

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
DECEMBER 29, 2014
COUNCIL CONVENED AT 6:22 P.M.**

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

Mayor Lawrence Morrissey

Aldermen: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-
3. Alderman Beach moved to accept the Journal of Proceedings of December 15, 2014 seconded by Alderman Hervey. MOTION PREVAILED (Ald. Durkee, Getchius, Thompson-Kelly, Elyea absent).

PUBLIC HEARING

4. Mayor Morrissey called upon Alderman Beck to conduct a public hearing. Alderman Beck called the hearing to order at 6:25 pm pursuant to 65 Illinois Compiled Statutes 5/8-2-9 (2006), a public hearing must be conducted by the city council prior to the adoption of an appropriation ordinance. Notice of this hearing was given by publication in the Rockford Register Star on December 11, 2014. That notice informed citizens of Rockford that a copy of the proposed budget and appropriation ordinance could be reviewed in the finance department, third floor, city hall building, 425 East State Street, Rockford, Illinois, from 8:00 a.m. to 5:00 p.m., weekdays. The proposed budget was also available online on the city's web site.

Alderman Beck asked for questions or comments from the general public with regard to the proposed appropriation ordinance. Hearing none, the hearing was adjourned at 6:27 pm.

The meeting returned to regular business at 6:27 pm.

PUBLIC PARTICIPATION

5. John Brantley wished everyone a happy new year, spoke about the crime rate among African Americans in our community and mentioned attending the funeral services today of the victims of the quadruple homicide. He invited residents to attend the North Main Manor meeting and mentioned upcoming events with his youth group. He thanked the Park District and several donors and sponsors for making it possible for his youth group to participate in community activities.
6. Toby Haldeman extended his wish to all of Rockford's residents; that the New Year will bring hope, that good decisions are made, to be kind to one another, help and talk to your neighbor and to think before you react.

7. Roland Poska invited residents to attend the January 15, 2015 event in the City Hall lobby at 5:15 pm to celebrate Martin Luther King's birthday.

PETITIONS AND COMMUNICATIONS

8. Alderman Frost submitted a Memorandum from Todd Cagnoni, Director Community and Economic Development Department, regarding Rockford Community Partners-2015 Budget Request and Work Plan (formerly known as EDEEN). Referred to Planning and Development Committee.
9. Alderman Chiarelli submitted a Memorandum from Kelly Nokes, Assistant Operations Manager, regarding upcoming special events:
 1. Elektrik Universe – Saturday, 3/28/15
 2. Melt Fest 2015 – Saturday, 3/21/15Referred to Code and Regulation Committee.
10. Alderman Chiarelli submitted the Rockford Liquor/Tobacco Advisory Board minutes from the meeting held on December 16, 2014. Referred to Code and Regulation Committee.
11. Alderman Chiarelli submitted the Rockford Zoning Board of Appeals minutes from the meeting held on December 16, 2014. Referred to Code and Regulation Committee.
12. Alderman Beck submitted a Memorandum from Chris Black, Finance Director, regarding the 2015-2019 Capital Improvement Program (CIP). Referred to Finance and Personnel Committee.
13. Alderman McNeely read a letter from a constituent who suggested the Police Department assigned two officers to a squad. Placed on File.

NEW COMMITTEE REPORTS

14. Alderman Beck read a Finance and Personnel Committee Report recommending approval of the agreement with Illinois Public Works Mutual Aid Network (IPWMAN) for a total of \$500.00 for membership in the network. The funding source is General Fund. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
2014-343CR
15. Alderman Beck read a Finance and Personnel Committee Report recommending that the City Council of the City of Rockford approve a reduction in the outstanding code hearing fines and penalties for 1119 9th Street in Rockford, Illinois to zero since the property is in compliance with the original order to repair and any outstanding water, demo, board-up, clean-up and mow liens must be paid.

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

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

16. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of December 29, 2014 in the amount of \$3,696,882.75. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

17. Alderman Chiarelli read a Code and Regulation Committee Report recommending the approval of the enactment of Section 3-68 BASSET training for liquor license holders. LAID OVER.

