

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
APRIL 9, 2012  
COUNCIL CONVENED AT 6:27 P.M.**

1. The invocation was given by Chaplain Jesus Calvillo, First Church of God/Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Absent: -0-
3. Alderman Mark moved to accept the Journal of Proceedings of April 2, 2012, seconded by Alderman Wasco. MOTION PREVAILED.

**PUBLIC PARTICIPATION**

4. Roland Poska invited everyone to attend an event at the Rockford Art Museum on May 5, 2012 from 2:30 pm -4:30 pm and receive a free Roland Poska poster.
5. Bruce Roberts expressed his concern with Rockford implementing geographic policing and with the heroin epidemic in Rockford.

**PETITIONS AND COMMUNICATIONS**

6. Alderman Elyea submitted a Memorandum from Vicki Manson, Neighborhood Development Administrator, regarding Designation of a Slum-Blight Area under the CDBG Program. Referred to Planning and Development Committee.
7. Alderman Beach submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming events:
  1. Kentucky Derby Party – 5/5/12
  2. Memorial Day Parade – 5/28/12Referred to Code and Regulation Committee.
8. Alderman Thompson-Kelly submitted a request from Tarina Lister, Founder/President of Uplift & Inspire and DiVine DiVas & DoNs for the use of Andrews Park for "Saturday's In The Park" events this summer. Referred to Mayor Morrissey's Office.
9. Alderman Thompson-Kelly announced the Rockford Housing Authority is hosting a public meeting for the Rockford Choice Neighborhood Transformation Plan on April 23, 2012 at 1401 West State Street. She encouraged all to attend the meeting.

10. Alderman Thompson-Kelly announced an event for "Money Smart Week" will be held at 1401 West State Street on April 23, 24, 26, 2012.
11. Alderman Johnson submitted two (2) requests for service. Referred to Public Works Department.
12. Alderman Beck submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding Reed Avenue Bridge. Referred to Finance and Personnel Committee.
13. Alderman Beck submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding Pierce Avenue Bridge. Referred to Finance and Personnel Committee.
14. Alderman Beck submitted a Memorandum from George Davis, Human Services Director, regarding the Annual Intergovernmental Agreement between the Human Services Department and Rockford Township for emergency rental assistance for residents of condemned structures. Referred to Finance and Personnel Committee.
15. Alderman Hervey submitted five (5) requests for service. Referred to Community Development/Code Enforcement and Police Department.

#### **NEW COMMITTEE REPORTS**

16. Alderman Elyea read a Planning and Development Committee Report recommending approval of the Development Agreement with Pilgrim's Promise Community Development Corporation for assistance up to \$27,285.38 in connection with the construction of a single family home at 1119 Island Avenue. Source of the funding is the federal HOME Investment Partnerships program funds and the Water Hook-Up Program funds. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
17. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the sale of vacant lot at 1918 Elm Street for a minimum bid of \$890.00, which includes advertising with preference to the adjoining property owner. LAID OVER.
18. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Excavation and Hauling Services be made to the low bidder, Swinson Materials, of Rockford, Illinois for their total estimated annual cost of \$24,420.00. The funding source is Street Division Operating Budget. LAID OVER.
19. Alderman Beck read a Finance and Personnel Committee Report recommending the renewal of the contract with CompPsych for the Employee Assistance Program Services (EAP) for an estimated annual cost of \$16,920. The funding source is Health Insurance Operating Budget. LAID OVER.
20. Alderman Beck read a Finance and Personnel Committee Report recommending the Engineering Agreement: Whitman Street Interchange Feasibility Study be made to

Transystems Corporation, to perform a feasibility study and design engineering for a total not to exceed cost of \$456,952.61. The funding for this project will come from Sales Tax funds. LAID OVER.

**2012-114CR**

21. Alderman Beck read a Finance and Personnel Committee Report recommending the award for City-Wide Street Repair Group No. 1be made to the low bidder William Charles Construction, of Loves Park, Illinois for their total bid of \$790,904.38. The funding source is Sales Tax.

