

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**APRIL 23, 2012**  
**COUNCIL CONVENED AT 6:22 P.M.**

1. The invocation was given by Chaplain Phillip Henselin, New Life Lutheran Church /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 16, 2012, seconded by Alderman Wasco.

Alderman Curran made a motion to reconsider Item #42 in the Journal of Proceedings, seconded by Alderman Beach. MOTION PREVAILED (Ald. Hervey, Mark voted no)

Reconsidered Item #42, was placed up for passage - 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck,  
Robertson -9-

Nays: Curran, Thompson-Kelly, Johnson, Beach, McNeely-5-

Absent: -0-

Alderman Mark moved to accept the Journal of Proceedings of April 16, 2012, seconded by Alderman Jacobson. MOTION PREVAILED.

**PUBLIC HEARING**

4. Mayor Morrissey called upon Legal Director, Patrick Hayes to conduct a public hearing. Mr. Hayes called the public hearing to order at 6:45 pm, regarding a plan of operation of governance for an electrical aggregation program through which a city might arrange for a supply of electricity for its residents, residential and small retail customers who have not opted out of such program. The City has placed on file in the Legal Department a copy of the plan of governance and has provided copies to individuals who have requested copies of those items. Mr. Hayes asked for questions or comments from the public and Council members or Mayor Morrissey.

Alderman McNeely asked if the information was available on the internet for the public to access.

Mr. Hayes advised the information was available on the City's website.

Mr. Hayes referred the matter to the Code and Regulation Committee to be placed on the agenda for the week of April 30, 2012.

Mr. Hayes closed the hearing at 6:47 pm

The meeting returned to regular business at 6:47 pm.

### **PUBLIC PARTICIPATION**

5. Jim Buckingham expressed disappointment with city government and announced the Rockford Anti-Racism Network is looking for new members.

Alderman Thompson-Kelly exited the meeting at 6:50 pm

6. Roland Poska reported on April 20<sup>th</sup> at Rolling Green School he experienced great education return to Rockford during magical performances of music and visions by the 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> graders in a packed gymnasium.
7. Bruce Roberts lauded council members for their constructive discussion of a city issue at the beginning of the meeting and reported five citizens were shot this past weekend.
8. Prophet Yusef wished Alderman Beck a happy birthday and spoke about "America is better than this".

### **PETITIONS AND COMMUNICATIONS**

9. Alderman Johnson submitted six (6) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.
10. Alderman Beach submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming events:
  1. Rockford City Market – 6/1/12 – 10/20/12
  2. Rockford Fire Department 911 Run – 6/2/12

Referred to Code and Regulation Committee.

11. Alderman Beach submitted the Zoning Board of Appeals minutes of the meeting held on April 17, 2012. Referred to Code and Regulation Committee.
12. Alderman Beach submitted the Liquor Advisory Board minutes of the meeting held on April 17, 2012. Referred to Code and Regulation Committee.
13. Alderman Beach submitted a Memorandum from Alderman Nancy Johnson regarding Regulating the Sale of Animals at Flea Markets. Referred to Code and Regulation Committee.

14. Alderman Beck submitted a Memorandum from Matthew Vitner, City Engineer regarding South Main Street Waterman – Railroad Pipe Crossing License. Referred to Finance and Personnel Committee.
15. Alderman Beck submitted a Memorandum from Jeremy Carter, City Traffic Engineering regarding an Emergency Purchase Order for Emergency Signal Maintenance for Spring Creek Rd & Driftwood Ln. Virgil Cook & Son's Inc. was retained to remove the existing mast arm and traffic signal at one corner, and install temporary signals prior to RRWRD performing sewer repair. The cost of the traffic signal work is \$17,063.40. Funding for this work is from the Traffic Signal Operations Budget. Placed on file.
16. Alderman Elyea submitted a Memorandum from Jovita Donahue, Development Specialist, regarding CDBG Assistance to On the Rocks Bar & Grill for purchase of Equipment. Referred to Planning and Development Committee.
17. Alderman Elyea submitted a Memorandum from Todd Cagnoni, Deputy Director, Community and Economic Development, regarding a Park District – In Kind Services Request. Referred to Planning and Development Committee.
18. Alderman Elyea submitted a request for service to increase police patrol in the area of Broadway and Parmele for prostitution. Referred to Police Department.
19. Alderman McNeely welcomed Chris Black back as Finance Director.
20. Alderman McNeely requested an increase in police patrol in the 400 block of North Horsman Street. Referred to Police Department.

