

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
MAY 9, 2011
COUNCIL CONVENED AT 6:P.M.**

1. The invocation was given by Chaplain Randy Young, Turning Point Church/Police and Sheriff 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, Beck, Robertson -13-

Absent: McNeely -1-

3. Alderman Mark moved to accept the Journal of Proceedings of May 2, 2011, seconded by Alderman Wasco.

Alderman Beck moved to amend the Journal of Proceedings of the May 2, 2011 City Council meeting Item 26; Final Plat of Renaissance Corners Subdivision, to reflect the changes to the Final Plat of Renaissance Corners Subdivision as set forth in Exhibit B, seconded by Alderman Johnson. MOTION PREVAILED (Ald. McNeely absent).

The Journal of Proceedings as amended was placed up for passage. MOTION PREVAILED (Ald. McNeely absent).

PUBLIC PARTICIPATION

4. Prophet Yusef wished several people a happy birthday and spoke about the power of the grace of God.

5. William Allen voiced his frustration with the deteriorated conditions of Kinsey and Wills Streets.

6. Yolanda Pitts, Diamond Cut Ryders, invited everyone to the Neighborhood Free For All Event on Saturday, May 14th at 2505 West State Street.

7. Jeffrey Orduno spoke in opposition of the Memorandum of Understanding between the City and State Historic Preservation Agencies on destruction of the Ziock – Amerock Building.

PETITIONS AND COMMUNICATIONS

8. Alderman Robertson submitted a request from Tracy Crowley, Diamond Cut Ryders, in conjunction with Neighborhood Free For All Event, requesting permission for use of city owned lot at 2505 West State Street on May 14, 2011. Alderman Robertson moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. McNeely absent).

9. Alderman Beck submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming special events:

1. High School Graduations @ Metro Centre

Rockford Public Schools; 5/31/11 & 6/1/11

Harlem & Hononegah; 5/28/11

Belvidere & Belvidere North; 5/22/11

2. MELD Run; 7/4/11

3. St. Edwards Church Summer Fest; 6/25-26/11

Referred to Code and Regulation Committee.

10. Alderman Beck submitted a Memorandum from Mark Stockman, Street and Transportation Superintendent, regarding amendments to Chapter 27, City of Rockford Municipal Code.

Referred to Code and Regulation Committee.

11. Alderman Beck submitted a Memorandum from Jeremy Carter, Traffic Engineer, regarding a Resolution for Acceptance of a Donated Sculpture at Parking Lot EE. Referred to Code and Regulation Committee.

12. Alderman Thompson-Kelly submitted a Memorandum from Jovita Donahue, Development Specialist, regarding CDBG Assistance to Businesses for Façade Improvement. Referred to Planning and Development Committee.

13. Alderman Thompson-Kelly submitted a Memorandum from Jovita Donahue, Development Specialist, regarding Railroad Construction Equipment Co. (RCE)/Request for EZ property tax abatement – 1901 & 1911 Harrison Avenue. Referred to Planning and Development Committee.

14. Alderman Thompson-Kelly submitted a Memorandum from Patrick Hayes, Legal Director, concerning reductions in local government distributive formula and consideration of a resolution in opposition to that reduction. Referred to Legislative Lobbying Committee meeting May 23, 2011.

15. Alderman Thompson-Kelly submitted a Memorandum regarding the Coronado Operating Agreement to reduce the operating subsidy from tax payers. Referred to Planning and Development Committee meeting May 23, 2011.

16. Alderman Jacobson submitted a letter from Steve Hillsman, Q-Star Technology, regarding graffiti and vandalism deterrent systems. Referred to Mayor Morrissey's Office.

17. Alderman Hervey submitted a Memorandum from Andres Sammul, Finance Director, regarding Keith Creek Loan Agreement Extension. Referred to Finance and Personnel Committee.

- 18. Alderman Hervey submitted a Memorandum from Jim Ryan, City Administrator regarding Recommendations from Baker Tilly. Referred to Finance and Personnel Committee.
- 19. Alderman Hervey submitted two (2) requests for service. Referred to Community Development/Code Enforcement and Legal Department.
- 19a. Alderman Johnson submitted nine (9) requests for service. Referred to Community Development/Code Enforcement, Public Works and Police Departments.

