

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
JANUARY 13, 2014  
COUNCIL CONVENED AT 6:17 P.M.**

1. The invocation was given by Chaplain Kenneth Hendley, Free Will Baptist Church and the Pledge of Allegiance was led by Council Page Beatrice Medrano.
2. Roll Call:  
Mayor Lawrence Morrissey  
Aldermen: McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach,  
Elyea, Beck, McNeely, Chiarelli -11-  
Absent: Durkee, Getchius, Hill -3-
3. Alderman Hervey moved to accept the Journal of Proceedings of December 30, 2013 seconded by Alderman Beach. MOTION PREVAILED (Ald. Durkee, Getchius, Hill absent).

**PUBLIC PARTICIPATION**

4. John Brantley spoke about the Transform Rockford initiative and believes for the effort to succeed, diverse perspectives need to be heard. He again asked for help to continue his efforts with the youth of Fairgrounds and Blackhawk.
5. Roland Poska invited everyone to attend the Martin Luther King Jr. birthday celebration at City Hall on Wednesday, January 15<sup>th</sup> at 5:15 pm.
6. Prophet Yusef spoke about Dr. King's dream and he provided a list of upcoming job fairs.
7. Nelson Minter invited Mayor Morrissey, council and community members to attend the 10<sup>th</sup> Annual Rev. Dr. Martin Luther King Jr. Scholarship breakfast on January 18<sup>th</sup> at 9:00 am at Rockford University Burpee Center, 5050 E. State Street. Tickets are available by contacting Nelson Minter at 779-221-6336.

**PETITIONS AND COMMUNICATIONS**

8. Alderman Thompson-Kelly submitted a Memorandum regarding the review the Residential Quality Support Ordinance, Article III, Sections 17-42. Referred to Code and Regulation Committee.
9. Alderman Hervey submitted a memorandum from Jim Ryan, City Administrator, regarding Establishment of a City of Rockford Lincoln Promise Zone Authority. Referred to Finance and Personnel for the January 27<sup>th</sup> meeting.
10. Alderman Hervey submitted a memorandum from Chris Black, Finance Director, regarding Reimbursement Resolution for Fire Station #3 Land Purchase. Referred to Finance and Personnel Committee.

11. Alderman McNamara submitted a Memorandum from Seth Sommers, regarding the Review of the Demolition Ranking Criteria and Selection Process for 2014. Referred to Planning and Development Committee.
12. Alderman Beck submitted a Memorandum from the Legal Department, regarding Honorary Street Name Change from Rockton Avenue to Canterbury Lane. Referred to Code and Regulation Committee.
13. Alderman Beck submitted the Rockford Traffic Commission Minutes from the meeting held on January 8, 2013. Referred to Code and Regulation Committee.

### **PROCLAMATIONS**

14. Mayor Morrissey presented a Proclamation proclaiming the week of January 13, 2014 to be "KEITH COUNTRY DAY GIRLS VARSITY VOLLEYBALL CLASS 1A STATE CHAMPIONS WEEK" in Rockford, Illinois and congratulated the Keith Country Day School Girls' Varsity Volleyball Team on a tremendous 2013 season.

### **NEW COMMITTEE REPORTS**

15. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the Replat of Prial Subdivision. LAID OVER.
16. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the Tentative Plat of Puri Meijer's Rockford Subdivision. Approval is subject to the following conditions:
  1. The detention and drainage easements on the Final Plat shall be in accordance with the drainage study submitted by Fehr-Graham dated November 19, 2013 and amended on December 18, 2013.
  2. A note shall be added to the Final Plat stating that no development or construction can occur on Lots 4 and 5 until the detention ponds and drainage system has been constructed north of Anjali Drive.
  3. The offsite detention pond and drainage system west of Perryville Road must be constructed as part of the Final Plat 1.
  4. The roadway geometry shall be in accordance with the submittal by Spaceco on December 13, 2013 (attached). Final roadway design shall include the required landscape medians, sidewalk and multiuse path.
  5. The traffic analysis submitted by Fehr-Graham on November 27, 2013 shall be revised according to the memo submitted by Timothy Hinkens.
  6. Construction plans shall be submitted for review and approval.
  7. The street profiles for McFarland Road show the water main is 12" in diameter and the north section at Spring Creek Road. This water main is actually 8" in diameter. The final construction plans shall be corrected accordingly.
  8. No direct vehicular access to Perryville Road from Lots #1, 5 and 6 or a part thereof will be permitted.

