

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**APRIL 4, 2011**  
**COUNCIL CONVENED AT 6:22 P.M.**

1. The invocation was given by Father Kenneth Stachyra, St. Bernadette Catholic Church /Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, McNeely, Robertson -13-  
Absent: Beck -1-
3. Alderman Mark moved to accept the Journal of Proceedings of March 28, 2011, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Beck absent).

**PUBLIC PARTICIPATION**

4. Prophet Yusef wished Alderman Beach a happy birthday and spoke about persevering during difficult times.

Alderman Beck entered the meeting at 6:24 pm.

**PETITIONS AND COMMUNICATIONS**

5. Alderman Johnson submitted an e-mail from Linda Kslazek, 4 Pointers Neighborhood Association, concerning the on-going problem at the Sports Page. Referred to Legal Department/Jennifer Cacciapaglia.
6. Alderman Johnson submitted a request for service at 3725 Connecticut. Referred to Public Works Department/Ryan Lundberg.
7. Alderman Johnson submitted an e-mail from Mary and Betty Bergstrom concerning the selection process of street light removal in their neighborhood. Referred to Public Works Department/Director Tim Hanson.
8. Alderman Johnson submitted a letter and petitions from Mark Stram opposing the continuation of the 1% sales tax to fund road and infrastructure improvements. Placed on File.
9. Alderman Beck submitted a Memorandum from Todd Cagnoni, Deputy Director Community and Economic Development, regarding proposed mechanical code amendments. Referred to Code and Regulation Committee.
10. Alderman Beck submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming special event:

1. Arbor Day – 4/29/11

Referred to Code and Regulation Committee.

11. Alderman Beck submitted the Rockford Traffic Commission Agenda for the meeting to be held on April 13, 2011. Referred to Traffic Commission.
12. Alderman Jacobson submitted a letter from Paul Black, Saint Edward Parish, concerning "vacationing" the alley on the northern boundary of the church \* continue improvements to the Church/Community Center. Referred to Code and Regulations Committee and Legal Department/Mark Rose.

### **NEW COMMITTEE REPORTS**

13. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of the purchase of two Emergency Valve Shut-Off Systems from Drydon Equipment, Inc. of Elgin, Illinois in the amount of \$11,900 for the two valves. The funding source is Water Division Operating Budget. LAID OVER.
14. Alderman Hervey read a Finance and Personnel Committee Report recommending the addition of the contract Nelson Sjostrom Contracting, of Rockford, Illinois for Architectural Weatherization services for Human Services Energy Division. The funding source is State & Federal Grants. LAID OVER.

### **2011-091CR**

15. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Rockford Junction Track Improvements 2011 be made to William Charles Construction of Loves Park, Illinois for their total bid of \$1,191,725.58. The funding source is Illinois Commerce Commission Funds (ICC).

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

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

### **2011-092CR**

16. Alderman Hervey read a Finance and Personnel Committee Report recommending the City Council authorize the Mayor and City Legal Director to enter into a retainer agreement consistent with the draft attached, providing for a monthly retainer of \$1,000 per month and hourly fees of \$200 per hour for billable time in excess of 8 hrs. per month. The legal director shall request Council approval for expenditures in excess of \$10,000 above the retainer amount. The funding source is Legal Department operating budget. The Legal Director shall prepare the appropriate ordinance.

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

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

17. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 4, 2011 in the amount of \$2,072,585.12. MOTION PREVAILED by a Roll Call vote of:

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

18. Alderman Beck read a Code and Regulation Committee Report recommending that "NO ACTION" be taken on the following item:

1. Request from Victoria Franks for traffic control sign at the intersection of Dawson Avenue and Jackson Street.

LAID OVER.

19. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the sale of the vacant lot located at 614 North Avon Street for a minimum bid of \$2,400.00, which includes advertising. LAID OVER.

20. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for motor vehicle repair shop and vehicle storage and towing with outdoor storage in a C-3, Commercial General Zoning District at 3115 Auburn Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of building permits for Staff review and approval.
3. Submittal of parking lot permit application and detailed site plan proposed by a professional engineer for Staff's review and approval.
4. Submittal of a detailed landscape plan to include the type of species to be planted along with curbed landscaping along Auburn Street and around additional interior landscaping for Staff's review and approval.
5. The outdoor storage of vehicles shall be limited to twenty-five (25) vehicles at one time and must be on a hard surface of concrete or asphalt.
6. No outside storage of any auto parts, equipment or materials.
7. Removal of all gravel and fencing that has encroached onto adjacent property.

8. The gravel that has encroached onto adjacent property must be replaced with topsoil and gravel.
9. Conditions 3, 4, 5, 6, 7, & 8 be satisfied by June 1, 2012. All other conditions must be met before establishment of motor vehicle repair shop and vehicle storage and towing with outdoor storage uses.

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

21. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council DENY the request for sale of packaged liquor in conjunction with a gas station and convenience store in a C-2, Limited Commercial District in the name of **Mohammad Fyaz** located at 3135 North Rockton Avenue.

LAID OVER.

### **PETITIONS AND COMMUNICATIONS**

22. Alderman Mark submitted a request from Cyndie Hall, Neighborhood Network, and Christopher Greenwood, City of Rockford Human Services, in conjunction with Community Vegetable Gardens, requesting permission for use of land, including some city owned property, as well as placement of identification and decorative signage and fencing at the listed locations.
  1. Alpine Ridge, 316 Wood Rd. (Ward 10)
  2. Centennial Community Garden (church property), 304 S. 1<sup>st</sup> St. (3<sup>rd</sup> Ward)
  3. Churchill's Grove/Lawn Place, lot at 995 N. Main St. (Ward 3)
  4. Coronado Haskell, Haskell School, 515 Maple (Ward 13)
  5. Forest Avenue and Jassy at Ellis Heights United Neighborhood Center, 1810 W. State St. (Ward 13)
  6. Garden of Glory, lot at 725 N. Winnebago St.
  7. Green Reach, Springbrook/RVC, 6425 Springbrook Rd. (Ward 1)
  8. Itty Bitty Garden, 1702 Tacoma Ave., Rockford (Ward 9)
  9. Jeremiah's Garden (Second Congregational Church property), southeast corner of Park Ave. and Court St. (Ward 3)
  10. LSSI, Blackhawk Buddy House, lot at 1417 Meadow Ct. (Ward 5)
  11. Mosaic Appletree, 1831 Appletree (Ward 4)
  12. Mosaic Applewood, 3185 Applewood (Ward 4)
  13. Mosaic Edelweiss, 2708 Edelweiss Rd. (Ward 6)
  14. Mosaic Fairview, 518-520 Fairview (Ward 10)
  15. Mosaic North Main, 1101 N. Main (Ward 3)
  16. Mosaic Norway, 3006 Norway Pine (Ward 6)
  17. Mosaic Second, 723-727 S. 3<sup>rd</sup> St. (Ward 2)
  18. Mosaic Richard, 2319 Richard (8<sup>th</sup> Ward)
  19. Mosaic Trinity, 1108 N. Main St. (Ward 9)
  20. Mosaic Office, 3520 N. Main (Ward 12)

21. ORCHiD and Kishwaukee Corridor Weed & Seed, lot at 723/727 S. 3rd St. (Ward 5)
22. Rockford Housing Authority (Orton Keyes), 633 Ranger (Ward 5)
23. Rockford Rescue Mission, west side of Horsman St./Pitney Pl., West State Street (Ward 13)
24. Signal Hill, lot at northwest corner of N. Church and N. Salem (Ward 3)
25. SWIFTT/Tinker Swiss Cottage, 411 Kent St. (Ward 5)
26. Valkommen Plaza, 310 7<sup>th</sup> St. (Ward 11)
27. Zion Development, lot north of the northwest corner of 5th St (Ward 11)

Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Robertson. MOTION PREVAILED.