NEW COMMITTEE REPORTS

- 20. Alderman Beck read a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for No Parking Anytime on the north side of Anderson Street from Howard Avenue to 100 feet west of Howard Avenue. LAID OVER.

2011-145CR

- 21. Alderman Beck read a Code and Regulation Committee Report recommending the Final Plat of East Rock Industrial Park #8.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. McNeely absent). 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, Robertson -13-
Nays:	-0-
Absent:	McNeely -1-

2011-146CR

- 22. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the claim of OSF Saint Anthony Medical Center in the amount of \$7,021.00 with a release to be obtained.

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

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

2011-147CR

- 23. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the settlement in Graham v. City of Rockford in the amount of \$13,500.00 with a release to be obtained.

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

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

2011-148CR

24. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the settlement in Stallworth v. City of Rockford, et al. in the amount of \$5,000.00 with a release to be obtained.

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

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

25. Alderman Hervey read a Finance and Personnel Committee Report recommending the approval of the purchase of two additional modules for the financial system, Munis for the Contract Management module at a cost of \$26,025, ongoing maintenance is approximately \$3,960 annually and the second module is Employee Self Service for a cost of \$14,675 and ongoing maintenance is approximately \$2,700 annually. The funding source is IT Fund. LAID OVER.
26. Alderman Hervey read a Finance and Personnel Committee report recommending the Engineering Agreement: Winnebago Street Bridge over Kent Creek and Railroad Tracks Deck Rehabilitation be made to H.R. Green Company, Inc. for a total not to exceed cost of \$19,752.30 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. LAID OVER.
27. Alderman Hervey read a Finance and Personnel Committee Report recommending the Engineering Agreement: City-Wide Alleys 2011 be made to Rosario S. Tarara Land Surveying, Inc./Carroll Engineering Associates, Inc. at a not to exceed cost of \$11,610 for design engineering and construction inspection. The funding for this project will come from Sales Tax funds under the 2011 Neighborhood Improvement category. LAID OVER.
28. Alderman Hervey read a Finance and Personnel Committee Report recommending the Engineering Agreement: Kishwaukee Street Resurfacing Phase II be made to Fehr Graham & Associates to perform design engineering and construction services for a total

not to exceed cost of \$49,040.42. The funding for this project will come from Sales Tax funds. LAID OVER.

2011-149CR

29. Alderman Hervey read a Finance and Personnel Committee Report recommending rescinding the award for City-Wide Grounds Maintenance: Mowing Blocks 1,2, & 4 originally made to M & B Landcare and Green Tree Landscaping, and awarding the contract to BL Wellwood, of Rockford, Illinois for their bids as summarized below:

Block 1 to BL Wellwood	\$560.00 per mowing cycle
Block 2 to BL Wellwood	\$550.00 per mowing cycle
Block 4 to BL Wellwood	\$400.00 per mowing cycle

The funding source is Street Division Operating Budget.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely absent). 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, Robertson -13-
Nays: -0-
Absent: McNeely -1-

2011-150CR

30. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for City-Wide Weed Abatement be made to the following bidders: Jerry's Lawn Care, Vertical Lawn Care, D. Thompson, Tigers, Gerke's Lawn Care, Jose Rodriguez, all of Rockford, Illinois and Marcus Spates, of New Milford, Illinois for their bids as shown on tabulation. The funding source is Code Enforcement Operating Budget.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely absent). 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, Robertson -13-
Nays: -0-
Absent: McNeely -1-

2011-151CR

31. Alderman Hervey read a Finance and Personnel Committee report recommending the award of a Sole Source Contract for Street Sweeper repairs to Westside Tractor Sales, of Rockford, Illinois for an estimated cost of \$11,280.02. The funding source is Garage Fund.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely absent). 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, Robertson -13-
Nays: -0-
Absent: McNeely -1-

32. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 9, 2011 in the amount of \$2,382,101.01. MOTION PREVAILED by a roll call vote of:

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

33. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending approval of the Development Agreement for the Expansion & Rehabilitation of Market Place Rockford. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