LAID OVER.

17. Alderman Beck read a Code and Regulation Committee Report REVERSING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the Variation to increase the maximum number of business identification wall signs from two (2) to three (3) in a C-3, General Commercial Zoning District at 2500 and 2542 South Alpine Road. Approval is subject to the following conditions:

1. Must meet all building and fire codes.
2. Must obtain separate permits for signage and the free-standing sign must be in accordance with Exhibit F.

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

18. 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 in conjunction with a restaurant and gaming facility in the name of **Loredo Hospitality Ventures, LLC d/b/a Stella's Place** in a C-2, Limited Commercial Zoning District at 275 Deane Drive. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. The hours are limited to 7:00 am to 2:00 am, Monday through Saturday and 9:00 am to 2:00 am on Sunday.
3. The sale of liquor shall be limited to the interior floor plan area as shown on Exhibit D.
4. Window display signage shall be limited to 35% of the window surface area.
5. There shall not be a cover charge, dance floor, DJ's and/or live entertainment.

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

19. 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 liquor by the drink in conjunction with a restaurant, bar and banquet hall (venue) in the name of **Bounleung Thamontri d/b/a Asian Mall Banquet Hall** in a C-4, Urban Mixed-Use Zoning District at 1516 8<sup>th</sup> Street, 1201 and 1219 Broadway.

LAID OVER.

20. 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 in conjunction with a gas station and grocery store and DENY the sale of packaged liquor in conjunction with a gas station and grocery store in the name of **Koshy Alexander d/b/a ABA Gas, Inc.** in a C-2, Limited Commercial Zoning District at 3121 North Rockton Avenue. Approval is subject to the following conditions:

1. Landscaping shall be installed per the landscaping plan submitted 12/16/13 no later than July 1, 2014.
2. The existing free-standing sign at the northwest corner of the property be removed.
3. Window display signage shall be limited to 35% of the window surface area

4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. That the windows shall not be covered with bars or other devices that block the windows
6. Meeting all applicable building and fire codes
7. Compliance with all City of Rockford Tobacco Codes.
8. The sale of tobacco shall be limited to the interior site plan that was submitted as Exhibit D.

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

21. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the annexation of 2412 Whale Avenue. LAID OVER.
22. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the sale of vacant lot at 1604 South 6<sup>th</sup> Street, PIN #11-35-229-001, for a minimum bid of \$450.00 with preference to the adjacent property owner. The Legal Director shall prepare the necessary Ordinance. LAID OVER.

**2014-001CR**

23. 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 for a Planned Unit Development consisting of a medical clinic with a methadone facility and temporary crisis shelter for women and children in an R-4, Multi-family Residential Zoning District at 5011 East State Street.

1. Meeting all applicable building and fire codes.
2. Submittal of a final plat for staff's review and approval.
3. Submittal of a Preservation plan for the existing mature trees.
4. The applicant shall work with Public Works staff regarding the extension of Javelin Drive.
5. That the existing facility located at 516 Green Street is discontinued upon the establishment and occupancy of this facility.
6. That the property be developed in substantial compliance with the site plan submitted.

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

Alderman Beck moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED (Ald. Durkee, Getchius, Hill absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Durkee, Getchius, Hill absent).

24. Alderman Hervey read a Finance and Personnel Committee Report recommending that the Award of Sale of Real Estate for 312 Penfield Place be made to the highest bidder, Avon Box-Gilmore, adjacent property owner, of Rockford, Illinois for her bid of \$600. LAID OVER.

