

State of Illinois) SS
Belvidere, Illinois)

BELVIDERE CITY COUNCIL
REGULAR MEETING
AGENDA

July 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:

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

(4) Approval of minutes of the regular meeting of the Belvidere City Council of
June 18, 2018; as presented.

(5) Public Hearing:

(6) Special Messages and Proclamations:

(7) Approval of Expenditures: None.

(8) Committee Reports and Minutes of City Officers:

(A) Belvidere Police Department Overtime Report of June 5, 2018 through
June 18, 2018.

(B) Belvidere Fire Department Overtime Report of June 6, 2018 through
June 19, 2018.

(C) Minutes of Committee of the Whole – Public Safety and Finance and
Personnel of June 25, 2018.

(9) Unfinished Business: None.

(10) New Business:

(A) Ord. #405H – 1st Reading: An Ordinance Amending Chapter 106, Taxation of
the City of Belvidere Municipal Code to add a New Article X, Local Motor
Fuel Tax.

(B) Res. #2081-2018: A Resolution Accepting Public Improvements of Plat II of
Landmark Logistics Subdivision.

Motions forwarded from Committee of the Whole – Public Safety and Finance and Personnel of June 25, 2018.

Motions of Public Safety – Chairman Crawford:

- (A) Motion to accept the donation of \$1,500 from Gordon and Linda Neese for the purchase of an Air Science Purair Basic Ductless Fume Hood at a cost of \$1,780 with the remaining \$280 to be paid for through the State Asset Forfeiture Account.
- (B) Motion to approve purchasing an annual subscription for an online Tracking Program for the Fire Department from Target Solutions in the amount of \$2,887. This expense will be paid from the fire training line item.

Motions of Finance and Personnel – Chairman Ratcliffe:

- (C) Motion to accept the donation of \$8,000 from Jeanne Baker for expenses as they related to the newly installed playground equipment at General Mills Park.
- (D) Motion to approve the reappointment of Becky Tobin to the Historic Preservation Commission.

(11) Other:

- (A) Executive Session to discuss Collective Bargaining Matters pursuant to 2 (c) 2 – Fire Officers and Police Sergeants.

(12) Adjournment:

State of Illinois SS
Belvidere, Illinois

**Belvidere City Council
Regular Session
Minutes**

Date: June 18, 2018

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

Call to order by Mayor Chamberlain.

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

Other staff members in attendance:

Budget and Finance Director Becky Tobin, Building Director Lesa Morelock,
Street Department Supervisor Danny Anderson, Fire Chief Hyser, Police Chief Woody,
City Attorney Drella and City Clerk Arco.

- (2) Pledge of Allegiance:
Invocation:

- (3) Public Comment: Andrew Racz suggested naming the park Dutch Whalen Park.

- (4) Approval of Minutes:

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

Motion by Ald. Frank, 2nd by Ald. Ratcliffe to approve the minutes of the regular meeting
of the Belvidere City Council of June 4, 2018. Roll Call Vote: 9/0 in favor.

Ayes: Brooks, Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow and
Stevens. Nays: None. Motion carried.

- (5) Public Hearing: Vacation of a Portion of an Alley (Buchanan Street Alley)

Mayor Chamberlain opened the public hearing at 7:09 p.m. and read the publication that
appeared in the Boone County Journal on May 25, 2018. Mayor Chamberlain asked if
there was anyone present to address the public hearing, there being none the public
hearing closed at 7:11 p.m.

(6) Special Messages: Naming of General Mills Park.

Motion by Ald. Brooks, 2nd by Ald. Stevens to approve the name of General Mills Park at Highline Drive and Christi Lane. Roll Call Vote: 9/0 in favor. Ayes: Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens and Brooks. Nays: None. Motion carried.

(7) Approval of Expenditures: General and Special Funds: \$1,320,226.89
Water and Sewer Funds: \$ 425,516.12

Motion by Ald. Ratcliffe, 2nd by Ald. Sanderson to approve the General and Special Fund Expenditures in the amount of \$1,320,226.89. Roll Call Vote: 9/0 in favor. Ayes: Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens, Brooks and Crawford. Nays: None. Motion carried.

