

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
JULY 29, 2013
COUNCIL CONVENED AT 6:21 P.M.**

1. The invocation was given by Chaplain Louis Malone, St. Luke Baptist Church, and the Pledge of Allegiance was led by the City Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -11-
Absent: Durkee, Frost, Elyea -3-
3. Alderman Beach moved to accept the Journal of Proceedings of July 22, 2013 seconded by Alderman Hervey. MOTION PREVAILED (Ald. Durkee, Frost, Elyea absent).

PROCLAMATIONS

4. Mayor Morrissey presented a Proclamation proclaiming the week of July 29, 2013 to be "PROJECT FACELIFT 2013 WEEK" in Rockford, Illinois and urged all citizens to support, enjoy and participate in the festivities of Project Facelift 2013.
5. Mayor Morrissey presented a Proclamation proclaiming August 1, 2013 to be "EARN YOUR G.E.D. DAY" in Rockford, Illinois and encouraged individuals to attend the August 1, 2013 GED Fair and take advantage to the assistance available to them.

PUBLIC PARTICIPATION

6. Prophet Yusef spoke about justice and what does it represent.
7. Jim Buckingham spoke about public safety and crime, and mentioned the federal investigation into the city's use of stimulus money.
8. Toby Haldeman voiced his frustration and disgust with decades of high crime in the area of Broadway and 7th Street. He implored the police department to bring back foot patrols and "do better" for the residents of that area.
9. John Brantley mentioned several neighborhood groups have reached out to him asking for his help to organization programs and activities for their residents.
10. Roland Poska updated the community on the progress of the "Fishy Whale" political party.

PETITIONS AND COMMUNICATIONS

11. Alderman McNamara submitted a request from Chris Wachowiak, in conjunction with Main Street District 2, requesting an amendment to the Second Saturday event on

August 10, 2013 from 5:00pm – 2:00am and permission to hold event on public property; in the area within 100 block of North Main Street, 100 block of South Main Street and 200 & 300 blocks of West State Street. Alderman McNamara moved to grant the Prayer of the Petitioner, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Durkee, Frost, Elyea absent).

12. Alderman Hervey submitted a Memorandum from Julia Valdez, Human Resources Director regarding Compensation Study for Non-Represented Employees. Referred to Finance and Personnel Committee.
13. Alderman Thompson-Kelly submitted a memorandum from Patrick Hayes, Legal Director, regarding Mandated Sprinkler Proposal Rule from the office of the State Fire Marshall. Referred to the Legislative Lobbying Committee.
14. Alderman Thompson-Kelly requested city staff withdraw the press release issued today regarding pedestrian traffic detours for the West State Street reconstruction project, until notice is provided to Crusader Clinic, the school and residents of the West State Street area.
15. Alderman Beck submitted a Memorandum from Julia Valdez, Director of Human Resources, regarding upcoming special events.
 1. Black Family Reunion – 8/17/13
 2. A Car’s Day Out – 8/24/13
 3. Greek Fest – 9/6-8/13

Referred to Code and Regulation Committee.

NEW COMMITTEE REPORTS

16. Alderman Hervey read a Finance and Personnel Committee Report recommending that staff submit an Application Modification for the River Edge Redevelopment Zone projects:

	Original	Proposed
Outdoor City Market Improvements	\$1,200,000	\$1,200,000
Indoor City Market Development	\$1,300,000	\$1,300,000
East State Street Streetscape	500,000	200,000
Whitewater Park	200,000	-0-
Ingersoll Building Renovation	1,000,000	1,000,000
Barber Colman Village	200,000	200,000
Davis Festival Park Improvements	1,000,000	1,000,000
West State Street Streetscape	500,000	800,000

This action also includes requesting an extension to the Grant End date from January 31, 2014 to January 31, 2015. LAID OVER.

17. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of July 29, 2013 in the amount of \$3,615,379.52.
18. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit to allow a religious assembly in an R-1, Single-Family Residential Zoning District at 916, 920 and 926 Harding Street, 15xx and 1515 Clifton Avenue and 907, 913 and 9xx Hopkins Court. Approval is subject to the following conditions:
1. Must meet all applicable building and fire codes.
 2. Landscaping units must be installed in accordance with Exhibit E
 3. Signage must be in compliance with the sign ordinance for properties located within the R-1 District

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

19. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce parking from the required 210 parking spaces to 133 parking spaces in a C-2, Limited Commercial Zoning District at 300-320 North Alpine Road. Approval is subject to the following conditions:
1. Must meet all applicable building and fire codes
 2. The proposed restaurant is limited to the space shown on Exhibit E.

