

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
AUGUST 1, 2011  
COUNCIL CONVENED AT 6:33 P.M.**

1. The invocation was given by Chaplain Phillip Henselin, New Life Evangelical Lutheran Church/Rockford Police Chaplain and the Pledge of Allegiance was led by City Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Elyea, McNeely, Robertson -10-  
Absent: Durkee (late), Jacobson, Beach, Beck -4-
3. Mayor Morrissey acknowledged two students from Rockford's Sister City, Cluj-Napora, Romania were in attendance at tonight's meeting.
4. Mayor Morrissey announced with deep sympathy the passing of Phyllis Howard, City of Rockford employee. A moment of silence was observed in her memory.
5. Alderman Mark moved to accept the Journal of Proceedings of July 25, 2011, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Durkee, Jacobson, Beach, Beck absent).

**PUBLIC PARTICIPATION**

6. Barbara Giolitto expressed her disappointment with efforts to meet with city staff and offered her concerns with issues at the Northern Illinois Women's Center.

Alderman Durkee joined the meeting at 6:39 pm.

7. Prophet Yusef called for black families to stand united.

**PETITIONS AND COMMUNICATIONS**

8. Alderman Elyea submitted a Memorandum from John Giliberti, City Attorney, regarding the RACVB's 2nd Quarter Report for 2011. Referred to Planning and Development Committee.
- 8a. Alderman Elyea submitted a Memorandum from Jovita Donahue, Development Specialist, regarding a request for assistance for Pampered Pet. Referred to Planning and Development Committee.
9. Alderman Wasco submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming special events:
  1. Brewsky's Anniversary Party – 8/20/11
  2. Mexican Baseball Festival – 9/4/11

Referred to Code and Regulation Committee.

10. Alderman Wasco submitted a Memorandum from Todd Cagnoni, Deputy Director Community Development, regarding the Final Plat of Acument Subdivision. Referred to Code and Regulation Committee.
11. Alderman Wasco submitted a Memorandum from Todd Cagnoni, Deputy Director Community Development, regarding the Final Plat of Guilford Square Subdivision #5. Referred to Code and Regulation Committee.
12. Alderman Wasco submitted a Memorandum from Todd Cagnoni, Deputy Director Community Development, regarding the Final Plat of Guilford Square Subdivision #6. Referred to Code and Regulation Committee.
13. Alderman Wasco submitted the Rockford Traffic Commission Agenda. Referred to Traffic Commission.
14. Alderman Hervey submitted a Memorandum from Patrick W. Hayes, Legal Director, regarding Retention of Outside Counsel. Referred to Finance and Personnel Committee.
15. Alderman Hervey submitted a Memorandum from Andres Sammul, Finance Director, regarding Rockford Area Arts Council Funding. Referred to Finance and Personnel Committee.
16. Alderman Hervey submitted two (2) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.
17. Alderman Johnson submitted three (3) requests for service. Referred to Community Development Department/Code Enforcement and Public Works Department.
18. Alderman Mark submitted a request from Marcy Leach, requesting permission for relocation of Festival Zone Vendor to the vacant lot at the south east corner of West State Street and Church Street and Moratorium of Festival Zone Vendor Permits on Main Street 2011 from August 1, 2011 – January 1, 2012. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Timm. MOTION PREVAILED (Ald. Jacobson, Beach, Beck absent).

### **NEW COMMITTEE REPORTS**

19. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Bituminous Patching be made to the low bidder, Norwest Blacktop, of S. Beloit, Illinois for their total bid of \$161,300.00. The funding source is Water Operations Fund. LAID OVER.
20. Alderman Hervey read a Finance and Personnel Committee Report recommending the Sole Source Contract Award: City-Wide Railroad Crossing 2010 be made to William Charles Construction for a total not to exceed cost of \$23,691.58 to perform the

bituminous patching near three railroad crossings. The funding for this project will come from Sales Tax Funds. LAID OVER.

21. Alderman Hervey read a Finance and Personnel Committee Report recommending the Engineering Agreement: Greenhouse Gas Emissions Inventory – Phase II be made to MWH Americas, Inc. to perform a greenhouse gas emissions gas reduction assessment for a total not to exceed cost of \$25,000. The funding for this project will come from EECBG Funds made available through Federal Stimulus Funding. LAID OVER.