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

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

**2012-115CR**

22. Alderman Beck read a Finance and Personnel Committee Report recommending approval of the Head Start Waivers and Application.

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

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

23. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 9, 2012 in the amount of \$2,077,662.56. MOTION PREVAILED by a Roll Call vote of:

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

**OFFICERS REPORTS**

24. Mayor Morrissey presented a Proclamation proclaiming the week of April 8, 2012 to be "ARCHITECTURE WEEK" in Rockford, Illinois and urged all citizens to recognize the great architectural works in our communities and the great architecture of this state.
25. Mayor Morrissey presented a Proclamation proclaiming the week of April 8, 2012 to be "NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK" in Rockford, Illinois in

recognition of our public safety telecommunications personnel and the vital contributions they make to the safety and well-being of our citizens.

26. Mayor Morrissey presented a Proclamation proclaiming April 21, 2012 to be "COMCAST CARES DAY" in Rockford, Illinois and urged all citizens to recognize Comcast for eleven years of community service and support.
27. Mayor Morrissey thanked the RAEDC and Community Development staff for helping him prepare for his first meeting with Governor Quinn's Exporting Advisory Council last week.
28. Mayor Morrissey reported city staff is continuing to work with the owners of Midway Theatre to determine their options of the deteriorating historic building to alleviate potential danger to the public while trying to preserve it.
29. Mayor Morrissey reported 10% of Rockford's tree population is Ash trees and advised that treatment of these diseased trees is very costly and most will be removed. He announced a council presentation is forthcoming from a collaboration of groups offering a strategy for removal and replacement of Ash trees.
30. Mayor Morrissey reported attending an I-90 Tollway Corridor Planning Meeting last week. He explained with the Tollway having its own independent funding source, Phase I is progressing extremely fast with construction beginning next year, unlike some of our projects that have taken years to move forward. He also mentioned very robust conversation about commuter and high speed rail service.
31. Mayor Morrissey thanked Paris Bennett for her spectacular performance at the free concert sponsored by the Booker Washington Center.
32. Alderman Timm thanked Mark Stockman, Street Maintenance Supervisor, and public works staff for their continued assistance and updates concerning the Ash tree problem.
33. Alderman Timm reported having a very productive meeting with Police Chief Epperson and his staff today concerning crime in the 9<sup>th</sup> Ward.
34. Alderman Thompson-Kelly encouraged the community to attend a public meeting hosted by HUD and Rockford Housing Authority regarding Fairgrounds Housing Complex on April 23, 2012 at 1401 West State Street.
35. Alderman Thompson-Kelly believes the 10-year delay of the West State Street and Auburn Street projects are a result of monies allocated for those projects being redirected.
36. Alderman Beach requested more information about the City's plan for treatment, removal and replacement of the infected Ash trees.

Mayor Morrissey advised a council presentation is forthcoming which will provide a strategy for removal and replacement of the trees.

37. Alderman Jacobson explained that Illinois and several states have restrictions on transporting firewood based on the distance from where it grew to where it is burned.
38. Alderman Johnson wished Alderman Beach a happy birthday!
39. Alderman Johnson announced the Rolling Green Association quarterly meeting will be held tomorrow at Broadway Covenant Church, 3525 Broadway at 6:30 pm.
40. Alderman Johnson thanked the Police Union for inviting the aldermen to their dinner last week.
41. Alderman Johnson mentioned attending the Earth Day awards luncheon for Keep Northern Illinois Beautiful last Thursday at Giovanni's restaurant and complimented guest speaker, Astronaut Mark Lee, for a very interesting program.
42. Alderman Beach announced next Monday night he will be bringing birthday treats.
43. Alderman Hervey reminded neighborhood organizations that the Great American Clean-up will be held on April 28<sup>th</sup> and encouraged the entire community to participate in this annual project.
44. Alderman Hervey invited the community to attend the Harkins Community Memorial Fund event to be held on Saturday, April 14<sup>th</sup> at the Gomez Chapel AME Church, 1509 Michigan Avenue. The cost is \$10 for dinner, dine in or carry-out.