25. Alderman Hervey read a Finance and Personnel Committee Report recommending that staff submit an Application Modification #3 for the following RERZ projects: Re-allocation of the \$501,167 allocated for Davis Festival Park Improvements to the Ingersoll (Downtown Sports Complex) project. \$451,697 will be moved into the construction category and \$50,000 will be added to the project design category. Modify the scope for the Outdoor Market to include a "Demolition" line item that covers the demolition of the Water Street Parking Deck. Re-allocation of \$200,000 from the "Construction" line item to the "Demolition" line item to cover the cost of the demolition.

Funding for these projects come from the Illinois DCEO, River Edge Re-Development Zone funds. LAID OVER.

**2014-002CR**

26. Alderman Hervey moved the read a Finance and Personnel Committee Report recommending approval of the attached lease between the City of Rockford and Springleaf Financial Services, Inc. for the property located at 211 Elm Street, Section B, commonly Known as Springleaf Financial Services.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. McNeely voted no; Ald. Durkee, Getchius, Hill absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

27. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of January 6, 2014 in the amount of \$1,828,602.67. MOTION PREVAILED by a Roll Call vote of:

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

28. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of January 13, 2014 in the amount of \$3,699,929.02. MOTION PREVAILED by a Roll Call vote of:

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

## OFFICERS REPORTS

29. Mayor Morrissey mentioned a Memorandum from Chris Black, Finance Director, has been distributed for review regarding Financial Discussion - November 2013.
30. Mayor Morrissey explained there has been a request to suspend the thirty-day lay over rule as it pertains to appointments and that Alderman Hervey will be asking for suspension of Rule 18 and place the two appointments up for passage tonight.
31. Mayor Morrissey mentioned a Memorandum from Glenn Trommels, IT Director, has been distributed for review regarding an update on the Rental Registry.
32. Mayor Morrissey called attention to the referral made earlier tonight regarding Establishment of a City of Rockford Lincoln Promise Zone Authority that will be placed on the January 27, 2014 Finance and Personnel Agenda. He announced that a presentation regarding that item will be made at the next council meeting.
33. Tim Hanson, Director Public Works, provided a brief snow and ice operations update from referred to a Memorandum from Mark Stockman, Street and Transportation Superintendent, which provides a synopsis from November 25, 2013 through January 9, 2014 of the impact the weather events have had on the snow and ice budget.

Alderman Hervey explained her disappointment that the city did not implement a reverse 9-1-1 to inform residents of snow and ice operations and suggested the City look at a better way to respond to emergencies.

Mayor Morrissey advised he will follow-up with staff regarding her concerns and suggestions.

Alderman Thompson-Kelly thanked Mark Stockman and city staff for their continual updates on the snow and ice operations during the winter storm.

34. Alderman Thompson-Kelly asked Mayor Morrissey to explain comments he made in an article published in Sunday's *Rockford Register Star* concerning the development of a new consolidated plan.

Mayor Morrissey explained the city is required by federal law to update our consolidated plan and have recently retained J-Quad to assist with the update.

George Davis added the Community Development Department is the lead department in this process and that Human Services is involved because of the homeless services they provide through HUD. The focus is to set forth a five-year plan where the city addresses the issues of housing density and fair housing as it relates to how federal dollars are being used.

Todd Cagnoni advised the city is under contract with J-Quad to facilitate our five-year Consolidated Plan 2015-2020 and will also be creating the 2014 CDBG Home ESG Annual

Plan. He explained the 2020 plan strategies and engaging the community in the process.

35. Alderman Oddo commended Tim Hanson and his staff for a job well done with the snow and ice operations and thanked her constituents for their patience and understanding. She suggested revisiting the parking ordinance to implement odd/even parking all year long.

Mayor Morrissey suggested referring that topic for discussion.

36. Alderman Beach thanked Tim Hanson and his staff their efforts with snow and ice operations.

Alderman Beach, on behalf of a constituent, thanked the firefighters at Fire Station 11 for helping him during the snow and ice storm.