**2011-231CR**

22. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Demolition of (3) Properties (623 Newport St., 3905 Preston St., & 1305 11<sup>th</sup> Ave.) be made to the low bidder, Swinson Materials, of Rockford, IL for their total bid of \$13,790.00. The funding source is Hope VI TIF (623 Newport St. & 3905 Preston St.), CDBG (1305 11<sup>th</sup> Ave.).

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

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

**2011-232CR**

23. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Ethel Avenue Turn Lane be made to the low bidder, Alliance Contractors, Inc., of Woodstock, Illinois for their total bid of \$160,719.70. The funding source is Sales Tax.

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

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

**2011-233CR**

24. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Sawyer Road Reconstruction be made to the low bidder, TCI Concrete, of Rockford, Illinois for their total bid of \$239,907.17. The funding source is Sales Tax.

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

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

**2011-234CR**

25. Alderman Hervey read a Finance and Personnel Committee Report recommending the City enter into a comprehensive banking services agreement with PNC Bank, National Association, for two years with three one year renewals. The estimated annual gross cost is \$162,900. In addition the City will enter into an agreement with the bank for a line of credit. The funding source is Finance Department Operating Budget.

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

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

**2011-235CR**

26. Alderman Hervey read a Finance and Personnel Committee Report regarding the Intergovernmental Agreement: Ethel Avenue Turn Lane recommends the City create and execute an ordinance that approves the Intergovernmental Agreement with the Rockford Park District. The City's portion of this agreement is estimated to be \$270,000 and will be funded by Sales Tax funds.

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

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

**2011-236CR**

27. Alderman Hervey read a Finance and Personnel Committee Report regarding the Intergovernmental Agreement: Alpine Dam Improvements recommends the City create and execute an ordinance that approves the Intergovernmental Agreement with the Rockford Park District. No funding is required for this Agreement.

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

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

28. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of August 1, 2011 in the amount of \$1,809,841.41. MOTION PREVAILED by a roll call vote of:

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

29. Alderman Wasco read a Code and Regulation Committee Report recommending the annexation of 2090 New Milford School Road. LAID OVER.
30. Alderman Wasco read a Code and Regulation Committee Report recommending the authorization of the Mayor to execute a petition for the annexation of 5xx Horace Avenue into the City of Rockford.
31. Alderman Wasco read a Code and Regulation Committee Report recommending the annexation of 5xx Horace Avenue. LAID OVER.
32. Alderman Wasco read a Code and Regulation Committee Report recommending the annexation of 1206 North Johnston Avenue. LAID OVER.
33. Alderman Wasco read a Code and Regulation Committee Report recommending the annexation of 2407 Sandy Hollow Road. LAID OVER.
34. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #119-83 and #07-01 for construction of a new 36' X 52' metal service building and APPROVE a Variation to allow a six foot setback with no additional landscaping in an R-2, Two-Family Residential District with the elimination of condition #2 at 1118 Ferguson Street. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.

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

35. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY a Variation to increase the maximum permitted number of wall signs from two to four in a C-2, Limited Commercial Zoning District and APPROVE a Variation to increase the maximum permitted number of wall signs from two to three in a C-2, Limited Commercial Zoning District at 249 Deane Drive.

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

36. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation to increase the maximum allowable fence height in the front yard from four feet to eight feet along 11<sup>th</sup> Street, and APPROVE a Variation to increase the maximum allowable fence height in the front yard from four feet to eight feet along Kinsey Street, and APPROVE a Variation to increase the maximum allowable fence height in the side yard from six feet to eight feet in an R-1, Single Family Residential District at 3004 11<sup>th</sup> Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of fence permit for Staff review and approval.
3. The fence must be developed in accordance with the submitted elevation Exhibit F.
4. The fence needs to be even with the adjacent building to the north and cannot encroach into that established front yard setback along 11<sup>th</sup> Street.
5. City Council approval of the alley vacation for the portion of the fence that is located in the alley.

