

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
JULY 8, 2013
COUNCIL CONVENED AT 6:03 P.M.**

1. The invocation was given by Chaplain Kenneth Hendley, Free Will Baptist Church, and the Pledge of Allegiance was led by the City Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Absent: Thompson-Kelly, Elyea -2-
3. Alderman Beach moved to accept the Journal of Proceedings of July 1, 2013 seconded by Alderman Hervey. MOTION PREVAILED (Ald. Thompson-Kelly, Elyea absent)

PUBLIC PARTICIPATION

4. Michael Kleen listed several amendments to the panhandling ordinance that he believes would help revitalize the downtown, attracting residents and visitors to the proposed sports complex and downtown businesses.
5. Prophet Yusef listed the names of some African Americans and Latino's that received the Congressional Medal of Honor in Vietnam.
6. John Brantley expressed his concerns about crime, unemployment and discrimination in Rockford.

PETITIONS AND COMMUNICATIONS

7. Alderman Durkee submitted a Memorandum from Dwayne A. Collins, regarding Funding for the Regional Access Mobilization Project (RAMP). Referred to Planning and Development Committee.
8. Alderman Durkee submitted a Memorandum from Dwayne A. Collins, regarding Illinois Housing Development Authority Trust Fund Application. Referred to Planning and Development Committee.
9. Alderman Hervey submitted a memorandum from Jim Ryan, City Administrator regarding Award of Contract for Fire Station #3 Architectural Services. Referred to Finance and Personnel Committee.
10. Alderman Beck submitted a Memorandum from Julia Valdez, Director of Human Resources, regarding upcoming special events:
 1. CAF Air Power History Tour – 7/22-24/13
 2. Labor Day Parade – 9/2/13

Referred to Code and Regulation Committee.

11. Alderman Beck submitted a Memorandum from Alderman Chiarelli, 14th Ward, regarding appointing a Public Safety Committee. Referred to Code and Regulation Committee.
12. Alderman McNeely submitted information about a job fair hosted by Goodwill Industries of Northern Illinois. The event will be held at its Rockford store location at 4618 East State Street on July 11, 2013 from 10:00 am – 2:00 pm. Placed on File.
13. Alderman McNamara submitted a request from Crystal Douglas, Wired Café, requesting permission to hold First Friday Events and Three (3) Year Anniversary Party in the alley east of 414 East State Street, on public property and for consumption of alcohol, on July 12th, August 2nd, September 6th and October 4th, 2013 from 5:00 pm – 10:00 pm on each date. Alderman McNamara moved to grant the Prayer of the Petitioner, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Thompson-Kelly, Elyea absent).

NEW COMMITTEE REPORTS

2013-267CR

14. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for (5) Demolitions: 803 Mattis Avenue, 2415 Andrews Street, 1411 Mulberry Street, 2222 10th Street and 902 Willard Avenue be made to the low bidder for each property as summarized:

Rodman Services	803 Mattis Avenue	\$ 5,300.00
ARO Enterprises	1411 Mulberry Street	10,847.00
G & G Construction	2415 Andrews Street	6,900.00
	2222 10 th Street	11,400.00
	902 Willard Avenue	6,800.00
	G & G Total Award	\$25,100.00

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

15. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of July 8, 2013 in the amount of \$2,161,112.53. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

16. Alderman Beck read a Code and Regulation Committee Report recommending approval of the modifications to the purchasing ordinance and practices of the Division and replacing Chapter 2, Division 4, Subdivision IV of the Code of Ordinances. LAID OVER.

