

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
APRIL 18, 2011  
COUNCIL CONVENED AT 6:27P.M.**

1. The invocation was given by Chaplain Wayne Ahrens/Five Gates Church/Police Chaplain and the Pledge of Allegiance was led by Cub Pack 299.
2. Roll Call:  
Mayor Lawrence J. Morrissey  
Aldermen: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,  
Timm, Beach, Elyea, Beck, Robertson -12-  
Absent: Durkee, McNeely -2-
3. Alderman Mark moved to accept the Journal of Proceedings of April 11, 2011, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Durkee, McNeely absent).

**PUBLIC PARTICIPATION**

4. Prophet Yusef wished Alderman Beck a happy birthday and spoke about the cost of leaving God.
5. Kevin Rilott implored council members to support renewing the permit for the mobile ultrasound vehicle.
6. Steven Garbe urged council members to support "choice" by issuing the permit for the mobile ultrasound vehicle.
7. Robert Whalen also urged council members to support renewing the permit for the mobile ultrasound vehicle.

**PETITIONS AND COMMUNICATIONS**

8. Alderman Thompson-Kelly submitted an e-mail from Samuel Clark, requesting access to a vacant lot for clean-up and possibly community garden use. Referred to Legal Department/Mark Rose, Land Acquisition Officer.
9. Alderman Thompson-Kelly submitted a Memorandum from Rob Lamb, Industrial Development Manager, regarding a request for an Extension of Development Agreement with Financial Management Systems (FMS) to create a Call Center. Referred to Planning and Development Committee.
10. Alderman Hervey submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding City-State Agreement: Kilburn Avenue (IL70) Resurfacing. Referred to Finance and Personnel Committee

11. Alderman Hervey submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding City-State Agreement: Fairview Blvd. Bridge over the N. Branch of Keith Creek. Referred to Finance and Personnel Committee.
12. Alderman Jacobson mentioned a constituent contacted him concerning hydrant flushing damaging her residence.
13. Alderman Johnsons submitted two (2) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.
14. Alderman Johnson submitted an email from a constituent concerning zoning and parking a trailer on his property. Referred to Community Development/Code Enforcement.
15. Alderman Robertson submitted an email from Robert Hardin concerning rodent problem within the city limits of Rockford. Referred to Animal Control and Legal Department/Jennifer Cacciapaglia
16. Alderman Timm submitted a letter from a constituent concerning people using alleys as a thru street. Referred to Traffic Commission.
17. Alderman Beck submitted the Rockford Traffic Commission Minutes from the meeting held on April 13, 2011. Referred to Code and Regulation Committee.
18. Alderman Beck submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming special events:
  1. Hooters Swimsuit Pageant – 5/5/11 & 6/2/11
  2. Rockford Airfest – 6/4/11 & 6/5/11

Referred to Code and Regulation Committee.
19. Alderman Beck submitted a Memorandum from Kerry Partridge, City Attorney, regarding Code Amendments for Impoundment of Vehicles for Violation of Fleeing to Elude the Police Ordinance. Referred to Code and Regulation Committee.
20. Alderman Mark submitted an email from Jeep Capone, Powerhouse Sports, Inc., requesting support from the City to bring the Muay Thai fighting event to the Metro Centre. Referred to Mayor Morrissey's Office.

### **NEW COMMITTEE REPORTS**

21. Alderman Beck read a Code and Regulation Committee Report recommending approval of the Final Plat #4 of Eagle Meadow Subdivision (Replat of lots 91, 92 & 93) of Riverside Marketplace. LAID OVER.
22. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of a sole-source contract with Carus Corporation, of Peru, Illinois to continue to supply