### **OFFICERS REPORTS**

23. Mayor Morrissey presented a Proclamation proclaiming the week of April 4, 2011 to be "NATIONAL PUBLIC HEALTH WEEK" in Rockford, Illinois and urged our citizens to observe this year's theme, "Safety in No Accident: Live Injury-Free".
24. Mayor Morrissey presented a Proclamation proclaiming the week of April 4, 2011 to be "WORLD TRADE WEEK" in Rockford, Illinois and called this observance to the attention of all our citizens and urged business, labor, agriculture, educational and civic groups, as well as the people of Rockford generally, to observe World Trade Week by promoting continuing awareness of the importance of world trade to our economy and our relations with other nations.
25. Mayor Morrissey mentioned the Rockford Fire Department and Water Division will begin Hydrant Flow Testing and Flushing today, April 4, 2011 through the end of October. Contact the Rockford Fire Department or Water Division with any questions or concerns.
26. Mayor Morrissey reminded everyone tomorrow is Election Day and thanked all the citizens and organizations for supporting the road referendum.
27. Mayor Morrissey thanked community members and partners for supporting the airport and for their continued efforts to present a strong package to Embry Riddle Aeronautical University. He offered a meeting with council members who have questions or concerns.
28. Alderman McNeely thanked the community and city staff for their concerns regarding her father, who is now recovering at home.
29. Alderman McNeely offered condolences to the family of James Horton.
30. Alderman McNeely reported the passing of Archie Hawks and Vito Addotta and offered prayers and condolences to their families.

31. Alderman McNeely voiced the concerns of a constituents regarding mud running in the street from the Renaissance Corner construction and thanked Tim Hanson, Public Works Director, for addressing the issue.
- 31a. Alderman McNeely has questions and concerns regarding the impact on established and future business at the West State Street development because the VA hospital's decision to move to an east side location. She requested information from city staff regarding her concerns.
32. Alderman Thompson-Kelly announced IML Day is April 13, 2011 in Springfield and offered to any aldermen interested in attending to ride with her and city staff.
33. Alderman Thompson-Kelly extended her deepest sympathy and condolences to the Hawk's family.
34. Alderman Beck thanked Bob O'Brien for his stellar leadership as the Executive Director of the Rockford Airport and also thanked Brian Boyer for this service on the Airport Board. He expressed concerns with the current make up of the board and requested a meeting with Mayor Morrissey regarding those issues.
35. Mayor Morrissey offered to schedule a meeting with any council member to discuss their concerns about the airport.
36. Alderman Jacobson offered his condolences to the Hawk's family.
- 36a. Alderman Jacobson mentioned last Saturday was another successful Lion's Club Rose Day.
37. Alderman Jacobson reported this past weekend at the Association of Clubs Banquet, Rear Admiral Telgham Payne, Commander Navy Region Midwest, was the guest speaker. Aldermen Wasco and Johnson were also in attendance at the event.
38. Alderman Jacobson reported the Rockford Navy Club Skip #1 held an event this past weekend with Rear Admiral Steinval, Commander Naval Services Training, as the guest speaker.
39. Alderman Johnson wore a corsage she received as a guest at the Association of Clubs event last night.
40. Alderman Johnson announced Blackhawk Athletic Club and the American Legion were honored at last night's Association of Clubs event for their outstanding contributions to the community and support of youth organizations.
41. Alderman Johnson announced the city wide yard waste pick-up resumes today.
42. Alderman Hervey offered her condolences to the family of Vito Addotta.