### **UNFINISHED BUSINESS**

#### **2012-116CR**

45. Alderman Elyea moved the adoption of a Planning and Development Committee Report recommending approval of the Third Amendment to the Agreement with Financial Management Systems (FMS). The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

#### **2012-117CR**

46. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the Final Plat of Kelly Williamson at Alpine and Turner. MOTION PREVAILED by a Roll Call vote of:

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

**2012-118CR**

47. Alderman Beach 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 hand car wash and detail in a C-4, Urban Mixed-Use Zoning District at 2611 Broadway. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes by complying with Code Official comments within the report.
2. Submittal of revised site plan showing parking spaces on the south side and access off the alley.
3. Removal of the free-standing sign and any future free-standing sign must comply with Ordinance.
4. Removal of third wall sign on the building.

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

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

**2012-119CR**

48. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of alcohol by the drink in conjunction with a restaurant and nightclub in the name of **Juan Angel Ramos d/b/a Guadalajara de Noche** in a C-2, Limited Commercial Zoning District at 1116-1118 South Main Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
4. That the facility shall include a full service restaurant.
5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Licensed Security Firm.
7. The business shall maintain a parking agreement with the adjacent grocery property for a minimum of (30) parking space.
8. That an interior layout of the building be submitted for Staff review and approval in conformance with the Building and Fire Code and interior layout shall be substantial compliance with approved plan.
9. The business shall provide exterior parking lot patrol and security during hours of operation as a night club and until the parking lot is cleared of all patrons.

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

**2012-120CR**

49. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Variation to increase maximum square footage for a drive-through directory (menu board) from 36 square feet to 59.25 square feet; APPROVE a (B) Variation to increase maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.61 feet; and APPROVE a (C) Variation to reduce parking spaces from 54 to 35 parking spaces in a C-2, Limited Commercial Zoning District at 1441 Kishwaukee Street. Approval is subject to the following conditions:

1. A landscape plan including additional shrubs to be planted along Kishwaukee Street to be submitted for Staff's review and approval.
2. The fence that is in disrepair along the west side shall obtain a permit and be repaired by June 1, 2012.

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

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

50. Alderman Beach 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 pawn shop in a C-2, Limited Commercial Zoning District at 5505 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.

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

Alderman Beach made a motion to lay the committee report over, seconded by Alderman Beck. LAID OVER.

**2012-121CR**

51. Alderman Beach 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 restaurant and nightclub in a C-2, Commercial Zoning District at 1116-1118 South Main Street.

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
4. That the facility shall include a full service restaurant.
5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Security Firm.
7. The business shall maintain a parking agreement with the adjacent grocery store property for a minimum of (30) parking spaces.
8. That an interior layout of the building be submitted for Staff review and approval in conformance with the building and fire code and interior layout shall be in substantial compliance with approved plan.
9. The business shall provide exterior parking lot patrol and security hours of operation as a night club and until the parking lot is cleared of all patrons.

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

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

**2012-122CR**

52. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council DENY the request for sale of liquor by package in conjunction with a tobacco/convenience store in the name of **Mahendrakumar Patel d/b/a Tobacco Outlet** in a C-2, Limited Commercial Zoning District at 3219 North Main Street.

Denial is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

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

**2012-123CR**

53. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending authorization for the use of eminent domain for the property located at 1303 15<sup>th</sup> Avenue for the intersection project that is proposed to take place there. The Mayor and Legal Director of authorized to execute the documents necessary to complete

the transaction. The Legal Director is hereby instructed to prepare the appropriate 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: McNeely -1-  
Absent: -0-

**2012-124CR**

54. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending authorization for the use of eminent domain for the property located at 1928 North Rockton Avenue for the intersection project that is proposed to take place there. The Mayor and Legal Director of authorized to execute the documents necessary to complete the transaction. The Legal Director is hereby instructed to prepare the appropriate 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: McNeely -1-  
Absent: -0-