- polyphosphate chemicals, Carus 8400 and AquaMag. The estimated cost is \$100,000 depending on the amount of water produced during the contract term. LAID OVER.
23. Alderman Hervey read a Finance and Personnel committee Report recommending approval of an Engineering Agreement with MWH Americas, Inc. for Water Utility Master Planning in an amount not to exceed \$175,000. Funding for the project will come from the Water Replacement and Improvement Account (WRIA). LAID OVER.
  24. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of the Engineering Agreement: Water System Rehabilitation Program – Task Order 44 with McMahon Associates, Inc. for Design of Instruments and Control Systems in an amount not to exceed \$104,000. The funding for the project will come from \$25 million G.O. Limited Tax Debt Certificates, Series 2008. LAID OVER.
  25. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for the Engineering Agreement: City-Wide Arterial Resurfacing No. 1 for the resurfacing of Custer Avenue, Garrett Lane, Rote Road, and Rural Street be made to Missman Associates at a not to exceed cost of \$65,000.00 for design engineering and construction engineering. The funding for this project will come from Sales Tax funds. LAID OVER.
  26. Alderman Hervey read a Finance and Personnel Committee Report recommending the approval of the attached guidelines for City Council Professional Services fund. The Legal Director shall prepare the necessary ordinance. LAID OVER.
  27. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for an Engineering Agreement: City-Wide Arterial Resurfacing #2 for the resurfacing and/or patching of Avon St., Fulton Ave., Newburg Rd., 20<sup>th</sup> St., 23<sup>rd</sup> Avenue, Ohio Pkwy., & Shaw Woods Drive be made to Willett, Hofmann & Associates at a not to exceed cost of \$53,988.83 for design engineering and construction inspection. The funding for this project will come from Sales Tax. LAID OVER.
  28. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Sawyer Rd. Drainage Improvements be made to Willett, Hofmann & Associates to perform the construction engineering for a total not to exceed cost of \$26,534.61. The funding for the project will come from Sales Tax. LAID OVER.
  29. Alderman Hervey read a Finance and Personnel Committee Report recommending that the Agreement with Rockford Township and the Human Services Department be approved. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
  30. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of a Memorandum of Understanding: North Main Street & Auburn St. Roundabout – Phase III Engineering. LAID OVER.

**2011-108CR**

31. Alderman Hervey read a Finance and Personnel Committee Report recommending rescinding the award for City-Wide Grounds Maintenance: Mowing Properties & Complexes originally made to Snow Solutions of Roscoe, Illinois and awarding the contract to the next lowest responsible bidder, Gerke's Lawncare, of Rockford, Illinois for their bid of \$240.00. The funding source is Property Fund.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Durkee, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

**2011-109CR**

32. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Prospect Street Resurfacing – 2011 be made to the low bidder, William Charles Construction, of Loves Park, Illinois for their bid of \$291,248.11. The funding source is Sales Tax.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Durkee, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

**2011-110CR**

33. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Grounds Maintenance for Water Sites be made to Green Tree Landscaping of Loves Park, Illinois for an amount not to exceed \$18,396. The funding for the contract will come from Water Division Operating Budget.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Durkee, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

**2011-111CR**

34. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Riverwalk – Museum Campus be made to McClure Engineering Associates, Inc. for construction engineering for a total not to exceed cost of \$653,985.16. The funding for this project will come from General Fund.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Durkee, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

**2011-112CR**

35. Alderman Hervey read a Finance and Personnel Committee Report for the Intergovernmental Agreement Amendment: Riverwalk Museum Campus – Sanitary Sewer recommending the City create and execute an ordinance that approves the Intergovernmental Agreement Amendment with the Rockford Park District for the purposes of outlining a cost sharing agreement for restoration in the event the Sanitary district is required to perform repairs on their existing main beneath the Riverwalk.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Durkee, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

36. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 18, 2011 in the amount of \$2,618,691.95. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

37. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending approval of the Pre-Development Agreement with Belmont Sayre LLC, regarding the Barber Colman Revitalization Area, for an amount not to exceed Two Hundred Thousand Dollars (\$200,000) for eligible Community Development Block Grant expenses. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

**2011-113CR**

38. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending approval of the Enterprise Zone (EZ) Amendment to Expand boundaries – Renaissance Corners Development Project. The Legal Director shall prepare the appropriate ordinance.

Alderman Thompson-Kelly moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Durkee, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Durkee, McNeely absent).

