

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
APRIL 2, 2012
COUNCIL CONVENED AT 6:12 P.M.**

1. The invocation was given by Pastor Sherman Nichols, Central Christian Church/Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:
Mayor Lawrence Morrissey
Aldermen: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Absent: Curran -1-
3. Alderman Mark moved to accept the Journal of Proceedings of April 2, 2012, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran absent).

OFFICERS REPORTS

4. Mayor Morrissey presented a Proclamation proclaiming the week of April 2, 2012 to be "CHILD ABUSE PREVENTION WEEK" in Rockford, Illinois and encouraged all citizens to support Youth Service Bureau of Illinois Valley and learn about the many programs and resources in our community.
5. Mayor Morrissey presented a Proclamation proclaiming the week of April 2, 2012 to be "CITIZENS ASSISTING POLICE & CITIZENS POLICE ACADEMY WEEK" in Rockford, Illinois in recognition of our law enforcement volunteers and community members who provide vital contributions to the safety and well-being of our citizens.
6. Mayor Morrissey presented a Proclamation proclaiming the month of April, 2012 to be "DAN LINDSAY, DANIEL MCMAHON AND MILES NIELSEN MONTH" in Rockford, Illinois and congratulated them on their work to create one of the best sports documentaries of all times, "Undeclared", and winning the Academy Award for Best Documentary Feature.
7. Mayor Morrissey submitted an appointment to the Fire Pension Board, Mr. Chris Black, whose term will expire May 2015. LAID OVER.
8. Mayor Morrissey called attention to the Memorandum from Mark Stockman, Street and Transportation Superintendent, updating council on Ash Tree removal in response to the onset of Emerald Ash Borer in our community.
9. Mayor Morrissey reported he was in Springfield last week, meeting with Governor Quinn's staff to discuss the gaming bill, pension reform and several other issues.
10. Mayor Morrissey commended the Rockford Board of Elections staff for assisting the Winnebago County Board of Elections with the recent primary election challenges with the ballots.

- 10a. Mayor Morrissey congratulated the Rockford Public Schools and REA for settling their strike.
11. Alderman Thompson-Kelly thanked city staff for responding to a constituent who is experiencing problems in her neighborhood with abandoned properties, loitering and crime.
12. Alderman Jacobson reported Saturday, March 30th was the Lions Club Rose Day and commended the many volunteers for making this another successful year, delivering over 6000 dozen roses in the Rockford area.
13. Alderman Timm informed his constituents he will be meeting with Police Chief Epperson this week to address the high volume of crime in the 9th Ward.

PUBLIC PARTICIPATION

14. Prophet Yusef spoke about "Freedom is not Free".
15. Gary Meyer, CAP volunteer, mentioned both he and his wife are very proud to be volunteers at the police department and encouraged others to participate in the program.
16. Richard Peterson, CAP volunteer, is thankful to have the opportunity to volunteer at the police department and help in any capacity with the crime problems in Rockford.
17. Alice Nichols, CAP volunteer, praised the police officer's for their excellent work and expressed her pride in volunteering at the department.
18. L. Joe Owen, CAP Civilian Coordinator, explained the process to become a CAP volunteer and thanked the many volunteers for their dedication.

PETITIONS AND COMMUNICATIONS

19. Alderman Mark announced Rockford Urban Ministries annual Good Friday Way of the Cross will begin at 9:00 am on Good Friday, April 6, 2012 from the parking lot of Emmanuel Episcopal Church, 412 N. Church Street.
20. Alderman Johnson submitted five (5) requests for service. Referred to Public Works Department.
21. Alderman Johnson thanked Mark Stockman, Street and Transportation Superintendent, for the Memorandum updating council on Ash Tree removals and requested trees on the right-of-way at 1915 23rd Street be examined for removal.
22. Alderman Johnson submitted a letter from a constituent reporting he was the victim of an assault and is requesting the police department investigate it. Referred to Police Department, Legal Department and Mayor Morrissey's Office.