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

20. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #026-11 to add murals in a C-4, Urban Mixed-Use Zoning District at 518 Walnut Street and 123 South 3rd Street. Approval is subject to the following conditions:
1. Mounting of murals must be in accordance to Exhibit E and F. Any modifications to material and/or image of murals will require a modification of Special Use Permit.
 2. Sign permits shall be required including an illustration of proposed paintings shall be submitted with the permit applications.
 3. The mural panels may not consist of a vinyl banner material within a frame.

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

21. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map

Amendment from C-1, Limited Office Zoning District to C-2, Limited Commercial Zoning District at 70xx Rote Road and 18xx McFarland Road and 20xx North Perryville Road.

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

22. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY the sale of tobacco in conjunction with a convenience store in the name of **Nabil Alkaplany d/b/a S&N Convenience Store** in a C-3, Commercial General Zoning District at 2338 Charles Street.

LAID OVER.

23. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink with a café', deli and video gaming in the name of **Daniel Fischer d/b/a Dotty's** in a C-2, Limited Commercial Zoning District at 318, 300-318 North Alpine Road and 43xx Morsay Drive. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. A parking agreement to be submitted and approved by Staff
4. That the windows shall not be obstructed with bars or other devices that block the windows.
5. That the window signage shall not exceed 35% of window area
6. That Applicant applies for and receives a building permit for Change of Use
7. Hours of operation shall be Monday thru Sunday from 8:00am – 11:00pm as submitted in the business plan.
8. The sale of alcohol shall be in conjunction with a restaurant as designated by the liquor code.
9. There shall be no cover charge
10. There shall be no live entertainment or DJs
11. There shall be no dance floor

The Legal Director is hereby instructed to prepare the appropriate ordinance. LAID OVER.

24. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a liquor store in the name of **Joshua Marinelli d/b/a The IT Drive In Liquor Store** in a C-2, Limited Commercial Zoning District at 3216 Auburn Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. That the window signage shall not exceed 35% of window area

4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
5. That the hours of operation for liquor sales be limited to those allowed by the liquor code.
6. That the windows shall not be obstructed with bars or other devices that block the windows.

The Legal Director is hereby instructed to prepare the appropriate ordinance. LAID OVER.

25. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor with a gas station in the name of **Sabrina R. Bunton-Bell d/b/a Mobil** in a C-3, Commercial General Zoning District at 4432 Auburn Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. The sale of liquor shall be limited to the interior plan that will not exceed more than 10% of floor area
4. That the window signage shall not exceed 35% of window area
5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
6. That the hours of operation for liquor sales be restricted from 6:00am – 12:00am Sunday through Saturday.
7. That the windows shall not be obstructed with bars or other devices that block the windows.

The Legal Director is hereby instructed to prepare the appropriate ordinance. LAID OVER.

26. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine with a restaurant and video gaming in the name of **Denny Boom/ Pinewoods Restaurant Group d/b/a Molly's Deli** in a C-3, General Commercial Zoning District at 7425 East State Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. Submittal of building permit for Staff review and approval
4. The sale of beer and wine shall be limited to the interior site plan that was submitted Exhibit E
5. The hours of operation will be limited to 8:00am – 1:00am Monday through Sunday.
6. Window display signage is limited to 30% of window area
7. The restaurant shall not have a cover charge
8. The restaurant shall not have a dance floor

9. The restaurant shall not have any DJs
10. The restaurant shall not have any live entertainment
11. The restaurant shall not operate as a nightclub

The Legal Director is hereby instructed to prepare the appropriate ordinance. LAID OVER.

27. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of tobacco products with a gas station and sale of packaged liquor with a gas station and convenience store in the name of **Rao Ahmed d/b/a MS Gasoline Inc.** in an I-1, Light Industrial Zoning District and I-2, General Industrial Zoning District at 2233 Kishwaukee Street; Starr Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. Submittal of building permit for Staff review and approval
4. The sale of beer and wine shall be limited to the interior site plan that was submitted Exhibit F
5. Submittal of a revised civil plan to include dumpster enclosure area, material and rendering
6. Submittal of a revised landscape plan to include removal of the raised timber planter that is replaced with a new concrete curbed island around the proposed landscaping along the west property line.
7. The hours of operation and days will be 5:00am – 11:00pm Monday through Thursday.
8. The hours of operation and days will be 5:00am – 12:00am Friday through Saturday.
9. The hours of operation and days will be 6:00am – 10:00pm on Sunday
10. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
11. There shall be no single serving sales of beer or wine in volumes of 40 oz. or less
12. Window display signage is limited to 30% of window area

The Legal Director is hereby instructed to prepare the appropriate ordinance. LAID OVER.

28. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine with a gas station in the name of **Narendra Patel d/b/a Lions Quick Mart** in an R-1, Single-Family Residential Zoning District at 3307 Charles Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire and liquor codes
2. The hours of operation are limited to Monday-Saturday 6:00am – 11:00pm and Sunday 9:00am – 9:00pm.
3. Inside window display signage cannot exceed 35% of window surface
4. The sale of rose tubes, airplane-sized bottles and any other products that can be

deemed to be easily manufactured into crack pipes is prohibited.

5. There shall be no single serving sales of beer or wine in volumes of 40 oz. or less
6. That the windows shall not be obstructed with bars or other devices that block the windows.

The Legal Director is hereby instructed to prepare the appropriate ordinance. LAID OVER.

29. Alderman Beck read a Code and Regulation Committee Report recommending the approval to grant a utility easement from the City of Rockford to ComEd for the South Main Street Corridor. The Legal Director is hereby instructed to prepare the necessary ordinance. LAID OVER.
30. Alderman Beck read a Code and Regulation Committee Report recommending that the City Council APPROVE a stop sign control for 19th Street to stop for 11th Avenue at the intersection of 19th Street and 11th Avenue. LAID OVER.

2013-288CR

31. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from RE, Rural Estate Zoning District to I-1, Light Industrial Zoning District at 185 15th Avenue. Approval is subject to the following conditions:
 1. Submittal of a building permit for Staff review and approval.

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

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Thompson-Kelly voted no; Ald. Durkee, Frost, Elyea absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Thompson-Kelly voted no; Ald. Durkee, Frost, Elyea absent).

2013-289CR

32. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation to allow installation of a chain link fence in the front yard along Arnold Avenue in an R-1, Single-Family Residential Zoning District at 1309 Esmond Drive.

The Legal Director is hereby instructed to prepare the appropriate ordinance.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Thompson-Kelly voted no; Ald. Durkee, Frost, Elyea absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Thompson-Kelly voted no; Ald. Durkee, Frost, Elyea absent).

OFFICERS REPORTS

33. Mayor Morrissey mentioned a Memorandum from Chris Black, Director of Finance, regarding June 2013 Financial Discussion has been distributed for review.
34. Mayor Morrissey also mentioned a Memorandum from Chris Black, Director of Finance, regarding 2013 Tax Increment Financing (TIF) Funds and Redevelopment Fund Analysis has been distributed for review.
35. Mayor Morrissey announced the City of Rockford has hired David Sidney as the Manager of Comprehensive Planning and Design for the City of Rockford. A copy of his resume has been distributed.
36. Mayor Morrissey thanked local, state and federal law enforcement agencies for assisting the Rockford Police Department with the visit this week from the Hell's Angel's Motorcycle Club.
37. Mayor Morrissey reported the City will continue meetings with local, state and federal law enforcement agencies to finalize a Violent Crime Task Force Agreement. The concept expands cooperation and communication among the agencies, increasing productivity and avoiding duplication of investigative efforts.
38. Mayor Morrissey mentioned a request has been made to develop a separate committee related to public safety. He advised as council continues to work on strategic planning initiatives, a monthly public safety report will be given at the Code and Regulation Committee Meeting or Council from information provided at the RockStat meeting.
39. Alderman Beach submitted a request from Donald Holt for brush/tree trimming near several intersections in Rockford; the overgrowth is blocking the vision on traffic. Referred to Public Works Department.
40. Alderman Beach mentioned last year he requested the Community Development Department produce an overlay map of vacant properties and local churches, with the hope of having churches take responsibility of a vacant lot and build a playground on it. He asked for an update on that request.
41. Alderman Hervey recognized Tim Clausen, Kids Around the World, and several volunteers with the Christ In Youth organization in attendance at tonight's meeting. She thanked them for traveling to Rockford to help build the pocket park in conjunction with Project Facelift on Salter Avenue.
42. Alderman Hervey announced the National Night Out event will be held August 5, 2013 from 5:00 pm to 9:00 pm at Booker Washington Center, corner of Kent/Morgan Street. She acknowledged several sponsors and encouraged the entire community to attend this event.
43. Alderman McNamara reported the Burpee Museum of Natural History's "Jane", the most complete juvenile T-Rex in the world, is featured on exhibit at the World Dino Exhibition

2013 in Osaka, Japan from July 13, 2013 through August 25, 2013. He encouraged everyone to visit Burpee and the many cultural attractions Rockford has to offer.