Motion by Ald. Crawford, 2nd by Ald. Frank to approve the Water and Sewer Fund Expenditures in the amount of \$425,516.12. Roll Call Vote: 9/0 in favor. Ayes: Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens, Brooks, Crawford and Frank. Nays: None. Motion carried.

(8) Committee Reports & Minutes of City Officers:

- (A) Belvidere Police Department Overtime Report of May 22, 2018 through June 4, 2018.
- (B) Belvidere Fire Department Overtime Report of May 23, 2018 through June 5, 2018.
- (C) Building Department Revenue Report for May 2018.
- (D) Community Development/Planning Department Report for May 2018.
- (E) Monthly Treasurer's Report for May 2018.
- (F) Monthly General Fund Report for May 2018.
- (G) Monthly Water/Sewer Fund Report for May 2018.
- (H) City-County Coordinating Committee Minutes of May 9, 2018.

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

- (I) Minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of June 11, 2018.

Motion by Ald. Frank, 2nd by Ald. Ratcliffe to approve the minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of June 11, 2018. Roll Call Vote: 9/0 in favor. Ayes: Porter, Ratcliffe, Sanderson, Snow, Stevens, Brooks, Crawford, Frank and Freeman. Nays: None. Motion carried.

(9) Unfinished Business:

- (A) Ord. #401H – 2nd Reading: An Ordinance Vacating a Portion of the Buchanan Street Alley Adjacent to 118-122 Buchanan Street in the City of Belvidere, Illinois.

Motion by Ald. Frank, 2nd by Ald. Ratcliffe to pass Ord. #401H. Roll Call Vote: 9/0 in favor. Ayes: Ratcliffe, Sanderson, Snow, Stevens, Brooks, Crawford, Frank, Freeman and Porter. Nays: None. Motion carried.

- (B) Ord. #402H – 2nd Reading: An Ordinance Vacating a Portion of the Buchanan Street Alley Adjacent to 124 Buchanan Street in the City of Belvidere, Illinois.

Motion by Ald. Ratcliffe, 2nd by Ald. Stevens to pass Ord. #402H. Roll Call Vote: 9/0 in favor. Ayes: Sanderson, Snow, Stevens, Brooks, Crawford, Frank, Freeman, Porter and Ratcliffe. Nays: None. Motion carried.

- (C) Ord. #403H – 2nd Reading: An Ordinance Revising Ordinance #338H, 2017-2018 Budget Ordinance for the City of Belvidere, Illinois.

Motion by Ald. Snow, 2nd by Ald. Ratcliffe to pass Ord. #403H. Roll Call Vote: 8/1 in favor. Ayes: Snow, Brooks, Crawford, Frank, Freeman, Porter, Ratcliffe and Sanderson. Nays: Stevens. Motion carried.

- (D) Ord. #404H – 2nd Reading: An Ordinance Amending Article XIV of Chapter 14 of the City of Belvidere Municipal Code (Video Gaming).

Motion by Ald. Sanderson, 2nd by Ald. Stevens to pass Ord. #404H. Roll Call Vote: 8/1 in favor. Ayes: Stevens, Brooks, Crawford, Frank, Porter, Ratcliffe, Sanderson and Snow. Nays: Freeman. Motion carried.

(10) New Business:

- (A) Res. #2079-2018: A Resolution Pertaining to Prevailing Rates.

Motion by Ald. Crawford, 2nd by Ald. Brooks to adopt Res. #2079-2018. Roll Call Vote: 9/0 in favor. Ayes: Brooks, Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow and Stevens. Nays: None. Motion carried.

- (B) Res. #2080-2018: A Resolution Authorizing the Execution of a Collective Bargaining Agreement with the International Association of Firefighters Local #1569 AFL-CIO-CLC.

Motion by Ald. Sanderson, 2nd by Ald. Porter to adopt Res. #2080-2018. Roll Call Vote: 9/0 in favor. Ayes: Crawford, Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens and Brooks. Nays: None. Motion carried.