23. Alderman Beach submitted the Rockford Traffic Commission Agenda for the meeting to be held on April 11, 2012. Referred to Traffic Commission.
24. Alderman Beach submitted a Memorandum from Mark Rose, Land Acquisition Officer, regarding the proposed sale of city-owned vacant lot located at 1918 Elm Street. Referred to Code and Regulation Committee.
25. Alderman Elyea submitted a Memorandum from Andrea Hinrichs, Housing Rehabilitation Specialist II, regarding a housing development agreement. Referred to Planning and Development Committee.
26. Alderman McNeely submitted a request from Herbert Johnson, in conjunction with Liberty Baptist Church Easter Celebration, requesting permission for "Zoo For You" animals in fenced in areas at West Middle School's track/backyard area, 1900 North Rockton Avenue on April 8, 2012 from 10:30 am – 2:30 pm. Alderman McNeely moved to grant the Prayer of the Petitioner, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Curran absent).
27. Alderman McNeely requested an increase of police enforcement near the area of West State Street and Pierpont Avenue. Vandalism is occurring to vehicles near 3303 West State Street. Referred to the Police Department.
28. Alderman Beck submitted a Memorandum from Joanne Lewis, Head Start Director, regarding Head Start Waivers and Application. Referred to Finance and Personnel Committee.
29. The Council Clerk submitted a Notice of Public Hearing on a Request for Local Siting Approval of a New Pollution Control Facility with the County of Winnebago to be held on Monday, April 23, 2012 at 9:00 am at the Winnebago County Board Room located on the 8th floor, Winnebago County Courthouse, 400 West State Street, Rockford, Illinois 61101. Placed on File.
30. The Council Clerk submitted a newsletter from the Illinois Association of Realtors providing information on research, local ordinance and state law updates and economic data related to the Illinois real estate industry. Distributed to Mayor Morrissey, Jim Ryan, City Administrator and Patrick Hayes, Legal Director and the aldermen. Placed on File.

NEW COMMITTEE REPORTS

31. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the Final Plat of Kelly Williamson at Alpine and Turner.
32. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a hand car wash and detail in a C-4, Urban Mixed-Use Zoning District at 2611 Broadway. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes by complying with Code Official comments within the report.
2. Submittal of revised site plan showing parking spaces on the south side and access off the alley.
3. Removal of the free-standing sign and any future free-standing sign must comply with Ordinance.
4. Removal of third wall sign on the building.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

33. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of alcohol by the drink in conjunction with a restaurant and nightclub in the name of **Juan Angel Ramos d/b/a Guadalajara de Noche** in a C-2, Limited Commercial Zoning District at 1116-1118 South Main Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
4. That the facility shall include a full service restaurant.
5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Licensed Security Firm.
7. The business shall maintain a parking agreement with the adjacent grocery property for a minimum of (30) parking space.
8. That an interior layout of the building be submitted for Staff review and approval in conformance with the Building and Fire Code and interior layout shall be substantial compliance with approved plan.
9. The business shall provide exterior parking lot patrol and security during hours of operation as a night club and until the parking lot is cleared of all patrons.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

34. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Variation to increase maximum square footage for a drive-through directory (menu board) from 36 square feet to 59.25 square feet; APPROVE a (B) Variation to increase maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.61 feet; and APPROVE a (C) Variation to reduce parking spaces from 54 to 35 parking spaces in a C-2, Limited Commercial Zoning District at 1441 Kishwaukee Street. Approval is subject to the following conditions:

1. A landscape plan including additional shrubs to be planted along Kishwaukee Street to be submitted for Staff's review and approval.

2. The fence that is in disrepair along the west side shall obtain a permit and be repaired by June 1, 2012.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

35. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5505 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare then necessary Ordinance. LAID OVER.

2012-105CR

36. Alderman Beach read a Code and Regulation Committee Report SUSTAINNIG the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for an electronic display sign greater than 36 square feet and APPROVE a Variation to increase the maximum permitted square footage for a landmark style sign from 64 square feet to 70 square feet in a C-2, Limited Office Zoning District at 1401 North Bell School Road. Approval is subject to the following conditions:

1. The location of the sign shall be east of the sidewalk and located out of the future Right-of-Way line along North Bell School Road.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Curran -1-

37. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a restaurant and nightclub in a C-2, Commercial Zoning District at 1116-1118 South Main Street.

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
4. That the facility shall include a full service restaurant.