37. Alderman Elyea suggested amending the snow emergency parking ordinance to include ice emergency.

38. Alderman McNeely thanked the snow removal crews for the long hours that put in during the winter storm and asked if GPS was still installed in public works trucks.

Tim Hanson advised the old trucks did have GPS but the new public works trucks do not because the upgrade would have cost the city approximately \$100,000.

Mayor Morrissey suggested revisiting the option to upgrade as the cost may be significantly lower from the 2008 estimate.

39. Alderman McNeely asked what the financial impact is on the snow and ice budget from the 2013-2014 winter weather events.

Mayor Morrissey referred Alderman McNeely to the Mark Stockman's memorandum that provides a synopsis of those costs from November 25, 2013 – January 9, 2014.

40. Alderman McNeely asked if the city is still using liquid salt on the streets for ice.

Tim Hanson advised Alderman McNeely that the city is using liquid brine and that cost is included in Mark Stockman's memo

- 40a. Alderman McNeely wished everyone a happy new year.

41. Alderman McNeely apologized for missing the last council meeting of 2013, advising her mother was very ill.

Alderman McNeely explained her concern about the city's choice to use an out-of-state vendor for our wellness clinic and asked why the city did not consider using any of the three local hospitals.

Mayor Morrissey explained the process to choose a vendor for the wellness clinic took approximately two years; was open to the public and very transparent. He further explained the advantage of working with a third party provides us the opportunity to work with all three hospitals. He is committed to having continued discussions with all three CEO's of the local hospitals on how to build a healthy Rockford initiative.

- 41a. Alderman Beck announced this week at Sinnissippi Park will be the snow sculpting contest beginning on Wednesday, January 15<sup>th</sup> through Friday, January 17<sup>th</sup>. Judging will take place at 10:00 am Saturday.

### **UNFINISHED BUSINESS**

#### **2014-003CR**

42. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report for an Intergovernmental Agreement among the City of Rockford, Winnebago County and Ogle County, Rockford Mass Transit, and JPMorgan Chase Bank, Rockford, Illinois for the Guarantee of a \$1.5 million line of credit to fund district operations. MOTION PREVAILED by a Roll Call vote of:

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

#### **2014-004CR**

43. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report for the request to submit applications for Head Start and Early Head Start funding. MOTION PREVAILED by a Roll Call vote of:

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

#### **2014-005CR**

44. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report for an Intergovernmental Agreement between the Rockford Park District and City of Rockford for the lease of the Fairgrounds Park Center for Head Start services. The current lease expires December 31, 2013. MOTION PREVAILED by a Roll Call vote of:

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

#### **2014-001-O**

45. Alderman Hervey moved the adoption of an Ordinance for the 2013 year supplemental appropriations and recommending that the 2013 Budget be amended and a

supplemental appropriation ordinance be prepared by the Budget Officer in accordance with the attached schedule. MOTION PREVAILED by a Roll Call vote of:

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

46. Alderman Hervey moved the adoption of an appointment to the Library Board, Mr. James O'Hagen, who will replace Dan Ross. Mr. O'Hagen's term will end June 2015. Alderman Hervey moved to suspend Rule 18, seconded by Alderman Frost. MOTION FAILED (Ald. Thompson-Kelly, McNeely voted no; Ald. Durkee, Getchius, Hill absent).

LAID OVER.

47. Alderman Hervey moved the adoption of an appointment to the Rockford Housing Board, Ms. Karen Hoffman, who will fill a vacant position. Ms. Hoffman's term will end January 2019.

Alderman Hervey moved to suspend Rule 18, seconded by Alderman Frost. MOTION FAILED (Ald. Thompson-Kelly, McNeely voted no; Ald. Durkee, Getchius, Hill absent).

LAID OVER.