18. Alderman Chiarelli read a Code and Regulation Committee Report recommending the approval of a vacation for a portion Right-of-Way adjacent to 2515 Kilburn Avenue. The following conditions will apply:

1. There is existing sanitary sewer present within this vacated portion of Kilburn Avenue. An access and construction easement shall be granted to the Rock River Water Reclamation District for the existing sanitary sewer lines.
2. No easements for utilities other than the easement above shall remain on the property for utility purposes.

The Legal Director shall prepare the appropriate Ordinance. LAID OVER.

19. Alderman Chiarelli read a Code and Regulation Committee Report recommending the approval of the attached amendment to Section 16-263; Authority to Remove Vehicles, to adopt statutory authority to remove vehicles. The Legal Director shall prepare the necessary Ordinance. LAID OVER.

20. Alderman Frost read a Planning and Development Committee Report recommending approval of a modified redevelopment proposal and term sheet for the Southeast Quadrant of North Main and Auburn Streets between Joseph James Partners and the City of Rockford. The Legal Director shall prepare the appropriate ordinance and development agreement.

Alderman Frost referred the item back to Planning and Development Committee, seconded by Alderman Newburg. MOTION PREVAILED (Ald. Durkee, Getchius,

Thompson-Kelly, Elyea absent). The Committee Report was referred BACK TO COMMITTEE.

OFFICERS REPORTS

21. Mayor Morrissey welcomed the new Rockford Police Department recruits to council. He mentioned they will be sworn in tomorrow and thanked them for accepting this very important responsibility in our community.

Deputy Chief Dave Hopkins also mentioned they will be sworn in tomorrow will go through several months of training before hitting the streets on their own in August, 2015.
22. Mayor Morrissey mentioned he attended the funeral today of the victims of a quadruple homicide, Demonte Rhodes, Martia Flint and her two sons, Tyrone and Tobias Smith. He offered his thoughts, prayers and healing to the family and friends of these victims, as well as our entire community. He commended the Rockford Police Department for their diligence to apprehend the individual responsible for the crime and bring them to justice.
23. Mayor Morrissey appointed Alderman McNamara as the 5th member of the Planning and Development Committee effective January 5, 2015.
24. Alderman Oddo commented last week she was sick and made a visit to the City of Rockford Wellness Center. She said her experience was very pleasant under the circumstances and mentioned she would like to see more services offered there.
25. Alderman McNeely wished everyone a happy New Year and mentioned she attended the funeral services today for the victims of the quadruple homicide. She urged residents to contact the police department with any information about this crime and was thankful to see the outpouring of community support for the family.
26. Alderman Chiarelli also wished everyone a happy New Year and thanked the Codes and Regulations Committee members and staff for their hard work this year.

UNFINISHED BUSINESS

2014-344CR

27. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending the approval of amendment(s) to Section 17-41(m) of the City of Rockford Code of Ordinances; Vehicle Seizure and Impoundment. The Legal Director shall prepare the appropriate Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck, Chiarelli -9-
Nays: McNeely -1-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-345CR

28. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending the approval of a negotiated purchase price of \$390,765.80 for a fee parcel, temporary construction easement and reconstruction of the front façade of the building all at 1900 Harrison Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-218-O

29. Alderman Chiarelli moved the adoption of an Ordinance for the annexation of property commonly known as 13xx Banks Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-219-O

30. Alderman Chiarelli moved the adoption of an Ordinance for the annexation of property commonly known as 32xx Prairie Road. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-220-O

31. Alderman Chiarelli moved the adoption of an Ordinance for the annexation of property commonly known as 1317 Linda Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-221-O

32. Alderman Chiarelli moved the adoption of an Ordinance for amendments to Section 105-85 of the City of Rockford Code of Ordinances; Automatic Fire Sprinkler Systems for one and two Family Dwellings and Townhouses. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-346CR

33. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommend the approval for an Intergovernmental Agreement between the City of Rockford and the Rockford Mass Transit District to design, construct, and maintain the Rockford Regional Multi-Modal Transportation Center for a total of \$3,320,825. The Legal Director shall prepare the appropriate ordinance.

Alderman Hervey made a motion to amend the committee report to reflect the following language:

"...approval of an Intergovernmental Agreement between the City of Rockford and the Rockford Mass Transit District to design, construct, and maintain the Rockford Regional Multi-Modal Transportation Center. The agreement includes an initial design budget of \$3,320,825 with any remaining monies not utilized during the design phase of the project eligible to be applied toward construction costs of the Center. The Legal Director shall prepare the appropriate ordinance."