5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Security Firm.
7. The business shall maintain a parking agreement with the adjacent grocery store property for a minimum of (30) parking spaces.
8. That an interior layout of the building be submitted for Staff review and approval in conformance with the building and fire code and interior layout shall be in substantial compliance with approved plan.
9. The business shall provide exterior parking lot patrol and security hours of operation as a night club and until the parking lot is cleared of all patrons.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

38. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council DENY the request for sale of liquor by package in conjunction with a tobacco/convenience store in the name of **Mahendrakumar Patel d/b/a Tobacco Outlet** in a C-2, Limited Commercial Zoning District at 3219 North Main Street.

Denial is based on the Findings of Fact. LAID OVER.

39. Alderman Beach read a Code and Regulation Committee Report recommending authorization for the use of eminent domain for the property located at 1303 15th Avenue for the intersection project that is proposed to take place there. The Mayor and Legal Director of authorized to execute the documents necessary to complete the transaction. The Legal Director is hereby instructed to prepare the appropriate ordinance. LAID OVER.
40. Alderman Beach read a Code and Regulation Committee Report recommending authorization for the use of eminent domain for the property located at 1928 North Rockton Avenue for the intersection project that is proposed to take place there. The Mayor and Legal Director of authorized to execute the documents necessary to complete the transaction. The Legal Director is hereby instructed to prepare the appropriate ordinance. LAID OVER.

2012-106CR

41. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the Vacation of Kimball Road cul-de-sac as shown on the Final Plat of Fairhaven Christian Home Plat #5.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-

Nays: -0-
Absent: Curran -1-

2012-107CR

42. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the Final Plat of Fairhaven Christian Home Plat #5.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Curran -1-

43. Alderman Elyea read a Planning and Development Committee Report recommending approval of the Third Amendment to the Agreement with Financial Management Systems (FMS). The Legal Director shall prepare the appropriate ordinance. LAID OVER.

2012-108CR

44. Alderman Elyea read a Planning and Development Committee Report recommending approval of a Development Agreement with West Side Building Partnership for construction of a new John Deere dealership at 854 Simpson Road. The Legal Director shall prepare the appropriate ordinance.

Alderman Elyea moved to suspend Rule 9 and 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Curran absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Curran -1-

45. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Demolition of 302 N. Henrietta Avenue, 612 S. Henrietta Avenue, and 1127 Sanford Street be made to the low bidder for all three, Swinson Materials, of Rockford, Illinois for a total award of \$20,658.00. The funding source is CDBG. LAID OVER.
46. Alderman Beck read a Finance and Personnel Committee Report recommending approval of a Change Order for Architectural Services at Station 11 for a total of \$12,000. P&G Architecture will be creating specifications for bidding and supervision during the construction process. The funding source is Fire Dept. Operating Budget. LAID OVER.
47. Alderman Beck read a Finance and Personnel Committee Report recommending the Extension of Contract for Police Process Improvement with Collaborative Solutions Initiative, Inc. in the amount of \$2,000 monthly, not to exceed \$20,000. The funding source is 2010 JAG Grant. LAID OVER.

48. Alderman Beck read a Finance and Personnel Committee Report recommending the Engineering Agreement: Day Avenue Reconstruction Phase III be made to McClure Engineering Associates, Inc. to perform construction engineering for a total not to exceed cost of \$22,659.50. The funding for this project will come from Sales Tax funds. LAID OVER.
49. Alderman Beck read a Finance and Personnel Committee Report recommending the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the Joint Bidding of Electrical Aggregation Supply as set forth in the agreement. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
50. Alderman Beck read a Finance and Personnel Committee Report recommending approval of the Intergovernmental Agreement with the Greater Rockford Airport Authority for sharing a bus. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

2012-109CR

51. Alderman Beck read a Finance and Personnel Committee Report recommending approval of the On-Line Access Agreement with the Illinois Secretary of State.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Curran absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
 Nays: -0-
 Absent: Curran -1-

52. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 2, 2012 in the amount of \$3,037,962.73. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
 Nays: -0-
 Absent: Curran -1-

UNFINISHED BUSINESS

2012-110CR

53. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a "Commercial Loading" parking zone from 8:00 am to 5:00 pm, Monday through Friday on the north side of Broadway from Arbor Court to 50 feet west of Arbor Court, thus repealing a portion of the existing two hour parking limit. MOTION PREVAILED (Ald. Curran absent).