44. Alderman Beck announced the Great Golf Ball Drop fundraising event will be held on Monday, August 5, 2013 at Aldeen Golf Course. The proceeds will benefit the Rockford Park District youth programs. He encouraged everyone to purchase a ticket for a golf ball.
45. Alderman McNeely announced the grand opening of Crunchy Crispy Chicken on Springfield Avenue was last week.
46. Alderman McNeely mentioned she has been in contact with Crusader Clinic, RMTD and other businesses along West State Street since the reconstruction project began and believes they have been notified of street closures and detours. She asked for an update from Tim Hanson, Director of Public Works.

Tim Hansen informed council that it was IDOT's recommendation to have a pedestrian traffic detour route instead of a temporary sidewalk. With regards to notifying Crusader Clinic, the school and residents of the detour, he will check with his staff and get back to her with an answer.

47. Alderman McNeely asked for an update on the HUD investigation.

Mayor Morrissey advised that Jim Ryan, City Administrator, will have a full report at next Monday's council meeting.

UNFINISHED BUSINESS

2013-290CR

49. Alderman McNamara moved the adoption of a Planning and Development Committee Report recommending that City Council approve the First Amendment to the Parking Lot Lease providing for the reduction of required monthly spaces from 365 to 200 and for the deletion of the ability to designate spaces, as set forth in the agreement. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hilton, Oddo, Newburg, Beck, Chiarelli -7-
Nays: Hervey, Thompson-Kelly, Beach, McNeely -4-
Absent: Durkee, Frost, Elyea -3-

2013-111-O

50. Alderman McNamara moved the adoption of an Ordinance approving agreement for \$15,000 in CDBG Grant assistance to the Regional Access Mobilization Project (RAMP). MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-
Nays: Thompson-Kelly -1-
Absent: Durkee, Frost, Elyea -3-

2013-291CR

51. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for (1) End loader be made to the lowest bidder meeting specifications, West Side Tractor, of Rockford, Illinois for their total bid of \$285,900.00. The funding source is Garage Capital Budget/Lease Funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-
Nays: Hervey -1-
Absent: Durkee, Frost, Elyea -3-

2013-292CR

52. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for City-Wide Sidewalk and ADA Repairs, Package G be made to the low bidder, AA Construction, of Rockford, Illinois for their total bid of \$38,232.00. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -11-
Nays: -0-
Absent: Durkee, Frost, Elyea -3-

2013-293CR

53. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Sale of Property at 1811 S. Central Avenue be made to the sole bidder, Pilgrim's promise CDC, of Rockford, Illinois for their bid of \$350.00. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -11-
Nays: -0-
Absent: Durkee, Frost, Elyea -3-

2013-294CR

54. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the Agreement between the City of Rockford Head Start and Circles of Learning Centers be approved. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -11-
Nays: -0-
Absent: Durkee, Frost, Elyea -3-

2013-295CR

55. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the 2013-2017 CIP Amendment – East State Street

Resurfacing/West State Street Resurfacing allocating an additional not-to-exceed amount of \$250,000 to the existing 2013 CW Street Repair No. 3 project. This will increase the current William Charles Construction contract to \$1,248,798.28. The contract extension will be funded through the use of the 1% Infrastructure Sales Tax funds, and is possible due to savings realized on the 20th Street resurfacing project as well as the Landstrom Rd. resurfacing project. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -11-
Nays: -0-
Absent: Durkee, Frost, Elyea -3-

2013-296CR

56. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the collective bargaining agreement between the City of Rockford and the Police Benevolent and Protective Association, Unit 6, to be effective January 1, 2012 to December 31, 2014. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-
Nays: Thompson-Kelly -1-
Absent: Durkee, Frost, Elyea -3-

2013-297CR

57. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the approval of the sale of vacant lot at 325 Salter Avenue, PIN #11-27-405-020 for the use of a playground for a minimum bid of \$1.00. The Legal Director is hereby instructed to prepare the appropriate ordinance.