Alderman Hervey's Motion was seconded by Alderman Newburg. MOTION PREVAILED (Ald. Durkee, Getchius, Thompson-Kelly, Elyea absent).

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

Ayes: McNamara, Hervey, Hill, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -9-
Nays: Frost -1-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-347CR

34. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the approval of the 2015 License and Fee Schedule be approved as modified by Alderman McNamara. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck, Chiarelli -9-
Nays: McNeely -1-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-348CR

35. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the approval of the 2014 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, Hill, Oddo, Newburg, Beach, Beck, Chiarelli -9-
Nays: McNeely -1-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-222-O

36. Alderman Beck moved the adoption of an Ordinance directing the 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

MOTIONS AND RESOLUTIONS

37. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Parking Lot T Construction (Outdoor Market) with Stenstrom, of Rockford, Illinois for in the amount of \$792,100.00. The funding source is River Edge Redevelopment Zone Grant.

Alderman Beck HELD OUT the Resolution.

2014-333R

38. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Water Division Electrical Services with Ron Carlson Electric, of Rockford, Illinois and Morse Electric, of Freeport, Illinois in the not-to-exceed amount of \$100,000.00. The funding source is Water Division Operating funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-334R

39. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Water Division HVAC and Plumbing Services with Geostar Mechanical, of Rockford, Illinois and Mechanical, Inc., of Freeport, Illinois in the not-to-exceed amount of \$50,000.00. The funding source is Water Division Operating fund. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-335R

40. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Construction Rehab of 2028 Elm Street with D & T Construction, of Freeport, Illinois for their bid of

\$23,648.00. The funding source is Home Investment Partnerships Program. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Beach, Beck,
McNeely, Chiarelli -9-
Nays: Newburg -1-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-336R

41. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Motorola Portable Radios, with Shoulder Microphones and Batteries with Motorola, Inc. of Schaumburg, Illinois in the amount of \$90,431.28. The funding source is the 2012 JAG Grant. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-337R

42. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an Engineering agreement for Ingersoll Downtown Sports Complex (upper tier parking lot site development) with McClure Engineering Associates, Inc. in the amount of \$97,131.51. The funding source is Bond Proceeds. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, McNeely,
Chiarelli -9-
Nays: -0-
Abstain: Beck -1-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-338R

43. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an Engineering agreement for Ingersoll Downtown Sports Complex Observation & Inspection with Sink Combs Dethlefs, of Chicago, Illinois in the amount of \$150,000. The funding source is Bond Proceeds. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Hervey, Hill, Oddo, Newburg, Beach, McNeely,
Chiarelli -8-
Nays: Frost -1-
Abstain: Beck -1-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-339R

44. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an Engineering agreement for South

Main (IL-2) Two-Way Conversion (Cedar Street to Chestnut Street) in the amount of \$200,671.49. The funding source is Motor Fuel Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Beach, Beck, Chiarelli -8-
Nays: Newburg, McNeely -2-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-340R

45. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, the City of Rockford 457 Deferred Compensation Plan

WHEREAS, by Section 11.2 of the Plan, the Employer reserved the right to amend the Plan; and

WHEREAS, the Employer wishes to amend the Plan to reflect changes to the law under the Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART Act").

Article I, Section 1.8 Employee is modified by adding the following language:

"For years beginning on or after January 1, 2009, an individual receiving a differential wage payment from the Employer, as defined by Internal Revenue Code §3401(h)(2), is treated as an Employee of the Employer making the payment."

Article III, Section 3.3 USERRA is modified by adding the following language:

"In the case of a death occurring on or after January 1, 2007, if a Participant dies while performing qualified military service (as defined in Internal Revenue Code §414(u)), the Participant's Beneficiary is entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the Plan as if the Participant had resumed employment and then terminated employment on account of death."

MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -9-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014- 341R

46. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, the City of Rockford 457 Deferred Compensation Plan

WHEREAS, by Section 11.2 of the Plan, the Employer reserved the right to amend the Plan; and

WHEREAS, the Employer wishes to amend the Plan to reflect changes to the law under the Pension Protection Act of 2006 ("PPA").