OFFICERS REPORTS

34. Mayor Morrissey presented a Proclamation proclaiming the week of May 8, 2011 to be "NATIONAL SALVATION ARMY WEEK" in Rockford, Illinois and urged all citizens to recognize the dedication and commitment The Salvation Army provides to our community's needs.
35. Mayor Morrissey presented a Proclamation proclaiming May 14, 2011 to be "NATIONAL LETTER CARRIERS ASSOCIATION FOOD DRIVE DAY" in Rockford, Illinois and urged all citizens to join in its observance.
36. Mayor Morrissey presented a Proclamation proclaiming the week of May 8, 2011 to be "NATIONAL POLICE WEEK" in Rockford, Illinois and urged all citizens to honor and show our sincere appreciation for the police officers of our community by deed, remark and attitude.
37. Mayor Morrissey presented a Proclamation proclaiming May 12, 2011 to be "RED DAY" in Rockford, Illinois and encouraged all citizens to participate in community improvement projects.
38. Mayor Morrissey mentioned visiting with US Congressman John Mica, Chairman of the House Transportation and Infrastructure Committee, to discuss transportation concerns and opportunities impacting our general community and the vote on the congressional reauthorization of our highway trust fund. He also acknowledged Congressman Manzullo and Senator Durbin's caucus attending the meeting.

39. Mayor Morrissey mentioned the Memorandum from Patrick Hayes, Legal Director, regarding the Governor's proposed reductions of the Local Government Distributive Formula (LGDF) resulting in a 3.5 million dollar annual reduction in funding to the City of Rockford commencing in July. The memorandum was referred to the Legislative Lobbying Committee for discussion at the May 23rd meeting. He encouraged all to attend the meeting.
40. Jim Ryan, City Administrator, welcomed consultants from Baker Tilly to make their presentation regarding outsourcing. They gave recommendations and suggestions on three internal departments service areas; Finance, Legal and Human Resources Departments.
41. Alderman Jacobson submitted a requested service at 2616 Lapey Street. Referred to Community Development/Code Enforcement.
42. Alderman Thompson-Kelly announced the Legislative Lobbying Committee will meet on May 23, 2011 at 4:00 pm. She encouraged all to attend the meeting.
43. Alderman Hervey criticized the city for their lack of a redevelopment plan as the South Main Street Redevelopment Project, Morgan Street Rebuild Project and West State Street Projects moves forward and questioned the RAEDC's involvement in this process.
44. Alderman Jacobson thanked Deputy Chief Glover for informing him the police department has implemented use of their All-Terrain Vehicles in areas of concern.

UNFINISHED BUSINESS

2011-152CR

45. 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 increase the allowed height from 8 feet to 16 feet as measured from adjacent street curb for a freestanding sign and a Variation to increase the allowed square footage from 64 to 88 square feet for a freestanding sign in a C-2, Limited Commercial District at 7128 Spring Creek Road.

Approval is based on the Findings of Fact. The Legal Director shall 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, Robertson -13-
Nays:	-0-
Absent:	McNeely -1-

- 45a. 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 redevelopment in an R-4, Multi-Family Residential District and C-2, Limited Commercial District at 502, 505, 515

Seminary Street and 326, 360 College Avenue. Approval is subject to the following conditions:

Phase I

1. Submittal of a Final Plat for Staff review and approval.
2. Construction of proposed residential buildings must be in conformance with submittal of Exhibit 1 and according to the site layout in Exhibit F.
3. Landscaping units shall be installed in accordance with Exhibits G & H including the northwest corner reserved for future market rate units as part of Phase II of the development.
4. Covenants and restrictions shall be submitted for staff review and approval and recorded on the property in perpetuity limiting the housing to disabled and senior facility.
5. The portion of Madison Street indicated in Phase II shall be dedicated as ROW or deeded to the City of Rockford for future roadway purpose prior to final occupancy for Phase I of the development.
6. The continuation and full development of the proposed Tentative Planned Unit Development.

Phase II

1. Submittal of a Final Planned Unit Development prior to development.
2. Submittal of a final plat for Staff review and approval.
3. Construction of proposed buildings must be in conformance with submittal of Exhibit I.
4. Site layout shall be in conformance with the submitted plans indicated as Exhibit D.
5. The portion indicated as housing on the north side of Madison shall be removed and planned as future open space.
6. Detailed landscaping plans shall be submitted as part of the final planned unit development for Phase II of the project as well as tree preservation and removal plan.
7. Covenants and restrictions shall be submitted for Staff review and approval limiting the housing to disabled and senior facility excepting that portion indicated as market rate housing.

