

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
JANUARY 4, 2010
COUNCIL CONVENED AT 6:13 P.M.**

1. The invocation was given by Colonel Tom Lewis, Salvation Army/Police Chaplain and the Pledge of Allegiance was led by Legal Department Administrative Assistant Shelia Alexander.
2. Roll Call:
Mayor Lawrence J. Morrissey
Aldermen: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, Robertson -13-
Absent: McNeely (late) -1-
3. Alderman Mark moved to accept the Journal of Proceedings of December 28, 2009 seconded by Alderman Hervey. MOTION PREVAILED (Ald. McNeely absent).

Alderman McNeely joined the meeting at 6:15 pm.

PUBLIC HEARING

4. Mayor Morrissey called upon Alderman Wasco to conduct a public hearing. Alderman Wasco called the public hearing to order at 6:15, stating that it was being held 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 23, 2009. 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 am to 5:00 pm, weekdays. The proposed budget was also available online on the City's Website. He asked for questions or comments from the Council members, and then from the general public and closed the hearing at 6:16 pm.

The meeting returned to regular business at 6:16 pm.

PUBLIC PARTICIPATION

5. John Gile shared with council members his Community and Human Development proposals and announced distribution of an all Rockford project; a new book, "Just Shades of Brown."

PETITIONS AND COMMUNICATIONS

6. Alderman Beach submitted a Memorandum from Ronald Schultz, City Attorney, regarding the Annexation of 1120 Simpson Road. Referred to Code and Regulation Committee.
7. Alderman Wasco submitted a Memorandum from Andres Sammul, Finance Director regarding 2009 Tax Abatements. Referred to Finance and Personnel Committee.
8. Alderman Wasco submitted a Memorandum from Patrick Hayes, Legal Director regarding Out-of-State Service Credit Authorization. Referred to Finance and Personnel Committee.
9. Alderman Johnson submitted an e-mail from Sheila Grady concerning snow removal operations on 24th Street near Broadway. Referred to Public Works Department.

NEW COMMITTEE REPORTS

10. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a church and church related services; APPROVE the Variation to reduce minimum required rear yard setback from 30 feet to 12 feet 8 inches; and APPROVE the Variation to increase the maximum impervious surface ratio from 40% to 60% in an R-1, Single-family Residential Zoning District at 5xx and 702 Cambridge Avenue. Approval is subject to the following conditions:

1. Meeting all applicable fire and building codes.
2. Submittal of a revised landscaping plan and an illumination plan for Staff review and approval prior to Zoning Clearance for a building permit.
3. Submittal of a Building permit for Staff review and approval.
4. Site must develop in accordance with Exhibit D.

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

11. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from R-2, Two-family Residential District to C-1, Limited Office District; and APPROVE a Variation to reduce required parking from 140 parking spaces to 26 parking spaces in a C-1, Limited Office Zoning District at 758 North 2nd Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Submittal of landscaping plan including required landscaping buffers for Staff's review and approval.
3. The meeting hall shall not be leased or rented for non-union related parties and any other activity as indicated within Exhibit E.

4. If the property is sold, future uses of the property would need to be evaluated for compliance or parking.
5. That the property develop in general conformance with the submitted site plan and building elevation.
6. That the alley is improved adjacent to the property as part of the development.

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

12. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the front yard fence height from the maximum allowed 4 feet to 5 feet, 10 inches along 20th Street in an R-1, Single-family Zoning District at 2341 17th Avenue. Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.
13. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the Final Plat of Garden Estates Subdivision. LAID OVER.
14. Alderman Wasco read a Finance and Personnel Committee Report recommending the Police Department award the balance of the Police Consulting Services contract to Alexander Weiss Consulting in the amount of \$25,000. The funding source is Police Department Operating Budget. LAID OVER.
15. Alderman Wasco read a Finance and Personnel Committee Report recommending approval of a brokerage services agreement with PNC Bank for fees ranging from three to five basis points per trade. The funding source is General Investment Account. LAID OVER.

2010-001CR

16. Alderman Wasco read a Finance and Personnel Committee Report recommending that the City Council approve extension of Intergovernmental Agreement for Animal Control Services with Winnebago County through February 28, 2010.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
 Nays: -0-
 Absent: -0-

2010-002CR

17. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for HVAC Services for the Coronado Cooling Tower be made to the low bidder, Miller Engineering, of Rockford, Illinois for their total bid of \$15,549.00. The funding source is Property Operating Budget.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2010-003CR

18. Alderman Wasco read a Finance and Personnel Committee Report recommending approval of Task Order #22 with Strand Associates, Inc. for Construction Services on the Water System Rehabilitation project in an amount not to exceed \$294,000. The task order will be completed under a Master agreement with Strand Associates, Inc. Funding for the project will come from IEPA funding and \$25 million G.O. Limited Tax Debt Certificates, Series 2008.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

19. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of vouchers for the week of January 4, 2010 in the amount of \$2,748,156.16. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

PETITONS AND COMMUNICATIONS

20. Alderman Sosnowski submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding Charles Street Lot. Referred to Planning and Development Committee.