Article VI, Section 6.3 Method of Distribution is modified as follows: Section 6.3(b)(3) is revised to include the language "such as a Qualified Optional Survivor Annuity," and reads as follows:

"(3) An annuity, including an annuity with term certain or survivorship features *such as a Qualified Optional Survivor Annuity*, for the life or lives of the Participant and Beneficiary, or a definite period not to exceed the life expectancy or joint life expectancies of the Participant and Beneficiary, or a combination thereof (as applicable); and"

Article VI is modified by adding Section 6.7 Distribution Notice as follows: "Section 6.7 Distribution Notice

(a) For any distribution notice issued in Plan Years beginning after December 31, 2006, the maximum notice period prior to distribution under the notice requirements of Internal Revenue Code §§402(f) (the rollover notice), 411(a)(11) (Participant's consent to distribution), and 417 (notice under the joint and survivor annuity rules) will be 180 days.

(b) For any distribution notice issued in Plan Years beginning after December 31, 2006, the description of a Participant's right, if any, to defer receipt of a distribution will also include the consequences of failing to defer receipt of the distribution."

Article VIII is modified by adding Section 8.7 Direct Rollover of Non-Spousal Beneficiary as follows: "Section 8.7 Direct Rollover of Non-Spousal Beneficiary

(a) For distributions after December 31, 2009, a non-spouse beneficiary who is a "designated beneficiary" under Internal Revenue Code §401(a)(9)(E) and the regulations thereunder, by a direct trustee-to-trustee transfer ("direct rollover"), may roll over all or any portion of his or her distribution to an individual retirement account the beneficiary establishes for purposes of receiving the distribution. In order to be able to roll over the distribution, the distribution otherwise must satisfy the definition of an eligible rollover distribution.

(b) If the Participant's named beneficiary is a trust, the Plan may make a direct rollover to an individual retirement account on behalf of the trust, provided the trust satisfies the requirements to be a designated beneficiary within the meaning of Internal Revenue Code §401(a)(9)(E)."

Article XIII, Section 12.2 Qualified Domestic Relations Orders is modified by adding the following:

"(d) Effective April 6, 2007, a domestic relations order that otherwise satisfies the requirements for a qualified domestic relations order ("QDRO") will not fail to be a QDRO: (i) solely because the order is issued after, or revises, another domestic relations order or QDRO; or (ii) solely because of the time at which the order is issued, including issuance after the annuity starting date or after the Participant's

death. A domestic relations order described herein is subject to the same requirements and protections that apply to QDROs.”

MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -9-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-342R

47. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, the City of Rockford 457 Deferred Compensation Plan

WHEREAS, by Section 11.2 of the Plan, the Employer reserved the right to amend the Plan; and

WHEREAS, the Employer wishes to amend the Plan to reflect changes to the law under the Worker, Retiree, and Employer Recovery Act of 2008 (“WRERA”).

NOW, THEREFORE, BE IT RESOLVED, that the Plan is hereby amended as follows:

Article VI, Section 6.3 Method of Distribution is modified as follows: Section 6.3(c) is modified by adding the following language:

“Notwithstanding any other provision of the Plan to the contrary, a Participant or Beneficiary who would have been required to receive required minimum distributions for 2009 but for the enactment of Code §401(a)(9)(H), and who would have satisfied that requirement by receiving distributions that are (a) equal to the 2009 required minimum distributions or (b) one or more payments in a series of substantially equal distributions, including the 2009 required minimum distributions, made at least annually and expected to last for the life of the Participant, the joint lives of the Participant and the Participant’s Designated Beneficiary, or for a period of at least ten (10) years, will receive those distributions for 2009 unless the Participant or Beneficiary chooses not to receive such distributions.”

MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck,
McNeely, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-343R

48. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, the City of Rockford 457 Deferred Compensation Plan

WHEREAS, by Section 11.2 of the Plan, the Employer reserved the right to amend the Plan
NOW, THEREFORE, BE IT RESOLVED, that the Plan is hereby amended as follows:

Article VI, Section 6.2 Commencement Date of Distribution is modified by adding the following:

"A Participant's distribution may commence no earlier than (a) the calendar year in which the Participant attains age 70 1/2, (b) the date the Participant has a severance from employment with the Employer, or (c) when the Participant is faced with an unforeseeable emergency as set forth in Section 6.6 of the Plan."