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

2011-153CR

46. 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 Variation to increase the maximum square footage for a drive-through directory (menu board) from 36 square feet to 54 square feet and a Variation to increase the maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.7 feet in a C-3, General Commercial Zoning District at 3114 11th Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permit for Staff review and approval.
3. That the drive-through directory (menu board) sign shall not be highly visible from the right-of-way.
4. No additional appendages shall be added to the proposed signage beyond what is represented as Exhibit F.

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, Robertson -13-
 Nays: -0-
 Absent: McNeely -1-

2011-154CR

47. 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 Variation to increase the maximum square footage for a drive-through directory (menu board) from 36 square feet to 54 square feet and a Variation to increase the maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.7 feet in a C-2, Limited Commercial Zoning District at 3805 East State Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permit for Staff review and approval.
3. That the drive-through directory (menu board) sign shall not be highly visible from the right-of-way.
4. No additional appendages shall be added to the proposed signage beyond what is represented as Exhibit F.

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, Robertson -13-
 Nays: -0-
 Absent: McNeely -1-

2011-155CR

48. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for a modification of the sale of liquor by the drink in conjunction with a restaurant to include outdoor beer garden in a C-3, Commercial General District in the name of **Vinad Mangukiya d/b/a My Place Bar & Grill** located at 4578 Harrison Avenue. Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.

2. Hours of outdoor sales area shall be not later than 10:00 pm Monday through Thursday and on Friday and Saturday until midnight.
3. No cover charge shall be required for entry to the establishment.
4. Security staff shall exhibit credentials of professional training.

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, Elyea, Beck, Robertson -12-
 Nays: Beach -1-
 Absent: McNeely -1-

49. 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 hotel, convention center, restaurants and a water park in a C-3, General Commercial District in the name of **Beltway Hospitality LLC d/b/a Clock Tower Resort and Conference Center** located at 7801 East State Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.

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, Elyea, Beck, Robertson -12-
 Nays: Beach -1-
 Absent: McNeely -1-

2011-156CR

50. 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 the sale of liquor by the drink in conjunction with a sit down restaurant and outdoor patio in a C-2, Limited Commercial Zoning District in the name of **Ya Min Sun d/b/a Ichiban Restaurant** located at 5494 East 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 hours of operation will be limited to 11:00 am to 11:00 pm Monday through Sunday.
4. The sale of alcohol shall be limited to the interior site and outdoor patio areas that were submitted as Exhibit E.

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, Elyea, Beck, Robertson -12-
Nays: Beach -1-
Absent: McNeely -1-

51. Alderman Thompson-Kelly moved the adoption of a Planning and Development Committee Report recommending approval of the Memorandum of Agreement between the City of Rockford and the Illinois Historic Preservation Agency. The Legal Director shall prepare the appropriate Resolution. LAID OVER.

Alderman Johnson made a motion to lay the committee report over, seconded by Alderman Jacobson.

2011-054-O

52. Alderman Thompson-Kelly moved the adoption of an Ordinance approving 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.

MOTION PREVAILED by a roll call vote of:

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

2011-157CR

53. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the Amendment to the Professional Services Contract with Fehr-Graham & Associates to include up to \$120,000 of Environmental Site Assessment work from the Community Wide Assessment Grant. The funding source is USEPA Grant. MOTION PREVAILED by a roll call vote of:

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

2011-055-O

54. Alderman Hervey moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute the attached Intergovernmental Agreement Amendment for the Riverwalk Museum Campus-Sanitary Sewer between the Rockford Park District and the City of Rockford. MOTION PREVAILED by a roll call vote of:

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

Absent: McNeely -1-

2011-056-O

55. Alderman Hervey moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute the attached Agreement between Rockford Township and City of Rockford Human Services. MOTION PREVAILED by a roll call vote of:

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

2011-057-O

56. Alderman Hervey moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute the attached guidelines for City Council Professional Services Fund. MOTION PREVAILED by a roll call vote of:

