

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
JANUARY 24, 2011
COUNCIL CONVENED AT 6:23 P.M.**

1. The invocation was given by Chaplain Phillip Henselin, New Life Evangelical Lutheran Church/Police Chaplain and the Pledge of Allegiance was led by Cub Pack 43.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely -13-
Absent: Robertson -1-
3. Alderman Mark moved to accept the Journal of Proceedings of January 18, 2011, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Robertson absent).

PUBLIC PARTICIPATION

4. Frank Manzullo thanked the community for supporting the Keep Northern Illinois Beautiful Tree Recycling Program and reminded everyone the Great American Clean-up will be held on April 30, 2011.
5. Jacqueline Prymer read a letter her daughter Angela wrote about their family struggles and she shared some of her daughter's successes. Mayor Morrissey offered to meet with Jacqueline about her concerns.
6. Prophet Yusef spoke about infrastructure and transportation.

PETITIONS AND COMMUNICATIONS

7. Alderman Beck submitted the Liquor Advisory Board minutes from the meeting held on January 19, 2011. Referred to Code and Regulation Committee.
8. Alderman Beck submitted the Zoning Board of Appeals minutes from the meeting held on January 19, 2011. Referred to Code and Regulation Committee.
9. Alderman Hervey submitted a Memorandum from John Giliberti, City Attorney regarding Rockford Public Library/AFSCME Collective Bargaining Agreement. Referred to Finance and Personnel Committee.
10. Alderman Hervey submitted a Memorandum from Ron Schultz, City Attorney regarding Wesley Willows Application for Municipal Revenue Bond financing. Referred to Finance and Personnel Committee.
11. Alderman Thompson-Kelly submitted a Memorandum from herself to Reid Montgomery, requesting a report on Community and Economic Development Projects in residential wards with the use of all funds to be presented at the Planning and Development Meeting on

Monday, January 31, 2011. Referred to Reid Montgomery, Community Development Director and Planning and Development Committee.

12. Alderman Johnson submitted two (2) requests for service. Referred to Police Department.
13. Alderman Johnson submitted an e-mail and pictures from a constituent concerning a neighbor dumping snow on his property. Referred to Public Works Department and Community Development Department/Code Enforcement.
14. Alderman Johnson submitted an e-mail from Diane Wakely requesting clean-up of graffiti on garages in her neighborhood. Referred to Public Works Department.

NEW COMMITTEE REPORTS

15. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of January 24, 2011 in the amount of \$2,947,569.58. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Elyea, Beck, McNeely -9-
Nays: Mark, Johnson, Timm, Beach -4-
Absent: Robertson -1-

16. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance repealing the 20 MPH School Speed Limit on John Street from Church Street to Court Street, thus reinstating a 30 MPH Speed Limit. LAID OVER.
17. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for No Parking Anytime on the east side of South Main Street from Mill Street to Kent Street. LAID OVER.
18. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance restricting parking to Three Hours Parking on both sides of 1st Street from State Street to 105 feet north of State Street, thus repealing the existing Two Hours Parking restriction. LAID OVER.
19. Alderman Beck read a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:
 1. Request from Mrs. Molly Carter, for a Yield or Stop sign control at the intersection of Greenwood Avenue and North Rockford Avenue.
 2. Request from Mr. Enrique Perez, to repeal the No Parking Anytime Ordinance for the north side of 21st Place between 8th Street and 9th Street.
 3. Request from Joe Sosnowski, for stop sign control at the intersection of Centennial Trail and Tulip Lane.

LAID OVER.

20. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a Mid-Block Pedestrian Crossing approximately 125 feet east of Fremont Street. LAID OVER.
21. Alderman Thompson-Kelly read a Legislative Lobbying Committee Report recommending the City Council award the Contract for the Lobbying for 2011 on a month to month basis 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 effect. LAID OVER.
22. Alderman Thompson-Kelly read a Legislative Lobbying Committee Report recommending the City Council support the legislative initiatives of the Illinois Municipal League. LAID OVER.
23. Alderman Thompson-Kelly read a Legislative Lobbying Committee Report recommending the City Council not support the following initiatives: Restore ability to reduce costs and increase resident and minority recruitment through use of police and fire auxiliary or in-training personnel. REFERRED BACK TO LEGISLATIVE AND LOBBYING COMMITTEE.
24. Alderman Thompson-Kelly read a Legislative Lobbying Committee Report recommending the City Council support the following initiatives:
 - Fire Service Fee for Non-Residents
 - Retain Control of Public Safety Staffing
 - Restore Meaningful Ability to Pay Analysis in Arbitration without Resort to Increased Taxation or Staffing Reductions
 - Municipal Authority to Reorganize Debt

REFERRED BACK TO LEGISLATIVE AND LOBBYING COMMITTEE.