Alderman McNeely made a motion to refer the item back to committee. FAILED for lack of a second.

Alderman McNeely made a motion to amend the committee report to reflect the sale price of the vacant lot from \$350.00 to \$1.00, seconded by Alderman Beach. MOTION PREVAILED (Ald. Newburg voted no; Ald. Durkee, Frost, Elyea absent).

The amended committee report was placed up for passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Beach, Beck, McNeely, Chiarelli -10-
Nays: Newburg -1-
Absent: Durkee, Frost, Elyea -3-

2013-298CR

58. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance to establish

"Two Hour" parking restriction on the north side of Elm Street from Winnebago Street to 165 feet east of Winnebago Street, thus repealing "Official Parking Only 8 am – 5 pm Monday-Friday" restriction on the north side of Elm Street from Winnebago Street west to 165 feet east of Winnebago Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Beach, Beck, McNeely, Chiarelli -10-
Nays: Newburg -1-
Absent: Durkee, Frost, Elyea -3-

2013-299CR

59. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for "Right Turn Only 6am – 9am and 3pm – 6pm", thus repealing "No Left Turn 6am – 9am and 3pm – 6pm" at the intersection of Spring Brook Road and Spring Creek Road. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Beach, Beck, McNeely, Chiarelli -10-
Nays: Newburg -1-
Absent: Durkee, Frost, Elyea -3-

2013-300CR

60. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Meriday Lane be required to stop prior to entering the intersection of Meriday Lane and Jacqueline Drive. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Beach, Beck, McNeely, Chiarelli -10-
Nays: Newburg -1-
Absent: Durkee, Frost, Elyea -3-

MOTIONS AND RESOLUTIONS

2013-109R

61. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement with KMK Media for Website Maintenance in the amount of \$5,000 per month for a term of 6 months. The funding source is Information Technology Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -11-
Nays: -0-
Absent: Durkee, Frost, Elyea -3-

2013-110R

62. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement with William Charles Construction for Landstrom Road Reconstruction in the amount of \$498,588.52. The funding source is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo,
Newburg, Beach, Beck, McNeely, Chiarelli -11-
Nays: -0-
Absent: Durkee, Frost, Elyea -3-

2013-111R

63. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement with Fehr-Graham & Associates for Engineering Agreement Amendment for Harrison Avenue Reconstruction (11th St. – 20th St.) Improvements in an additional amount of \$63,800.00, for a total cost of \$812,857.07. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo,
Newburg, Beach, Beck, McNeely, Chiarelli -11-
Nays: -0-
Absent: Durkee, Frost, Elyea -3-

2013-112R

64. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement with Comcast for South Main Corridor Overhead Utility Relocation in the amount of \$41,385.06. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo,
Newburg, Beach, Beck, McNeely, Chiarelli -11-
Nays: -0-
Absent: Durkee, Frost, Elyea -3-

2013-113R

65. Alderman Hervey moved the adoption of a Resolution authorizing execution of Interagency Agreement Illinois Criminal Justice Information Authority Grant. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hilton, Thompson-Kelly, Oddo, Newburg, Beach,
Beck, Chiarelli -9-
Nays: Hervey, McNeely -2-
Absent: Durkee, Frost, Elyea -3-

NEW BUSINESS

2013-112-O

66. Alderman Beck introduced and read an Ordinance amending Article 62 and Article 23-002-A of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from RE, Rural Estate Zoning District to I-1, Light Industrial Zoning District at 185 15th Avenue. Approval is subject to the following conditions:

1. Submittal of a building permit for Staff review and approval.

Approval is based on the Findings of Fact.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Thompson-Kelly voted no; Ald. Durkee, Frost, Elyea absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-
Nays: Thompson-Kelly -1-
Absent: Durkee, Frost, Elyea -3-

2013-113-O

67. Alderman Beck introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to allow installation of a chain link fence in the front yard along Arnold Avenue in an R-1, Single-Family Residential Zoning District at 1309 Esmond Drive.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Thompson-Kelly voted no; Ald. Durkee, Frost, Elyea absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-
Nays: Thompson-Kelly -1-
Absent: Durkee, Frost, Elyea -3-

68. Alderman McNamara introduced and read an Ordinance approving First Amendment to the Parking Lot Lease between City of Rockford and 303 North Main Street, LLC.