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

57. Alderman Hervey moved the adoption of the Re-appointments for the Department Heads:

Community Development	Reid Montgomery
Finance	Andres Sammul
Human Resources	Julia Scott-Valdez
Human Services	George Davis
Information Technology	Glenn Trommels
Legal	Patrick Hayes
Public Works	Tim Hanson

MOTION PREVAILED by a roll call vote of:

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

MOTIONS AND RESOLUTIONS

2011-052R

58. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a Special Event Permit for the Garden Fair Event beginning June 3, 2011 from noon to 8:00 pm, June 4, 2011 from 9:00 am to 5:00 pm and June 5, 2011 from 9:00 am to 3:00 pm at Klehm Arboretum, 2715 South Main Street. MOTION PREVAILED (Ald. McNeely absent).

2011-053R

59. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a Special Event Permit for Rockford College Commencement on May 15, 2011 from 1:00 pm to 5:00 pm at the Coronado Theatre, 314 North Main Street. MOTION PREVAILED (Ald. McNeely absent).
60. Alderman Thompson-Kelly, on behalf of the Planning and Development Committee, moved the adoption of a Resolution approving a Memorandum of Agreement between the City of Rockford and the Illinois Historic Preservation Agency regarding the disposition of the Ziock Building (Amerock) located at 416 South Main Street. HELD OUT.

2011-054R

61. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take proposals for the following:

A. RFP: S. Main Street Corridor Streetscape, funding source: MFT, Sales Tax, & IDOT funds.

MOTION PREVAILED (Ald. McNeely absent).

2011-055R

62. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that the City approve an Agreement between the City of Rockford and the State of Illinois, Department of Transportation for the maintenance of State owned Traffic Signals within the City of Rockford, Winnebago County, Illinois. MOTION PREVAILED (Ald. McNeely absent).

NEW BUSINESS

63. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 285 of the Code of Ordinances of the City of Rockford to add the following:

Two Hour Parking restrictions on both sides of Estwing Street from Church Street to Court Street.

LAID OVER.

64. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 311 of the Code of Ordinances of the City of Rockford to add the following:

A Residential Parking Zone on both sides of the 1500 block of 7th Street between Broadway and 15th Avenue.

LAID OVER.

65. Alderman Beck introduced and read an Ordinance amending Chapter 16, Section 280 of the Code of Ordinances of the City of Rockford to add the following:

No Parking Anytime on the west side of Winnebago Street from Morgan Street to 230 feet south of Morgan Street.

LAID OVER.

66. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 300 of the Code of Ordinances of the City of Rockford to add the following:

Establishing a "40 MPH" speed limit on Sandy Hollow Road from Alpine Road to city limits.

LAID OVER.

67. Alderman Beck introduced and read an Ordinance amending Chapter 16, Schedule Section 295 of the Code of Ordinances of the City of Rockford to repeal the following:

The existing "No Right Turn on Red, on both legs of 18th Avenue at the intersection of Kishwaukee Street and 18th Avenue".

LAID OVER.

2011-058-O

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

Beltway Hospitality LLC d/b/a Clock Tower Resort and Conference Center located at 7801 East State Street for the sale of liquor by the drink in conjunction with a hotel, convention center, restaurants and a water park, in a C-3, General Commercial District. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely 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, Timm, Elyea, Beck, Robertson -12-
Nays:	Beach -1-
Absent:	McNeely -1-

2011-059-O

69. Alderman Thompson-Kelly introduced and read an Ordinance approving the Second Amendment to the Development Agreement with FMS Investment Corporation in an amount not to exceed \$250,000.

Alderman Thompson-Kelly moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely 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, Timm, Elyea, Beck, Robertson -12-
Nays: Beach -1-
Absent: McNeely -1-

70. Upon motion duly made and seconded, the meeting was adjourned at 7:42 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
May16, 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)