#### **NEW COMMITTEE REPORTS**

21. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Summer Food Program – 2012 be made to Preferred Meal System, of Berkeley, Illinois for their total estimated bid of \$334,826.80. The funding source is USDA through Illinois State Board of Education. LAID OVER.
22. Alderman Beck read a Finance and Personnel Committee Report recommending approval of a Sole Source Contract for Annual Maintenance for Compressors to Delta Industries, of Downers Grove, Illinois in the amount of \$14,691.70. The funding source is Water Division Operating Budget. LAID OVER.
23. Alderman Beck read a Finance and Personnel Committee Report recommending approval of a Sole Source Contract for Water Treatment Equipment & Supplies to Smith Ecological Systems, of Rockford, Illinois for an estimated total of \$30,000. The funding source is Water Division Operating Funds. LAID OVER.
24. Alderman Beck read a Finance and Personnel Committee Report recommending that an award for Engineering Agreement: IL Rte. 2 Multi-Use Path Design be made to McClure

Engineering to perform design engineering for a total not-to-exceed cost of \$11,393.48. The funding for this project will come from Sales Tax funds. LAID OVER.

**2012-140CR**

25. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Grounds Maintenance – Water Sites be made to the low bidder, MIS, of Loves Park, Illinois for their total bid of \$49,030 for mowing well sites including spring cleanup, landscaping and herbicide of all sites, based on prices on the tabulation. The funding source is Water Division Operating Funds.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Thompson-Kelly absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

**2012-141CR**

26. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Squad & Unmarked Cars for the Police Department be made to the lowest responsive bidder, Lou Bachrodt AutoMall, of Rockford, Illinois for their total bid of \$826,976.84 for vehicles plus scheduled maintenance. The funding source is Police Operating Budget for 2013.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Thompson-Kelly absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

**2012-142CR**

27. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Water Treatment Chemicals be made to Alexander Chemical, of Downers Grove for their bid of \$174,370.10 and to Carus Corporation of Peru, Illinois for their bid of \$194,249.20. The funding source is Water Division Operating Funds.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Thompson-Kelly absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

28. Alderman Beck read a Finance and Personnel Committee Report recommending award for Homeless Management Information System (HMIS) – 2012 be made to Social Solutions Global, Inc., of Baltimore MD for a three-year contract for a total of \$93,077.00. The funding source is HUD Funds. LAID OVER.

Alderman Mark made a motion to lay the committee report over, seconded by Alderman Beach.

**2012-143CR**

29. Alderman Beck read a Finance and Personnel Committee Report recommending the City Council adopt an Ordinance approving the attached sub-lease and assignment to Rockford Solar Partners pursuant to the Development Agreement between the City of Rockford and Wanxiang America Corp.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Thompson-Kelly absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

30. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 23, 2012 in the amount of \$1,801,821.37. MOTION PREVAILED by a Roll Call vote of:

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

31. Alderman Beach read a Code and Regulation Committee Report recommending the approval for a proposed ordinance prohibiting the use of groundwater for the area surrounding 1706 Rural Street pursuant to an Agreement between the Highway Authority and Richard Warner for remedial action for the property. The Legal Director is hereby instructed to prepare the necessary ordinance. LAID OVER.
32. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance repealing the No Parking Anytime restriction on the north side of Fulton Avenue from Rockton Avenue to 150 feet east of Rockton Avenue, thus restoring unrestricted parking. LAID OVER.
33. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw on Ordinance repealing the No Parking Weekdays from 1 pm – 4 pm restriction on the north side of Fulton Avenue from 150 feet west of Winnebago Street to 250 feet west of Winnebago Street, thus restoring unrestricted parking. LAID OVER.

34. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a "Commercial Loading" parking zone from 8:00 am p 5:00 pm, Monday through Friday on the north side of Mulberry Street from Church Street to 95 feet west of Church Street, thus repealing the existing "24 hour" commercial loading zone on the north side of Mulberry Street from Church Street to 95 feet west of Church Street. LAID OVER.
35. Alderman Beach read a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:
  1. Request from the 13<sup>th</sup> Ward from City Staff to establish a Mid-Block Pedestrian Crossing on West State Street approximately 125 feet west of Independence Avenue.

LAID OVER.

36. Alderman Elyea read a Planning and Development Committee Report recommending approval of the attached amendment be made to the City's Housing and Community Development 2010-2014 Consolidated Plan in connection with the Department of Housing and Urban Development's Emergency Solutions Grant Program. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

#### **OFFICERS REPORTS**

37. Mayor Morrissey presented a Proclamation proclaiming Friday, April 27, 2012 to be "ARBOR DAY" in Rockford, Illinois and urged all citizens to take support efforts to protect our environment, and to support our city's urban forestry program which is an ongoing process of renewal and improvement that continues through the years.
38. Mayor Morrissey presented a Proclamation proclaiming the week of April 27, 2012 through May 4, 2012 to be "ROCKFORD HISTORY WEEK" in Rockford, Illinois in recognition of the hard work and dedication of all those who value Rockford's Proud Past and Promising Future.
39. Mayor Morrissey called attention to a Memorandum from Tim Holdeman, Water Superintendent, advising the City will conduct a Mock Chlorine Release Exercise on Thursday, April 26, 2012 for the purpose of testing and refining our emergency response procedures in order to ensure public and worker safety in the event of a chlorine release.
40. Mayor Morrissey mentioned he will be attending the Illinois Municipal League Spring Board meeting this week and advised he will continue to impress upon state leaders, while we work on Medicaid cost cutting, we need to work on a poverty calculator and continue working on pension reform.
41. Mayor Morrissey commented on an article in the *Rockford Register Star* this past Sunday detailing the impact of employee cuts in various departments within the City.

42. Mayor Morrissey announced next week a memorandum will be distributed to council members to request committee assignments.
43. Mayor Morrissey announced on May 7<sup>th</sup> he will not be at city council. He and his wife Stacy will be welcoming baby Morrissey into the world.
44. Mayor Morrissey thanked Chris Black for taking the position as the City of Rockford Finance Director.
45. Alderman Jacobson lauded Carrie Eklund for a commendable job as Interim Finance Director and welcomed Chris Black back to the City as the Finance Director.
46. Alderman Jacobson requested the Code Enforcement Division inspect properties located in the 6<sup>th</sup> Ward, near the intersection of Harrison Avenue and 11<sup>th</sup> Street for code violations. Referred to Community Development/Code Enforcement.
47. Alderman Hervey wished Patrick Hayes, Legal Director, a happy birthday.
48. Alderman Hervey mentioned an uptick of shootings in the 5<sup>th</sup> ward and attributes the increase to tension between gangs and venues hosting unapproved events.

Mayor Morrissey advised Alderman Hervey to follow up with Police Chief Epperson.

Alderman Hervey suggested scheduling a strategic planning meeting for council members to discuss a plan of how to offer and permit services to independent agencies to operate within the boundaries of Rockford.

49. Alderman Hervey retracted a negative comment made earlier in the meeting about her neighbors and remarked they are very lovely people she grew up with.
50. Alderman Hervey reiterated the importance of celebrating our musical heritage and encouraged community members to attend an event sponsored by the Ethnic Heritage Museum, "Celebrate our Musical Heritage", at Cliffbreakers on April 27, 2012. Tickets are \$45 for dinner and musical performances by eight different nationalities.
51. Alderman Robertson also commented on the article in the *Rockford Register Star*. He reassured community members there has been discussion at great length about the ambulance service.
52. Alderman Robertson commented on pension reform and cautioned that discussion down state to gather all pensions under one umbrella would not benefit the City of Rockford.
53. Alderman Robertson reminded everyone tonight is a joint caucus meeting at Capri in conjunction with a joint birthday celebration for Aldermen Beck and Robertson and announced there will be a presentation.
54. Alderman Robertson mentioned over the weekend he attended the ILBA meeting at the Lithuanian Club.