Motions forwarded from City-County Coordinating Committee of May 9, 2018.

- (A) Motion to approve invoice #278469 in the amount of \$3,351.22 to TRC with a 50/50 split between the City and County. Roll Call Vote: 9/0 in favor. Ayes: Frank, Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens, Brooks and Crawford. Nays: None. Motion carried.
- (B) Motion to approve invoice #15871 in the amount of \$6,965 to Nijman Franzetti LLP with a 50/50 split between the City and County. Roll Call Vote: 9/0 in favor. Ayes: Freeman, Porter, Ratcliffe, Sanderson, Snow, Stevens, Brooks, Crawford and Frank. Nays: None. Motion carried.
- (C) Motion to approve invoice #17688 in the amount of \$12,000 to Van Ert Electric Company Inc. with a 50/50 split between the City and County. Roll Call Vote: 8/0/1 in favor. Ayes: Porter, Ratcliffe, Snow, Stevens, Brooks, Crawford, Frank and Freeman. Nays: None. Absent for vote: Sanderson. Motion carried.
- (D) Motion to approve the expenditure of approximately \$8,000 to prepare this scope of service from TRC with a 50/50 between the City and County. Roll Call Vote: 9/0 in favor. Ayes: Ratcliffe, Sanderson, Snow, Stevens, Brooks, Crawford, Frank, Freeman and Porter. Nays: None. Motion carried.

Motions forwarded from Committee of the Whole – Building, Planning and Zoning and Public Works of June 11, 2018.

- (A) Motion to approve the purchase of the Highline Lift Station parcel from the Bonita Wainscott Trust #1 in the amount of \$2,000. This property purchase will be paid for from Sewer Connection Fees – Land, line item #61-1710. Roll Call Vote: 9/0 in favor. Ayes: Sanderson, Snow, Stevens, Brooks, Crawford, Frank, Freeman, Porter and Ratcliffe. Nays: None. Motion carried.

(11) Adjournment:

Motion by Ald. Crawford, 2nd by Ald. Sanderson to adjourn the meeting at 7:37 p.m. Aye voice vote carried. Motion carried.

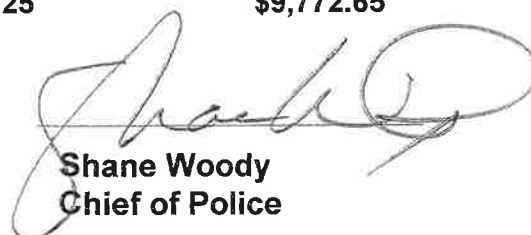
Belvidere Police Department Payroll Report

Dept: 1790

6/19/2018

For Overtime Incurred between 6/5/18 and 6/18/18

Last Name:	Employee ID:	Total Hours:	Total Overtime Pay:
Ball	00739	6	\$334.17
Bell	00813	35	\$1,949.33
Berillo	00941	16	\$727.92
Bird	00793	9	\$501.26
Blankenship	00729	12.5	\$696.19
Danielak	00996	2.5	\$102.38
Delavan	00848	4.5	\$250.63
Garcia	00988	17.5	\$716.63
Jones	00772	20	\$1,113.90
Kaplan	00858	5.5	\$283.80
McDermott	00942	0.5	\$22.75
Parker,B	00686	4	\$222.78
Polnow	00886	6	\$374.31
Reese	00979	8.75	\$368.16
Smaha	00659	6	\$374.31
Washburn	00784	11	\$686.24
Weiland	00990	0.5	\$20.48
Wilgus	00783	5.5	\$306.32
Worley	00992	6.5	\$266.18
Zapf	00934	10	\$454.95
Totals:		187.25	\$9,772.65



Shane Woody
Chief of Police

Belvidere Fire Department
Overtime Report
Date Between {06/06/2018} And {06/19/2018}