OFFICERS REPORTS

17. Mayor Morrissey thanked Joe Marino and the Fourth of July committee for once again organizing an outstanding parade and spectacular display of fireworks.
18. Mayor Morrissey mentioned a summary sheet of the council retreat sessions will be forthcoming for council members to review and advised several council members have expressed interest in joining the dialogue regarding fiscal planning of the CIP, specification and design standards throughout the city.
19. Alderman McNeely announced the BMO Harris Bank Center and Greenlight Productions will be hosting a tailgate event at 300 Elm Street on July 13, 2013 from 3:30 pm – 6:30 pm.
20. Alderman McNeely announced Booker Washington Center, 524 Kent Street, will be hosting Bookerfest the weekend of July 19, 2013.
21. Alderman McNeely announced the BMO Harris Bank Center will be hosting Gospel Fest, Saturday, July 27, 2013 at 3:00 pm at Davis Park, featuring *Sunday Best* stars and headliner Le'Andria Johnson.
22. Alderman Frost mentioned participating in the Tour De North End on Saturday and thanked Zak Rotello, Olympic Tavern, and other establishments for hosting another successful event.
23. Alderman Beck commended Zak Rotello for his efforts to make the Tour De North End event a great success. This year over 500 cyclists participated.
24. Alderman Beck announced the Rockford Park District is collaborating with Harlan Jefferson to offer the "Live at Levings" series featuring a variety of talents and great professional acts and a talent contest on Sundays, 7/7, 7/12 and 8/4 from 3:00 pm – 7:00 pm at Levings Lake Park.
25. Alderman Newburg thanked the Fourth of July committee and city employees for a beautiful display of fireworks and commented she was happy to see all the families in downtown Rockford enjoying the activities and thanked the police department for their efforts with crowd and traffic control.

UNFINISHED BUSINESS

2013-268CR

26. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for (1) Forklift be made to the low bidder, Rockford Industrial Equipment, of Rockford, Illinois for their total bid of \$26,772.00. The funding source is Garage Capital Budget/Lease Funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-269CR

27. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Rental of Traffic Control Devices for Special Events be made to the low bidder, Sanco Traffic Control, of Rockford, Illinois for their prices listed on the tabulation. The term of the contract is one year with an estimated annual value of \$34,000.00. The funding source is Departmental Operating Budgets. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-270CR

28. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Millennium Fountain Operation and Maintenance be made to Geostar Mechanical, Inc., of Rockford, Illinois in the amount of \$19,064 annually. Funding source is the Redevelopment Fund. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-271CR

29. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of a National Joint Powers Alliance contract with a national company, CDW-G, of Vernon Hills, Illinois for IT hardware and software for an estimated annual cost of \$210,000. The funding source is IT Fund and Departmental Operating Budgets. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-272CR

30. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending approval of a ten (10) year lease with the Orchid Neighborhood Association of the vacant lots at 721 and 727 South 3rd Street for the use of a community garden for a \$1.00. Said lease shall include an automatic renewal clause every five years, which can be exercised in the event the property is in full compliance with all City of Rockford codes and the property continues to be used as a community garden site. The Legal Director shall prepare the lease. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, Chiarelli -11-
Nays: McNeely -1-
Absent: Thompson-Kelly, Elyea -2-

2013-273CR

31. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of a Special Use Permit #143-80 for a gas station to include an addition to the building which is greater than then percent (10%) of the existing building in a C-3, Commercial General Zoning District at 4432 Auburn Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of a revised civil plan to include the removal of all existing and proposed development that encroaches onto the adjacent property in the south, dumpster enclosures area and rendering.
3. Submittal of a revised landscape plan to include removal of landscaping encroaching on the property to the south, perimeter landscaping added along Auburn Street and North Day Avenue. Type B Buffer landscaping along the south and east property lines, building foundation landscaping of at least 50% of the existing building and proposed addition, and plant species for Staff's review and approval.
4. That the existing free-standing sign may remain with the addition of an electric reader board.
5. Must obtain separate permits for signage.
6. Must develop site in accordance with new civil and landscaping plans approved by Staff.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-274CR

32. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a gas station and convenience store in the name of **Ahmad Tawfiq Elwan d/b/a Petromax 101**, in a C-3, Commercial General Zoning District at 4307, 4311, 4315, 4317, 4417 Auburn Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Window display signage shall not exceed 35% of window area
4. The sale of rose tubes, airplane-sized bottles and liquor and any other product which can be easily converted into a "crack pipe" is prohibited.
5. Hours of operation are limited to 6:00 am to 12:00 am (midnight) Sunday through Saturday.
6. Windows shall not be obstructed by bars or any other device that will block windows.
7. The amount of alcohol sales shall not exceed 25% of gross sales of business.
8. There shall be no single sales of beer or malt liquor in volume of forty (40) ounces or less.
9. The owner shall conduct an exterior sweep of the property twice daily to pick up trash on the property.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beck, McNeely, Chiarelli -11-
Nays: Beach -1-
Absent: Thompson-Kelly, Elyea -2-