Article VII, Section 7.1 of the Plan is removed and replaced in the entirety as set forth below: "Section 7.1 Loans to Participants:

(a) Subject to applicable law and consistent with Code section 457(g), the Employer may, in its sole and absolute discretion, direct the Plan Administrator to make loans to Participants under the following circumstances:

(1) Loans shall be made available only to all Participants and Beneficiaries who are members of the Police Benevolent and Protective Association (PB&PA) bargaining unit and only those funds invested with the Illinois Public Pension Fund Association (IPPPFA) on a reasonably equivalent basis.

(2) Loans must be adequately secured and bear a reasonable interest rate.

(3) No Participant loan shall exceed the present value of the Participant's accrued benefit under this Plan.

(4) In the event of default, foreclosure on the note and attachment of security will not occur until a distributable event occurs under the Plan.

(5) Notwithstanding any other provision of this Plan, the portion of the Participant's Account balance used as a security interest held by the Plan by reason of a loan outstanding to the Participant shall be taken into account for purposes of determining the amount of the Account balance payable at the time of death or distribution, but only if the reduction is used as repayment of the loan.

(6) No loan to any Participant or Beneficiary can be made to the extent that such loan when added to the outstanding balance of all other loans to the Participant or Beneficiary under this Plan and under any other plan maintained by the Employer would exceed the lesser of (A) \$50,000 reduced by the excess (if any) of the highest outstanding balance of loans from the Plan and any other plan during the one year period ending on the day before the loan is made, over the outstanding balance of loans from the Plan and any other plan on the date the loan is made, or

(B) one-half of the Participant's Account balance or, if greater, the total Account balance up to \$10,000. For the purpose of the above limitation, all loans from all plans of the Employer are aggregated.

(7) Any loan shall by its terms require that repayment (principal and interest) be amortized in level payment, not less frequently than quarterly, over a period not extending beyond five years from the date of the loan, unless such loan is used to acquire a dwelling unit which within a reasonable time (determined at the time the loan is made) will be used as the principal residence of the Participant. An assignment or pledge of any portion of the Participant's interest in the Plan and a loan, pledge or assignment with respect to any insurance contract purchased under the Plan, will be treated as a loan under this Section 7.1 of the Plan."

Article VII is further modified by adding Section 7.2 as set forth below: "Section 7.2 Administrative Rules

The Plan Administrator shall prescribe such further rules, regulations and procedures consistent with the provisions of this Article VII concerning loans as the Plan Administrator deems advisable."

MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, McNeely,
Beck, Chiarelli -10-
Nays: -0-
Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-344R

49. Alderman Chiarelli, on behalf of the Code and Regulation Committee, moved the adoption a Resolution approving the 2015 City Council and Committee Meeting Calendar, pursuant to 5 ILCS 120/2.02 through 120/2.06, public notice of the schedule of the regular meetings.

MOTION PREVAILED (Ald. Newburg voted no; Ald. Durkee, Getchius, Thompson-Kelly, Elyea absent).

NEW BUSINESS

50. Alderman Beck introduced and read an Ordinance making Supplemental Appropriations for the City of Rockford, a Municipal Corporation, to finance those functions pertaining to its government and affairs including the General Fund, Information Technology Fund, 911 Fund, Health Fund, Equipment Fund, Property Fund, Water Fund, Parking Fund, Community Development Block Grant Fund, Sanitation Fund, East River Tax Increment Financing District Fund, Mulford & State Increment Financing District Fund, State & Central Tax Increment Financing District Fund, Global Trade Park 1 Tax Increment Financing District Fund, Springfield Corners Tax Increment Financing District Fund, Library Fund, and Human Services Fund for the fiscal year 2014. LAID OVER.