**2014-006CR**

48. Alderman Beck moved the adoption of a Code and Regulation Committee Report for the settlement agreement in the matter of Cash, et al. v. City of Rockford, et al. in the amount of \$2.5 million payable in three (3) equal installments over a span of fifteen (15) months. First payment of the settlement agreement is due on December 31, 2013, the second and third payments are due on February 15, 2014 and February 15, 2015. MOTION PREVAILED by a Roll Call vote of:

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

**2014-002-O**

49. Alderman Beck moved the adoption of an Ordinance for the sale of city owned property located at 731-733 North Winnebago Street , PIN #11-23-102-005 at a minimum bid of \$1.00 with preference to not-for-profit organizations, must be rehabilitated and brought up to City code within eight (8) months of receiving title. MOTION PREVAILED by a Roll Call vote of:

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

**2014-003-O**

50. Alderman Beck moved the adoption of an Ordinance amending Section 4-59 and Section 17-34; Noise Ordinance relating to Barking Dogs/Licensed Guard Dogs. MOTION PREVAILED by a Roll Call vote of:

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

**2014-007CR**

51. Alderman Frost moved the adoption of a Legislative Lobbying Committee Report that City Council support the legislation authorizing the extension of the Contract for Lobbying for 2014 to McGuire Woods Consulting, LLC for the amount of Ten Thousand (\$10,000.00) Dollars per month consistent with the existing terms of the parties' agreement, and further authorize the Mayor and City Legal Director execute an agreement to that affect. MOTION PREVAILED by a Roll Call vote of:

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

**MOTIONS AND RESOLUTIONS**

**2014-001R**

52. Alderman Hervey moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement with Level One, of Malvern, PA in the amount of \$180,000 for Utility Bill Printing. The term is three (3) years with two (2) one (1) year renewals. The funding source is Water Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

**2013-002R**

53. Alderman Hervey moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement with N-TRAK Group, Roscoe, Illinois in the amount of \$34,537.40 for West State St. Demolitions, Pkg. D. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

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

**2014-003R**

54. Alderman Hervey moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement with TCI Concrete for unit prices listed on the bid tab not to exceed \$120,000 PCC Patching. The funding source is Water Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

**2014-004R**

55. Alderman McNamara moved the adoption of a Resolution that the City Council of the City of Rockford hereby voices its opposition to the parole or other release of Robert Lower, and urges the Illinois Prisoner Review Board to deny the petition for parole of Robert Lower. MOTION PREVAILED (Ald. Hervey, Thompson-Kelly, McNeely voted no; Ald. Durkee, Getchius, Hill absent).

**NEW BUSINESS**

56. Alderman Hervey read an Amendment to the abatement Ordinance, 2013-191-O, to correct scrivener's errors to the Ordinance for an application of pledged revenues and other moneys in Bond Funds and Escrow Bond Funds of Various Bond Ordinances for the Payment of Principal and Interest on the Bonds issued pursuant to said Ordinances. LAID OVER.

**2014-004-O**

57. Alderman Hervey moved the adoption of an ordinance for an Intergovernmental Agreement among the City of Rockford, Winnebago County and Ogle County, Rockford Mass Transit, and JP Morgan Chase Bank, Rockford, Illinois for the Guarantee of a \$1.5 million line of credit to fund district operations.

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

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

**2014-005-O**

58. Alderman Hervey moved the adoption of an Ordinance for an Intergovernmental Agreement between the City of Rockford, Winnebago County and Ogle County, and the Rockford Park District for the Lease of the Fairgrounds Park Day Care Center.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. Thompson-Kelly voted no; Ald. Durkee, Getchius, Hill absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, McNeely, Chiarelli -10-  
Nays: -0-  
Abstain: Beck -1-  
Absent: Durkee, Getchius, Hill -3-

**2014-006-O**

59. Alderman Hervey moved the adoption of an ordinance executing the attached Lease between the City of Rockford and Springleaf Financial Services, Inc. for the property located at 211 Elm St., Section B, commonly known as Springleaf Financial Services. Alderman Hervey moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. Thompson-Kelly voted no; Ald. Durkee, Getchius, Hill absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

**2014-007-O**

60. Alderman Beck introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a Planned Unit Development consisting of a medical clinic with a methadone facility and temporary crisis shelter for women and children in an R-4, Multi-family Residential Zoning District at 5011 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Submittal of a final plat for staff's review and approval.
3. Submittal of a Preservation plan for the existing mature trees.
4. The applicant shall work with Public Works staff regarding the extension of Javelin Drive.
5. That the existing facility located at 516 Green Street is discontinued upon the establishment and occupancy of this facility.
6. That the property be developed in substantial compliance with the site plan submitted.