Date	Time	Incident	Pay Type	Activity Type	Hours Wkd	Hrs Paid	Pay
00866 Beck, Mark E							
06/13/2018	07:00		OT	SCF Shift Coverage for	24.00	24.00	930.48
06/16/2018	09:00		OT	TROT Training not	1.50	2.00	77.54
Staff Member Totals:					25.50	26.00	1008.02
00754 Burdick, David J							
06/07/2018	18:30		OT	MEE EMS Meeting	2.00	2.00	87.42
Staff Member Totals:					2.00	2.00	87.42
00809 Drall, Dan C							
06/12/2018	11:00	18-0001355	OT	GRI General Recall for	4.00	4.00	153.56
Staff Member Totals:					4.00	4.00	153.56
00966 Ellwanger, Adam A							
06/08/2018	07:30		OT	TREP Initial Paramedic	11.50	3.50	112.73
06/11/2018	07:30		OT	TREP Initial Paramedic	9.50	1.50	48.31
Staff Member Totals:					21.00	5.00	161.05
00971 Heiser, Bradley Donald							
06/06/2018	18:00		OT	TRTM TEMS Training	3.00	3.00	96.63
Staff Member Totals:					3.00	3.00	96.63
00601 Holmes, Gregory A							
06/09/2018	07:00		OT	SCS Shift Coverage for Sick	24.00	24.00	1094.64
06/15/2018	07:00		OT	SCSE Shift Coverage for	24.00	24.00	1094.64
Staff Member Totals:					48.00	48.00	2189.28
00828 Letourneau, Chris R							
06/10/2018	07:00		OT	SCSE Shift Coverage for	24.00	24.00	1038.72
06/16/2018	07:00		OT	SCSE Shift Coverage for	24.00	24.00	1038.72
Staff Member Totals:					48.00	48.00	2077.44
00993 Mead, Stephen C.							
06/16/2018	07:00		OT	TRTM TEMS Training	4.50	4.50	126.63
Staff Member Totals:					4.50	4.50	126.63
00755 Oates, Joshua A							
06/06/2018	18:00		OT	TRTM TEMS Training	3.00	3.00	115.17
06/16/2018	07:00		OT	TRTM TEMS Training	5.00	5.00	191.95
Staff Member Totals:					8.00	8.00	307.12
00958 Pavlatos, Gregory R							
06/06/2018	10:00		OT	TRE EMS Training	2.00	2.00	63.78
06/06/2018	18:00		OT	TRTM TEMS Training	3.00	3.00	95.67
06/07/2018	10:00		OT	TRE EMS Training	1.50	2.00	63.78
06/16/2018	07:00		OT	TRTM TEMS Training	5.00	5.00	159.45
Staff Member Totals:					11.50	12.00	382.68
00781 Swanson, Jason A							

Belvidere Fire Department
Overtime Report
Date Between {06/06/2018} And {06/19/2018}

Date	Time	Incident	Pay Type	Activity Type	Hours Wkd	Hrs Paid	Pay
00781 Swanson, Jason A							
06/12/2018	11:00	18-0001355	OT	GRI General Recall for	4.00	4.00	154.32
Staff Member Totals:					4.00	4.00	154.32
00969 Tangye, Travis N							
06/15/2018	07:00		OT	INR Reimbursable Plan	3.00	3.00	96.63
06/18/2018	07:00		OT	IN Inspection Bureau	5.75	5.75	185.20
Staff Member Totals:					8.75	8.75	281.83
00882 Thornton, Nicolas J							
06/15/2018	07:00		OT	CPRI C.P.R. Instruction	4.50	4.50	173.61
Staff Member Totals:					4.50	4.50	173.61
00556 Wilcox, Craig A							
06/06/2018	07:00		OT	SCS Shift Coverage for Sick	24.00	24.00	1049.04
06/08/2018	05:45		OT	GRM General Recall Due to	1.50	1.50	65.56
06/12/2018	07:00		OT	SCSE Shift Coverage for	24.00	24.00	1049.04
06/15/2018	07:00		OT	INR Reimbursable Plan	3.00	3.00	131.13
06/18/2018	07:00		OT	IN Inspection Bureau	5.50	5.50	240.40
Staff Member Totals:					58.00	58.00	2535.18
All Staff Member Totals:					250.75	235.75	9,734.77

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

Minutes
Committee of the Whole
Public Safety and Finance and Personnel
June 25, 2018 6:00 p.m.

