boone County, the Village of Capron and the Village of Poplar Grove, Illinois (collectively the EZ Units of Government) re-adopted and re-authorized the Enterprise Zone in 2014; and

WHEREAS, in furtherance of that, the Corporate Authorities of the City of Belvidere adopted ordinance 235H Designating an Enterprise Zone for the City of Belvidere, Boone County, the Village of Capron and the Village of Poplar Grove and authorizing the Mayor to execute an Intergovernmental Agreement to effectuate implementation of the Enterprise Zone; and

WHEREAS, the EZ Units of Government wish to modify the Enterprise Zone tax abatement schedule to attract additional new industrial and commercial development. And

WHEREAS, On _____ the EZ Units of Government, conducted a public hearing within the zone area on the question of whether to amend the zone, including but not limited to, modifications regarding what local plans, tax incentives, and other programs should be established in connection with the zone, and what the boundaries of the zone should be, and that public notice was given in at least one newspaper of general circulation within the zone area, not more than 20 days nor less than 5 days before the hearing.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELVIDERE, ILLINOIS, as follows:

Section 1: The foregoing recitals are incorporated herein

Section 2. Section 7 of Ordinance 235H is amended to read as follows, the remainder of Ordinance 235H to remain unaffected by this amendment:

Section 7. The Boone County Clerk shall abate ad valorem taxes imposed upon real property located within the Enterprise Zone upon which new improvements have been renovated or rehabilitated, subject to the following conditions:

- (a) *The improvements or renovations are of the nature and scope for which a building permit is required and has been obtained;*
- (b) *Such abatement shall be allowed only for commercial and industrial property located within the Zone;*
- (c) *Provided further that no abatement shall exceed the following:*
 - i. *Base Property Tax Abatement Schedule: 80% of the taxes produced by the increase in assessed valuation caused by the improvements to said property in the first year, 60% in the second year, 40% in the third year, 20% in the fourth year.*
 - ii. *Mid-Level Property Tax Abatement Schedule: For projects that result in greater than \$250,000,000 in total investment and at least 150 new (not pre-existing or replacement) full-time equivalent jobs, a project shall be eligible for an abatement of 100% of the ad valorem property taxes in the first year, followed by 90% in the second year, 80% in the third year, 60% in the fourth year, and 50% in the fifth year. Thereafter, 25% of the ad valorem property taxes shall be abated for an additional period not to exceed five (5) years. In order to qualify for the Mid-Level Property Tax Abatement, the Enterprise Zone Administrator or designee shall require the owner/employer to certify the total number of qualifying FTE positions employed within three years of the issuance of occupancy permits. In the event the owner/employer fails to maintain the required number of positions to qualify for the Mid-Level Property Tax Abatement Schedule, the abatement shall immediately cease. Employment requirements will be tolled for reduced employment caused by: acts of God, riots, war, or pandemic, as determined by the Enterprise Zone Administrator.*
 - iii. *High-Level Property Tax Abatement Schedule: For projects that result in greater than \$800,000,000 in total investment and at least 400 new (not pre-existing or replacement) full-time equivalent jobs, a project shall be eligible for an abatement of 85% of the ad valorem property taxes for a period not to exceed five (5) years. Thereafter, 50% of the ad valorem property taxes shall be abated for an additional period not to exceed five (5) years. In order to qualify for the High-Level Property Tax Abatement, the Enterprise Zone Administrator or designee shall require the owner/employer to certify the total number of qualifying FTE positions employed within three years of the issuance of occupancy permits. In the event the owner/employer fails to maintain the required number of positions to qualify for the High-Level Property Tax Abatement Schedule, the abatement shall immediately cease. Employment requirements will be tolled for reduced employment caused by: acts of God, riots, war, or pandemic, as determined by the Enterprise Zone Administrator;*
- (d) *Additional tax abatement incentives for individual industrial taxpayers under the Base Property Tax Abatement Schedule will be available provided that the taxpayers either constructs improvements in addition to those for which abatements were granted in paragraph b above, or causes suppliers of said*

taxpayer to construct new improvements whereby the aggregate sum of said improvements increases the assessed valuation of the real property by \$2,000,000.00 or fraction thereof. If such increase occurs within the five years from the commencement of the initial abatement, the additional abatement shall be 80% of the taxes produced by the increase in assessed valuation caused by the original improvements to said property in the fifth year, 60% in the sixth year, 40% in the seventh year, 20% in the eighth year. If a fractional portion of such increase occurs within five years, the above formula shall be adjusted in proportion to the fractional portion of the increase.

- (e) The improvements constructed by the industrial taxpayer, under the Base Property Tax Abatement Schedule, which were in addition to the original improvements granted in the original abatement shall be eligible to receive an abatement for the additional improvements as outlined in paragraph b above.*
- (f) Properties located in a Tax Increment Finance District are not eligible for tax abatement so long as said District exists.*
- (g) Abatements shall commence the assessment year following the completion of the improvements as described in the abatement plan approved by the County.*
- (h) The Enterprise Zone Administrator shall immediately notify the County Clerk if the Enterprise Zone Administrator deems a property is no longer eligible for a property tax abatement.*

Section 3. That an amended intergovernmental agreement attached hereto as Exhibit A and incorporated herein by reference be and hereby is approved and the Mayor and City Clerk are hereby authorized and directed to execute it and any documents as may be necessary for the implementation of said agreement, for the making of the required applications to the Department of Commerce and Economic Opportunity and for the provisions of additional information as may be required by said Department.

Section 4. The City Clerk is hereby authorized to publish this Ordinance in pamphlet form.

Section 5. That this Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed by the City Council of the City of Belvidere, Illinois,

APPROVED:

Mayor

ATTEST:

City Clerk

AYES:

NAYS:

DATE APPROVED:

DATE PUBLISHED:

J:\Legal\ENTERPRISE ZONE\2023 Zone Amendment Ordinance2.doc

CERTIFICATION

I, Sarah Turnipseed, do hereby certify that I am the duly elected and qualified Clerk of the City of Belvidere, Boone County, Illinois, and that as such Clerk, I am the keeper of the ordinances, records, corporate seal and proceedings of the Mayor and City Council of said City of Belvidere.

I DO HEREBY further certify that at a regular meeting of the Mayor and City Council of the City of Belvidere, held on the _____ day of _____, 2023, the foregoing Ordinance entitled: “AN ORDINANCE AMENDING ORDINANCE NO. 235H, AN ORDINANCE DESIGNATING AN ENTERPRISE ZONE FOR THE CITY OF BELVIDERE, BOONE COUNTY, THE VILLAGE OF CAPRON AND THE VILLAGE OF POPLAR GROVE” was duly passed and approved by the Mayor and City Council of the City of Belvidere.

The pamphlet form of Ordinance No. 630H, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the City Hall, commencing on the ____ day of _____, 2023, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I DO FURTHER certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

IN WITNESS WHEREOF, I have affixed my name as Clerk and caused the seal of said City to be affixed hereto this _____ day of _____, 2023.

Sarah Turnipseed, City Clerk

(Seal)