OFFICERS REPORTS

21. Mayor Morrissey wished everyone a "Happy New Year 2010" and looks forward to working with council and the community on another ambitious and very challenging budget year.

22. Mayor Morrissey reminded Council members of two (2) upcoming budget retreats, Saturday January 9, 2010 and Saturday January 23, 2010 at 9:00 am in Council Chambers. Any questions, concerns, thoughts or ideas may be directed to Andres Sammul, Finance Director, or Alderman Carl Wasco, Chairman Finance Committee.
23. Mayor Morrissey advised Senator Dick Durbin will be holding a Press Conference at Crusader Clinic, 3rd floor on Wednesday, January 6, 2010 at 11:00 am to announce funding for West State Street redevelopment.
24. Alderman Mark suggested speaking with Senator Durbin while he is in Rockford concerning the rationale of the federal government to, in part, fund Ohio General Electric to build a new plant that will produce the same type of work done here at Sundstrand.

UNFINISHED BUSINESS

25. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the sale of vacant lots at 416 & 420 North Avon Street for a minimum bid of \$7,800.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

Alderman McNeely made a motion to lay the committee report over, seconded by Alderman Beck.

2010-004CR

26. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the agreement between the City of Rockford and Kentucky Data Link (KDL) to install fiber optic lines in the right-of-way. The Legal Director shall prepare the appropriate Ordinance. MOTION PREVAILED.

2010-001-O

27. Alderman Beach moved the adoption of an Ordinance amending Chapter 3, Section 3-55, of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Erica Sanchez d/b/a Mis Dos Patrias located at 811 Broadway for the sale of alcohol by the drink in conjunction with a restaurant. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor Codes.
2. Improvements to site must be in accordance with the revised Exhibit D by July 2010, inclusive of the removal of asphalt area in right-of-way west of the building.
3. The sale of packaged liquor of beer and wine shall be limited to the hatched area shown on Exhibit E.

4. The sale of liquor shall be limited to Monday through Saturday, 8:00 am to 8:00 pm and on Sunday from 11:00 am to 8:00 pm as indicated within the revised Business Plan labeled Exhibit F.
5. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.
6. Signs displayed in windows, whether temporary or permanent shall cover no more than 35% of the square footage of the window surface inclusive of advertisement of alcohol products.
7. Package beer shall not be sold on an individual basis but sold as a six (6), twelve (12), twenty-four (24) pack or greater.
8. Wine shall not be sold in containers less than 750 ml.
9. The parking area and perimeter of building shall remain free of garbage and debris.
10. The existing payphone in the parking lot shall be removed prior to issuance of a liquor license.

Alderman Beach made a motion to amend the Ordinance read as follows:

Erica Sanchez d/b/a Mis Dos Patrias located at 811 Broadway **for the sale of packaged beer and wine in conjunction with a grocery store**. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor Codes.
2. Improvements to site must be in accordance with the revised Exhibit D by July 2010, inclusive of the removal of asphalt area in right-of-way west of the building.
3. The sale of packaged liquor of beer and wine shall be limited to the hatched area shown on Exhibit E.
4. The sale of liquor shall be limited to Monday through Saturday, 8:00 am to 8:00 pm and on Sunday from 11:00 am to 8:00 pm as indicated within the revised Business Plan labeled Exhibit F.
5. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.
6. Signs displayed in windows, whether temporary or permanent shall cover no more than 35% of the square footage of the window surface inclusive of advertisement of alcohol products.
7. Package beer shall not be sold on an individual basis but sold as a six (6), twelve (12), twenty-four (24) pack or greater.
8. Wine shall not be sold in containers less than 750 ml.
9. The parking area and perimeter of building shall remain free of garbage and debris.
10. The existing payphone in the parking lot shall be removed prior to issuance of a liquor license.

seconded by Alderman Jacobson. MOTION PREVAILED. The Ordinance as amended was placed up for passage. MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2010-001R

30. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a resolution authorizing the Central Services Manager to take bids for the following

A. Bid: Demolition of 224 N. Court, 1505 Clifton, and 1609 Clifton, funding source: CDBG

MOTION PREVAILED.