2013-275CR

33. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of tobacco produces with a gas station in the name of **Samer Alzubi d/b/a Zubi Rockford, Inc.**, in a C-3, Commercial General Zoning District at 3003 11th Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Compliance with all City of Rockford Tobacco Codes
3. Window display signage is limited to 35% of window area.
4. The sale of rose tubes, airplane-sized bottles and any other product which can easily be converted into a "crack-pipe" is prohibited.
5. Submittal of landscaping plan for Staff review and approval prior to issuance of tobacco license.
6. That the windows shall not be obstructed with bars or other devices that block the windows.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg,
Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-276CR

34. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with video gaming in the name of **John Hassett d/b/a Flamingo Slots**, in a C-3, Commercial General Zoning District at 7521, 7531, 6541 and 7551 Walton Street and 172 South Bell School Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. That the business operates in conformance with the liquor codes.
3. The hours of operation are allowed as established under the liquor codes.
4. That there be no exterior window signage.
5. That there shall be no cover charge or dance floor and shall not operate as a night club.
6. The gross overall sales of liquor shall be limited to what is represented in the business plan submitted – Exhibit F

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg,
Beck, McNeely, Chiarelli -11-
Nays: Beach -1-
Absent: Thompson-Kelly, Elyea -2-

2013-277CR

35. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a casual dining restaurant and bar; and the sale of liquor by the drink with an outdoor seating area in the name of **Joshua Binning d/b/a Lucha Cantina**, in a C-3, Commercial General Zoning District at 1641 North Alpine Road, Suite 212, 1605 and 1639 North Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F, Monday through Sunday, 11:00 am – 2:00 am.
3. A cover charge, DJ or dance floor shall not be allowed.
4. That the business shall operate in conformance with the liquor codes
5. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beck, McNeely, Chiarelli -11-
Nays: Beach -1-
Absent: Thompson-Kelly, Elyea -2-

2013-278CR

36. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a restaurant in the name of **William White d/b/a Longhorn Steakhouse**, in a C-2, Limited Commercial Zoning District at 6655, 6681, 6651, 6657 and 6663 East State Street. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-279CR

37. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a restaurant in the name of **Joseph Tarara d/b/a Jo-Jo's Pizza**, in a C-2, Limited Commercial Zoning District at 3110 South Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. The dumpster/grease container must be enclosed
3. Modification/alterations to the existing freestanding signs must be towards bringing the signs into compliance with the sign regulations.
4. That the outdoor seating area be closed by 10:00 pm during the weekdays and midnight on weekends.
5. The plan for the outdoor seating area must be reviewed by Staff and must meet the required code prior to issuance of a building permit.
6. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-280CR

38. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor with upscale discount retail store in the name of **Corey Haaland/Target Corporation d/b/a Target Store T-0810** in a C-2, Limited Commercial Zoning District at 6560 East State Street. Approval is subject to the following conditions:

1. Must meet all applicable Liquor Codes.
2. Must meet all applicable Building and Fire Codes.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beck, McNeely, Chiarelli -11-
Nays: Beach -1-
Absent: Thompson-Kelly, Elyea -2-

2013-281CR

39. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Special Use Permit for off-premises business identification sign; DENY the (B) Variation to increase the maximum allowable square footage from sixty-four (64) square feet to ninety-six (96) square feet; and DENY the (C) Variation to increase the maximum allowed height from eight (8) feet to thirteen (13) feet in an I-1, Light Industrial Zoning District at 228 Energy Avenue.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-085-O

40. Alderman Beck 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:

Richard Buckley and Gary Weeks d/b/a Molly's Deli for the sale of beer and wine by the drink in conjunction with a restaurant in a C-3, Commercial General Zoning District at 2420 and 2424 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Compliance with all City of Rockford Liquor and Tobacco Codes
3. Submittal of Building Permit for Staff review and approval.
4. The sale of beer and wine shall be limited to the interior site plan that was

- submitted Exhibit E
5. The hours of operation will be limited to 8:00 am to 1:00 am Monday through Sunday.
 6. Window display signage is limited to 30% of the window area.
 7. The restaurant shall not have a cover charge.
 8. The restaurant shall not have a dance floor
 9. The restaurant shall not have any DJ's
 10. The restaurant shall not have any live entertainment
 11. The restaurant shall not operate as a nightclub.
 12. The percentage of alcohol sales shall be no more than (15%) of the total revenue generated at the business.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beck, McNeely, Chiarelli -10-
Nays: Durkee, Beach -2-
Absent: Thompson-Kelly, Elyea -2-