2014-223-O

51. Alderman Beck introduced and read an Ordinance for the 2015 Budget making appropriation for the City of Rockford, a Municipal Corporation, to Finance those functions pertaining to its government and affairs including but not limited to the

General Fund, Information Technology Fund, 911 Communications Fund, Motor Fuel Tax Fund, Capital Projects Fund, Parking System Fund, Sanitation Fund, Property Maintenance Fund, Equipment Maintenance Fund, Central Stores Fund, Water Fund, Community Development Block Grant Fund, Redevelopment Fund, Tourism Promotion Fund, Assisted Living Tax Increment Financing District Fund, East Side #1 Tax Increment Financing District Fund, East River Tax Increment Financing District Fund, West Side #1 Tax Increment Financing District Fund, Seventh Street Tax Increment Financing District Fund, South Rockford Tax Increment Financing District Fund, Lincolnwood #1 Tax Increment Financing District Fund, Springfield Corners Tax Increment Financing District Fund, North Main Tax Increment Financing District Fund, Global Trade Park #1 Tax Increment Financing District Fund, Global Trade Park #2 Tax Increment Financing District Fund, Global Trade Park #3 Tax Increment Financing District Fund, Global Trade Park South Tax Increment Financing District Fund, Lincolnwood #2 Tax Increment Financing District Fund, River Oaks Tax Increment Financing District Fund, Garrison Tax Increment Financing District Fund, Hope VI Tax Increment Financing District Fund, Kishwaukee/Harrison #1 Tax Increment Financing District Fund, Kishwaukee/Harrison #2 Tax Increment Financing District Fund, State & Alpine Tax Increment Financing District Fund, Main & Auburn Tax Increment Financing District Fund, River North Tax Increment Financing District Fund, Main and Whitman Tax Increment Financing District Fund, Midtown Tax Increment Financing District Fund, Broadway Tax Increment Financing District Fund, Jackson School Tax Increment Financing District Fund, West Side #2 Tax Increment Financing District Fund, State & Kilburn Tax Increment Financing District Fund, State & Central Tax Increment Financing District Fund, Preston & Central Tax Increment Financing District Fund, Jefferson and 3rd Tax Increment Financing District Fund, Mulford and State Tax Increment Financing District Fund, Auburn Corridor Tax Increment Financing District Fund, Tuberculosis Sanitarium Fund, Public Library Fund, Human Services Fund, Police Pension Fund, Fire Pension Fund, Illinois Municipal Retirement Fund, Health Insurance Fund, Unemployment Insurance Fund, Worker's Compensation Fund, Auditing Fund, Debt Service Fund, OTB Special Projects Fund, RMAP Fund, Risk Management Fund, and Capital Replacement Fund for the year 2015.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Durkee, Getchius, Thompson-Kelly, Elyea absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Beck, Chiarelli -9-
 Nays: McNeely -1-
 Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

2014-224-O

52. Alderman Beck introduced and read an Ordinance recommending approval of an Intergovernmental Agreement between the City of Rockford and the Rockford Mass Transit District to design, construct, and maintain the Rockford Regional Multi-Modal Transportation Center.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Durkee, Getchius, Thompson-Kelly, Elyea absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Hervey, Hill, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -9-

Nays: Frost -1-

Absent: Durkee, Getchius, Thompson-Kelly, Elyea -4-

53. Alderman Chiarelli introduced and read an Ordinance that the Mayor and Legal Director are hereby authorized to execute the attached amendment(s) to Section 17-41(m) of the City of Rockford Code of Ordinances; Vehicle Seizure and Impoundment. LAID OVER.
54. Upon motion duly made and seconded, the meeting was adjourned at 8:29 pm.

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
January 5, 2015
6:00 P.M.
AMENDED AGENDA

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

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- Proclamations
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER DECEMBER 29, 2014

1. Beck - Finance and Personnel - Approval of the agreement with Illinois Public Works Mutual Aid Network (IPWMAN) for a total of \$500.00 for membership in the network. The funding source is General Fund. The Legal Director shall prepare the appropriate ordinance.
2. Chiarelli - Code and Regulation - Approval of the enactment of Section 3-68 BASSET training for liquor license holders. The Legal Director shall prepare the appropriate ordinance.
3. Chiarelli - Code and Regulation - Approval of a vacation for a portion Right-of-Way adjacent to 2515 Kilburn Avenue. The following conditions will apply:
 1. There is existing sanitary sewer present within this vacated portion of Kilburn Avenue. An access and construction easement shall be granted to the Rock River Water Reclamation District for the existing sanitary sewer lines.
 2. No easements for utilities other than the easement above shall remain on the property for utility purposes.

The Legal Director shall prepare the appropriate Ordinance.

4. Chiarelli - Code and Regulation - Approval of the attached amendment to Section 16-263; Authority to Remove Vehicles, to adopt statutory authority to remove vehicles. The Legal Director shall prepare the necessary Ordinance.