OFFICERS REPORTS

25. Mayor Morrissey mentioned there will be a presentation tonight from consultants of Baker Tilly with their recommendations and suggestions regarding outsourcing.
26. Mayor Morrissey announced a Job Fair Resource Expo will be held on Thursday, January 27, 2011 from 10:00 am – 4:30 pm at the Community Building Complex of Boone County, 111 W. 1st Street, Belvidere in partnership with the Workforce Connection.
27. Mayor Morrissey thanked local leaders for their support of the meeting with Dr. Lu discussing opportunities for future partnerships in Rockford. He also mentioned attending a reception in Chicago last week with Chinese President Hu Jinato.
28. Jim Ryan, City Administrator, welcomed consultants from Baker Tilly to make their presentation regarding outsourcing. They gave recommendations and suggestions on

four functional service areas; emergency medical services, Head Start, street sweeping and vehicle and fleet maintenance.

Alderman Thompson-Kelly asked if workman's compensation, legal fees, malpractice lawsuits, facilities and replacement fees are included in the 2011 budget and in which line item?

She was advised they are all included in the 2011 budget and was provided with the appropriate line item.

29. Alderman Hervey thanked the Baker Tilly consultants and members of the outsourcing subcommittee for their service.
30. Alderman Jacobson, on behalf of Alderman Robertson, announced the opening of an athletic fitness center in the 14th ward and relayed a thank you to Todd Cagnoni, Community Development Department, for his assistance.
31. Alderman Hervey announced immediately following next week's city council meeting, January 31, 2011 there will be a joint meeting; Finance and Personnel Committee and Planning and Development Committee in Conference Room B, regarding the 2011-2015 Capital Improvement Projects (CIP).

UNFINISHED BUSINESS

2011-025CR

32. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending the approval of the amendments to the Code of Ordinances, Chapter 16, Motor Vehicles and Traffic. The Legal Director shall prepare the necessary amended Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely -12-
Nays: Curran, -1-
Absent: Robertson -1-

2011-009-O

33. Alderman Beck moved the adoption of an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to reduce the required four feet and six inch side yard setback to three feet and six inches long the west property line and; Variation to reduce the required thirty feet rear yard setback to two feet and eight inches along the south property line in a R-2, Two-Family Residential Zoning District at 623 16th Avenue. Approval is subject to the following conditions:

1. Meeting all applicable fire and building codes.
2. Submittal of a building permit for Staff review and approval.

Approval is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

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

2011-010-O

34. Alderman Beck moved the adoption of an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to allow an eight foot privacy fence along the back of the petitioner's properties within the front yard along Spring Creek Road in an R-1, Single-Family Residential District at 6336, 6358, 6382, 6394 Brigantine Lane. Approval is subject to the following conditions:

1. The applicant shall work with the Traffic Engineer to ensure that the fence will not be located within a sight triangle prior to issuance of a fence permit.

Approval is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

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

2011-011-O

35. Alderman Beck moved the adoption of an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for sales of heavy and medium duty trucks in an I-1, Light Industrial Zoning District at 3510 Merchandise Drive. Approval is subject to the following conditions:

1. Submittal of landscape plan for Staff review and approval conforming to street frontage shade tree requirements.

Approval is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

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

2011-012-O

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

Abigail L. Shepp d/b/a Perry Rock located at 6957 Olde Creek Road, Suite 100 for the sale of liquor by the drink in conjunction with a restaurant and outdoor patio is hereby approved. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.

2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcoholic beverages shall be in conjunction with a restaurant.
4. The hours of operation will be limited to 11:00 A.M. to 2:00 A.M. Monday through Saturday.
5. The hours of operation will be limited to 11:00 A.M. to 12:00 A.M. on Sunday.
6. The restaurant shall be limited to 40% liquor sales as indicated in Business Plan Exhibit G.
7. The restaurant shall not have a cover charge.
8. The restaurant shall not have a dance floor greater than 150 square feet.
9. The restaurant shall not have any DJ outdoors.
10. The restaurant shall not have any live entertainment outdoors.
11. The sale of liquor is limited to Suite 100 and adjacent east side patio; any future expansion will require a modification of the liquor license.
12. The operation of the business will follow the local noise ordinance.
13. No additional signage shall be placed on the property; new signage shall replace the existing only.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Elyea, Beck, McNeely -11-
 Nays: Hervey, Beach -2-
 Absent: Robertson -1-

2011-026CR

37. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Sale of Property at 1411 Charles St. be made to the sole bidder, Swedish American Foundation, of Rockford, Illinois for their bid of \$3,900.
 MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, -12-
 Nays: McNeely -1-
 Absent: Robertson -1-

2011-027CR

38. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending that the Extension of the Interim Credit Line proposed by PNC Bank be accepted and the Legal Director be authorized to prepare the appropriate ordinance.
 MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2011-006R

39. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids/request for information for the following:

A. Bid: Demolition of 715 & 815 S. Main St., funding source: USEPA & HUD

B. RFI: Slope Mowing, funding source: N/A

MOTION PREVAILED by a Roll Call vote of:

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

2011- 007R

40. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the use of Motor Fuel Tax funds for the Morgan Street Bridge project in the amount of \$6,000,000.00. MOTION PREVAILED by a Roll Call vote of:

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

2011-008R

41. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the use of Motor Fuel Tax funds for the West State St. Corridor Land Acquisition in the amount of \$1,250,000.00. MOTION PREVAILED by a Roll Call vote of:

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

2011-009R

42. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that the City enter into an agreement with the Illinois Department of Transportation for the improvements to the Morgan Street Bridge over the Rock River. It is estimated the City's share to be \$5,672,200. The funding for the City's share will come from Motor Fuel Tax and Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-
Absent: Robertson -1-

2011-010R

43. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the Jurisdictional Transfer Agreement with the State of Illinois for the transfer of the northeast frontage road at the US 20/Illinois 251 Interchange for \$37,700. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Elyea, Beck -10-
Nays: Jacobson, Beach, McNeely -3-
Absent: Robertson -1-

NEW BUSINESS

2011-013-O

44. Alderman Beck introduced and read an Ordinance amending to the Code of Ordinances, Chapter 16, Motor Vehicles and Traffic, Article VII, Division 1, Section 16-127 and Section 16-128.

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

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

2011-014-O

45. Alderman Hervey 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.

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

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

2011-015-O

46. Alderman Hervey read an Ordinance Be it ordained by the City Council of the City of Rockford, Winnebago County, Illinois that: the attached Amendment to Loan Documents extending the maturity date of a Line of Credit Agreement and related covenants,

representations and certifications dated December 23, 2009, be extended to December 23, 2012.

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

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

47. Upon motion duly made and seconded, the meeting was adjourned at 7:44 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 31, 2011
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 31, 2011

A. CODE AND REGULATIONS

1. Beck – ZBA – 3600 North Main Street
2. Beck – ZBA – 1312 7th Street

- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER JANUARY 24, 2011

1. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance repealing the 20 MPH School Speed Limit on John Street from Church Street to Court Street, thus reinstating a 30 MPH Speed Limit.
2. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance for No Parking Anytime on the east side of South Main Street from Mill Street to Kent Street.
3. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance restricting parking to Three Hours Parking on both sides of 1st Street from State Street to 105 feet north of State Street, thus repealing the existing Two Hours Parking restriction.

4. Beck - Code and Regulation - Recommending that "No Action" be taken on the following items:
 1. Request from Mrs. Molly Carter, for a Yield or Stop sign control at the intersection of Greenwood Avenue and North Rockford Avenue.
 2. Request from Mr. Enrique Perez, to repeal the No Parking Anytime Ordinance for the north side of 21st Place between 8th Street and 9th Street.
 3. Request from Joe Sosnowski, for stop sign control at the intersection of Centennial Trail and Tulip Lane.
 5. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance for a Mid-Block Pedestrian Crossing approximately 125 feet east of Fremont Street.
 6. Thompson-Kelly - Legislative Lobbying Committee - Recommending the City Council award the Contract for the Lobbying for 2011 on a month to month basis 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 effect.
 7. Thompson-Kelly - Legislative Lobbying Committee - Recommending the City Council support the legislative initiatives of the Illinois Municipal League.
- Motions and Resolutions
 - 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).
- * same action taken before
- Adjournment

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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 31, 2011, 4:45 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

1. C & R 11-06 ZBA#047-10 Special Use Permit for an on-premise electronic graphic display sign that exceeds the allowable 36 square feet to 70 square feet on an existing free-standing sign in a C-2, Limited Commercial Zoning District at 3600 North Main Street
2. C & R 11-07 10-LAB-015 Request for the Sale of Liquor by the drink in conjunction with a tavern Request for the Sale of Packaged Liquor in conjunction with a liquor store in a C-2, Limited Commercial District at 1312 7th Street
3. C & R 11-04 Closed Session for Purposes of Pending or Threatening Litigation and/or Land Acquisition

FINANCE AND PERSONNEL COMMITTEE

Monday, January 31, 2011, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Rejection of Bids: Fire Department Station Wear – Suspend rules
 - B. Award of Sole Source Contract: S.E. Rockford Superfund Site Groundwater Monitoring
 - C. Change Order: Water System Rehabilitation Program – **Info only**
 - D. Emergency P.O. for Diva Shell Repair at Coronado Theatre – **Info only**
 - E. Resolution to take Bids
 - F. Vouchers
 - √ Training/Travel Request for Human Services Department
2. Rockford Public Library/AFSCME Collective Bargaining Agreement – Suspend rules
3. Wesley Willows Application for Municipal Revenue Bond
4. Baker Tilly Recommendations
5. Financial Discussion
6. 2011-2015 Capital Improvement Program

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, January 31, 2011, 5:30 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Alderman Thompson-Kelly regarding Staff Report on Community and Economic Development Projects in residential wards.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, January 31, 2011, 4:30 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

1. Support of City Staff Initiatives
2. Absentee Slum Landlord – Condemned Houses
3. Legislator’s Reception in Springfield
4. New Business

JOINT MEETING; FINANCE & PERSONNEL AND

PLANNING & DEVELOPMENT COMMITTEES

**Monday, January 31, 2011, immediately following City Council
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. 2011-2015 Capital Improvement Projects (CIP)