Call to Order - Mayor Mike Chamberlain:

Aldermen Present: M. Borowicz, G. Crawford, W. Frank,
 M. Freeman, T. Porter, M. Sanderson and
 C. Stevens.

Aldermen Absent: R. Brooks, T. Ratcliffe and D. Snow.

Also in attendance:

Budget and Finance Director Becky Tobin, Treasurer
Thornton, Public Works Director Brent Anderson,
Captain Schadle, Fire Chief Hyser, Police Chief Woody,
City Attorney Drella and City Clerk Arco.

Alderman Snow arrived at 6:09 p.m.

Public Comment:

Public Forum: None.

Reports of Officers, Boards and Special Committees:
Mayor Chamberlain thanked all involved for the successful
Heritage Days Event.

1. Public Safety, Unfinished Business: None.

2. Public Safety, New Business:

(A) Life Saving Awards were presented by Chief Woody,
DC Wallace and DC Gardner to Sgt. Gorsuch, Officer
Davenport, Officer Lane and Officer Garcia.

(B) Notice of Donation - Gordon and Linda Neese.

Motion by Ald. Porter, 2nd by Ald. Sanderson to accept the
donation of \$1,500 from Gordon and Linda Neese for the
purchase of an Air Science Purair Basic Ductless Fume Hood
at a cost of \$1,780 with the remaining \$280 to be paid for
through the State Asset Forfeiture Account. Aye voice vote
carried. Motion carried.

(C) Training Management Software.

Motion by Ald. Crawford, 2nd by Ald. Stevens to approve purchasing an annual subscription for an online Tracking Program for the Fire Department from Target Solutions in the amount of \$2,887. This expense will be paid from the fire training line item. Aye voice vote carried. Motion carried.

3. Finance and Personnel, Unfinished Business: None.

4. Finance & Personnel, New Business:

(A) Playground donation.

Motion by Ald. Crawford, 2nd by Ald. Stevens to accept the donation of \$8,000 from Jeanne Baker for expenses as they related to the newly installed playground equipment at General Mills Park. Aye voice vote carried. Motion carried.

(B) Reappointment of Becky Tobin to the Historic Preservation Commission.

Motion by Ald. Sanderson, 2nd by Ald. Crawford to approve the reappointment of Becky Tobin to the Historic Preservation Commission. Aye voice vote carried. Motion carried.

(C) Local Motor Fuel Tax.

Motion by Ald. Snow, 2nd by Ald. Borowicz to approve a 2 cent per gallon Local Motor Fuel Tax. Aye voice vote carried. Alderman Stevens voting no. Motion carried. Motion by Ald. Borowicz, 2nd by Ald. Snow to forward the Local Motor Fuel Tax in ordinance form. Aye voice vote carried. Alderman Sanderson and Stevens voting no. Motion carried.

- (D) An Ordinance Readopting the Simplified Municipal Telecommunications Tax and Setting the Tax Rate Thereof.

Motion by Ald. Crawford, 2nd by Ald. Frank to approve increasing the Telecommunication Tax to 6%. Roll Vote Call: 3/5 in favor. Ayes: Crawford, Frank and Snow. Nays: Borowicz, Freeman, Porter, Sanderson and Stevens. Motion lost.

5. Other:

- (A) Certificate of Satisfactory Completion of Landmark Logistics Subdivision Plat #2.

Motion by Ald. Snow, 2nd by Ald. Sanderson to forward to City Council a resolution accepting the public improvements that have been completed for Plat #2 of Landmark Logistics Subdivision. Aye voice vote carried. Motion carried.

- (B) Downtown Banners - discussion took place on looking into vendors for downtown banners.

6. Adjournment:

Motion by Ald. Sanderson, 2nd by Ald. Borowicz to adjourn at 6:45 p.m. Aye voice vote carried. Motion carried.