UNFINISHED BUSINESS

I. COMMITTEE REPORTS

A. LAID OVER MAY 9, 2011

1. Beck - Code and Regulation - Recommending the Legal Director be instructed to draw an Ordinance for No Parking Anytime on the north side of Anderson Street from Howard Avenue to 100 feet west of Howard Avenue.
2. Hervey - Finance and Personnel - Recommending the approval of the purchase of two additional modules for the financial system, Munis for the Contract Management module at a cost of \$26,025, ongoing maintenance is approximately \$3,960 annually and the second module is Employee Self Service for a cost of \$14,675 and ongoing maintenance is approximately \$2,700 annually. The funding source is IT Fund.
3. Hervey - Finance and Personnel - Recommending the Engineering Agreement: Winnebago Street Bridge over Kent Creek and Railroad Tracks Deck Rehabilitation be made to H.R. Green Company, Inc. for a total not to exceed cost of \$19,752.30 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.
4. Hervey - Finance and Personnel - Recommending the Engineering Agreement: City-Wide Alleys 2011 be made to Rosario S. Tarara Land Surveying, Inc./Carroll Engineering Associates, Inc. at a not to exceed cost of \$11,610 for design engineering and construction inspection. The funding for this project will come from Sales Tax funds under the 2011 Neighborhood Improvement category.

5. Hervey - Finance and Personnel - Recommending the Engineering Agreement: Kishwaukee Street Resurfacing Phase II be made to Fehr Graham & Associates to perform design engineering and construction services for a total not to exceed cost of \$49,040.42. The funding for this project will come from Sales Tax funds.
6. Thompson-Kelly - Planning and Development - Recommending approval of the Development Agreement for the Expansion & Rehabilitation of Market Place Rockford. The Legal Director shall prepare the appropriate Ordinance.
7. Thompson-Kelly - Planning and Development - Recommending approval of the Memorandum of Agreement between the City of Rockford and the Illinois Historic Preservation Agency. The Legal Director shall prepare the appropriate Resolution.

B. HELD OUT MAY 9, 2011

1. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Unit Development for redevelopment in an R-4, Multi-Family Residential District and C-2, Limited Commercial District at 502, 505, 515 Seminary Street and 326, 360 College Avenue. Approval is subject to the following conditions:

Phase I

1. Submittal of a Final Plat for Staff review and approval.
2. Construction of proposed residential buildings must be in conformance with submittal of Exhibit 1 and according to the site layout in Exhibit F.
3. Landscaping units shall be installed in accordance with Exhibits G & H including the northwest corner reserved for future market rate units as part of Phase II of the development.
4. Covenants and restrictions shall be submitted for staff review and approval and recorded on the property in perpetuity limiting the housing to disabled and senior facility.
5. The portion of Madison Street indicated in Phase II shall be dedicated as ROW or deeded to the City of Rockford for future roadway purpose prior to final occupancy for Phase I of the development.
6. The continuation and full development of the proposed Tentative Planned Unit Development.

Phase II

1. Submittal of a Final Planned Unit Development prior to development.
2. Submittal of a final plat for Staff review and approval.
3. Construction of proposed buildings must be in conformance with submittal of Exhibit I.
4. Site layout shall be in conformance with the submitted plans indicated as Exhibit D.
5. The portion indicated as housing on the north side of Madison shall be removed and planned as future open space.

6. Detailed landscaping plans shall be submitted as part of the final planned unit development for Phase II of the project as well as tree preservation and removal plan.
7. Covenants and restrictions shall be submitted for Staff review and approval limiting the housing to disabled and senior facility excepting that portion indicated as market rate housing.

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

II. ORDINANCES LAID OVER MAY 9, 2011

1. Beck – Traffic - Amending Chapter 16, Schedule Section 285 of the Code of Ordinances of the City of Rockford to add the following:

Two Hour Parking restrictions on both sides of Estwing Street from Church Street to Court Street.

2. Beck – Traffic - Amending Chapter 16, Schedule Section 311 of the Code of Ordinances of the City of Rockford to add the following:

A Residential Parking Zone on both sides of the 1500 block of 7th Street between Broadway and 15th Avenue.

3. Beck – Traffic - Amending Chapter 16, Section 280 of the Code of Ordinances of the City of Rockford to add the following:

No Parking Anytime on the west side of Winnebago Street from Morgan Street to 230 feet south of Morgan Street.

4. Beck – Traffic - Amending Chapter 16, Schedule Section 300 of the Code of Ordinances of the City of Rockford to add the following:

Establishing a "40 MPH" speed limit on Sandy Hollow Road from Alpine Road to city limits.