## UNFINISHED BUSINESS

### 2012-051-O

55. Alderman Beach moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a restaurant and nightclub 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.

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

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

### 2012-052-O

56. 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 maximum square footage for a drive-through directory (menu board) from 36 square feet to 59.25 square feet; a Variation to increase maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.61 feet; and a 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. MOTION PREVAILED by a Roll Call vote of:



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

**2012-053-O**

57. Alderman Beach moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a 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. MOTION PREVAILED by a Roll Call vote of:

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

**2012-054-O**

58. 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:

**Juan Angel Ramos d/b/a Guadalajara de Noche** located at 1116-1118 South Main Street for the sale of alcohol by the drink in conjunction with a restaurant and nightclub 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. 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.

MOTION PREVAILED by a Roll Call vote of:

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

**2012-144CR**

59. Alderman Elyea moved the adoption of a Planning and Development Committee Report recommending approval of the request to amend the boundaries of the Enterprise Zone to include 854 Simpson Road. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2012-055-O**

60. Alderman Elyea moved the adoption of an Ordinance approving Third Amendment to the Agreement with Financial Management Systems (FMS). MOTION PREVAILED by a Roll Call vote of:

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

**2012-145CR**

61. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Traffic Sign Blanks & Finished Signs be made to the low bidder meeting specifications, Vulcan Signs, of Foley, Alabama for their estimated total of \$13,210.30. The funding source is Traffic Fund. MOTION PREVAILED by a Roll Call vote of:

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

**2012-146CR**

62. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Winnebago St. & Jefferson St. Bridges –

Deck/Joint be made to HR Green, Inc. to perform design and construction engineering for a total not-to-exceed cost of \$87,303.78. 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, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Thompson-Kelly -1-

## MOTIONS AND RESOLUTIONS

### 2012-045R

63. Alderman Mark moved the adoption of a Resolution requesting permission from Illinois Department of Transportation (IDOT) for temporary closures of Illinois Route 2 (Wyman Street) from Chestnut Street to Park Avenue and Illinois Route 2 (Park Avenue) from Wyman Street to Main street and Illinois Route 2 (Main Street) from Park Avenue to Fisher Avenue for the Memorial Day Parade on May 28, 2012. MOTION PREVAILED (Ald. Thompson-Kelly absent).

### 2012-046R

64. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for Charlotte's Web for Performing Arts, requesting a special event permit for Charlotte's Web's 40<sup>th</sup> Anniversary Celebration, which will be held on June 2, 2012 from 1:00 pm – 9:15 pm at 420 North Main Street. MOTION PREVAILED (Ald. Thompson-Kelly absent).

### 2012-047R

65. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for Benson Stone Company, requesting a special event permit for the Amazin' Blazin' BBQ Event to be held on May 19, 2012 at 1100 11th Street. MOTION PREVAILED (Ald. Thompson-Kelly absent).

Alderman Robertson exited the meeting at 8:16 pm.

### 2012-048R

66. Alderman Elyea, on behalf of the Planning and Development Committee, moved the adoption of a Resolution authorizing the City staff to Designate Phase 3 of the Churchill Park-Keith Creek Property to meet the Urgent Need National Objective of the CDBG Disaster Recovery Property Buyout Program grant. MOTION PREVAILED (Ald. Thompson-Kelly absent). MOTION PREVAILED by a Roll Call vote of:

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

Alderman Robertson re-entered the meeting at 8:17 pm.