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

37. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine in conjunction with a grocery store in the name of **Charles Youngstrom of Aldi, Inc. d/b/a Aldi** in a C-2, Limited Commercial Zoning District at 5350 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 9:00 am to 8:00 pm Monday through Friday.
4. The hours of operation will be limited to 9:00 am to 7:00 pm Saturday.
5. The hours of operation will be limited to 11:00 am to 7:00 pm Sunday.
6. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

38. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine in conjunction with a grocery store in the name of **Charles Youngstrom of Aldi, Inc. d/b/a Aldi** in a C-2, Limited Commercial Zoning District at 2680 20<sup>th</sup> 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 9:00 am to 8:00 pm Monday through Friday.
4. The hours of operation will be limited to 9:00 am to 7:00 pm Saturday.
5. The hours of operation will be limited to 11:00 am to 7:00 pm Sunday.
6. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

39. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the sale of the vacant lot at 5xx South Horace Avenue for a minimum bid of \$1,100 which includes advertising with preference to the adjoining property owner. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.
40. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the attached amendments to Chapter 27 of the City of Rockford Municipal Code; Regulation of trees and shrubs. LAID OVER.

**2011-237CR**

41. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a restaurant and outdoor seating area in the name of **John Branyan/BRAVA Restaurant Group d/b/a MashUp**, in a C-3, Commercial General District at 1641 North Alpine Road. Approval is subject to the following conditions:
  1. Compliance with the Liquor Ordinance.
  2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F: Tuesday through Thursday 11:00 am to 11:00 pm and Friday and Saturday 11:00 am to 12:00 (midnight).
  3. A cover charge, DJ or dance floor may not be allowed.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Jacobson, Beach, Beck absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Jacobson, Beach, Beck absent).

**OFFICERS REPORTS**

42. Mayor Morrissey presented a Proclamation proclaiming August 2, 2011 to be "NATIONAL NIGHT OUT" in Rockford, Illinois and called upon all citizens to join us in supporting this event.
43. Mayor Morrissey thanked community members for assisting us to organize our petition drive to ask Governor Quinn to sign into law the pending casino legislation. He mentioned speaking with the Governor last week and invited continued discussion concerning the casino legislation.

44. Mayor Morrissey mentioned his concerns with the proposed amendments to the tree and shrub ordinance.
45. Mayor Morrissey mentioned there will be a closed session at the end of tonight's meeting to discuss potential litigation and collective bargaining issues.
46. Mayor Morrissey announced the Rockford Police Department Annual Report 2010 has been distributed to the aldermen for review.
47. Alderman Timm thanked the police department, on behalf of a constituent, for the quick actions, care and concern they displayed, when a child in his ward was lost.
48. Alderman Wasco reported the neighborhood meeting scheduled last week with ComEd representatives was cancelled due to another storm and power outages. He announced he will re-schedule that meeting, and requested city administration coordinate a meeting with the aldermen and ComEd representatives before the next neighborhood meeting.
49. Alderman Mark reiterated Alderman Wasco's concerns regarding the on-going power outages and supports Alderman Wasco's request for a meeting the ComEd representatives.
50. Alderman Mark assured the community that the soldier statute at North Main and Auburn Street will not be moved to another location due to the construction of the roundabout.
51. Alderman Robertson thanked Mayor Morrissey for acknowledging the passing of Phyllis Howard, City of Rockford employee, and for his kind words about her.  
  
Alderman Robertson reflected on her outstanding service to the City and remarked she was a wonderful lady and will be dearly missed.
52. Alderman Robertson mentioned last Thursday the Airport Commissioners voted unanimously to continue the agreement for services with the Rockford Fire Department.
53. Alderman Hervey thanked City staff and the community for their get well wishes, calls, cards, prayers and flowers during her medical leave.

### **UNFINISHED BUSINESS**

#### **2011-238CR**

54. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:
  1. Request from Cunningham Street Block Club to repeal the existing traffic control of Loomis Street stopping for Corbin Street and replace with all-way stop control at the intersection of Corbin Street and Loomis Street.
  2. Request from Alderman Venita Hervey, 5<sup>th</sup> Ward, to prohibit commercial vehicles on Magnolia Street from Blackhawk Park Avenue to Seminary Street.