5. Beck – Traffic - Amending Chapter 16, Schedule Section 295 of the Code of Ordinances of the City of Rockford to repeal the following:

The existing "No Right Turn on Red, on both legs of 18th Avenue at the intersection of Kishwaukee Street and 18th Avenue".

- Motions and Resolutions

III. MOTION AND RESOLUTIONS

A. TO BE READ IN MAY 16, 2011

1. Beck - High School Graduations @ Metro Centre - Rockford Public Schools - 5/31/11 & 6/1/11; Harlem & Hononegah - 5/28/11; Belvidere & Belvidere North - 5/22/11
2. Beck - MELD Run - 7/4/11
3. Beck - St. Edwards Church Summer Fest - 6/25-26/11
4. Beck - Donated Sculpture at Parking Lot EE

B. HELD OUT MAY 9, 2011

1. Thompson-Kelly, on behalf of the Planning and Development Committee, - Approving a Memorandum of Agreement between the City of Rockford and the Illinois Historic Preservation Agency regarding the disposition of the Ziock Building (Amerock) located at 416 South Main Street.

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 – Approval of the Variation to increase the allowed height from 8 feet to 16 feet as measured from adjacent street curb for a freestanding sign and a Variation to increase the allowed square footage from 64 to 88 square feet for a freestanding sign in a C-2, Limited Commercial District at 7128 Spring Creek Road.
2. Beck – Approval of the Variation to increase the maximum square footage for a drive-through directory (menu board) from 36 square feet to 54 square feet and a Variation to increase the maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.7 feet in a C-3, General Commercial Zoning District at 3114 11th Street.
3. Beck – Approval of the Variation to increase the maximum square footage for a drive-through directory (menu board) from 36 square feet to 54 square feet and a Variation to increase the maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.7 feet in a C-2, Limited Commercial Zoning District at 3805 East State Street.
4. Beck – Approval of the request for a modification of the sale of liquor by the drink in conjunction with a restaurant to include outdoor beer garden in a C-3, Commercial General District in the name **of Vinad Mangukiya d/b/a My Place Bar & Grill** located at 4578 Harrison Avenue.
5. Beck – Approval of a request for sale of liquor by the drink in conjunction with a hotel, convention center, restaurants and a water park in a C-3, General Commercial District in the name of **Beltway Hospitality LLC d/b/a Clock Tower Resort and Conference Center** located at 7801 East State Street.
6. Beck – Approval of a request for the sale of liquor by the drink in conjunction with a sit down restaurant and outdoor patio in a C-2, Limited Commercial Zoning District in the name of **Ya Min Sun d/b/a Ichiban Restaurant** located at 5494 East State Street.

- * 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, May 16, 2011, 5:15 p.m.

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

AGENDA

1. C & R 11-62 Acceptance of a donated sculpture at Parking Lot EE
2. C & R 11-64 Special Events:
 - 1) High School Graduations at Metro Centre
Rockford Public Schools 5/31 & 6/1
Harlem & Hononegah 5/28
Belvidere & Belvidere North 5/22
 - 2) MELD Run 7/4
 - 3) St. Edwards Church Summer Fest 6/25 & 6/26

FINANCE AND PERSONNEL COMMITTEE

Monday, May 16, 2011, 5:15 p.m.

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

AGENDA

1. Keith Creek Loan Agreement Extension
2. Purchasing and Vouchers
 - A. Award of RFP: Vision Insurance Provider – Suspend rules
 - B. Award of Bid: City-Wide Residential Resurfacing – Suspend rules
 - C. Award of Bid: City-Wide Arterial Resurfacing #2 – Suspend rules
 - D. Award of Sole Source Contract: Spring Brook Road Drainage Improvement – Suspend rules
 - E. Engineering Agreement: Well 37 VOC Treatment

- F. Emergency Demolition of 850 North Court Street – **Info only**
 - G. Emergency Purchase Order: Perryville Road Repair – **Info only**
 - H. Change Order: 35th Street Watermain – **Info only**
 - I. Resolution to take Bids
 - J. Vouchers
- 3. Baker Tilly Recommendations
 - 4. Financial Discussion

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, May 16, 2011, _____ p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, May 16, 2011, _____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.