Alderman McNamara moved to suspend Rule 11, seconded by Alderman Getchius. MOTION FAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hilton, Oddo, Newburg, Beach, Beck, Chiarelli -8-
Nays: Hervey, Thompson-Kelly, McNeely -3-
Absent: Durkee, Frost, Elyea -3-

The Ordinance was LAID OVER.

69. Alderman Hervey introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and the attached Agreement between City of Rockford Human Services Department Head Start and Circles of Learning Child Care Centers. LAID OVER.

2013-114-O

70. Alderman Hervey introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached collective bargaining agreement between the City of Rockford and the Police Benevolent and Protective Association Unit 6 effective January 1, 2012 to December 31, 2014.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. Thompson-Kelly voted no; Ald. Durkee, Frost, Elyea absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-
Nays: Thompson-Kelly -1-
Absent: Durkee, Frost, Elyea -3-

71. Alderman Beck made a motion to convene into closed session in order to discuss litigation matters, seconded by Alderman McNamara. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -11-
Nays: -0-
Absent: Durkee, Frost, Elyea -3-

The meeting went into closed session at 8:06 pm.

The meeting returned into open session at 8:37 pm and found the following aldermen present:

Getchius, McNamara, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-

72. Upon motion duly made and seconded, the meeting was adjourned at 8:38 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
August 5, 2013
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
- Petitions and Communications
- Proclamations
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER JULY 29, 2013

1. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit to allow a religious assembly in an R-1, Single-Family Residential Zoning District at 916, 920 and 926 Harding Street, 15xx and 1515 Clifton Avenue and 907, 913 and 9xx Hopkins Court. Approval is subject to the following conditions:
 1. Must meet all applicable building and fire codes.
 2. Landscaping units must be installed in accordance with Exhibit E
 3. Signage must be in compliance with the sign ordinance for properties located within the R-1 District

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

2. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce parking from the required 210 parking spaces to 133 parking spaces in a C-2, Limited Commercial Zoning District at 300-320 North Alpine Road. Approval is subject to the following conditions:
 1. Must meet all applicable building and fire codes
 2. The proposed restaurant is limited to the space shown on Exhibit E.

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

3. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #026-11 to add murals in a C-4, Urban Mixed-Use Zoning District at 518 Walnut Street and 123 South 3rd Street. Approval is subject to the following conditions:

1. Mounting of murals must be in accordance to Exhibit E and F. Any modifications to material and/or image of murals will require a modification of Special Use Permit.
2. Sign permits shall be required including an illustration of proposed paintings shall be submitted with the permit applications.
3. The mural panels may not consist of a vinyl banner material within a frame.

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

4. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from C-1, Limited Office Zoning District to C-2, Limited Commercial Zoning District at 70xx Rote Road and 18xx McFarland Road and 20xx North Perryville Road.

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

5. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY the sale of tobacco in conjunction with a convenience store in the name of **Nabil Alkaplany d/b/a S&N Convenience Store** in a C-3, Commercial General Zoning District at 2338 Charles Street.

6. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink with a café, deli and video gaming in the name of **Daniel Fischer d/b/a Dotty's** in a C-2, Limited Commercial Zoning District at 318, 300-318 North Alpine Road and 43xx Morsay Drive. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. A parking agreement to be submitted and approved by Staff
4. That the windows shall not be obstructed with bars or other devices that block the windows.
5. That the window signage shall not exceed 35% of window area
6. That Applicant applies for and receives a building permit for Change of Use
7. Hours of operation shall be Monday thru Sunday from 8:00am – 11:00pm as submitted in the business plan.
8. The sale of alcohol shall be in conjunction with a restaurant as designated by the liquor code.
9. There shall be no cover charge
10. There shall be no live entertainment or DJs
11. There shall be no dance floor

The Legal Director is hereby instructed to prepare the appropriate ordinance.

7. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a liquor store in the name of **Joshua Marinelli d/b/a The IT Drive In Liquor Store** in a C-2, Limited Commercial Zoning District at 3216 Auburn Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. That the window signage shall not exceed 35% of window area
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
5. That the hours of operation for liquor sales be limited to those allowed by the liquor code.
6. That the windows shall not be obstructed with bars or other devices that block the windows.

The Legal Director is hereby instructed to prepare the appropriate ordinance.

8. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor with a gas station in the name of **Sabrina R. Bunton-Bell d/b/a Mobil** in a C-3, Commercial General Zoning District at 4432 Auburn Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. The sale of liquor shall be limited to the interior plan that will not exceed more than 10% of floor area
4. That the window signage shall not exceed 35% of window area
5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
6. That the hours of operation for liquor sales be restricted from 6:00am – 12:00am Sunday through Saturday.
7. That the windows shall not be obstructed with bars or other devices that block the windows.