43. Alderman Hervey announced the second South Main Revitalization Strategy Meeting will be held on Thursday, April 14, 2011 at 6:00 at Klehm Arboretum. She encouraged all to attend and to call her with any questions or concerns at 815/968-7682 or Jonah Katz, Planner for the City of Rockford.
44. Alderman Hervey she also offered her condolences to the family of Archie Hawks.
45. Alderman Robertson reported the passing of Michelle Iasparro and offered his condolences and prayers to her family.
46. Alderman Robertson commended Bob O'Brien for his leadership and credits him for bringing the services of the Rockford Fire Department to the airport and believes the current board is dedicated to the success of the airport.
47. Alderman Elyea expressed her concerns regarding the no parking signage on Broadway and the permit issue for the ultra sound vehicle. She requested that no permit be issued or renewed without council approval.

Following significant debate among several council members the matter was referred to the Codes and Regulations Committee.

### **PETITIONS AND COMMUNICATIONS**

48. Alderman Thompson-Kelly, on behalf of Alderman Elyea, referred a Memorandum regarding the Organization Solicitation Permit for parking a mobile ultrasound vehicle near the city's abortion clinic. Referred to the Code and Regulation Committee and Traffic Commission.

### **UNFINISHED BUSINESS**

#### **2011-093CR**

56. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report Recommending the Engineering Agreement: Parmele St./Railroad Ave. Storm Sewer Improvements be made to Municipal Design & Environmental Services, Inc. to perform design engineering and construction inspection services for a total not to exceed cost of \$11,880.00. The funding for this project will come from Sales Tax funds under the 2011 City-Wide Drainage Category. MOTION PREVAILED by a Roll Call vote of:

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

#### **2011-094CR**

57. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report Recommending the Engineering Agreement: Well House 31 Solar Panel Installation be made to Homer L. Chastain & Associates to perform design engineering and construction

services for a total not to exceed cost of \$53,596. The funding for this project will come from Water Operational funds. MOTION PREVAILED by a Roll Call vote of:

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

**2011-095CR**

58. Alderman Beck moved the adoption of 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 for two (2) office buildings and a Variation to omit a landscape type "A" buffer on the north and south sides of property and a Variation to allow an off-site signage rights for easterly lot following re-platting of property into two (2) lots with signage not to exceed sixty-four (64) square feet per side in a C-1, Limited Office District at 685 Featherstone. 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 sign permit for Staff's review and approval.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2011-096CR**

59. Alderman Beck moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow a 2<sup>nd</sup> wall sign on the east elevation above the first floor on building one (1) in a C-1, Limited Office Zoning District at 6957 Olde Creek Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a Building Permit for Staff's review and approval.
3. The wall sign must be on the east elevation and must be in accordance with Exhibits D and E.
4. All of the conditions of approval for Variation #096-07; Ordinance #2008-006-O remain.

Approval is based on the Finding of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2011-097CR**

60. Alderman Beck moved the adoption Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for body art services consisting of tattooing in a C-4, Urban Mixed-Use Zoning District at 110 North 1<sup>st</sup> Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. The hours of operation and days will be limited to 10:00 am to 11:00 pm Monday through Wednesday.
4. The hours of operation and days will be limited to 10:00 am to 11:00 pm Thursday through Saturday.
5. The hours of operation and days will be limited to 10:00 am to 6:00 pm Sunday.

Approval is based on the Finding of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, Robertson -11-  
Nays: -0-  
Absent: Hervey, Elyea, McNeely -3-

**2011-098CR**

61. Alderman Beck moved the adoption of 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 (Final) for a mixed use commercial development in the R-2, Two-family Residential District at 220 South Madison Street. Approval is subject to the following conditions:

1. That the uses within the building are limited to these listed on Exhibit D.
2. Prior to the establishment of any use of certificate of zoning compliance is required.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2011-099CR**

62. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE

a request for sale of liquor by the drink in conjunction with a sit down restaurant and outdoor patio in a C-4, Urban Mixed-Use District in the name of **Deuane Vandala d/b/a Kuma's Asian Bistro** (Rockford) at 420 E. State Street. 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 am to 9:00 pm Monday through Thursday.
5. The hours of operation will be limited to 11:00 am to 9:30 pm Friday through Saturday.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

### **MOTIONS AND RESOLUTIONS**

#### **2011-031R**

63. Alderman Hervey, 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: Water Treatment Chemicals, funding source: Water Fund
- B. Bid: Prospect Street Reconstruction, funding source: Sales Tax

MOTION PREVAILED.

