

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
NOVEMBER 14, 2011
COUNCIL CONVENED AT 6:13 P.M.**

1. The invocation was given by Father Ron Montanye, Retired from Saint Sebastian Orthodox Catholic Church/Rockford Police Chaplain and the Pledge of Allegiance was led by Cub Pack 299.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Absent: Hervey -1-
3. Alderman Mark moved to accept the Journal of Proceedings of November 7, 2011, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Hervey absent).

PUBLIC PARTICIPATION

4. Bruce Roberts urged the aldermen to hire more police officers and asked them to consider supporting carry and conceal.
5. Prophet Yusef spoke about stopping the exodus from Rockford.
6. Nancy Gdowski urged the alderman to reconsider outsourcing street sweeping.

PETITIONS AND COMMUNICATIONS

7. Alderman Johnson submitted three (3) requests for service. Referred to the Public Works Department.
8. Alderman Johnson submitted an e-mail from David and Reanne Shive concerning removal of the street lights. Referred to Public Works Department/Kelly Nokes.
9. Alderman Johnson submitted a Memorandum from James R. Ryan, City Administrator, regarding municipal electric aggregation. Referred to Code and Regulation Committee.
10. Alderman Beach submitted the Rockford Traffic Commission Minutes from the meeting held on November 9, 2011. Referred to Code and Regulation Committee.
11. Alderman Beach submitted a Memorandum from the Legal Department regarding Annexations for three (3) properties:
 1. 8650 Junction Road, Ogle County, Davis Junction, Illinois
 2. 11xx Edson Road and 87xx Friday Road, Winnebago County, Rockford, Illinois

3. 33xx-43xx Southbend Road, 43xx-45xx Condon Road; 86xx-89xx Friday Road and 43xx-45xx Edson Road, Winnebago County, Rockford, Illinois.

Referred to Code and Regulation Committee.

12. Alderman Beach submitted a Memorandum from Marcy Leach, Engineering Operations Manager, regarding the Right-of-Way Vacation part of 9xx S. Gregory Street. Referred to Code and Regulation Committee.
13. Alderman Elyea submitted a Memorandum from John Giliberti, City Attorney, regarding the RACVB's 3rd Quarter Report for 2011. Referred to Planning and Development Committee.
14. Alderman Elyea submitted a Memorandum from Jovita Donahue, Development Specialist, regarding a request for CDBG-R assistance to NCO Customer Management for the creation of 100 jobs. Referred to Planning and Development Committee.
15. Alderman Elyea submitted a Memorandum from Wayne Dust, Planning Administrator, regarding the USEPA Brownfield Clean-up Grants and Programs: Competitive Grant Process. Referred to Planning and Development Committee.
16. Alderman Beck submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding an Emergency P.O. for Bridge Repairs for the 3rd St. Bridge over Southbound Ramp to N. 6th Street. Placed on file.

NEW COMMITTEE REPORTS

17. Alderman Beck read a Finance and Personnel Committee Report recommending that the 2012 License and Fee Schedule be approved and that the Legal Director shall prepare the appropriate ordinance. LAID OVER.

2011-386CR

18. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Snow Removal for Municipal Parking Lots & Sidewalks be made to Snow Solutions, of Machesney Park, Illinois for a cost of \$29.00 per hour for Groups 1 through 10 and \$25.00 per hour for Group 11. The total estimated value of this contract is \$29,700.00. The funding source is Parking Fund & Fire Department Operating Budget.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey 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:	McNeely -1-
Absent:	Hervey -1-

19. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of November 14, 2011 in the amount of \$3,481,309.40. MOTION PREVAILED (Ald. Hervey 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, McNeely, Robertson -13-
Nays: -0-
Absent: Hervey -1-

OFFICERS REPORTS

20. Mayor Morrissey presented a Proclamation proclaiming the week of November 13, 2011 to be "NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK" in Rockford, Illinois and encouraged all residents to recognize that many people do not have housing and need support from citizens, and private/public non-profit service entities.
21. Mayor Morrissey reported the State General Assembly veto session completed last week, however, he was informed a special session may take place on November 29, 2011.
22. Mayor Morrissey reported with disappointment the failure of the gaming bill and the passage of the bill that will pay for Regional Offices of Education using local government funding.
23. Mayor Morrissey also reported the failure of House Bill 3793. The passage of this bill would have prevented the City from collecting property tax attributed to the increase in (CPI) when assets decline.
26. Mayor Morrissey reported with deep sympathy the homicide of Brandon Wright, former summer city employee, and mentioned his mother Rosemary is a 30 year employee of the City of Rockford Finance Department. He offered prayers to the Wright family, and requested a moment of silence in his memory.
27. Alderman Thompson-Kelly mentioned speaking with Rosemary Wright during this very difficult time and thanked Winnebago County Sherriff's Department and Rockford Police Department for their continued correspondence with the family. She offered her prayers to the Wright family.
28. Alderman Thompson-Kelly announced the Attorney General's Office will be hosting a Resource Fair on November 19, 2011 from 9:00 am – 2:00 pm at The Hilton Garden Inn on Walton Street. This seminar will provide tips to homeowners on how to prevent foreclosure and avoid foreclosure rescue scams.
29. Alderman Wasco submitted a Memorandum from Jim Ryan, regarding Legislative Affairs Accomplishments. Referred to Legislative Lobbying Committee.