II. ORDINANCES LAID OVER DECEMBER 29, 2014

1. Beck - Ordinance - Supplemental Appropriations for the City of Rockford, a Municipal Corporation, to finance those functions pertaining to its government and affairs including the General Fund, Information Technology Fund, 911 Fund, Health Fund, Equipment Fund, Property Fund, Water Fund, Parking Fund, Community Development Block Grant Fund, Sanitation Fund, East River Tax Increment Financing District Fund, Mulford & State Increment Financing District Fund, State & Central Tax Increment Financing District Fund, Global Trade Park 1 Tax Increment Financing District Fund, Springfield Corners Tax Increment Financing District Fund, Library Fund, and Human Services Fund for the fiscal year 2014.
2. Chiarelli - Ordinance - Mayor and Legal Director are hereby authorized to execute the attached amendment(s) to Section 17-41(m) of the City of Rockford Code of Ordinances; Vehicle Seizure and Impoundment.

III. MOTIONS/RESOLUTIONS LAID OVER DECEMBER 29, 2014

1. Beck, on behalf of the Finance and Personnel Committee - Authorizing the Mayor to execute an agreement for Parking Lot T Construction (Outdoor Market) with Stenstrom, of Rockford, Illinois for in the amount of \$792,100.00. The funding source is River Edge Redevelopment Zone Grant.

IV. APPOINTMENTS HELD OUT DECEMBER 29, 2014

- 1.* Mayor Morrissey – Re-appointment – Airport Authority Board; Mr. Kenneth Edward Copeland for a term ending May 2017. (Pursuant to Rule 18, this item is up for passage on January 5, 2015).

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 - Agreement with Illinois Public Works Mutual Aid Network (IPWMAN) for a total of \$500.00 for membership in the network. The funding source is General Fund.
2. Chiarelli – Ordinance – For the enactment of Section 3-68 BASSET training for liquor license holders.
3. Chiarelli – Ordinance - Vacation for a portion Right-of-Way adjacent to 2515 Kilburn Avenue. The following conditions will apply:

1. There is existing sanitary sewer present within this vacated portion of Kilburn Avenue. An access and construction easement shall be granted to the Rock River Water Reclamation District for the existing sanitary sewer lines.
 2. No easements for utilities other than the easement above shall remain on the property for utility purposes.
 4. Chiarelli – Ordinance - Amendment to Section 16-263; Authority to Remove Vehicles, to adopt statutory authority to remove vehicles.
- * 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, January 5, 2015, 4:45 p.m.

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

AGENDA

1. C & R 14-227 Agreement between City of Rockford and Area Erector’s, Inc. to access right-of-way at 2323 Harrison Avenue to remediate contaminants
2. C & R 14-239 Special Events: Elektrik Universe, Saturday, March 28, 2015
Melt Fest 2015, Saturday, March 21, 2015
3. C & R 14-229 ZBA#046-14 Approval of Special Use Permit for a 10’ tower extension on the existing 70’ ATC tower for an overall height of 80’ in a C-2, Limited Commercial Zoning District at 6449 East State Street (Applicant/Dolan Realty for Verizon Wireless)
4. C & R 14-230 ZBA#049-14 Approval of Special Use Permit to allow an electric fence that is not an approved material in an I-1, Light Industrial Zoning District at 401 Harrison Avenue (Applicant/Electric Guard Dog, LLC)
5. C & R 14-231 ZBA#050-14 Approval of Special Use Permit to allow an electric fence

that is not an approved material in an I-1, Light Industrial Zoning District at 5456 Sandy Hollow (Applicant/Electric Guard Dog, LLC)