**2012-049R**

67. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution requesting Council authorization for use of Motor Fuel Tax funds for General Maintenance, City-Wide Street Light Electric 2012 in the amount of \$450,000.00. MOTION PREVAILED by a Roll Call vote of:

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

**2012-050R**

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

- A. Bid: City-Wide Street Repair Group #3, funding source: Sales Tax
- B. Tax Exempt Leasing of Squad Cars & Unmarked Cars, funding source: Police Department Operating Budget
- C. RFP: Materials Testing 2012, funding source: Sales Tax
- D. RFP: Keith Creek Buyout 3 Grant Administration, funding source: Department of Commerce and Economic Opportunity – Community Development Block Grants Illinois Disaster Recovery Program.
- E. RFP: Workers Compensation Legal Services, funding source: HR Operating Budget
- F. RFP: Workers Compensation Third Party Administrator, funding source: HR Operating Budget

MOTION PREVAILED by a Roll Call vote of:

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

**2012-051R**

69. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that the City approve an Agreement between the City of Rockford and the State of Illinois, Dept. of Transportation for improvements to New Milford School Rd. from Anderson Packaging Co. entrance 800 ft. west to Falcon Dr., then north on Falcon Dr. 9,520 ft. to Airport Dr., then east on Airport Dr., 1,600 ft. to Development Dr. MOTION PREVAILED by a Roll Call vote of:

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

## NEW BUSINESS

70. Alderman Beach introduced and read an Ordinance for the sale of City owned property located at 1918 Elm Street at a minimum bid of \$890.00 with preference to the adjoining property owner. LAID OVER.
71. Alderman Beach introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a special use permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5505 East State Street. Approval is based on the findings of fact.
1. Meeting all applicable Building and Fire Codes.

LAID OVER.

72. Alderman Elyea introduced and read an Ordinance approving the Development Agreement with Pilgrim's Promise Community Development Corporation regarding construction of a home on 1119 Island Avenue. Source of the funding is the HOME Investment Partnerships program funds and the Water Hook-Up Program funds. LAID OVER.

### **2012-056-O**

73. Alderman Beck moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Lease with Wanxiang America Corporation and Assignment to Rockford Solar Partners, LLC, for land rental for the development of a solar panel facility.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Thompson-Kelly absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

74. Upon motion duly made and seconded, the meeting was adjourned at 8:21 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 30, 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)

**I. NEW COMMITTEE REPORTS TO BE READ IN APRIL 30, 2012**

**A. CODE AND REGULATIONS**

1. Beach – LAB – Approve the sale of liquor by the drink in conjunction with a Sports Bar and Grill and an outdoor seating area/beer garden in the name of **Sali Limani d/b/a Boomers Sports Bar and Grill** in a C-2, Limited Commercial Zoning District at 908 West Riverside Blvd.
2. Beach – LAB – Approve the sale of packaged liquor in conjunction with a liquor store in the name of **Neel Patel d/b/a Cork, Keg and Spirits** in a C-2, Limited Commercial Zoning District at 1603 North Alpine Road.
3. Beach – LAB – Approve the sale of liquor by the drink in conjunction with a restaurant and nightclub with a beer garden and outdoor seating area in the name of **Dionisios Trakas d/b/a Downtown Rockford Restaurant, LLC** in a C-4, Urban Mixed-Use Zoning District at 205 West State Street.
4. Beach – LAB – Approve the sale of beer and wine by the drink in conjunction with a restaurant in the name of **Rosa Laurencio d/b/a Tortacos Soto** in a C-4, Urban Mixed-Use Zoning District at 1138 Broadway.
5. Beach – ZBA – Approve a Special Use Permit for off-premise sign in a C-3, Commercial General Zoning District at 7510 East State Street.
6. Beach – ZBA – Approve a Special Use Permit for a restaurant and nightclub in a C-4, Urban Mixed-Use Zoning District at 203-207 West State Street.

7. Beach – ZBA – Approve a Variation to increase the number of allowable wall signage from two (2) to three (3) in a C-3, Commercial General Zoning District at 6270 East State Street.
8. Beach – LAB – Approve the sale of liquor by the drink in conjunction with a restaurant and an outdoor seating area in the name of **Frank Calvanese d/b/a Deli Italia** in a C-4, Urban Mixed-Use Zoning District at 505-507 East State Street. – SUSPEND RULES
9. Beach - Governance of Electrical Aggregation (Municipal Electric Aggregation)