2013-086-O

41. Alderman Beck moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute the attached amendments to the Festival Zone vending for carts, kiosks and artistic performers and replacing Chapter 5, Division 8 of the Code of Ordinances.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, Chiarelli -11-
Nays: McNeely -1-
Absent: Thompson-Kelly, Elyea -2-

2013-087-O

42. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" on the south side of Morgan Street from Rock Street to Main Street, thus repealing the Two Hour 8:00 am – 5:00 pm parking restriction.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-088-O

43. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

“Two Hour” parking restriction for thirteen (13) spaces in Municipal Parking Lot TT, thus repealing “Permit Only” parking restriction for thirteen (13) spaces in Municipal Parking Lot TT.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-089-O

44. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

A Residential Parking Zone on both sides of Hall Street between East Jefferson and 6th Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-090-O

45. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

“No Parking Anytime” restriction on the south side of Morgan Street from Main Street to one hundred (100) feet east of Main Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-091-O

46. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

“No Parking Anytime” restriction on the south side of Kent Street from Main Street west to the north/south alley.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-092-O

47. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 285, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

“Two Hour” parking restriction on the south side of Montague Street from Rock Street to one hundred (100) feet east of Main Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-093-O

48. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 285, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

“Two Hour” parking restriction on both sides of Loomis Street from Main Street to Court Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-094-O

49. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 281, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking" restriction from 7:00 am – 8:00 pm on the south side of Kent Street from the north/south alley west of Main Street to seventy-five (75) feet west of the north/south alley.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-095-O

50. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 281, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking" restriction from 3:00 pm – 6:00 pm on the north side of Montague Street from Rock Street to Main Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-096-O

51. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 280, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"No Parking Anytime" restriction on the east side of Welty Avenue from Jackson Street to thirty-five (35) feet south of Jackson Street, thus repealing the "No Parking Anytime" restriction on the east side of Welty Avenue from Jackson Street to fifty (50) feet south of Jackson Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg, Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-097-O

52. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 285, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

"Two Hour" parking restriction on the south side of Montague Street from one hundred fifty (150) feet west of Main Street to Court Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg,
Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

2013-098-O

53. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Schedule Section 310, of the Code of Ordinances of the City of Rockford to add the following, to-wit:

“Three Hour” parking restriction for thirty (30) spaces in Municipal Parking Lot F, thus repealing the “Two Hour” parking restriction for thirty (30) spaces in Municipal Lot F.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Oddo, Newburg,
Beach, Beck, McNeely, Chiarelli -12-
Nays: -0-
Absent: Thompson-Kelly, Elyea -2-

MOTIONS AND RESOLUTIONS

2013-097R

54. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the BMO Harris Bank Center and Greenlight Productions, requesting a special event permit for a Tailgate Party to be held on Saturday, July 13, 2013 from 3:00 pm – 6:30 pm at 300 Elm Street, Rockford, Illinois. MOTION PREVAILED (Ald. Thompson-Kelly, Elyea absent).

2013-098R

55. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for Murphy’s Pub and Grill, requesting a special event permit and liquor permit for consumption of liquor on private property (“S” license) for Foley’s 8th Annual Bike Show Bash to be held on Sunday, July 14, 2013 from 12:00 pm (noon) – 10:00 pm at 510 South Perryville Road, Rockford, Illinois. MOTION PREVAILED (Ald. Thompson-Kelly, Elyea absent).

2013-099R

56. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for Alpine Kiwanis, requesting a special event permit for the Annual Brat Days to be held on Friday, July 19, 2013 and Saturday, July 20, 2013 from 11:00 am – 8:00 pm each day at Schnuck’s on 6410 East State Street, Rockford, Illinois and parking lot at Edgebrook Shopping Center. MOTION PREVAILED (Ald. Thompson-Kelly, Elyea absent).

2013-100R

57. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for Rockford Road Runners, requesting a special event permit and liquor permit for consumption of liquor outdoors on public property ("SP" license) for the State Street Mile on Saturday August 3, 2013 from 4:45 pm – 8:00 pm. The location of the race is East State Street to Regan to Wyman Street. Post-race activities at the City Market Festival Zone. MOTION PREVAILED (Ald. Thompson-Kelly, Elyea absent).