30. Alderman Beach mentioned attending the dedication and open house of the 8th Water Filtration Plant, Well 13 on November 10th at 4625 Skyline Drive. He lauded the city for their continued efforts upgrading the water system.
31. Alderman Beach expressed his appreciation to all city employees for the hard work they do for the citizens of Rockford.
32. Alderman McNeely she also thanked the city employees in attendance at tonight's meeting for the excellent service they provide the citizens of Rockford and she offered her support for the unions of the city.
- Mayor Morrissey advised there will be no layoffs of city employees as a result of the proposal to outsource street sweeping.
33. Alderman Johnson mentioned receiving an e-mail from Jori Peterson, thanking Tim Hanson, Director of Public Works, for taking time Sunday afternoon to address her concerns and she praised him for his efforts.

UNFINISHED BUSINESS

2011-387CR

34. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the sale of the vacant lot at 628 Kent Street for a minimum bid of \$2,000.00 which includes advertising with preference to the adjoining property owner. MOTION PREVAILED by a roll call vote of:

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

2011-155-O

35. Alderman Beach moved the adoption of an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for heavy equipment sales and service; and a Variation to increase the maximum allowable height for a free-standing sign from eight (8) feet to thirty (30) feet for one business on a single lot and a Variation to eliminate concrete paving and replace with gravel for outdoor storage of heavy equipment and sales area in an I-1, Light Industrial Zoning District at 854 Simpson Road. Approval is subject to the following conditions:
1. Meeting all building and fire codes.
 2. Submittal of a Final Plat for City review and approval prior to development of the site.
 3. Submittal of Building Permits for Staff review and approval.
 4. Submittal of a detailed illumination and site plans.
 5. Submittal of a detailed landscape plan to include the type of species to be planted for Staff's review and approval.

MOTION PREVAILED by a roll call vote of:

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

2011-156-O

36. Alderman Beach moved the adoption of 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:

Nimesh Patel of Shree Krishna Enterprise d/b/a Discount Tobacco & Pop located at 5843 Forest Hills Road for the sale of packaged liquor in conjunction with a convenience/grocery store in a C-2, Limited Commercial 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 hours of operation will be limited to 8:00 am to 9:00 pm Monday through Saturday.
4. The hours of operation will be limited to 8:00 am to 8:00 pm on Sunday.
5. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.
6. Window display signage shall be limited to no more than 30% of the window area.
7. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack-pipe" is prohibited.

MOTION PREVAILED by a roll call vote of:

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

2011-157-O

37. Alderman Beach moved the adoption of 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:

Neel Patel d/b/a Rock Liquor & Wine located at 3840 Broadway for the sale of packaged liquor in conjunction with a liquor store in a C-2, Limited Commercial Zoning 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. Submittal of Building Permit for Staff review and approval.
4. The hours of operation will be limited to 9:00 am to 10:00 pm Monday through Thursday; Friday through Saturday 9:00 am to 10:00 pm and Sunday will be 11:00 am to 10:00 pm.
5. The sale of alcohol shall be limited to the interior site plan that was submitted as Exhibit D.
6. Window display signage is limited to 30% of window area.
7. The sale of rose tubes, airplane-sized bottles and any other products that can be easily converted into a "crack-pipe" is prohibited.

MOTION PREVAILED by a roll call vote of:

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

2011-158-O

38. Alderman Beach moved the adoption of 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:

Leroy G. Jones of Rockford Investment Corp., d/b/a Mandalay Lounge located at 200 North Church Street for the sale of liquor by the drink in conjunction with a restaurant in a C-4, Urban Mixed Use Zoning District. 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 G. Monday through Saturday 10:00 am to 2:00 am and Sunday 11:00 am to 11:00 pm.
3. A cover charge, DJ or dance floor over 150 square feet is not allowed.

MOTION PREVAILED by a roll call vote of:

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

2011-159-O

39. Alderman Beach moved the adoption of 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 persons:

Alfredo Linares of Chiquita Food Market, Inc., d/b/a Chiquita Food Market and Deli located at 1414 South Main Street for the sale of packaged liquor in conjunction with

a grocery store and the sale of beer and wine by the drink in conjunction with a deli in a C-4, Urban Mixed Use Zoning 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 beer and wine by the drink can only be in conjunction with food sales and will be limited to 8:00 am to 9:00 pm Monday through Sunday.
4. The sale of alcohol shall be limited to the interior floor plan that was submitted as Exhibit E.