The Legal Director is hereby instructed to prepare the appropriate ordinance.

9. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine with a restaurant and video gaming in the name of **Denny Boom/ Pinewoods Restaurant Group d/b/a Molly's Deli** in a C-3, General Commercial Zoning District at 7425 East State Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes

3. Submittal of building permit for Staff review and approval
4. The sale of beer and wine shall be limited to the interior site plan that was submitted Exhibit E
5. The hours of operation will be limited to 8:00am – 1:00am Monday through Sunday.
6. Window display signage is limited to 30% of window area
7. The restaurant shall not have a cover charge
8. The restaurant shall not have a dance floor
9. The restaurant shall not have any DJs
10. The restaurant shall not have any live entertainment
11. The restaurant shall not operate as a nightclub

The Legal Director is hereby instructed to prepare the appropriate ordinance.

10. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of tobacco products with a gas station and sale of packaged liquor with a gas station and convenience store in the name of **Rao Ahmed d/b/a MS Gasoline Inc.** in an I-1, Light Industrial Zoning District and I-2, General Industrial Zoning District at 2233 Kishwaukee Street; Starr Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. Submittal of building permit for Staff review and approval
4. The sale of beer and wine shall be limited to the interior site plan that was submitted Exhibit F
5. Submittal of a revised civil plan to include dumpster enclosure area, material and rendering
6. Submittal of a revised landscape plan to include removal of the raised timber planter that is replaced with a new concrete curbed island around the proposed landscaping along the west property line.
7. The hours of operation and days will be 5:00am – 11:00pm Monday through Thursday.
8. The hours of operation and days will be 5:00am – 12:00am Friday through Saturday.
9. The hours of operation and days will be 6:00am – 10:00pm on Sunday
10. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
11. There shall be no single serving sales of beer or wine in volumes of 40 oz. or less
12. Window display signage is limited to 30% of window area

The Legal Director is hereby instructed to prepare the appropriate ordinance.

11. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine with a gas station in the name of **Narendra Patel d/b/a Lions Quick Mart** in an R-1, Single-Family Residential Zoning District at 3307 Charles Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire and liquor codes
2. The hours of operation are limited to Monday-Saturday 6:00am – 11:00pm and Sunday 9:00am – 9:00pm.
3. Inside window display signage cannot exceed 35% of window surface
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
5. There shall be no single serving sales of beer or wine in volumes of 40 oz. or less
6. That the windows shall not be obstructed with bars or other devices that block the windows.

The Legal Director is hereby instructed to prepare the appropriate ordinance.

12. Beck - Code and Regulation - Recommending the approval to grant a utility easement from the City of Rockford to ComEd for the South Main Street Corridor. The Legal Director shall prepare the appropriate ordinance.
13. Beck - Code and Regulation - Recommending that the City Council APPROVE a stop sign control for 19th Street to stop for 11th Avenue at the intersection of 19th Street and 11th Avenue. The Legal Director shall prepare the appropriate ordinance.
14. Hervey - Finance and Personnel - Recommending that staff submit an Application Modification for the River Edge Redevelopment Zone projects:

	Original	Proposed
Outdoor City Market Improvements	\$1,200,000	\$1,200,000
Indoor City Market Development	\$1,300,000	\$1,300,000
East State Street Streetscape	500,000	200,000
Whitewater Park	200,000	-0-
Ingersoll Building Renovation	1,000,000	1,000,000
Barber Colman Village	200,000	200,000
Davis Festival Park Improvements	1,000,000	1,000,000
West State Street Streetscape	500,000	800,000

This action also includes requesting an extension to the Grant End date from January 31, 2014 to January 31, 2015.

II. ORDINANCES LAID OVER JULY 29, 2013

1. Hervey - Ordinance - Authorizing the Mayor and Legal Director to execute and the attached Agreement between City of Rockford Human Services Department Head Start and Circles of Learning Child Care Centers.
2. McNamara - Ordinance - Approving First Amendment to the Parking Lot Lease between City of Rockford and 303 North Main Street, LLC.