#### **2011-032R**

64. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the IMRF Out of State Credit Authorization of Reid Montgomery. The Legal Director is authorized to submit the appropriate documents to IMRF.

MOTION PREVAILED.

65. Alderman Elyea thanked Alderman Thompson-Kelly for referring her memorandum regarding the Organization Solicitation Permit for Parking to the Code and Regulation Committee and Traffic Commission.

## NEW BUSINESS

### 2011-039-O

65. Alderman Beck introduced and read an Ordinance for the amendments to hours for Sunday sale of liquor.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED. The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Elyea, Beck, McNeely, Robertson -11-  
Nays: -0-  
Absent: Curran, Timm, Beach -3-

### 2011-040-O

66. Alderman Beck introduced and read an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the city of Rockford for a Special Use Permit for a Planned Unit Development for two (2) office buildings and a Variation to omit a landscape type "A" buffer on the north and south sides of property and a Variation to allow an off-site signage rights for easterly lot following re-platting of property into two (2) lots with signage not to exceed sixty-four (64) square feet per side in a C-1, Limited Office District at 685 Featherstone. 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 sign permit for Staff's review and approval.

Approval is based on the Findings of Fact.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED. The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

67. There was further discussion and debate among council members concerning placing a moratorium or delay on issuing or renewing permits until the Codes and Regulations committee has approved action on the referred item.

**NEW BUSINESS**

**2011-041-O**

73. Alderman Hervey introduced and read an Ordinance recommending authorizing the Mayor and Legal Director to enter into the attached retainer agreement with Attorney Ronald Schultz, for legal services.

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

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

74. Upon motion duly made and seconded, the meeting was adjourned at 7:48 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**  
**April 11, 2011**  
**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
- 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 APRIL 11, 2011**

**A. CODE AND REGULATIONS**

1. Beck – ZBA - Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic display billboard in a C-3, General Commercial Zoning District at 1311 South Alpine Road.

**UNFINISHED BUSINESS**

**II. COMMITTEE REPORTS LAID OVER APRIL 4, 2011**

1. Hervey - Finance and Personnel - Recommending approval of the purchase of two Emergency Valve Shut-Off Systems from Drydon Equipment, Inc. of Elgin, Illinois in the amount of \$11,900 for the two valves. The funding source is Water Division Operating Budget.
2. Hervey - Finance and Personnel - Recommending the addition of the contract Nelson Sjoström Contracting, of Rockford, Illinois for Architectural Weatherization services for Human Services Energy Division. The funding source is State & Federal Grants.
3. Beck - Code and Regulation - Recommending that "NO ACTION" be taken on the following item:
  1. Request from Victoria Franks for traffic control sign at the intersection of Dawson Avenue and Jackson Street.

4. Beck - Code and Regulation - Recommending the approval of the sale of the vacant lot located at 614 North Avon Street for a minimum bid of \$2,400.00, which includes advertising.
5. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for motor vehicle repair shop and vehicle storage and towing with outdoor storage in a C-3, Commercial General Zoning District at 3115 Auburn Street. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. Submittal of building permits for Staff review and approval.
  3. Submittal of parking lot permit application and detailed site plan proposed by a professional engineer for Staff's review and approval.
  4. Submittal of a detailed landscape plan to include the type of species to be planted along with curbed landscaping along Auburn Street and around additional interior landscaping for Staff's review and approval.
  5. The outdoor storage of vehicles shall be limited to twenty-five (25) vehicles at one time and must be on a hard surface of concrete or asphalt.
  6. No outside storage of any auto parts, equipment or materials.
  7. Removal of all gravel and fencing that has encroached onto adjacent property.
  8. The gravel that has encroached onto adjacent property must be replaced with topsoil and gravel.
  9. Conditions 3, 4, 5, 6, 7, & 8 be satisfied by June 1, 2012. All other conditions must be met before establishment of motor vehicle repair shop and vehicle storage and towing with outdoor storage uses.