MOTION PREVAILED by a roll call vote of:

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

2011-160-O

40. Alderman Beach moved the adoption of an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to increase the front yard fence height from the maximum allowed four (4) feet to six (6) feet and an eight (8) feet to six (6) inch gate along Highridge Road in an R-1, Single-Family Zoning District at 1811 Raincloud Drive. MOTION PREVAILED by a roll call vote of:

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

2011- 388CR

41. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the Sole Source Contract for Biomelt S7, Liquid Salt Pre-Wet to SNI Solutions of Geneseo, Illinois at a price of \$1.25 per gallon. The total estimated cost of the contract is \$22,500.00 per year. The funding source is Street Division Operating Budget. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -12-
Nays: -0-
Absent: Hervey -1-

2011-389CR

42. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the contract for Comprehensive Liability Coverage, loss control and third party administrator services to Traveler's Insurance for a period of one year for a total cost of \$440,487. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -12-
Nays: -0-
Absent: Hervey -1-

NEW BUSINESS

43. Alderman Beach introduced and read an Ordinance for the sale of city owned vacant lot located at 819 Seminary Street at a minimum bid of \$900.00 with preference to the adjoining owner-occupied property owner. LAID OVER.

44. Alderman Beck made a motion to go into closed session to discuss collective negotiations, seconded by Alderman Jacobson. MOTION PREVAILED by a Roll Call vote of:

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

The meeting went into closed session at 7:04 p.m.

The meeting returned to open session at 7:17 p.m. and found the following aldermen present:

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

45. Upon motion duly made and seconded, the meeting was adjourned at 7:18 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
November 21, 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 NOVEMBER 21, 2011

A. CODE AND REGULATIONS

1. Beach - Right-of-Way Vacation of Alley Adjacent to 211 S. Court Street
 2. Beach - Right-of-Way Vacation Part of 9xx South Gregory Street
 3. Beach -Municipal Electric Aggregation
 4. Beach - November Traffic Commission Minutes
- Officers Reports

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER NOVEMBER 14, 2011

1. Beck - Finance and Personnel - Recommending that the 2012 License and Fee Schedule be approved and that the Legal Director shall prepare the appropriate ordinance.

III. ORDINANCES LAID OVER NOVEMBER 14, 2011

1. Beach - Ordinance - For the sale of city owned vacant lot located at 819 Seminary Street at a minimum bid of \$900.00 with preference to the adjoining owner-occupied property owner.

- Motions and Resolutions

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. Beach – Ordinance – Approving of the sale of the vacant lot at 628 Kent Street for a minimum bid of \$2,000.00 which includes advertising with preference to the adjoining property owner.
2. Beck – Ordinance – Extension of the Interim Credit Line with PNC Bank be increased and extended to \$20.7 million, including \$15 million for cash flow and \$1.5 million for the Metro Centre term loan through 12/31/2013, and \$4.2 million for Keith Creek through 12/31/2012. (Committee Report passed 10/3/11)

* 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, November 21, 2011, 5:15 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

1. C& R 11-184 Right-of-Way Vacation of Alley Adjacent to 211 S. Court Street
2. C & R 11-200 Right-of-Way Vacation Part of 9xx South Gregory Street
3. C & R 11-189 Municipal Electric Aggregation
4. C & R 11-199 November Traffic Commission Minutes
5. C & R 11-200 Closed Session for Purposes of Pending and/or Threatened Litigation

FINANCE AND PERSONNEL COMMITTEE
Monday, November 21, 2011, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA

1. 2012 Budget (Laid over 11/14)
2. Purchasing and Vouchers
 - A. Award of Bid: Renaissance Corners Improvements – Suspend rules
 - B. Logistics Park Extension Grant Application – Consultant Services – Suspend rules
 - C. Engineering Agreement: Madison Street Extension – Suspend rules
 - D. Prescription Benefit Manager for All Employees
 - E. Addition of Roth provision to City's Deferred Compensation Plan
 - F. Vouchers
3. Siemens' Performance Contract & Intergovernmental Agreement with RAVE Authority
4. Sublease to Wanxiang

PLANNING AND DEVELOPMENT COMMITTEE
Monday, November 21, 2011, 5:30 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA

1. Memorandum from Jovita Donahue, Development Specialist, regarding a request for CDBG-R assistance to NCO Customer Management for the creation of 100 jobs.
2. Memorandum from John Giliberti, City Attorney, regarding the RACVB -Rockford Area Convention & Visitors Bureau 3rd Quarter Results for 2011.
3. Memorandum from Wayne Dust, Planning Administrator, regarding a request for a Resolution for the USEPA Brownfield Grants and Programs: Competitive Grant Process.

LEGISLATIVE LOBBYING COMMITTEE
Monday, November 21, 2011, ___p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

No Meeting Scheduled.