6. C & R 14-232 ZBA#051-14 Approval of Special Use Permit to allow an electric fence that is not an approved material in an I-2, General Industrial Zoning District at 208 Quaker Road (Applicant/Electric Guard Dog, LLC)
7. C & R 14-233 ZBA#052-14 Approval of Variation to reduce the parking drive aisle width from 24' to 22' in a C-4, Urban Mixed Use Zoning District at 210 North Main Street (Applicant/Dyn Rockford, LLC)
8. C & R 14-234 014-LTAB-043 Denial of Request for the Sale of Packaged Liquor in conjunction with a grocery store in a C-3, General Commercial Zoning District at 519 Marchesano Drive (Applicant/Pedro Silva d/b/a Guanajuato Rockford Corp)
9. C & R 14-235 014-LTAB-049 Approval of Request for the Sale of Liquor by the Drink in conjunction with a restaurant in a C-3, General Commercial Zoning District at 7801 East State Street (Applicant/Sengchannavong Chintana d/b/a Sister's Thai Café)
10. C & R 14-236 014-LTAB-050 Approval of Request for the Sale of Tobacco Products in conjunction with a gas station and convenience store in a C-1, Limited Office Zoning District at 2225 West Riverside Boulevard (Applicant/Mac's Convenience Store LLC d/b/a Circle K #1437)
11. C & R 14-237 014-LTAB-051 Approval of Request for the Sale of Tobacco Products in conjunction with a gas station and convenience store in a C-2, Limited Commercial Zoning District at 3819 Broadway (Applicant/Mac's Convenience Store LLC d/b/a Circle K #1425)
12. C & R 14-239 Closed Session for Purposes of Pending and/or Threatened Litigation

FINANCE AND PERSONNEL COMMITTEE

Monday, January 5, 2015, 4:30 p.m.

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

AGENDA

1. 2015-2019 Capital Improvement Plan
2. Purchasing and Vouchers
 - A. Award of Bid: 2411 West State Street Demolition to Northern Illinois Service Company, of Rockford, Illinois for their bid of \$28,200.00
 - B. Award of Bid: Demolition of Group 3 Batch 10 to Northern Illinois Service, of Rockford, Illinois total award \$21,550 and G & G Construction, of Winnebago, Illinois total award \$24,450. The properties are listed on the bid tabulation
 - C. Award of Bid: Demolition Group 3 Batch 11 to RWTD, of Machesney Park, Illinois total award \$26,194, G & G Construction, of Winnebago, Illinois total award \$32,950, and N-TRAK Group, of Loves Park, Illinois total award \$28,434
 - D. Award of Bid: Storage and Disposal of Impound Vehicles to sole bidder, Greater Rockford Auto Auction, of Rockford, Illinois. The contract is not expected to have any cost to the City
 - E. Award of Bid: Towing Vehicles to Haas Towing, of Rockford, Illinois for an estimated total of \$227,830
 - F. Award of Contract: 2014 City-Wide Vehicles to Anderson Rock River Ford, of Rockford, Illinois for the purchase of 32 vehicles for an estimated total of \$1,067,656 (Laid over 12/29)
 - G. Engineering Agreement: 2015-2016 Biennial Bridge Inspection Program to HR Green, Inc., of Rockford, Illinois in the amount of \$174,035.75
 - H. Engineering Agreement: Cessna Drive Water Main and Well 24 Pavement Improvements to Crawford Murphy & Tilly, Inc., of Rockford, Illinois in the amount of \$69,150.00
 - I. Engineering Agreement Amendment: Airport Drive/Falcon Road Reconstruction to Crawford, Murphy & Tilly, Inc., of Rockford, Illinois for an additional amount of \$199,989.20 an amended contract total of \$747,317.78
 - J. Vouchers in the amount of \$5,011,827.59
3. Revised Leasing Plan for City Vehicles (Laid over 12/29)

4. Amending the Effective Date of Redevelopment Tax, Chapter 5; Business, Permits, Taxes and Licenses, Article II, Division 2, Sales Taxes, Section 5-48 of the Code of Ordinances of the City of Rockford, Illinois (Laid over 12/29)

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, January 5, 2015, 5:15 p.m.
CD Conference Rm., City Hall 2nd floor
AGENDA**

1. Rockford Community Partners-2015 Budget Request and Work Plan (formerly known as EDEEN).
2. Redevelopment Proposal for the Southeast Quadrant of North Main and Auburn Streets. Consideration of two redevelopment proposals in response to RFP No: 1013-CD144.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, January 5, 2015, _____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.

The City of Rockford intends to comply with the intent and spirit of the Americans With Disabilities Act. If a sign language interpreter, personal p.a. system, or other special accommodations are needed, please call the Legal Department at 967-6797 at least 48 hours in advance, so we can be prepared to assist you. For TTY, please call 987-5718, and staff in the Mayor's Office will advise the Legal Department of the request.