### **UNFINISHED BUSINESS**

#### **II. COMMITTEE REPORTS LAID OVER APRIL 23, 2012**

1. Beck - Finance and Personnel - Recommending the award for Summer Food Program – 2012 be made to Preferred Meal System, of Berkeley, Illinois for their total estimated bid of \$334,826.80. The funding source is USDA through Illinois State Board of Education.
2. Beck - Finance and Personnel - Recommending approval of a Sole Source Contract for Annual Maintenance for Compressors to Delta Industries, of Downers Grove, Illinois in the amount of \$14,691.70. The funding source is Water Division Operating Budget.
3. Beck - Finance and Personnel - Recommending approval of a Sole Source Contract for Water Treatment Equipment & Supplies to Smith Ecological Systems, of Rockford, Illinois for an estimated total of \$30,000. The funding source is Water Division Operating Funds.
4. Beck - Finance and Personnel - Recommending that an award for Engineering Agreement: IL Rte. 2 Multi-Use Path Design be made to McClure Engineering to perform design engineering for a total not-to-exceed cost of \$11,393.48. The funding for this project will come from Sales Tax funds.
5. Beck - Finance and Personnel - Recommending award for Homeless Management Information System (HMIS) – 2012 be made to Social Solutions Global, Inc., of Baltimore MD for a three-year contract for a total of \$93,077.00. The funding source is HUD Funds.
6. Beach - Code and Regulation - Recommending the approval for a proposed ordinance prohibiting the use of groundwater for the area surrounding 1706 Rural Street pursuant to an Agreement between the Highway Authority and Richard Warner for remedial action for the property. The Legal Director is hereby instructed to prepare the necessary ordinance.
7. Beach - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance repealing the No Parking Anytime restriction on the north side of Fulton Avenue from Rockton Avenue to 150 feet east of Rockton Avenue, thus restoring unrestricted parking.

8. Beach - Code and Regulation - Recommending that the Legal Director be instructed to draw on Ordinance repealing the No Parking Weekdays from 1 pm – 4 pm restriction on the north side of Fulton Avenue from 150 feet west of Winnebago Street to 250 feet west of Winnebago Street, thus restoring unrestricted parking.
9. Beach - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance for a "Commercial Loading" parking zone from 8:00 am p 5:00 pm, Monday through Friday on the north side of Mulberry Street from Church Street to 95 feet west of Church Street, thus repealing the existing "24 hour" commercial loading zone on the north side of Mulberry Street from Church Street to 95 feet west of Church Street.
10. Beach - Code and Regulation - Recommending that "No Action" be taken on the following items:
  1. Request from the 13<sup>th</sup> Ward from City Staff to establish a Mid-Block Pedestrian Crossing on West State Street approximately 125 feet west of Independence Avenue.
11. Elyea - Planning and Development - Recommending approval of the attached amendment be made to the City's Housing and Community Development 2010-2014 Consolidated Plan in connection with the Department of Housing and Urban Development's Emergency Solutions Grant Program. The Legal Director shall prepare the appropriate ordinance.

### **III. ORDINANCES LAID OVER APRIL 23, 2012**

1. Elyea - Ordinance - Approving the Development Agreement with Pilgrim's Promise Community Development Corporation regarding construction of a home on 1119 Island Avenue. Source of the funding is the HOME Investment Partnerships program funds and the Water Hook-Up Program funds.
2. Beach - Ordinance - For the sale of City owned property located at 1918 Elm Street at a minimum bid of \$890.00 with preference to the adjoining property owner.
3. Beach - Ordinance - Amending Article 63 of the Zoning Ordinance of the City of Rockford for a special use permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5505 East State Street. Approval is based on the findings of fact.
  1. Meeting all applicable Building and Fire Codes.

- Motions and Resolutions

### **IV. MOTIONS AND RESOLUTIONS TO BE READ IN APRIL 30, 2012**

1. Beach - Rockford City Market – 6/1/12 – 10/20/12
2. Beach - Rockford Fire Department 911 Run – 6/2/12



**V. MISCELLANEOUS/APPOINTMENTS HELD OUT APRIL 23, 2012**

- 1.\* Mayor Morrissey - Fire Pension Board, Mr. Chris Black, whose term will expire May 2015. (Pursuant to Rule 18 this appointment is up for passage on May 7, 2012)