**2012-125CR**

55. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Demolition of 302 N. Henrietta Avenue, 612 S. Henrietta Avenue, and 1127 Sanford Street be made to the low bidder for all three, Swinson Materials, of Rockford, Illinois for a total award of \$20,658.00. The funding source is CDBG. MOTION PREVAILED by a Roll Call vote of:

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

**2012-126CR**

56. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of a Change Order for Architectural Services at Station 11 for a total of \$12,000. P&G Architecture will be creating specifications for bidding and supervision during the construction process. The funding source is Fire Dept. Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

**2012-127CR**

57. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the Extension of Contract for Police Process Improvement with

Collaborative Solutions Initiative, Inc. in the amount of \$2,000 monthly, not to exceed \$20,000. The funding source is 2010 JAG Grant. MOTION PREVAILED by a Roll Call vote of:

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

**2012-128CR**

58. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Day Avenue Reconstruction Phase III be made to McClure Engineering Associates, Inc. to perform construction engineering for a total not to exceed cost of \$22,659.50. The funding for this project will come from Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

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

**2012-129CR**

59. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the Joint Bidding of Electrical Aggregation Supply as set forth in the agreement. The Legal Director shall prepare the appropriate 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: McNeely -1-  
Absent: -0-

**2012-130CR**

60. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the Intergovernmental Agreement with the Greater Rockford Airport Authority for sharing a bus. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2012-035R**

61. Alderman Elyea, on behalf of the Planning and Development Committee, moved the adoption of a Resolution convening the State Street/Mulford TIF Joint Review Board and Setting the Meeting of the Joint Review Board and establishing the date for the Public

Hearing. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Jacobson, Johnson, Timm, Beach, Beck,  
Robertson -9-  
Nays: Curran, Hervey, Thompson-Kelly, Elyea, McNeely -5-  
Absent: -0-

## MOTIONS AND RESOLUTIONS

### 2012-036R

62. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution recommending authorizing the Central Services Manager to take bids for the following:

A. Bid: Traffic Signs & Blanks, funding source: Traffic Division Operating Budget

MOTION PREVAILED.

## NEW BUSINESS

63. Alderman Beck moved the adoption of an Ordinance approving the attached Intergovernmental Agreement with the Greater Rockford Airport Authority for sharing a bus. LAID OVER.

### 2012-044-O

64. Alderman Beck moved the adoption of an Ordinance approving the Intergovernmental Agreement providing for the Joint Bidding of Electrical Aggregation Supply as set forth in the agreement.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely voted no). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

65. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 309, of the Code of Ordinances of the City of Rockford by adding the following:

That a "Commercial Loading" parking zone be established from 8:00 am to 5:00 pm, Monday through Friday on the North side of Broadway from Arbor Court to 50 feet west of Arbor Court, thus repealing a portion of the existing two hour parking limit.

LAID OVER.

66. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 293, of the Code of Ordinances of the City of Rockford by adding the following:

That traffic on Court Street be required to Yield prior to entering the intersection of Loomis Street and Court Street.

That traffic on Church Street be required to Yield prior to entering the intersection of Loomis Street and Church Street.

LAID OVER.

67. Alderman Beach introduced and read an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for an electronic display sign greater than 36 square feet; and a Variation to increase the maximum permitted square footage for a landmark style sign from 64 square feet to 70 square feet in a C-2, Limited Office Zoning District at 1401 North Bell School Road. Approval is subject to the following conditions:

1. The location of the sign shall be east of the sidewalk and located out of the future right-of-way line along North Bell School Road.

LAID OVER.

**2012-045-O**

68. Alderman Beach introduced and read an Ordinance for the Vacation of property as shown on the Final Plat of Fairhaven Christian Home Plat #5, attached hereto as Exhibit A.

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

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

69. Alderman Beck made a motion to go into closed session to discuss collective negotiation matters, seconded by Alderman Hervey. MOTION PREVAILED by a Roll Call vote of:

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

The meeting went into closed session at 7:26 p.m.