2013-101R

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

- A. Bid: Landstrom Road Reconstruction, funding source: Sales Tax
- B. RFP: Emergency Grant Solution Program, funding source: ES Grant Funding

MOTION PREVAILED (Ald. Thompson-Kelly, Elyea absent).

NEW BUSINESS

59. Alderman Beck introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a modification of Special Use Permit #143-80 for a gas station to include an addition to the building which is greater than ten percent (10%) of the existing building in a C-3, Commercial General Zoning District at 4432 Auburn Street. Approval is subject to the following conditions:

- 1. Meeting all Building and Fire Codes.
- 2. Submittal of a revised civil plan to include the removal of all existing and proposed development that encroaches onto the adjacent property in the south, dumpster enclosures area and rendering.
- 3. Submittal of a revised landscape plan to include removal of landscaping encroaching on the property to the south, perimeter landscaping added along Auburn Street and North Day Avenue. Type B Buffer landscaping along the south and east property lines, building foundation landscaping of at least 50% of the existing building and proposed addition, and plant species for Staff's review and approval.
- 4. That the existing free-standing sign may remain with the addition of an electric reader board.
- 5. Must obtain separate permits for signage.
- 6. Must develop site in accordance with new civil and landscaping plans approved by Staff.

Approval is based on the findings of fact. LAID OVER.

60. Alderman Beck introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor

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:

Joseph Tarara d/b/a Jo-Jo's Pizza for the sale of liquor by the drink with a restaurant and the sale of liquor by the drink with an outdoor seating area in a C-2, Limited Commercial Zoning District at 3110 South Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. The dumpster/grease container must be enclosed
3. Modification/alterations to the existing freestanding signs must be towards bringing the signs into compliance with the sign regulations.
4. That the outdoor seating area be closed by 10:00 pm during the weekdays and midnight on weekends.
5. The plan for the outdoor seating area must be reviewed by Staff and must meet the required code prior to issuance of a building permit.
6. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.

LAID OVER.

61. Alderman Beck introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor 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:

William White d/b/a Longhorn Steakhouse for the sale of liquor by the drink in conjunction with a restaurant in a C-2, Limited Commercial Zoning District at 6655, 6681, 6651, 6657 and 6663 East State Street. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.

LAID OVER.

62. Alderman Beck introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor 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:

Joshua Binning d/b/a Lucha Cantina for the sale of liquor by the drink with a casual dining restaurant and bar and the sale of liquor by the drink with an outdoor seating area in a C-3, Commercial General Zoning District at 1641 North Alpine Road, Suite 212, 1605 North Alpine Road and 1639 North Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F,

- Monday through Sunday, 11:00 am – 2:00 am.
3. A cover charge, DJ or dance floor shall not be allowed.
 4. That the business shall operate in conformance with the liquor codes
 5. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.

LAID OVER.

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

John Hassett d/b/a Flamingo Slots for the sale of liquor by the drink in conjunction with video gaming in a C-3, Commercial General Zoning District at 7521, 7531, 6541 and 7551 Walton Street and 172 South Bell School Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. That the business operates in conformance with the liquor codes.
3. The hours of operation are allowed as established under the liquor codes.
4. That there be no exterior window signage.
5. That there shall be no cover charge or dance floor and shall not operate as a night club.
6. The gross overall sales of liquor shall be limited to what is represented in the business plan submitted – Exhibit F

LAID OVER.

64. Alderman Beck introduced and read an Ordinance amending Chapter 3, Section 3-56, Article III of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Samer Alzubi d/b/a Zubi Rockford, Inc. for the sale of tobacco products with a gas station in a C-3, Commercial General Zoning District at 3003 11th Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Compliance with all City of Rockford Tobacco Codes
3. Window display signage is limited to 35% of window area.
4. The sale of rose tubes, airplane-sized bottles and any other product which can easily be converted into a "crack-pipe" is prohibited.
5. Submittal of landscaping plan for Staff review and approval prior to issuance of tobacco license.
6. That the windows shall not be obstructed with bars or other devices that block the windows.

LAID OVER.

65. Alderman Beck introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor 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:

Corey Haaland/Target Corporation d/b/a Target Store T-0810 for the sale of packaged liquor with an upscale discount retail store at 6560 East State Street. Approval is subject to the following conditions:

1. Must meet all applicable Liquor Codes.
2. Must meet all applicable Building and Fire Codes.

LAID OVER.