Approval is based on the Findings of Fact.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Chiarelli. MOTION PREVAILED (Ald. Durkee, Getchius, Hill absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -11-

Nays: -0-  
Absent: Durkee, Getchius, Hill -3-

61. Alderman Hervey made a motion to convene into closed session in order to discuss potential litigation and litigation matters, seconded by Alderman Beach. MOTION PREVAILED by a Roll Call vote of:

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

The meeting went into closed session at 7:45 pm.

The meeting returned into open session at 8:49 pm and found the following aldermen present:

McNamara, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, McNeely, Chiarelli -9-

62. Upon motion duly made and seconded, the meeting was adjourned at 8:50 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, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**January 21, 2014**  
**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 JANUARY 13, 2014**

1. Beck - Code and Regulation - Recommending the approval of the Replat of Prial Subdivision.
2. Beck - Code and Regulation - Recommending the approval of the Tentative Plat of Puri Meijer's Rockford Subdivision. Approval is subject to the following conditions:
  1. The detention and drainage easements on the Final Plat shall be in accordance with the drainage study submitted by Fehr-Graham dated November 19, 2013 and amended on December 18, 2013.
  2. A note shall be added to the Final Plat stating that no development or construction can occur on Lots 4 and 5 until the detention ponds and drainage system has been constructed north of Anjali Drive.
  3. The offsite detention pond and drainage system west of Perryville Road must be constructed as part of the Final Plat 1.
  4. The roadway geometry shall be in accordance with the submittal by Spaceco on December 13, 2013 (attached). Final roadway design shall include the required landscape medians, sidewalk and multiuse path.
  5. The traffic analysis submitted by Fehr-Graham on November 27, 2013 shall be revised according to the memo submitted by Timothy Hinkens.
  6. Construction plans shall be submitted for review and approval.
  7. The street profiles for McFarland Road show the water main is 12" in diameter and the north section at Spring Creek Road. This water main is actually 8" in diameter. The final construction plans shall be corrected accordingly.

8. No direct vehicular access to Perryville Road from Lots #1, 5 and 6 or a part thereof will be permitted.
3. Beck - Code and Regulation - REVERSING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the Variation to increase the maximum number of business identification wall signs from two (2) to three (3) in a C-3, General Commercial Zoning District at 2500 and 2542 South Alpine Road. Approval is subject to the following conditions:
  1. Must meet all building and fire codes.
  2. Must obtain separate permits for signage and the free-standing sign must be in accordance with Exhibit F.

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

4. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine in conjunction with a restaurant and gaming facility in the name of **Loredo Hospitality Ventures, LLC d/b/a Stella's Place** in a C-2, Limited Commercial Zoning District at 275 Deane Drive. Approval is subject to the following conditions:
  1. Meeting all applicable building and fire codes.
  2. The hours are limited to 7:00 am to 2:00 am, Monday through Saturday and 9:00 am to 2:00 am on Sunday.
  3. The sale of liquor shall be limited to the interior floor plan area as shown on Exhibit D.
  4. Window display signage shall be limited to 35% of the window surface area.
  5. There shall not be a cover charge, dance floor, DJ's and/or live entertainment.