2012-111CR

54. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Church Street be required to yield prior to entering the intersection of Loomis Street and Church Street. MOTION PREVAILED (Ald. Currant absent).

2012-112CR

55. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Court Street be required to yield prior to entering the intersection of Loomis Street and Court Street. MOTION PREVAILED (Ald. Curran absent).

2012-113CR

56. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:
1. Request from Robert L. Webner, to establish a "No Parking Anytime" restriction on the east side of Bucknell Drive from Harrison Avenue to Yale Drive.
 2. Request from Beth Grobe, to establish a "No Parking Anytime" restriction on one side of the street at the following locations:
 - a. 16th Avenue from 18th Street to 20th Street
 - b. 18th Street from Broadway to 16th Avenue
 - c. 19th Street from Broadway to 16th Avenue

MOTION PREVAILED (Ald. Curran absent).

MOTIONS AND RESOLUTIONS

57. Alderman Elyea, on behalf of the Planning and Development Committee, moved the adoption of a Resolution convening the State Street/Mulford TIF Joint Review Board and Setting the Meeting of the Joint Review Board and establishing the date for the Public Hearing. LAID OVER.

2012-030R

58. Alderman Elyea, on behalf of the Planning and Development Committee, moved for the adoption of a Resolution that the City of Rockford hold a Public Hearing on the expansion of the boundaries of Enterprise Zone Number One, and to provide additional tax incentives, be held on Thursday, April 12, 2012, at 5:00 pm, at Rockford Public Library Montague Branch 1238 S. Winnebago St., Rockford, Illinois. MOTION PREVAILED (Ald. Curran absent).

2012-031R

59. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the Greater Rockford Airport Authority for a special use permit and liquor permit for consumption of liquor outdoors on public property ("SP" license) for the Rockford Airfest, in conjunction with Rockford Airfest 2012 at the Greater Rockford

Airport, 60 Airport Drive, Rockford, Illinois on Saturday, June 2, 2012 and Sunday, June 3, 2012 from 8:00 am – 6:00 pm. MOTION PREVAILED (Ald. Currant absent).

2012-032R

60. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution requiring Council authorization for use of Motor Fuel Tax funds for Kishwaukee Street Bridge over Keith Creek in the amount of \$75,414.44. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Curran -1-

2012-033R

61. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution recommending authorizing the Central Services Manager to take bids/proposals for the following:

- A. Bid: Grounds Maintenance for Water Sites, funding source: Water Division Operating Budget
- B. Bid: Summer Food Program, funding source: United States Department of Agriculture (USDA) through Illinois State Board of Education (ISBE)
- C. Bid: Squad Cars & Unmarked Vehicles, funding source: Police and Fire Operating Budgets
- D. Bid: Day Avenue Reconstruction, Phase III, funding source: Sales Tax
- E. Bid: City-Wide Street Repair, Group #2, funding source: Sales Tax
- F. Bid: Sidewalks, Curb & Gutter/ADA Ramps, Package A, funding source: Sales Tax
- G. Bid: Sidewalks, Curb & Gutter/ADA Ramps, Package B, funding source: Sales Tax
- H. RFP: Homeless Management Information System, funding source: HUD

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Curran -1-

2012-034R

62. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution approving an Agreement between the City of Rockford and the State of Illinois, Department of Transportation for improvements on IL Route 2 Beltline Road to 0.4 miles north of Harrison Ave., FAP Route 742, State Section 34R in the City of Rockford Winnebago County, Illinois. The State will provide \$15,902,950 and the City is estimated to provide \$114,855. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-

Absent: Curran -1-

NEW BUSINESS

2012-042-O

63. Alderman Beck introduced and read an Ordinance approving the attached On-Line Access Agreement with the Illinois Secretary of State for retrieving computer stored information.

Alderman Beck moved to suspend Rule 9 and 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Curran absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Curran -1-

2012-043-O

64. Alderman Elyea introduced and read an Ordinance approving the Development Agreement with West Side Building Partnership.