MOTION PREVAILED by a roll call vote of:

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

**2011-087-O**

55. Alderman Wasco moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for charitable food pantry in an I-1, Light Industrial District at 401, 421 South Rockton Avenue. Approval is subject to the following conditions:

1. Meeting all applicable fire and building codes specifically documentation from a licensed design professional (architect), licensed in the State of Illinois.
2. Submittal of a building permit including site improvements for Staff's review and approval.
3. Installation of landscaping and parking lot improvements must be completed prior to occupancy of the building.
4. Submittal of a building elevation for Staff's review and approval.

MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Wasco, Thompson-Kelly, Johnson, Timm, Elyea, McNeely, Robertson -9-  
Nays: Mark, Hervey -2-  
Absent: Jacobson, Beach, Beck -3-

**2011-088-O**

56. Alderman Wasco moved the adoption of an Ordinance amending Article 63 and Article 64 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for the expansion of cultural exhibits and a Variation to reduce parking to two (2) parking spaces per site plan and to allow landscaping as per site plan submitted without the need for Variation in an R-1, Single-Family Residential Zoning District at 1129 South Main Street. Approval is subject to the following condition:

1. Must meet all applicable building and fire codes.

MOTION PREVAILED by a roll call vote of:

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

**2011-089-O**

57. Alderman Wasco moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for an auto repair, rim and tire installation and sales in a C-4, Urban Mixed-Use Zoning District at 1601 Broadway. 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. There shall be no passenger vehicle sales on the property.
4. There shall be no overnight storage of vehicles on the property.
5. No outside storage of any auto parts, equipment, materials or inoperable vehicles on the property.
6. There shall be no dismantling of vehicles or vehicle salvage on the property.
7. There shall be no towing business or tow trucks operating from the facility.
8. No blocking of the alley, street or sidewalks with vehicles or snow is allowed.

MOTION PREVAILED by a roll call vote of:

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

**2011-239CR**

58. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Window Replacement at Fire Station 11 be made to the low bidder, Rockford Contractors, of Rockford, Illinois for their total bid of \$24,475.00. The funding source is Property Fund. MOTION PREVAILED by a roll call vote of:

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

**2011-240CR**

59. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for IT Services be made to Advanced Technology Services (ATS), of Hoffman Estates, Illinois for their estimated annual cost of \$715,697. The funding source is IT Operating Budget. MOTION PREVAILED by a roll call vote of:

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

**2011-241CR**

60. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the approval of the purchase of Infrared Cameras under a joint

purchasing contract with Grainger, of Bethlehem, PA for an estimated 2011 cost of \$26,685.00. The funding source is State & Federal Weatherization Grant Funds. MOTION PREVAILED by a roll call vote of:

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

**2011-242CR**

61. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending that Wall Air Conditioner Units be added to the Refrigerator contract awarded to American TV & Appliance, of Rockford, Illinois on February 14, 2011. The total cost of the air conditioners is \$85,860.00 for 216 air conditioning units. The funding source is ARRA Grant Funding. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Thompson-Kelly, Johnson, Timm, Elyea, Robertson -9-  
Nays: Hervey, McNeely -2-  
Absent: Jacobson, Beach, Beck -3-

**2011-243CR**

62. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement Amendment: Morgan Street Bridge be made to Crawford, Murphy & Tilly, Inc. for an additional \$217,456.09 for a total not to exceed cost of \$2,213,847.67 for Phase II design engineering. Funding in the amount of \$175,000 will be reimbursed from the Illinois Commerce Commission as part of the Railroad Consolidation Project. The remaining amount of \$42,456.09 will come from MFT funds. MOTION PREVAILED by a roll call vote of:

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

**2011-244CR**

63. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Whitman Interchange Repairs - 2011 be made to the low bidder, Rock Road Companies, of Janesville, Wisconsin for their total bid of \$829,392.11. The funding source is Sales Tax. MOTION PREVAILED by a roll call vote of:

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

**2011-245CR**

64. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Spring Brook Road Reconstruction – 2011 be made to the low bidder, William Charles Construction, of Loves Park, Illinois for their total bid of \$450,958.28. The funding source is Sales Tax. MOTION PREVAILED by a roll call vote of:

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

**2011-246CR**

65. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for City-Wide Bike Route be made to the low bidder, Norwest Blacktop, of South Beloit, Illinois for their total bid of \$12,578.03. The funding source is Sales Tax. MOTION PREVAILED by a roll call vote of:

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

**2011-247CR**

66. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report regarding the awarded the Multi-Family Weatherization contract to Garwick Electric, of Rockford, Illinois hereby recommends the award be rescinded and further, that the award be made to the next low bidder, Wilson Electric, of Rockford, Illinois for their total bid of \$369,667.00. The funding source is ARRA Grant Funding. MOTION PREVAILED by a roll call vote of:

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

**2011-248CR**

67. Alderman Elyea moved the adoption of a Planning and Development Committee Report recommending approval by the City Council of the attached one year agreement with Midtown District for financial support in the amount of \$30,000.00 for year 2011, funded through the 7th Street TIF District. MOTION PREVAILED by a roll call vote of:

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

## MOTIONS AND RESOLUTIONS

### 2011-115R

68. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a special event permit for the Kennedy 5K Run/Walk for Mind, Body and Soul on October 15, 2011 from 8:00 am – 9:30 am beginning at Mildred Berry Center located at 8616 Northern Avenue. MOTION PREVAILED (Ald. Jacobson, Beach, Beck absent).

### 2011-116R

69. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a special event permit for sales and service of liquor on public property ("SP" license) in downtown Rockford including the River District and Davis Memorial Park for the On The Waterfront Festival for the following dates and times:

9/1/11 - 5:00 pm to 12:00 (Midnight)  
9/2/11 - 5:00 pm to 12:00 (Midnight)  
9/3/11 - 11:30 am to 12:00 (Midnight)  
9/4/11 - 11:30 am to 12:00 (Midnight)

MOTION PREVAILED (Ald. Jacobson, Beach, Beck absent).

### 2011-117R

70. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a special event permit for sales and service of liquor on public property ("SP" license) in downtown Rockford including the River District and Davis Memorial Park for the On The Waterfront Festival for the following dates and times:

9/2/11 - 5:00 pm to 12:00 (Midnight) - Admiral's Club until 1:00 am  
9/3/11 - 11:30 am to 12:00 (Midnight) - Admiral's Club until 1:00 am  
9/4/11 - 11:30 am to 12:00 (Midnight) - Admiral's Club until 1:00 am

MOTION PREVAILED (Ald. Jacobson, Beach, Beck absent).

### 2011-118R

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

A. Bid: Keith Creek Demolitions Phase 2, funding source: DCEO Grant  
B. Bid: Pavement Marking - 2011, funding source: Sales Tax

MOTION PREVAILED (Ald. McNeely voted no; Ald. Jacobson, Beach, Beck absent).

### 2011-119R

72. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution of the City of Rockford Ascertaining the Prevailing Wages for Laborers, Mechanics and Workers Employed by Said City.

MOTION PREVAILED (Ald. McNeely voted no; Ald. Jacobson, Beach, Beck absent).

**2011-120R**

73. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that the City Council of the City of Rockford hereby respectfully requests that IAFF 413 voluntarily reduce their wage increase to 2% for 2011 and accept no wage increase until the end of this year, thereby exhibiting shared sacrifice with the City's PB&PA members, AFSCME members, non-union employees and residents.

MOTION PREVAILED (Ald. McNeely voted no; Ald. Jacobson, Beach, Beck absent).

**NEW BUSINESS**

**2011-090-O**

74. Alderman Wasco introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum permitted number of wall signs from two to four in a C-2, Limited Commercial District and a Variation to increase the maximum permitted number of signs from two to three in a C-2, Limited Commercial Zoning District at 249 Deane Drive.

Approval is based on the Findings of Fact.

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

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

**2011-091-O**

75. Alderman Wasco introduced and read an Ordinance for the sale of City owned property at vacant lot located at 628 Kent Street at a minimum bid of \$2,000 with preference to the adjacent adjoining property owner.

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

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

**2011-092-O**

76. Alderman Wasco 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

Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

**John Branyan/BRAVA Restaurant Group d/b/a MashUp** located at 1641 North Alpine Road for the sale of liquor by the drink in conjunction with a restaurant and outdoor seating area. Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F: Tuesday through Thursday 11:00 am to 11:00 pm and Friday and Saturday 11:00 am to 12:00 (midnight).
3. A cover charge, DJ or dance floor may not be allowed.