The meeting returned to open session at 8:32 p.m. and found the following aldermen present:

Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach -8-

70. Upon motion duly made and seconded, the meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Diane Reed  
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

**CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS**  
**City Council Chambers, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**April 16, 2012**  
**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 LAID OVER APRIL 9, 2012**

1. Elyea - Planning and Development - Recommending approval of the Development Agreement with Pilgrim's Promise Community Development Corporation for assistance up to \$27,285.38 in connection with the construction of a single family home at 1119 Island Avenue. Source of the funding is the federal HOME Investment Partnerships program funds and the Water Hook-Up Program funds. The Legal Director shall prepare the appropriate ordinance.
2. Beach - Code and Regulation - Recommending the approval of the sale of vacant lot at 1918 Elm Street for a minimum bid of \$890.00, which includes advertising with preference to the adjoining property owner.
3. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5505 East State Street. Approval is subject to the following conditions:
  1. Meeting all applicable building and fire codes.Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare then necessary Ordinance.
4. Beck - Finance and Personnel - Recommending the award for Excavation and Hauling Services be made to the low bidder, Swinson Materials, of Rockford, Illinois for their

total estimated annual cost of \$24,420.00. The funding source is Street Division Operating Budget.

5. Beck - Finance and Personnel - Recommending the renewal of the contract with CompPsych for the Employee Assistance Program Services (EAP) for an estimated annual cost of \$16,920. The funding source is Health Insurance Operating Budget.
6. Beck - Finance and Personnel - Recommending the Engineering Agreement: Whitman Street Interchange Feasibility Study be made to Transystems Corporation, to perform a feasibility study and design engineering for a total not to exceed cost of \$456,952.61. The funding for this project will come from Sales Tax funds.

## **II. ORDINANCES LAID OVER APRIL 9, 2012**

1. Beck - Ordinance - Approving the attached Intergovernmental Agreement with the Greater Rockford Airport Authority for sharing a bus.
2. Beach - Ordinance - Amending Chapter 16, Schedule Section 309, of the Code of Ordinances of the City of Rockford by adding the following:

That a "Commercial Loading" parking zone be established from 8:00 am to 5:00 pm, Monday through Friday on the North side of Broadway from Arbor Court to 50 feet west of Arbor Court, thus repealing a portion of the existing two hour parking limit.

3. Beach - Ordinance - Amending Chapter 16, Schedule Section 293, of the Code of Ordinances of the City of Rockford by adding the following:

That traffic on Court Street be required to Yield prior to entering the intersection of Loomis Street and Court Street.

That traffic on Church Street be required to Yield prior to entering the intersection of Loomis Street and Church Street.

4. Beach - Ordinance - Amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for an electronic display sign greater than 36 square feet; and a Variation to increase the maximum permitted square footage for a landmark style sign from 64 square feet to 70 square feet in a C-2, Limited Office Zoning District at 1401 North Bell School Road. Approval is subject to the following conditions:

1. The location of the sign shall be east of the sidewalk and located out of the future right-of-way line along North Bell School Road.

- Motions and Resolutions

## **III. MOTIONS AND RESOLUTIONS TO BE READ IN APRIL 16, 2012**

1. Beach - Kentucky Derby Party – 5/5/12

2. Beach - Memorial Day Parade – 5/28/12
3. Mark – A.B.A.T.E. Motorcycle Parade – 5/19/12

**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. Elyea – Ordinance - Approval of the Third Amendment to the Agreement with Financial Management Systems (FMS).
2. Beach – Ordinance - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a hand car wash and detail in a C-4, Urban Mixed-Use Zoning District at 2611 Broadway. Approval is subject to the following conditions:
  1. Meeting all applicable building and fire codes by complying with Code Official comments within the report.
  2. Submittal of revised site plan showing parking spaces on the south side and access off the alley.
  3. Removal of the free-standing sign and any future free-standing sign must comply with Ordinance.
  4. Removal of third wall sign on the building.

Approval is based on the Findings of Fact.