66. Alderman Beck introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor 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:

Ahmad Tawfiq Elwan d/b/a Petromax 101 for the sale of liquor in conjunction with a gas station and convenience store in a C-3, Commercial General Zoning District at 4307, 4311, 4315, 4317 and 4417 Auburn Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Window display signage shall not exceed 35% of window area
4. The sale of rose tubes, airplane-sized bottles and liquor and any other product which can be easily converted into a "crack pipe" is prohibited.
5. Hours of operation are limited to 6:00 am to 12:00 am (midnight) Sunday through Saturday.
6. Windows shall not be obstructed by bars or any other device that will block windows.
7. The amount of alcohol sales shall not exceed 25% of gross sales of business.
8. There shall be no single sales of beer or malt liquor in volume of forty (40) ounces or less.
9. The owner shall conduct an exterior sweep of the property twice daily to pick up trash on the property.

LAID OVER.

67. Alderman Beck introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for off-premises business identification sign at 228 Energy Avenue. LAID OVER.

68. Alderman Beck introduced and read an Ordinance for a ten (10) year lease with the Orchid Neighborhood Association of the vacant lots at 721 and 727 South 3rd Street for the use of

a community garden for a \$1.00. Said lease shall include an automatic renewal clause every five years, which can be exercised in the event the property is in full compliance with all City of Rockford codes and the property continues to be used as a community garden site.

69. Upon motion duly made and seconded, the meeting was adjourned at 7:03 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
July 15, 2013
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
- Petitions and Communications
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER JULY 8, 2013

1. Beck - Code and Regulation – Recommending approval of the modifications to the purchasing ordinance and practices of the Division and replacing Chapter 2, Division 4, Subdivision IV of the Code of Ordinances.

II. ORDINANCES LAID OVER JULY 8, 2013

1. Beck - Ordinance - Amending Article 63 of the Zoning Ordinance of the City of Rockford for a modification of Special Use Permit #143-80 for a gas station to include an addition to the building which is greater than ten percent (10%) of the existing building in a C-3, Commercial General Zoning District at 4432 Auburn Street. Approval is subject to the following conditions:
 1. Meeting all Building and Fire Codes.
 2. Submittal of a revised civil plan to include the removal of all existing and proposed development that encroaches onto the adjacent property in the south, dumpster enclosures area and rendering.
 3. Submittal of a revised landscape plan to include removal of landscaping encroaching on the property to the south, perimeter landscaping added along Auburn Street and North Day Avenue. Type B Buffer landscaping along the south and east property lines, building foundation landscaping of at least 50% of the existing building and proposed addition, and plant species for Staff's review and approval.
 4. That the existing free-standing sign may remain with the addition of an electric reader board.
 5. Must obtain separate permits for signage.

6. Must develop site in accordance with new civil and landscaping plans approved by Staff.

Approval is based on the findings of fact.

2. Beck - 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:

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 2. The dumpster/grease container must be enclosed
 3. Modification/alterations to the existing freestanding signs must be towards bringing the signs into compliance with the sign regulations.
 4. That the outdoor seating area be closed by 10:00 pm during the weekdays and midnight on weekends.
 5. The plan for the outdoor seating area must be reviewed by Staff and must meet the required code prior to issuance of a building permit.
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3. Beck - 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:

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1. Must meet all applicable Building and Fire Codes.
4. Beck - 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:

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1. Must meet all applicable Building and Fire Codes.
 2. Hours of operation are limited as provided on the submitted Business Plan Exhibit F, Monday through Sunday; 11:00 am – 2:00 am.
 3. A cover charge, DJ or dance floor shall not be allowed.
 4. That the business shall operate in conformance with the liquor codes
 5. That the sale of liquor is in conjunction with a full service restaurant as defined within the liquor code.
5. Beck - 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:

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5. Submittal of landscaping plan for Staff review and approval prior to issuance of tobacco license.
6. That the windows shall not be obstructed with bars or other devices that block the windows.

7. Beck - 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:

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1. Must meet all applicable Liquor Codes.
2. Must meet all applicable Building and Fire Codes.