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

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

**2011-093-O**

77. Alderman Hervey introduced and read an Ordinance authorizing the Mayor and Legal Director to execute an Intergovernmental Agreement with the Rockford Park District for the Ethel Avenue Turn Lane.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely voted no; Ald. Jacobson, Beach, Beck absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

78. Alderman McNeely pondered whether the Resolution regarding the IAFF Local 413 should have been separated from the other Finance and Personnel Resolutions and voted on separately.

Mayor Morrissey explained if an aldermen would like to separate an item for vote he would accommodate their request.

79. Alderman Hervey made a motion to go into closed session to discuss collective negotiating matters and threatened litigation matters, seconded by Alderman Timm. MOTION PREVAILED by a Roll Call vote of:

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

The meeting went into closed session at 7:38 p.m.

The meeting returned to open session at 8:53 p.m. and found the following aldermen present:

Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Elyea,  
Robertson -10-

80. Upon motion duly made and seconded, the meeting was adjourned at 8:54 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**  
**August 8, 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 AUGUST 8, 2011**

**A. CODE AND REGULATIONS**

1. Beach - Final Plat of Guilford Square Subdivision #6, being a Replat of Lot 3 of the re-subdivision of Lot 4 of Guilford Square Plat #1
2. Beach - Final Plat of Guilford Square Subdivision #5, being a Replat of Lot 13 of Guilford Square Plat #2
3. Beach - Final Plat of Acument being a part of Section 35, Township 44 North, Range 1 East on the 3<sup>rd</sup> Principal Meridian
4. Beach – ZBA - **Variation** to build a pylon sign, a **Variation** to increase the sign height from the maximum 8’ to 20’ and; **Variation** to increase the maximum square footage allowed to 160 square feet per site sign in a C-3, Commercial General District at 7151 Walton Street
5. Beach – LAB - Request for the sale of packaged beer & wine in conjunction with a grocery store in a C-2, Limited Commercial Zoning District at 3831 Auburn Street

## UNFINISHED BUSINESS

### II. COMMITTEE REPORTS LAID OVER AUGUST 1, 2011

1. Beck - Finance and Personnel - Recommending the award for Bituminous Patching be made to the low bidder, Norwest Blacktop, of S. Beloit, Illinois for their total bid of \$161,300.00. The funding source is Water Operations Fund.
2. Beck - read a Finance and Personnel Committee Report recommending the Sole Source Contract Award: City-Wide Railroad Crossing 2010 be made to William Charles Construction for a total not to exceed cost of \$23,691.58 to perform the bituminous patching near three railroad crossings. The funding for this project will come from Sales Tax Funds.
3. Beck - Finance and Personnel - Recommending the Engineering Agreement: Greenhouse Gas Emissions Inventory – Phase II be made to MWH Americas, Inc. to perform a greenhouse gas emissions gas reduction assessment for a total not to exceed cost of \$25,000. The funding for this project will come from EECBG Funds made available through Federal Stimulus Funding.
4. Beach - Code and Regulation - Recommending the annexation of 2090 New Milford School Road.
5. Beach - Code and Regulation - Recommending the authorization of the Mayor to execute a petition for the annexation of 5xx Horace Avenue into the City of Rockford.
6. Beach - Code and Regulation - Recommending the annexation of 5xx Horace Avenue.
7. Beach - Code and Regulation Committee Report recommending the annexation of 1206 North Johnston Avenue.
8. Beach - Code and Regulation - Recommending the annexation of 2407 Sandy Hollow Road.
9. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #119-83 and #07-01 for construction of a new 36' X 52' metal service building and APPROVE a Variation to allow a six foot setback with no additional landscaping in an R-2, Two-Family Residential District with the elimination of condition #2 at 1118 Ferguson Street. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.

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

10. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY a Variation to increase the maximum permitted number of wall signs from two to four in a C-2, Limited Commercial Zoning District and

APPROVE a Variation to increase the maximum permitted number of wall signs from two to three in a C-2, Limited Commercial Zoning District at 249 Deane Drive.