**OFFICERS REPORTS**

39. Mayor Morrissey presented a Proclamation proclaiming the month of April 2011 to be "ROCKFORD ICEMEN VARSITY HOCKEY MONTH" in Rockford, Illinois and congratulate the Rockford Icemen Varsity Hockey Team on a tremendous 2010-2011 season and 15<sup>th</sup> consecutive state championship.
40. Mayor Morrissey presented a Proclamation proclaiming the month of April 2011 to be "GREAT AMERICAN CLEANUP MONTH" in Rockford, Illinois and called upon our citizens to join in cleanup projects throughout the city and county on April 30, 2011 to keep our community clean, green and healthy.
41. Mayor Morrissey presented a Proclamation proclaiming the month of April 2011 to be "FAIR HOUSING MONTH" in Rockford, Illinois and urged all citizens to join in reaffirming the obligation and commitment to fair housing opportunities for all people.
42. Mayor Morrissey announced Alderman Jacobson will be attending tomorrow night's meeting at the State of Illinois Building regarding proposed policies and practices for redistricting the state map, subsequent to the last census.
43. Mayor Morrissey mentioned he attended the IML Day in Springfield last week and has great concern for the future of the local government distributed funds and its impact on our budget.
44. Mayor Morrissey thanked members of the Mayor's Youth Advisory Council for attending a workshop in Washington D.C. and commended them on another successful Youth Summit this past Saturday at City Hall. Any recommendations for the Mayor's Youth Advisory Council may be directed to George Davis, Director of Human Services, or the Mayor's Office.
45. Mayor Morrissey wished Alderman Beach a happy birthday.
46. Alderman Timm commended the Rockford Fire and Police Departments for their efforts with the tragic house fire in the 9th ward and thanked them for keeping him informed of the situation.
47. Alderman Timm mentioned he has taken pictures of a house in the 1700 block of North Court Street that has junk and debris in the yard. He requested follow-up on this issue.

48. Alderman Thompson-Kelly wished Alderman Robertson and Beck a happy birthday.
49. Mayor Morrissey also wished Alderman Beck and Robertson a happy birthday.
50. Alderman Thompson-Kelly announced Rockford Urban Ministries will again have summer work camps, inviting groups to come and work on a variety of difference projects that aim to improve and empower the community. Anyone interested in volunteering or have a project, may contact Stan Campbell at 815/315-3957.
51. Alderman Thompson-Kelly thanked the Banner of Truth and the Neighborhood Resource Center for hosting the April 14<sup>th</sup> community meeting to strategize and discuss a vision for the community and announced there will be a follow-up meeting at a date and time to be decided.
52. Alderman Thompson-Kelly reported Patrick Hayes, Legal Director, and herself attended the IML Day in Springfield last week.
53. Alderman Thompson-Kelly announced last week was former Alderman Joe Sosnowski's birthday.
54. Alderman Thompson-Kelly mentioned while in Springfield they met with several State Representatives, Senators and received an invitation to the Governor's Office. She reiterated Mayor Morrissey's concerns regarding the local government distribution funds and urged council members to get involved and informed concerning this issue.
55. Alderman Elyea reported there was a fatal shooting outside Patriot's Gateway Community Center on Sunday and offered condolences to his family.

### **UNFINISHED BUSINESS**

#### **2011-114CR**

56. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Pierce Ave. Bridge over the Northwest Drainage way Reconstruction be awarded to H.R. Green Co., Inc. for a total not to exceed cost of \$125,354.85 to perform the design and construction engineering for the project. The funding for this project will come from Sales Tax funds under the Local Bridge Program category. MOTION PREVAILED by a roll call vote of:

Ayes:	Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-
Nays:	-0-
Absent:	Durkee, McNeely -2-

#### **2011-115CR**

57. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Reed Avenue Bridge Reconstruction be awarded to H.R. Green Co., Inc. for a total not to exceed cost of \$115,170.25 to

perform the design and construction engineering for the project. The funding for this project will come from Sales Tax funds under the Local Bridge Program category. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

**2011-116CR**

58. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending the City Council APPROVE the 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. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. An Agreement shall be made that all five (5) billboards will be removed as part of permitting proposed billboard.
3. Submittal of Building Permit for Staff review and approval.
4. That the billboard shall remain a non-conforming billboard.
5. That the billboard operates in conformance with the sign regulations for electronic graphic display signs.
6. Submittal of a detailed landscape plan to include the type of species to be planted in accordance with the required landscaping for a free standing sign for Staff's review and approval.
7. That the existing billboard located at the North West Corner of East State Street and Mulford (5946 East State Street) be removed by December 31, 2011.

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: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

**2011-117CR**

59. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Jackson Street be required to yield the right-of-way prior to entering the intersection of Dawson Avenue. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

60. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution endorsing and supporting the permitting actions of staff with reference to the application of TLC Pregnancy Services, LLC and authorizes the renewal of said permit for a period not to exceed six months, or until the creation of an alternative designated parking spot for the permittee, and subject to the same conditions and qualifications as the initial permit. LAID OVER.

Alderman Elyea made a motion to take "no action" on the Resolution, seconded by Alderman Thompson-Kelly. After a lengthy discussion, Alderman Elyea withdrew her motion and Alderman Thompson-Kelly withdrew her second.