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

6. Beck - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council DENY the request for sale of packaged liquor in conjunction with a gas station and convenience store in a C-2, Limited Commercial District in the name of **Mohammad** Fyaz located at 3135 North Rockton Avenue.

- Motions and Resolutions

### III. MOTION AND RESOLUTIONS

1. Beck - Arbor Day – 4/29/11

- ### 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 - APPROVE the Variation to allow a 2<sup>nd</sup> wall sign on the east elevation above the first floor on building one (1) in a C-1, Limited Office Zoning District at 6957 Olde Creek Road. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. Submittal of a Building Permit for Staff's review and approval.
  3. The wall sign must be on the east elevation and must be in accordance with Exhibits D and E.
  4. All of the conditions of approval for Variation #096-07; Ordinance #2008-006-O remain.

Approval is based on the Finding of Fact

2. Beck - APPROVE the Special Use Permit for body art services consisting of tattooing in a C-4, Urban Mixed-Use Zoning District at 110 North 1<sup>st</sup> Street. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. Submittal of Building Permits for Staff's review and approval.
  3. The hours of operation and days will be limited to 10:00 am to 11:00 pm Monday through Wednesday.
  4. The hours of operation and days will be limited to 10:00 am to 11:00 pm Thursday through Saturday.
  5. The hours of operation and days will be limited to 10:00 am to 6:00 pm Sunday.

Approval is based on the Finding of Fact.

3. Beck - APPROVE the Special Use Permit for a Planned Unit Development (Final) for a mixed use commercial development in the R-2, Two-family Residential District at 220 South Madison Street. Approval is subject to the following conditions:
  1. That the uses within the building are limited to these listed on Exhibit D.
  2. Prior to the establishment of any use of certificate of zoning compliance is required.

Approval is based on the Findings of Fact.

4. Beck - APPROVE a request for sale of liquor by the drink in conjunction with a sit down restaurant and outdoor patio in a C-4, Urban Mixed-Use District in the name of **Deuane Vandala d/b/a Kuma's Asian Bistro** (Rockford) at 420 E. State Street. 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 am to 9:00 pm Monday through Thursday.
  5. The hours of operation will be limited to 11:00 am to 9:30 pm Friday through Saturday.

- \* 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, April 11, 2011, 5:15 p.m.**

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

1. C & R 11-20 ZBA#002-11 Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic display billboard in a C-3, General Commercial Zoning District at 1311 South Alpine Road
2. C & R 11-36 Special Event: Arbor Day--4/29/11
3. C & R 11-40 Proposed Mechanical Code Amendment
4. C & R 11-39 Organization Solicitation Permits
5. C & R 11-41 Closed Session for Purposes of Pending or Threatening Litigation

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, April 11, 2011, 5:15 p.m.**

**Conference Room B, City Hall 2<sup>nd</sup> floor (south room)  
AGENDA**

1. Purchasing and Vouchers
  - A. Award of Bid: Electrical Parts & Supplies – Suspend rules
  - B. Award of Bid: Grounds Maintenance – Suspend rules
  - C. Engineering Agreement: Pierce Avenue Bridge
  - D. Engineering Agreement: Reed Avenue Bridge
  - E. Vouchers

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, April 11, 2011, 5:30 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

1. Memorandum from Reid Montgomery, Director of Community & Economic Development, regarding Pre Development Agreement with Belmont Sayre LLC, about Barber Colman.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, April 11, 2011, \_\_\_\_\_ p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

No Meeting Scheduled.