8. Beck - 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:

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7. The amount of alcohol sales shall not exceed 25% of gross sales of business.
8. There shall be no single sales of beer or malt liquor in volume of forty (40) ounces or less.
9. The owner shall conduct an exterior sweep of the property twice daily to pick up trash on the property.

9. Beck - Ordinance - Amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for off-premises business identification sign at 228 Energy Avenue.
10. Beck – Ordinance - Ten (10) year lease with the Orchid Neighborhood Association of the vacant lots at 721 and 727 South 3rd Street for the use of a community garden for a \$1.00. Said lease shall include an automatic renewal clause every five years, which can be exercised in the event the property is in full compliance with all City of Rockford codes and the property continues to be used as a community garden site.

III. MOTION/RESOLUTIONS READ IN JULY 15, 2013

1. Beck - CAF Air Power History Tour – 7/22-24/13

2. Beck - Labor Day Parade – 9/2/13
3. Beck – IDOT Street Closures/Detours – Labor Day Parade – 9/2/13

IV. APPOINTMENTS HELD OUT JULY 8, 2013

1. Mayor Morrissey – Appointment - Community Action Agency Board, Mr. Maurice West II for a three year term ending June 2015. (Pursuant to Rule 18, this item is up for passage on August 5, 2013).
2. Mayor Morrissey – Appointments - Community Action Agency Board, Ms. Soco Swanson for a three year term ending June 2015. (Pursuant to Rule 18, this item is up for passage on August 5, 2013).
3. Mayor Morrissey – Appointment - Community Action Agency Board, Ms. Alisha Roser for a one year term ending June 2014. (Pursuant to Rule 18, this item is up for passage on August 5, 2013).

- 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. Beck – Ordinance – For the modifications to the purchasing ordinance and practices of the Division and replacing Chapter 2, Division 4, Subdivision IV of the Code of Ordinances.

* 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, July 15, 2013, 5:15 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

1. C & R 13-65 13-LTAB-011 Request for the Sale of Liquor by the drink in

conjunction with a bar in a C-2, Limited Commercial Zoning District at 1090 West Riverside Blvd. gaming machines)

2. C & R 13-110 Special Events: CAF Air Power History Tour 7/22-24/13
Labor Day Parade 9/02/13
3. C & R 13-111 Public Safety Committee
4. C & R 13-112 Closed Session for Purposes of Pending and/or Threatened Litigation; Goomas v. City of Rockford, et.al.,

JOINT MEETING

Planning and Development Committee/Finance and Personnel Committee

Conference Room B, south room, second floor

Monday, July 15, 2013, 5:00 pm

AGENDA

1. Application Modification for RERZ Projects
2. Real Estate Acquisition Fire Station 3.
3. Real Estate Acquisition 1.7 acres at Jefferson and North Second Streets.

Immediately following this meeting, the

FINANCE AND PERSONNEL COMMITTEE

Conference Room B, south room, second floor

will hold its weekly meeting.

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Keith Creek Demolitions, Phase IIIB
 - B. Resolution to take Bids/Proposals
 - C. Change Order: City-Wide Street Repairs, Group 3 – Suspend rules
2. Contract Agreement for Fire Station 3 Architectural Services
3. Financial Discussion

JOINT MEETING

Planning and Development Committee/Finance and Personnel Committee

Conference Room B, south room, second floor

Monday, July 15, 2013, 5:00 pm

AGENDA

1. Application Modification for RERZ Projects
2. Real Estate Acquisition Fire Station 3.
3. Real Estate Acquisition 1.7 acres at Jefferson and North Second Streets.

Immediately following this meeting, the

PLANNING AND DEVELOPMENT COMMITTEE

CD Conference Room, second floor

will hold its weekly meeting.

AGENDA

1. Memorandum from Patrick Hayes regarding Gas & Electric Building Development Agreement Amendment.
2. Memorandum from Wayne Dust, Planning Administrator, regarding the consideration of Auburn Street Corridor TIF District.
3. Memorandum from Alderman Tim Durkee regarding Ongoing Planning Initiative Efforts.
4. Memorandum from Dwayne Collins regarding Funding for the Regional Access Mobilization Project (RAMP).
5. Memorandum from Dwayne Collins regarding Illinois Housing Development Authority Trust Fund Application.

LEGISLATIVE LOBBYING COMMITTEE

Monday, July 15, 2013, _____ p.m.

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

AGENDA

No Meeting Scheduled.