Alderman Curran made a motion to lay the Resolution over one week, seconded by Alderman Mark. MOTION PREVAILED by a roll call vote of:

Ayes:	Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Beach, Beck -8-
Nays:	Hervey, Timm, Elyea, Robertson -4-
Absent:	Durkee, McNeely -2-

## **MOTIONS AND RESOLUTIONS**

### **2011-034R**

61. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a special event permit and a liquor permit for consumption of liquor outdoors ("S" license) for YABA of Northern Illinois Bowling Foundation for the annual Kentucky Derby Party located at 4007 East State Street (Don Carter Lanes) on Saturday, May 7, 2011 from 9:00 am to 9:00 pm. MOTION PREVAILED (Ald. Durkee, McNeely absent).

### **2011-035R**

62. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a special event permit and a liquor permit for consumption of liquor outdoors ("S" license) for RAMBA Organization for the annual Cinco De Mayo Celebration located at Davis Park on Saturday and Sunday, May 7<sup>th</sup> & 8<sup>th</sup>, 2011 from 2:00 pm to 12:00 am. MOTION PREVAILED (Ald. Durkee, McNeely absent).

### **2011-036R**

63. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a special event permit for the Rockford Area Realtors for the 2011 Real Estate Boot Camp on Saturday, April 30, 2011 from 11:00 am to 4:00 pm. MOTION PREVAILED (Ald. Durkee, McNeely absent).

### **2011-037R**

64. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a special event permit for the Winnebago County Veterans Association and Veterans Memorial Hall for the Memorial Day Parade on Monday, May 30, 2011 beginning at 9:00 am and will follow the traditional downtown route. MOTION PREVAILED (Ald. Durkee, McNeely absent).

**2011-038R**

65. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution requesting permission from Illinois Department of Transportation (IDOT) for temporary closure of Illinois Route 2 (Wyman Street, Park Avenue and Main Street), a State Highway in the City of Rockford, Illinois, from Chestnut to Fisher Avenue on May 30, 2011 for the Memorial Day Parade. MOTION PREVAILED (Ald. Durkee, McNeely absent).

**2011-039R**

66. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution requesting permission from Illinois Department of Transportation (IDOT) for temporary closures of streets and lanes:

Illinois Route 2 (Wyman Street), a State Highway in the City of Rockford, Illinois, from Cedar Street to Park Avenue; Illinois Route 2 (Park Avenue) from Wyman Street to Main Street; and Illinois Route 2 (North Main Street) from Park Avenue to Riverside Boulevard; and furthest easternmost lane only on North Main from Riverside to Bauer Parkway;

US Business 20 (Chestnut/Walnut Street), A United State Highway in the City of Rockford, from Wyman Street to 1<sup>st</sup> Street, and the two furthest northernmost lanes of US Business 20 (Jefferson Street) from 1<sup>st</sup> Avenue to Kilburn Avenue;

Illinois Route 70 (Kilburn Avenue), a State Highway in the City of Rockford, the westernmost southbound lane from Halsted to Safford Road and the westernmost southbound lane from Fairview Avenue to Jefferson Street on May 15, 2011 for the Rockford Marathon. MOTION PREVAILED (Ald. Durkee, McNeely absent).

**2011-040R**

67. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution for Improvement under the Illinois Highway Code requiring Council authorization for use of Motor Fuel Tax funds for City-Wide Arterial Resurfacing 2011 in the amount of \$500,000.00. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

**2011-041R**

68. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution for Improvement under the Illinois Highway Code requiring Council authorization for use of Motor Fuel Tax funds for City-Wide Street Light Electric 2010 in the amount of \$950,000.00. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

## NEW BUSINESS

### 2011-043-O

69. Alderman Thompson-Kelly introduced and read an Ordinance approving the Enterprise Zone (EZ) Amendment to Expand boundaries – Renaissance Corners Development Project.

Alderman Thompson-Kelly moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Durkee, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

70. Alderman Beck introduced and read an Ordinance for the sale of City owned property, vacant lot, located at 614 North Avon Street for a minimum bid of \$2,400.00 with preference to the adjacent property owners. LAID OVER.

### 2011-044-O

71. Alderman Beck introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for an on-premise electronic graphic display sign that exceeds the allowable thirty-six (36) square feet to seventy (70) square feet on an existing free-standing sign in a C-2, Limited Commercial Zoning District at 3600 North Main Street. Approval is subject to the following conditions:

1. Meeting all applicable fire and building codes.
2. That the sign shall be for on-premise advertising
3. Removal of the lower 1/3 of the sign within one year of approval of a Special Use Permit.