_____ Mayor

Attest: _____ City Clerk

ORDINANCE #405H

AN ORDINANCE AMENDING CHAPTER 106, TAXATION
OF THE CITY OF BELVIDERE MUNICIPAL CODE
TO ADD A NEW ARTICLE X
LOCAL MOTOR FUEL TAX

WHEREAS, the Corporate Authorities of the City of Belvidere recognize the duty to provide basic governmental services to the Citizens of the City of Belvidere, including but not limited to fire protection, law enforcement and public works; and

WHEREAS, the cost of providing these basic governmental services continues to increase each and every year; and

WHEREAS, the Corporate Authorities find it necessary to increase revenues in order to meet the rising costs of these services; and

WHEREAS, a review of surrounding communities reveals that many communities impose a local motor fuel tax.

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

SECTION 1: Chapter 106, Taxation, is amended to add a new Article X, Local Motor Fuel Tax, 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.

ARTICLE X. - LOCAL MOTOR FUEL TAX

Sec. 106-300. - Definitions.

The following words, terms and phrases, when used in this Article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City means the City of Belvidere, Boone County Illinois.

Department means the Budget Officer or Finance Director of the City of Belvidere or such other City Department or individual as assigned by the Mayor.

Person means any individual, firm, trust, estate, partnership, association, corporation, limited liability company, joint venture, joint stock company, receiver, trustee, conservator, legal representative, or other legally recognized entity.

Retail vehicle fuel dealer means any person who is engaged in the business of selling motor fuel in the City to a purchaser for the purchaser's use or consumption, and not for resale in any form.

Sale, resale, or purchase means any transfer of ownership or title or both, any exchange or any barter, whether conditional or otherwise, in any manner or by any means whatsoever for consideration.

Sale at retail means any sale to a person for that person's use or consumption and not for resale to another.

Vehicle means any machine or device in, upon or by which any person or property is or may be transported or drawn upon a rail, street, road highway or otherwise upon land, in or upon water, or through the air. "Vehicle" includes, but is not limited to, motor vehicles as defined in the Illinois Vehicle Code, automobiles, trucks, buses, trains, motorcycles, boats, and aircraft.

Motor fuel means any volatile and inflammable liquid or gas produced, blended or compounded for the purpose of or which is suitable for operating any combustion engine or a vehicle, or which is used in propelling a vehicle. "Vehicle fuel" includes, but is not limited to, gasoline, gasohol, diesel fuel, ethanol, motor benzol, motor benzene, propane gas fuel, kerosene and "special fuel" as defined in the Illinois Motor Fuel Tax Law, as amended [ILCS Ch. 35, Act 505 § 1.13], and blends thereof.

Sec. 106-301. - Local motor fuel tax imposed.

- (a) A local motor fuel tax is hereby imposed upon the purchase of each gallon of motor fuel, or fraction thereof, sold at retail within the corporate limits of the City, at the rate of two cents (\$00.02) per gallon, effective September 1, 2018. The ultimate incidence of and liability for payment of the tax is to be borne by the retail purchaser of motor fuel. Nothing in this chapter shall be construed to impose a tax upon the occupations of persons engaged in the retail sale of vehicle fuel. It shall be the duty of every retail vehicle fuel dealer to secure the tax from the purchaser at the time the retail vehicle fuel dealer collects the purchase price for the motor fuel and to pay over the tax to the City through the Department.
- (b) In the event motor fuel is dispensed in a unit of measure other than the gallon, the tax shall be imposed at the same ratio to one cent (\$0.01) as the unit is to the gallon. The tax shall be paid in addition to any and all other taxes and charges.
- (c) It shall be presumed that all sales and uses of motor fuel in the City are subject to the local motor fuel tax until the contrary is established, by clear and convincing evidence. The burden of proving that a sale or use is not taxable under this article shall be upon the retail vehicle fuel dealer, purchaser or user so claiming.
- (d) The local motor fuel tax imposed by this article shall not be applicable to the privilege of purchasing or using vehicle fuel when such fuel is purchased or used, as the case may be, by the federal government, or any of its instrumentalities.