NEW BUSINESS

31. Alderman Beach introduced and read an Ordinance for the Vacation of property commonly known as Right-of-Way of 10th Street from 18th Avenue to 20th Avenue to petitioner, Rockford Drop Forge. LAID OVER.
32. Alderman Wasco made a motion to go into closed session for purposes of discussing matters related to union negotiations, seconded by Alderman Jacobson. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

The meeting went into closed session at 6:55 p.m.

The meeting returned to open session at 8:40 p.m. and found the following aldermen present:

Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Robertson -11-

33. Upon motion duly made and seconded, the meeting was adjourned at 7:40 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
January 11, 2010
6:00 P.M.
AGENDA

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

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

I. NEW COMMITTEE REPORTS TO BE READ IN JANUARY 11, 2010

A. CODE AND REGULATIONS

1. Beach – Medical False Alarms
 2. Beach – Boundary Agreement with Machesney Park
 3. Beach – Opting out of video gambling
- Officers Reports
 - Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER JANUARY 4, 2010

1. Beach - Code and Regulation - Recommending the approval of the sale of vacant lots at 416 & 420 North Avon Street for a minimum bid of \$7,800.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance.
2. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a church and church related services; APPROVE the Variation to reduce minimum required rear yard setback from 30 feet to 12 feet 8 inches; and APPROVE the Variation to increase the maximum impervious surface ratio from 40% to 60% in an R-1, Single-family Residential

Zoning District at 5xx and 702 Cambridge Avenue. Approval is subject to the following conditions:

1. Meeting all applicable fire and building codes.
2. Submittal of a revised landscaping plan and an illumination plan for Staff review and approval prior to Zoning Clearance for a building permit.
3. Submittal of a Building permit for Staff review and approval.
4. Site must develop in accordance with Exhibit D.

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

3. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from R-2, Two-family Residential District to C-1, Limited Office District; and APPROVE a Variation to reduce required parking from 140 parking spaces to 26 parking spaces in a C-1, Limited Office Zoning District at 758 North 2nd Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
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3. The meeting hall shall not be leased or rented for non-union related parties and any other activity as indicated within Exhibit E.
4. If the property is sold, future uses of the property would need to be evaluated for compliance or parking.
5. That the property develop in general conformance with the submitted site plan and building elevation.
6. That the alley is improved adjacent to the property as part of the development.

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

4. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the front yard fence height from the maximum allowed 4 feet to 5 feet, 10 inches along 20th Street in an R-1, Single-family Zoning District at 2341 17th Avenue.

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

5. Beach - Code and Regulation - Recommending the approval of the Final Plat of Garden Estates Subdivision.
6. Wasco - Finance and Personnel - Recommending the Police Department award the balance of the Police Consulting Services contract to Alexander Weiss Consulting in the amount of \$25,000. The funding source is Police Department Operating Budget.

7. Wasco - Finance and Personnel - Recommending approval of a brokerage services agreement with PNC Bank for fees ranging from three to five basis points per trade. The funding source is General Investment Account.

III. ORDINANCES LAID OVER JANUARY 4, 2010

1. Beach - Ordinance - Vacation of property commonly known as Right-of-Way of 10th Street from 18th Avenue to 20th Avenue to petitioner, Rockford Drop Forge.

IV. MISCELLANEOUS

1. Mayor Morrissey - Appointment - Airport Authority Board - Pastor Kenneth Copeland, to replace Gwyn Gulley, whose term expired in May 2007. Pastor Copeland's appointment is for a five-year term, which would expire May 2012. (Pursuant to Rule 18 this appointment is up for passage on February 1, 2010.

- Motions and Resolutions

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

1. Beach – Ordinance - Approval of the agreement between the City of Rockford and Kentucky Data Link (KDL) to install fiber optic lines in the right-of-way.

* 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 11, 5:15 p.m.

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

AGENDA

1. C & R 10-01 Annexation of 1120 Simpson Road
2. C & R 10-02 Closed Session for Purposes of Pending Litigation

FINANCE AND PERSONNEL COMMITTEE

**Monday, January 11, 2010, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Award of Bid: Automotive Parts & Supplies – Suspend rules
 - B. Engineering Agreement: Water System Rehabilitation Project, Task Order #34
 - C. Engineering Agreement: Water System Rehabilitation Project, Task Order #35
 - D. Change Order #11: Water System Rehabilitation Project, Group 1-B – Info only
 - E. Change Order #7: Water System Rehabilitation Project Group 2 – Info only
 - F. Vouchers
2. 2009 Tax Abatements
3. Out-of-State Service Credit Authorization
4. Review of Closed Session Minutes

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, January _____, 2010, 5:30 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, January _____, 2010, 4:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No meeting scheduled.