Approval is based on the Findings of Fact.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Durkee, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

72. Alderman Hervey made a motion to go into closed session for purposes of discussing matters related to collective bargaining, seconded by Alderman Jacobson. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,  
Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Durkee, McNeely -2-

The meeting went into closed session at 8:10 p.m.

The meeting returned to open session at 9:24 p.m. and found the following aldermen present:

Curran, Mark, Wasco, Jacobson, Johnson, Timm, Beach, Robertson -8-

73. Upon motion duly made and seconded, the meeting was adjourned at 9:25 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 25, 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 APRIL 25, 2011**

**A. CODE AND REGULATIONS**

1. Beck - Code Amendments for Impoundment of Vehicles for Violation of Fleeing to Elude the Police Ordinance
  2. Beck – Traffic – Two Hour Parking restriction on both sides of Estwing Street from Church Street to Court Street.
  3. Beck – Traffic – Residential Parking Zone on both sides of the 1500 block of 7<sup>th</sup> Street between Broadway and 15<sup>th</sup> Avenue.
  4. Beck – Traffic – No Parking Anytime on the west side of Winnebago Street from Morgan Street to 230 feet south of Morgan Street.
  5. Beck – Traffic – “40 MPH” speed limit on Sandy Hollow Road from Alpine Road to city limits.
  6. Beck – Traffic – No Parking Anytime on the north side of Anderson Street from Howard Avenue to 100 feet west of Howard Avenue.
  7. Beck – Traffic – Repealing the existing No Right Turn on Red on both legs of 18<sup>th</sup> Avenue at the intersection of Kishwaukee Street and 18<sup>th</sup> Avenue.
- Officers Reports

## **UNFINISHED BUSINESS**

### **II. COMMITTEE REPORTS LAID OVER APRIL 18, 2011**

1. Beck - Code and Regulation - Recommending approval of the Final Plat #4 of Eagle Meadow Subdivision (Replat of lots 91, 92 & 93) of Riverside Marketplace.
2. Hervey - Finance and Personnel - Recommending approval of a sole-source contract with Carus Corporation, of Peru, Illinois to continue to supply polyphosphate chemicals, Carus 8400 and AquaMag. The estimated cost is \$100,000 depending on the amount of water produced during the contract term.
3. Hervey - Finance and Personnel - Recommending approval of an Engineering Agreement with MWH Americas, Inc. for Water Utility Master Planning in an amount not to exceed \$175,000. Funding for the project will come from the Water Replacement and Improvement Account (WRIA).
4. Hervey - Finance and Personnel - Recommending approval of the Engineering Agreement: Water System Rehabilitation Program – Task Order 44 with McMahon Associates, Inc. for Design of Instruments and Control Systems in an amount not to exceed \$104,000. The funding for the project will come from \$25 million G.O. Limited Tax Debt Certificates, Series 2008.
5. Hervey - Finance and Personnel - Recommending the award for the Engineering Agreement: City-Wide Arterial Resurfacing No. 1 for the resurfacing of Custer Avenue, Garrett Lane, Rote Road, and Rural Street be made to Missman Associates at a not to exceed cost of \$65,000.00 for design engineering and construction engineering. The funding for this project will come from Sales Tax funds.
6. Hervey - Finance and Personnel - Recommending the approval of the attached guidelines for City Council Professional Services fund. The Legal Director shall prepare the necessary ordinance.
7. Hervey - Finance and Personnel - Recommending the award for an Engineering Agreement: City-Wide Arterial Resurfacing #2 for the resurfacing and/or patching of Avon St., Fulton Ave., Newburg Rd., 20<sup>th</sup> St., 23<sup>rd</sup> Avenue, Ohio Pkwy., & Shaw Woods Drive be made to Willett, Hofmann & Associates at a not to exceed cost of \$53,988.83 for design engineering and construction inspection. The funding for this project will come from Sales Tax.
8. Hervey - Finance and Personnel - Recommending the award for Engineering Agreement: Sawyer Rd. Drainage Improvements be made to Willett, Hofmann & Associates to perform the construction engineering for a total not to exceed cost of \$26,534.61. The funding for the project will come from Sales Tax.
9. Hervey - Finance and Personnel - Recommending that the Agreement with Rockford Township and the Human Services Department be approved. The Legal Director shall prepare the appropriate ordinance.