Sec. 106-302. - Collection and remittance of local motor fuel tax.

- (a) The local motor fuel tax shall be collected by each retail vehicle fuel dealer, who shall have the duty to collect the local motor fuel tax from the purchaser of the vehicle fuel, and thereafter remit such local motor fuel tax to the City.
- (b) If any retail vehicle fuel dealer fails to collect the local motor fuel tax, such retail vehicle fuel dealer shall remain liable for the local motor fuel tax not collected and shall pay the amount of the local motor fuel tax due to the City in accordance with this Article.
- (c) On the 20th day of each calendar month the retail vehicle fuel dealer shall transmit a report of sale of all vehicle fuel in the previous month, on forms to be created and approved by the Department, together with a sum of money equal to the amount of the local motor fuel tax owing for the applicable month. A retail vehicle fuel dealer may retain 1% of the total sum of motor fuel tax owed for the applicable month as a credit to reimburse the retail vehicle fuel dealer for the time and expense incurred in connection with collecting and remitting the local motor fuel tax.
- (d) Failure by the retail vehicle fuel dealer to file sales and use tax returns with the Illinois Department of Revenue shall not relieve the retail vehicle fuel dealer from the responsibility to pay the local motor fuel tax to the City.
- (e) Late or unpaid payments of the local motor fuel tax shall, in addition to penalties as set forth in this Article or in Section 1-9 of the City of Belvidere Municipal Code, be subject to interest at the rate of 1 ½ percent per month or each fraction thereof. Further, a retail vehicle fuel dealer will not be entitled to the 1 percent credit set forth in subsection (c) above if a payment is late or unpaid.

Sec. 106-303. Registration.

Each retail vehicle fuel dealer shall register as a retail vehicle fuel dealer with the upon forms created and approved by the Department.

Sec. 106-304. - Recordkeeping; inspection of records; audits.

Every retail vehicle fuel dealer shall keep accurate books and records of the retail vehicle fuel dealer's business or activities, including original source documents and books of entry denoting the transactions which have given rise or may have given rise to any tax liability, exemption or deduction. Every retail vehicle fuel dealer shall also keep accurate copies of all documents, including but not limited to motor fuel tax returns, filed with any federal or state agency or department. All documents shall be maintained in the English language.

The Department, or such other person, including but not limited to third party contractors, as the Mayor shall designate, shall have the right to inspect all books, records, and reports of all retail vehicle fuel dealers during the City's regular business hours.

Sec. 106-305. - Penalties.

- (a) In addition to any interest, penalty, lien or other remedy available to the City at law or in equity, any person who violates the provisions of this Article, fails to pay any tax when due or who submits false information to the City concerning the local motor fuel tax, shall be fined not less than \$200.00 plus court costs per offense. Each day, or part thereof, that a violation exists or continues, shall constitute a separate offense.
- (b) Additionally, a violation of any term of this Article shall subject the Retail Fuel Dealer to suspension or revocation of their Business Registration License in accordance with Chapter 26 of the City of Belvidere Municipal Code.

RESOLUTION #2081-2018 :
A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS OF
PLAT II OF LANDMARK LOGISTICS SUBDIVISION

WHEREAS, the City Council of the City of Belvidere previously approved the final Plat of Subdivision for Plat II of Landmark Logistics Subdivision; and

WHEREAS, the owner/developer of Plat II of Landmark Logistics Subdivision has certified that all public improvements, with the exception of certain landscape requirements, identified on said plat to be dedicated to the City of Belvidere and required to be constructed by owner/developer are completed according to the City of Belvidere Municipal Code and the directives of the City's Department of Public Works with the exception of certain sidewalks; and

WHEREAS, the owner/developer dedicated certain Public Improvements to the City of Belvidere as identified on the attached Plat of Subdivision for Plat II of Landmark Logistics Subdivision.

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

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

Passed by the City Council of the City of Belvidere, Illinois this 2nd day of July 2018.

Approved: _____
Mayor

Attest: _____
City Clerk