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

5. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY the sale of liquor by the drink in conjunction with a restaurant, bar and banquet hall (venue) in the name of **Bounleung Thamontri d/b/a Asian Mall Banquet Hall** in a C-4, Urban Mixed-Use Zoning District at 1516 8<sup>th</sup> Street, 1201 and 1219 Broadway.
6. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of tobacco products in conjunction with a gas station and grocery store and DENY the sale of packaged liquor in conjunction with a gas station and grocery store in the name of **Koshy Alexander d/b/a ABA Gas, Inc.** in a C-2, Limited Commercial Zoning District at 3121 North Rockton Avenue. Approval is subject to the following conditions:
  1. Landscaping shall be installed per the landscaping plan submitted 12/16/13 no later than July 1, 2014.
  2. The existing free-standing sign at the northwest corner of the property be removed.
  3. Window display signage shall be limited to 35% of the window surface area

4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. That the windows shall not be covered with bars or other devices that block the windows
6. Meeting all applicable building and fire codes
7. Compliance with all City of Rockford Tobacco Codes.
8. The sale of tobacco shall be limited to the interior site plan that was submitted as Exhibit D.

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

7. Beck - Code and Regulation - Recommending the approval of the annexation of 2412 Whale Avenue.
8. Beck - Code and Regulation - Recommending the approval of the sale of vacant lot at 1604 South 6<sup>th</sup> Street, PIN #11-35-229-001, for a minimum bid of \$450.00 with preference to the adjacent property owner. The Legal Director shall prepare the necessary Ordinance.
9. Hervey - Finance and Personnel - Recommending that the Award of Sale of Real Estate for 312 Penfield Pl. be made to the highest bidder, Avon Box-Gilmore, adjacent property owner, of Rockford, Illinois for her bid of \$600.
10. Hervey - Finance and Personnel - Recommending that staff submit an Application Modification #3 for the following RERZ projects:

Re-allocation of the \$501,167 allocated for Davis Festival Park Improvements to the Ingersoll (Downtown Sports Complex) project. \$451,697 will be moved into the construction category and \$50,000 will be added to the project design category. Modify the scope for the Outdoor Market to include a "Demolition" line item that covers the demolition of the Water Street Parking Deck. Re-allocation of \$200,000 from the "Construction" line item to the "Demolition" line item to cover the cost of the demolition.

Funding for these projects come from the Illinois DCEO, River Edge Re-Development Zone funds.

## **II. ORDINANCES LAID OVER JANUARY 13, 2014**

1. Hervey - Amendment to the abatement Ordinance, 2013-191-O, to correct scrivener's errors to the Ordinance for an application of pledged revenues and other moneys in Bond Funds and Escrow Bond Funds of Various Bond Ordinances for the Payment of Principal and Interest on the Bonds issued pursuant to said Ordinances.

## **III. APPOINTMENTS HELD OUT JANUARY 13, 2014**

- 1.\* Mayor Morrissey - Appointment - Library Board, Mr. James O'Hagen, who will replace Dan Ross. Mr. O'Hagen's term will end June 2015. (Pursuant to Rule 18, this item is up for passage on January 21, 2014).

- 2.\* Mayor Morrissey - Appointment - Rockford Housing Board, Ms. Karen Hoffman, who will fill a vacant position. Ms. Hoffman's term will end January 2019. (Pursuant to Rule 18, this item is up for passage on January 21, 2014).

- Motions and Resolutions

**IV. 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 - Variation to increase the maximum number of business identification wall signs from two (2) to three (3) in a C-3, General Commercial Zoning District at 2500 and 2542 South Alpine Road. Approval is subject to the following conditions:
  1. Must meet all building and fire codes.
  2. Must obtain separate permits for signage and the free-standing sign must be in accordance with Exhibit F.
2. Beck – Ordinance - Sale of beer and wine in conjunction with a restaurant and gaming facility in the name of **Loredo Hospitality Ventures, LLC d/b/a Stella's Place** in a C-2, Limited Commercial Zoning District at 275 Deane Drive. Approval is subject to the following conditions:
  1. Meeting all applicable building and fire codes.
  2. The hours are limited to 7:00 am to 2:00 am, Monday through Saturday and 9:00 am to 2:00 am on Sunday.
  3. The sale of liquor shall be limited to the interior floor plan area as shown on Exhibit D.
  4. Window display signage shall be limited to 35% of the window surface area.
  5. There shall not be a cover charge, dance floor, DJ's and/or live entertainment.
3. Beck – Ordinance - Sale of tobacco products in conjunction with a gas station and grocery store in the name of **Koshy Alexander d/b/a ABA Gas, Inc.** in a C-2, Limited Commercial Zoning District at 3121 North Rockton Avenue. Approval is subject to the following conditions:
  1. Landscaping shall be installed per the landscaping plan submitted 12/16/13 no later than July 1, 2014.
  2. The existing free-standing sign at the northwest corner of the property be removed.
  3. Window display signage shall be limited to 35% of the window surface area
  4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
  5. That the windows shall not be covered with bars or other devices that block the windows
  6. Meeting all applicable building and fire codes
  7. Compliance with all City of Rockford Tobacco Codes.
  8. The sale of tobacco shall be limited to the interior site plan that was submitted as Exhibit D.