Alderman Elyea moved to suspend Rule 9 and 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Curran absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Curran -1-

65. Upon motion duly made and seconded, the meeting was adjourned at 7:13 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
April 9, 2012
6:00 P.M.
AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

I. NEW COMMITTEE REPORTS TO BE READ IN APRIL 9, 2012

A. CODE AND REGULATIONS

1. Beach - Proposed Sale of a City-Owned Vacant Lot/1918 Elm Street
 2. Beach - Miracle Mile Request – Proposed Regulations for Tobacco Shops, Second Hand Stores, Cash Stores and Pawn Shops – Ald. Ann Thompson-Kelly’s Request for a review of regulations for junk/salvage yard, recycling facilities and waste related uses
- Officers Reports

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER APRIL 2, 2012

1. Elyea - Planning and Development - Recommending approval of the Third Amendment to the Agreement with Financial Management Systems (FMS). The Legal Director shall prepare the appropriate ordinance.
2. Beach - Code and Regulation - Recommending the approval of the Final Plat of Kelly Williamson at Alpine and Turner.
3. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a hand car wash and detail in a C-4, Urban Mixed-Use Zoning District at 2611 Broadway. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes by complying with Code Official comments within the report.
2. Submittal of revised site plan showing parking spaces on the south side and access off the alley.
3. Removal of the free-standing sign and any future free-standing sign must comply with Ordinance.
4. Removal of third wall sign on the building.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

4. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of alcohol by the drink in conjunction with a restaurant and nightclub in the name of **Juan Angel Ramos d/b/a Guadalajara de Noche** in a C-2, Limited Commercial Zoning District at 1116-1118 South Main Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
4. That the facility shall include a full service restaurant.
5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Licensed Security Firm.
7. The business shall maintain a parking agreement with the adjacent grocery property for a minimum of (30) parking space.
8. That an interior layout of the building be submitted for Staff review and approval in conformance with the Building and Fire Code and interior layout shall be substantial compliance with approved plan.
9. The business shall provide exterior parking lot patrol and security during hours of operation as a night club and until the parking lot is cleared of all patrons.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

5. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Variation to increase maximum square footage for a drive-through directory (menu board) from 36 square feet to 59.25 square feet; APPROVE a (B) Variation to increase maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.61 feet; and APPROVE a (C) Variation to reduce parking spaces from 54 to 35 parking spaces in a C-2, Limited Commercial Zoning District at 1441 Kishwaukee Street. Approval is subject to the following conditions:

1. A landscape plan including additional shrubs to be planted along Kishwaukee Street to be submitted for Staff's review and approval.

2. The fence that is in disrepair along the west side shall obtain a permit and be repaired by June 1, 2012.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

6. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5505 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare then necessary Ordinance.

7. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a restaurant and nightclub in a C-2, Commercial Zoning District at 1116-1118 South Main Street.

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
4. That the facility shall include a full service restaurant.
5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Security Firm.
7. The business shall maintain a parking agreement with the adjacent grocery store property for a minimum of (30) parking spaces.
8. That an interior layout of the building be submitted for Staff review and approval in conformance with the building and fire code and interior layout shall be in substantial compliance with approved plan.
9. The business shall provide exterior parking lot patrol and security hours of operation as a night club and until the parking lot is cleared of all patrons.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

8. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council DENY the request for sale of liquor by package in conjunction with a tobacco/convenience store in the name of **Mahendrakumar Patel d/b/a Tobacco Outlet** in a C-2, Limited Commercial Zoning District at 3219 North Main Street.

Denial is based on the Findings of Fact.