10. Hervey - Finance and Personnel - Recommending approval of a Memorandum of Understanding: North Main Street & Auburn St. Roundabout – Phase III Engineering.
11. Thompson-Kelly - Planning and Development - Recommending approval of the Pre-Development Agreement with Belmont Sayre LLC, regarding the Barber Colman Revitalization Area, for an amount not to exceed Two Hundred Thousand Dollars (\$200,000) for eligible Community Development Block Grant expenses. The Legal Director shall prepare the appropriate ordinance.

### **III. ORDINANCES**

#### **A. LAID OVER APRIL 11, 2011**

1. Beck - Ordinance - Amending Article 64 of the Zoning Ordinance of the City of Rockford for a 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 Building and Fire Codes.
  2. Submittal of a Building Permit for Staff review and approval.
  3. The wall sign must be on the east elevation and must be in accordance with Exhibits D & E.
  4. All of the conditions of approval for Variation #096-07; Ordinance #2008-006-O remain.

Approval is based on the Findings of Fact.

2. Beck - Ordinance - Amending Article 63 of the Zoning Ordinance of the City of Rockford for a 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 those 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.

3. Beck - 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 the City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:  
**Lao Champa, LLC d/b/a Kuma's** located at 420 East State Street for the sale of liquor by the drink in conjunction with a sit-down restaurant and outdoor patio in a C-4, Urban Mixed-Use District. 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.

**B. LAID OVER APRIL 18, 2011**

1. Beck - Ordinance - For the sale of City owned property, vacant lot, located at 614 North Avon Street for a minimum bid of \$2,400.00 with preference to the adjacent property owners.

- Motions and Resolutions

**IV. MOTION AND RESOLUTIONS**

**A. LAID OVER APRIL 18, 2011**

1. Beck - Resolution - Endorsing and supporting the permitting actions of staff with reference to the application of TLC Pregnancy Services, LLC and authorizes the renewal of said permit for a period not to exceed six months, or until the creation of an alternative designated parking spot for the permittee, and subject to the same conditions and qualifications as the initial permit.

**B. TO BE READ IN APRIL 25, 2011**

1. Beck – Rockford Marathon – 5/15/11
2. Beck - Hooters Swimsuit Pageant – 5/5/11 & 6/2/11
3. Beck - Rockford Airfest – 6/4/11 & 6/5/11

**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. Beck – Ordinance - Recommending the City Council APPROVE the 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. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. An Agreement shall be made that all five (5) billboards will be removed as part of permitting proposed billboard.
  3. Submittal of Building Permit for Staff review and approval.
  4. That the billboard shall remain a non-conforming billboard.
  5. That the billboard operates in conformance with the sign regulations for electronic graphic display signs.
  6. Submittal of a detailed landscape plan to include the type of species to be planted in accordance with the required landscaping for a free standing sign

- for Staff's review and approval.
7. That the existing billboard located at the North West Corner of East State Street and Mulford (5946 East State Street) be removed by December 31, 2011.

Approval is based on the Findings of Fact.

2. Beck – Ordinance - That traffic on Jackson Street be required to yield the right-of-way prior to entering the intersection of Dawson Avenue.
- \* 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 25, 2011, 5:15 p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

1. C & R 11-43 Special Event/Rockford Marathon 5/15
2. C & R 11-45 Special Events:
  - 1) Hooters Swimsuit Pageant 5/5 & 6/2
  - 2) Rockford Airfest 6/4 & 6/5
3. C & R 11-44 April Traffic Commission Minutes
4. C & R 11-46 Code Amendments for Impoundment of Vehicles for Violation of Fleeing to Elude the Police Ordinance

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, April 25, 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: Fuel Pump System Upgrade at City Yards – Suspend rules
  - B. Award of Bid: Water Operations Center – Men's Restroom Improvements

- C. Award of Sole Source Contract: Submersible Pump Servicing
  - D. Extension of Contract: Police Process Improvement Consultant
  - E. Engineering Agreement: Morgan Street Bridge
  - F. Resolution to take Bids
  - G. Vouchers
- 2. City-State Agreement: Kilburn Avenue Resurfacing
  - 3. City-State Agreement: Fairview Boulevard Bridge over the N. Branch of Keith Creek

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, April 25, 2011, 5:45 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

- 1. Memorandum from Rob Lamb, Industrial Development Manager, regarding a request for an Extension of Development Agreement with Financial Management Systems (FMS) to create a Call Center.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, April 25, 2011, \_\_\_\_\_ p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

No Meeting Scheduled.