4. Beck – Ordinance - Annexation of 2412 Whale Avenue.
  5. Beck – Ordinance - Sale of vacant lot at 1604 South 6<sup>th</sup> Street, PIN #11-35-229-001, for a minimum bid of \$450.00 with preference to the adjacent property owner.
  6. Hervey – Ordinance - Award of Sale of Real Estate for 312 Penfield Place be made to the highest bidder, Avon Box-Gilmore, adjacent property owner, of Rockford, Illinois for her bid of \$600.
- \* 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**

**Tuesday, January 21, 2014, 5:15 p.m.**

**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**

**AGENDA**

- |                 |   |
|-----------------|---|
| 1. C & R 14-05  | January Traffic Commission Minutes  |
| 2. C & R 14-06  | Honorary Street Name Change/From Rockton Ave to Canterbury Lane                                       |
| 3. C & R 14-07  | Residential Quality Support Registration  |
| 4. C & R 13-204 | Amendment to Chapter 29, Article 5 of the Code of Ordinances/Lighting Requirements for Towing Signs   |
| 5. C & R 13-205 | Resolution from Ald. Beach: Establishing a Snow Removal Ordinance Pertaining to Residential Sidewalks |
| 6. C & R 13-166 | Change in City Council and Standing Committee Meeting Times   |
| 7. C & R 14-08  | Closed Session for Purposes of Pending and/or Threatened Litigation                                   |

**FINANCE AND PERSONNEL COMMITTEE**

**Tuesday, January 21, 2014, 5:15 p.m.  
Conference Room B, City Hall 2<sup>nd</sup> floor (south room)  
AGENDA**

1. Purchasing and Vouchers
  - A. Emergency P.O. for Water Main Break Repair – **Info only**
  - B. Vouchers
2. Compensation for Non-Represented Employees (Laid over 1/13)
3. Reimbursement Resolution for Fire Station #3 Land Purchase
4. 2014-2018 Capital Improvement Plan (Laid over 1/13)

**PLANNING AND DEVELOPMENT COMMITTEE**

**Tuesday, January 21, 2014, 5:00 p.m.  
CD Conference Rm., City Hall 2<sup>nd</sup> floor  
AGENDA**

1. Auburn Street TIF: Status Report & Public Hearing Reminder- January 27<sup>th</sup>, 2014, 5:00 PM, City Council Chambers
2. Memorandum regarding Ingersoll Building Status Report.
3. Memorandum from Jennifer Jaeger, Community Services Director, regarding Approval of 2013 Continuum of Care application demonstrating consistency with the City of Rockford Consolidated Plan as required by the Federal Department of Housing and Urban Development.
4. Memorandum regarding the EDEEN, Economic Development, Education, & Entrepreneurship Network Budget.
5. Memorandum regarding the Referral for the Review of the Demolition Ranking Criteria & Selection Process for 2014.
6. Review and Discuss Recommendations about the Rockford 2020 Plan Topic #9: Natural Resources and Plan Topic #10: Historic Preservation.

**LEGISLATIVE LOBBYING COMMITTEE**

**Tuesday, January 21, 2014, \_\_\_ p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

No Meeting Scheduled.