9. Beach - Code and Regulation - Recommending authorization for the use of eminent domain for the property located at 1303 15th Avenue for the intersection project that is proposed to take place there. The Mayor and Legal Director of authorized to execute the documents necessary to complete the transaction. The Legal Director is hereby instructed to prepare the appropriate ordinance.
10. Beach - Code and Regulation – Recommending authorization for the use of eminent domain for the property located at 1928 North Rockton Avenue for the intersection project that is proposed to take place there. The Mayor and Legal Director of authorized to execute the documents necessary to complete the transaction. The Legal Director is hereby instructed to prepare the appropriate ordinance.
11. Beck - Finance and Personnel - Recommending the award for Demolition of 302 N. Henrietta Avenue, 612 S. Henrietta Avenue, and 1127 Sanford Street be made to the low bidder for all three, Swinson Materials, of Rockford, Illinois for a total award of \$20,658.00. The funding source is CDBG.
12. Beck - Finance and Personnel - Recommending approval of a Change Order for Architectural Services at Station 11 for a total of \$12,000. P&G Architecture will be creating specifications for bidding and supervision during the construction process. The funding source is Fire Dept. Operating Budget.
13. Beck - Finance and Personnel - Recommending the Extension of Contract for Police Process Improvement with Collaborative Solutions Initiative, Inc. in the amount of \$2,000 monthly, not to exceed \$20,000. The funding source is 2010 JAG Grant.
14. Beck - Finance and Personnel - Recommending the Engineering Agreement: Day Avenue Reconstruction Phase III be made to McClure Engineering Associates, Inc. to perform construction engineering for a total not to exceed cost of \$22,659.50. The funding for this project will come from Sales Tax funds.
15. Beck - Finance and Personnel - Recommending the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the Joint Bidding of Electrical Aggregation Supply as set forth in the agreement. The Legal Director shall prepare the appropriate ordinance.
16. Beck - Finance and Personnel - Recommending approval of the Intergovernmental Agreement with the Greater Rockford Airport Authority for sharing a bus. The Legal Director shall prepare the appropriate ordinance.

- Motions and Resolutions

III. MOTIONS AND RESOLUTIONS LAID OVER APRIL 2, 2012

1. Elyea - Convening the State Street/Mulford TIF Joint Review Board and Setting the Meeting of the Joint Review Board and establishing the date for the Public Hearing.

IV. MISCELLANEOUS/APPOINTMENTS LAID OVER APRIL 2, 2012

1. Mayor Morrissey - Fire Pension Board, Mr. Chris Black, whose term will expire May 2015. (Pursuant to Rule 18 this appointment is up for passage on May 7, 2012)

- New Business

V. NEW BUSINESS (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

1. Beach – Traffic - For a “Commercial Loading” parking zone from 8:00 am to 5:00 pm, Monday through Friday on the north side of Broadway from Arbor Court to 50 feet west of Arbor Court, thus repealing a portion of the existing two hour parking limit.
2. Beach – Traffic - That traffic on Church Street be required to yield prior to entering the intersection of Loomis Street and Church Street.
3. Beach - Traffic - That traffic on Court Street be required to yield prior to entering the intersection of Loomis Street and Court Street.
4. Beach - Special Use Permit for an electronic display sign greater than 36 square feet and APPROVE a Variation to increase the maximum permitted square footage for a landmark style sign from 64 square feet to 70 square feet in a C-2, Limited Office Zoning District at 1401 North Bell School Road. Approval is subject to the following conditions:
 1. The location of the sign shall be east of the sidewalk and located out of the future Right-of-Way line along North Bell School Road.

Approval is based on the Findings of Fact.

5. Beach - Vacation of Kimball Road cul-de-sac as shown on the Final Plat of Fairhaven Christian Home Plat #5. – Rule Suspension

* same action taken before

- Adjournment

* * * * *

POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE

Monday, April 9, 2012, 5:15 p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

1. C & R 12-54 Proposed Sale of a City-Owned Vacant Lot/1918 Elm Street
2. C & R 12-35 Miracle Mile Request – Proposed Regulations for Tobacco Shops, Second Hand Stores, Cash Stores and Pawn Shops – Ald. Ann Thompson-Kelly’s Request for a review of regulations for junk/salvage yard, recycling facilities and waste related uses
3. C & R 12-55 Closed Session for Purposes of Pending and/or Threatened Litigation

FINANCE AND PERSONNEL COMMITTEE

Monday, April 9, 2012, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: City-Wide Street Repair No. 1 – Suspend rules
 - B. Award of Bid: Excavation & Hauling Services
 - C. Award of RFP: Employee Assistance Program (EAP)
 - D. Engineering Agreement: Whitman Interchange Feasibility Study (Laid over 3/19)
 - E. Change Order: 1601 West State Street Demolition – **Info only**
 - F. Emergency P.O. for Repairs to 1995 Pierce Aerial Truck – **Info only**
 - G. Resolution to take Bids
 - H. Vouchers
2. Head Start Waivers and Application – Suspend rules
3. CIP Financial Overview – **Info only**

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, April 9, 2012, 5:30 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Andrea Hinrichs, Housing rehabilitation Specialist II, regarding a Housing Development Agreement.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, April 9, 2012, ___ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.