3. Beach – Ordinance - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of alcohol by the drink in conjunction with a restaurant and nightclub in the name of **Juan Angel Ramos d/b/a Guadalajara de Noche** in a C-2, Limited Commercial Zoning District at 1116-1118 South Main Street. Approval is subject to the following conditions:
  1. Meeting all applicable building and fire codes.
  2. Compliance with all City of Rockford Liquor Codes.
  3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
  4. That the facility shall include a full service restaurant.
  5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
  6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Licensed Security Firm.
  7. The business shall maintain a parking agreement with the adjacent grocery property for a minimum of (30) parking space.
  8. That an interior layout of the building be submitted for Staff review and approval in conformance with the Building and Fire Code and interior layout shall be substantial compliance with approved plan.
  9. The business shall provide exterior parking lot patrol and security during hours of operation as a night club and until the parking lot is cleared of all patrons.

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

4. Beach – Ordinance - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Variation to increase maximum square footage for a drive-through directory (menu board) from 36 square feet to 59.25 square feet; APPROVE a (B) Variation to increase maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.61 feet; and APPROVE a (C) Variation to reduce parking spaces from 54 to 35 parking spaces in a C-2, Limited Commercial Zoning District at 1441 Kishwaukee Street. Approval is subject to the following conditions:
  1. A landscape plan including additional shrubs to be planted along Kishwaukee Street to be submitted for Staff's review and approval.
  2. The fence that is in disrepair along the west side shall obtain a permit and be repaired by June 1, 2012.

Approval is based on the Findings of Fact.

5. Beach – Ordinance - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a restaurant and nightclub in a C-2, Commercial Zoning District at 1116-1118 South Main Street.
  1. Meeting all applicable building and fire codes.
  2. Compliance with all City of Rockford Liquor Codes.
  3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
  4. That the facility shall include a full service restaurant.
  5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
  6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Security Firm.
  7. The business shall maintain a parking agreement with the adjacent grocery store property for a minimum of (30) parking spaces.
  8. That an interior layout of the building be submitted for Staff review and approval in conformance with the building and fire code and interior layout shall be in substantial compliance with approved plan.
  9. The business shall provide exterior parking lot patrol and security hours of operation as a night club and until the parking lot is cleared of all patrons.

Approval is based on the Findings of Fact.

6. Beach – Ordinance – For authorization for the use of eminent domain for the property located at 1303 15<sup>th</sup> Avenue for the intersection project that is proposed to take place there. The Mayor and Legal Director of authorized to execute the documents necessary to complete the transaction.
7. Beach – Ordinance – For authorization for the use of eminent domain for the property located at 1928 North Rockton Avenue for the intersection project that is proposed to take

place there. The Mayor and Legal Director of authorized to execute the documents necessary to complete the transaction.

- \* same action taken before
- Adjournment

\* \* \* \* \*

**POSSIBLE ADDITIONAL ITEMS:**

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

**CODE AND REGULATION COMMITTEE**

**Monday, April 16, 2012, 5:15 p.m.**

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

**AGENDA**

1. C & R 12-56    1) KY Derby Party 5/5/12  
                          2) Memorial Day Parade 5/28/12

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, April 16, 2012, 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: Paint Supplies & Materials – Suspend rules
  - B. Award of Bid: Traffic Blanks & Finished Signs
  - C. Award of Contract: Unmarked Vehicles for Police & Fire – Suspend rules
  - D. Engineering Agreement: Winnebago and Jefferson Street Bridges – Deck/Joint Rehabilitation
  - E. Vouchers
2. City-State Agreement: Reed Avenue Bridge
3. City-State Agreement: Pierce Avenue Bridge
4. Intergovernmental Agreement with Rockford Township for Emergency Rental Assistance

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, April 16, 2012, 5:30 p.m.**  
**CD Conference Room, City Hall 2<sup>nd</sup> floor**  
**AGENDA**

1. Memorandum from Jovita Donahue, Development Specialist, regarding a request to amend the Enterprise Zone boundary / West Side Building Partnership.
2. Memorandum from Vicki Manson, Neighborhood Development Administrator, regarding Designation of a Slum-Blight Area under the CDBG Program.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, April 16, 2012, \_\_\_\_\_ p.m.**  
**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**  
**AGENDA**

No Meeting Scheduled.