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

11. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation to increase the maximum allowable fence height in the front yard from four feet to eight feet along 11<sup>th</sup> Street, and APPROVE a Variation to increase the maximum allowable fence height in the front yard from four feet to eight feet along Kinsey Street, and APPROVE a Variation to increase the maximum allowable fence height in the side yard from six feet to eight feet in an R-1, Single Family Residential District at 3004 11<sup>th</sup> Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of fence permit for Staff review and approval.
3. The fence must be developed in accordance with the submitted elevation Exhibit F.
4. The fence needs to be even with the adjacent building to the north and cannot encroach into that established front yard setback along 11<sup>th</sup> Street.
5. City Council approval of the alley vacation for the portion of the fence that is located in the alley.

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

12. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine in conjunction with a grocery store in the name of **Charles Youngstrom of Aldi, Inc. d/b/a Aldi** in a C-2, Limited Commercial Zoning District at 5350 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 9:00 am to 8:00 pm Monday through Friday.
4. The hours of operation will be limited to 9:00 am to 7:00 pm Saturday.
5. The hours of operation will be limited to 11:00 am to 7:00 pm Sunday.
6. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

13. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine in conjunction with a grocery store in the name of **Charles Youngstrom of Aldi, Inc. d/b/a Aldi** in a C-2, Limited Commercial Zoning District at 2680 20<sup>th</sup> 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 9:00 am to 8:00 pm Monday through Friday.
4. The hours of operation will be limited to 9:00 am to 7:00 pm Saturday.
5. The hours of operation will be limited to 11:00 am to 7:00 pm Sunday.
6. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

14. Beach - Code and Regulation - Recommending the approval of the sale of the vacant lot at 5xx South Horace Avenue for a minimum bid of \$1,100 which includes advertising with preference to the adjoining property owner. The Legal Director is hereby instructed to prepare the necessary Ordinance.
15. Beach - Code and Regulation - Recommending the approval of the attached amendments to Chapter 27 of the City of Rockford Municipal Code; Regulation of trees and shrubs.

- Motions and Resolutions

**III. MOTION AND RESOLUTIONS**

1. Beach - Brewsky's Anniversary Party – 8/20/11
2. Beach - Mexican Baseball Festival – 9/4/11
3. Beach – On The Waterfront Festival; IDOT street closures.

**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- Ordinance – Intergovernmental Agreement: Alpine Dam Improvements with the Rockford Park District.

\* 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, August 8, 2011, 5:15 p.m.**

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

**AGENDA**

1. C & R 11-113 Special Events: Brewsky's Anniversary Party 8/20/11  
Mexican Baseball Festival 9/4/11
2. C & R 11-114 Final Plat of Guilford Square Subdivision #6, being a Replat of Lot 3 of the re-subdivision of Lot 4 of Guilford Square Plat #1
3. C & R 11-115 Final Plat of Guilford Square Subdivision #5, being a Replat of Lot 13 of Guilford Square Plat #2
4. C & R 11-116 Final Plat of Acument being a part of Section 35, Township 44 North, Range 1 East on the 3<sup>rd</sup> Principal Meridian
5. C & R 11-70 ZBA#016-11 **Variation** to build a pylon sign, a **Variation** to increase the sign height from the maximum 8' to 20' and; **Variation** to increase the maximum square footage allowed to 160 square feet per site sign in a C-3, Commercial General District at **7151 Walton Street**
6. C & R 11-100 011-LAB-011 Request for the sale of packaged beer & wine in conjunction with a grocery store in a C-2, Limited Commercial Zoning District at 3831 Auburn Street
7. C & R 11-112 Closed Session for Purposes of Pending or Threatening Litigation

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, August 8, 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: Kishwaukee Street Resurfacing – Suspend rules
  - B. Engineering Agreement: South Main Corridor Lighting – Suspend rules
  - C. Resolution to take Bids/Proposals
  - D. Vouchers
    - √ Training/Travel Request for Human Services
2. 2011 Supplemental Appropriation Ordinance (Laid over 8/1)

3. Rockford Area Arts Council Funding
4. Retention of Outside Counsel

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, August 8, 2011, 5:30 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

1. Memorandum from John Giliberti, City Attorney, regarding RACVB's 2<sup>nd</sup> Quarter Report for April- June, 2011.
2. Memorandum from Jovita Donahue, Development Specialist, regarding a request for assistance for Pampered Pet.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, August 8, 2011, \_\_\_\_ p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

No Meeting Scheduled.