III. MOTION/RESOLUTIONS HELD OUT JULY 29, 2013

1. Hervey – Intergovernmental Cooperation Agreement with County of Winnebago for Bryne Memorial Justice Assistance Grant Funds. The Resolution will be laid over for two weeks to give the public an opportunity to provide comments. Public comment will be accepted at marcus.chapple@rockfordil.gov or 815/987-8055.

IV. APPOINTMENTS HELD OUT JULY 29, 2013

- 1.* Mayor Morrissey – Appointment - Community Action Agency Board, Mr. Maurice West II for a three year term ending June 2015. (Pursuant to Rule 18, this item is up for passage on August 5, 2013).
- 2.* Mayor Morrissey – Appointments - Community Action Agency Board, Ms. Soco Swanson for a three year term ending June 2015. (Pursuant to Rule 18, this item is up for passage on August 5, 2013).
- 3.* Mayor Morrissey – Appointment - Community Action Agency Board, Ms. Alisha Roser for a one year term ending June 2014. (Pursuant to Rule 18, this item is up for passage on August 5, 2013).

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. Beck – Ordinance – Approve a Special Use Permit to allow a religious assembly in an R-1, Single-Family Residential Zoning District at 916, 920 and 926 Harding Street, 15xx and 1515 Clifton Avenue and 907, 913 and 9xx Hopkins Court. Approval is subject to the following conditions:
 1. Must meet all applicable building and fire codes.
 2. Landscaping units must be installed in accordance with Exhibit E
 3. Signage must be in compliance with the sign ordinance for properties located within the R-1 District

Approval is based on the Findings of Fact.

2. Beck – Ordinance – Approve a Variation to reduce parking from the required 210 parking spaces to 133 parking spaces in a C-2, Limited Commercial Zoning District at 300-320 North Alpine Road. Approval is subject to the following conditions:
 1. Must meet all applicable building and fire codes
 2. The proposed restaurant is limited to the space shown on Exhibit E.

Approval is based on the Findings of Fact.

3. Beck – Ordinance - Modification of Special Use Permit #026-11 to add murals in a C-4, Urban Mixed-Use Zoning District at 518 Walnut Street and 123 South 3rd Street. Approval is subject to the following conditions:
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 7. Hours of operation shall be Monday thru Sunday from 8:00am – 11:00pm as submitted in the business plan.
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 9. There shall be no cover charge
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 3. Submittal of building permit for Staff review and approval
 4. The sale of beer and wine shall be limited to the interior site plan that was submitted Exhibit E
 5. The hours of operation will be limited to 8:00am – 1:00am Monday through Sunday.
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11. Beck – Ordinance – Approval to grant a utility easement from the City of Rockford to ComEd for the South Main Street Corridor.
12. Beck – Ordinance – Approving a stop sign control for 19th Street to stop for 11th Avenue at the intersection of 19th Street and 11th Avenue.
- * 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, August 5, 2013, 5:15 p.m.

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

AGENDA

1. C & R 13- 133 Special Events: Black Family Reunion 8/17/13
A Car's Day Out 8/24/13
Greek Fest 9/06-9/8
2. C & R 13-111 Public Safety Committee
3. C & R 13-113 ZBA 016-13 Zoning Map Amendment from County, R-1, Single-Family Residential Zoning District to C-3, General Commercial Zoning District and a Special Use Permit for an auction house in a C-3, General Commercial Zoning District at 4457 Auburn Street.
4. C & R 13-115 ZBA#018-13 Special Use Permit for sale of retail merchandise and short term loans (pawn shop) in a C-2, Limited Commercial Zoning District at 912, 914 W. Riverside Boulevard & 3600 N. Main Street
5. C & R 13-134 Closed Session for Purposes of Pending and/or Threatened Litigation

FINANCE AND PERSONNEL COMMITTEE

Monday, August 5, 2013, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: City-Wide Drainage Improvements (East High at 10th Ave.)
 - B. Vouchers
2. Compensation Study for Non-Represented Employees
3. Financial Discussion

PLANNING AND DEVELOPMENT COMMITTEE

Monday, August 5, 2013, 5:15 p.m.
CD Conference Rm., City Hall 2nd floor
AGENDA

1. Memorandum from Wayne Dust, Planning Administrator, regarding the consideration of Auburn Street Corridor TIF District.
2. Memorandum from Alderman Tim Durkee regarding Ongoing Planning Initiative Efforts.

LEGISLATIVE LOBBYING COMMITTEE

Monday, August 5, 2013, 4:30 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

1. Mandated Sprinkler Proposal Rule from the office of the State Fire Marshall
2. New Business