**VI. 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 - Recommending approval of the request to amend the boundaries of the Enterprise Zone to include 854 Simpson Road.
- 2. Beach – Ordinance - Approve the sale of liquor by the drink in conjunction with a restaurant and an outdoor seating area in the name of **Frank Calvanese d/b/a Deli Italia** in a C-4, Urban Mixed-Use Zoning District at 505-507 East State Street. – SUSPEND RULES

\* 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 30, 2012, 4:45 p.m.**

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

**AGENDA**

- 1. C & R 12-70 Special Event: Rockford City Market & Rockford Fire Dept. 911 Run
- 2. C & R 11-189 Governance of Electrical Aggregation (Municipal Electric Aggregation)
- 3. C & R 12-57 ZBA#011-12 Special Use Permit for off-premise sign in a C-3 Commercial General District at 7510 East State Street
- 4. C & R 12-58 ZBA#012-12 Special Use Permit for a restaurant and nightclub in a C-4, Urban Mixed-Use Zoning District at 203-207 West State Street

5. C & R 12-59 ZBA#013-12 Variation to increase the number of allowable wall signage from two (2) to three (3) in a C-3, Commercial General District at 6270 East State Street
6. C & R 12-61 12-LAB-007 Request for the Sale of liquor by the drink in conjunction with a Sports Bar and Grill and an outdoor seating area/beer garden in a C-2, Limited Commercial District at 908 West Riverside Blvd
7. C & R 12-62 12-LAB-008 Request for the Sale packaged liquor in conjunction with a liquor store in a C-2, Limited Commercial District at 1603 North Alpine Road
8. C & R 12-64 12-LAB-010 Request for the Sale of liquor by the drink in conjunction with a restaurant and nightclub with a beer garden and outdoor seating area in a C-4, Urban Mixed-Use Zoning District at 205 West State Street
9. C & R 12-65 12-LAB-011 Request for the Sale of beer & wine by the drink in conjunction with a restaurant in a C-4, Urban Mixed-Use Zoning District at 1138 Broadway
10. C & R 12-66 12-LAB-012 Request for the Sale of liquor by the drink in conjunction with a restaurant and an outdoor seating area in a C-4, Urban Mixed-Use at 505 and 507 East State Street
11. C & R 12-72 Closed Session for Purposes of Pending and/or Threatened Litigation

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, April 30, 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 RFP: Asbestos Testing & Abatement Services
  - B. Award of Bid: Sidewalk Curb & Gutter/ADA Package A – Suspend rules
  - C. Award of Bid: Sidewalk Curb & Gutter/ADA Package B – Suspend rules
  - D. Award of Bid: City-Wide Street Repair Group 2 – Suspend rules
  - E. Award of Bid: Day Avenue Reconstruction, Phase 3 – Suspend rules
  - F. Engineering Agreement: City-Wide Sidewalk 2012 Construction Inspection Services
  - G. Resolution to take Bids

H. Emergency P.O.: Concourse Parking Deck Structural Analysis – **Info only**

I. Vouchers

2. Intergovernmental Agreement: South Main Street Water Main – Railroad Pipe Crossing License

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, April 30, 2012, 5:30 p.m.**

**CD Conference Room, City Hall 2<sup>nd</sup> floor**

**AGENDA**

1. Memorandum from Robert Lamb, Industrial Development Manager, regarding a Development Agreement with Downtown Rockford Restaurant, LLC for the establishment of a new restaurant to be located at 205 West State Street.
2. Memorandum from Robert Lamb, Industrial Development Manager, regarding the First Amendment to the Redevelopment Agreement between the City of Rockford and Ingenium Testing Services, LLC; Ingenium Aerospace, LLC; and ITS Partners, LLC for the property located at 3761 South Central Avenue dated December 26, 2007.
3. Memorandum from Jovita Donahue, Development Specialist, regarding CDBG assistance to On the Rocks Bar & Grill for purchase of Equipment.
4. Memorandum from Todd Cagnoni, Deputy Director, Community and Economic Development, regarding Rockford Park District – In Kind Services Request.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, April 30, 2012, \_\_\_\_\_ p.m.**

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

**AGENDA**

No Meeting Scheduled.