

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
AUGUST 12, 2013
COUNCIL CONVENED AT 6:30 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, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-

Absent: -0-

3. Alderman Beach moved to accept the Journal of Proceedings of August 5, 2013 seconded by Alderman Hervey.

Alderman Getchius moved to reconsider item #45 of the Journal of Proceedings of the August 5, 2013 City Council meeting, the committee report denying the application for a tobacco license for Nabil Alkaplany d/b/a S & N Convenience Store, seconded by Alderman Beck. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beck, Chiarelli -10-

Nays: Frost, Beach, Elyea, McNeely -4-

Absent: -0-

Alderman Getchius moved to refer the item back to the Code and Regulation Committee, seconded by Alderman Oddo. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Beck, Chiarelli -10-

Nays: Newburg, Beach, Elyea, McNeely -4-

Absent: -0-

The Committee Report is REFERRED BACK TO COMMITTEE.

The Journal of Proceedings as amended was placed up for passage. MOTION PREVAILED.

PUBLIC PARTICIPATION

4. Prophet Yusef believes that adversity is an opportunity in disguise and urged people to never give up.

5. John Brantley thanked community members for attending National Night Out, the Peace Event at Sinnissippi and he thanked several individuals and organizations for supporting the Fairgrounds coalition and anti-racism network.

6. Roland Poska announced this was his final speech to the City Council. He urged everyone to become great and end violence.

PETITIONS AND COMMUNICATIONS

7. Alderman Thompson-Kelly submitted several requests for service. Referred to Community Development/Code Enforcement, Police and Public Works Departments.
8. Alderman Durkee submitted a Memorandum regarding the Rockford Area Economic Development Council's (RAEDC) Quarterly Report for 2013.
9. Alderman McNamara submitted a request for the appointment of an Ad Hoc Committee to review the existing TIF District's, Ordinances related to TIF's and recommend best practice guidelines to avoid future underperforming districts. Referred to Planning and Development Committee.
10. Alderman Elyea submitted a request for pothole patching on 7th Street between 15th Avenue to 22nd Avenue. Referred to Public Works Department.
11. Alderman McNeely read a letter from Gail Pickering regarding the Meijer project on Rote, McFarland and Perryville Roads. Placed on File.
12. Alderman Beck submitted a Memorandum from Thaddeus Mack, Planner/Building Plans Examiner, regarding Plat No. 11 Wesley Willows Retirement Cottages. Referred to Code and Regulation Committee.
13. Alderman Beck submitted a Memorandum from Julia Valdez, Director of Human Resources, regarding upcoming special events:
 1. Bike for the Arts – 9/7/13Referred to Code and Regulation Committee.
14. Mayor Morrissey recognized Lisa Jackson, Rockford School District, in attendance at tonight's meeting.

NEW COMMITTEE REPORTS

15. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of August 12, 2013 in the amount of \$2,111,250.80. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

16. Alderman Durkee read a Planning and Development Committee Report recommending approval of the CDBG Funding for \$11,500 to Angie Johnson/All Paws Grooming (130 N. 1st St.). The Legal Director shall prepare the appropriate ordinance. LAID OVER.

OFFICERS REPORTS

17. Mayor Morrissey referred to a Memorandum from Chris Black, Director of Finance, regarding Equalized Assessed Valuation (EAV).
18. Mayor Morrissey reported the demolition of the Laredo Liquor store on South Main Street as part of the South Main Street Corridor Revitalization Plan.
19. Mayor Morrissey reported Governor Quinn signed the Reclaiming First Bill which allows the City of Rockford and partnering communities to raise our hotel/motel tax in support of Reclaiming First projects.
20. Mayor Morrissey mentioned he participated this past Saturday in the Peace Event at Sinnissippi Park and he thanked the Wright family for organizing the event.
21. Mayor Morrissey mentioned he has reviewed the draft report concerning the stimulus spending investigation and has requested additional information to complete the report. The report should be forthcoming this week.
22. Alderman Durkee referred to the letter read in by Alderman McNeely and clarified some of the questions and concerns of the residents living near the Meijer project regarding zoning issues.
23. Alderman McNamara thanked everyone for attending National Night Out and the Block Party in downtown Rockford last week.
25. Alderman Hervey thanked everyone for attending the groundbreaking ceremony for the South Main Street project and the demolition of Laredo Liquor.
26. Alderman Hervey announced this Wednesday will a joint meeting between the County Finance Committee and City of Rockford Finance and Personnel Committee at RMAP, 303 North Main Street at 6:00 pm.
27. Alderman Oddo commended the fire department for their quick response to a spree of dumpster fires this past weekend and also commended the police department for the apprehension and arrest of a possible suspect.
28. Alderman McNeely announced Tools For School 2013 will be held on August 19th, 22nd, 26th and 29th from 10 am – 4:00 pm at the Life Center, 921 West State Street.

UNFINISHED BUSINESS

2013-315CR

29. Alderman Hervey moved the adoption of Finance and Personnel Committee Report recommending approval of the proposed 2% Compensation Adjustments for Non-Represented Employees per the memorandum from Julia Valdez, Human Resource Director dated August 1, 2013. The adjustment will be retroactive to January 1, 2013. The funding source is Departmental Operating Budgets. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

2013-316CR

30. Alderman Beck moved the adoption of a Code and Regulation Committee SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from County R-1, Single-Family Residential Zoning District to C-3, General Commercial Zoning District and a Special Use Permit for an auction house in a C-3, General Commercial Zoning District at 4457 Auburn Street. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes
2. Submittal of a landscape plan for Staff's review and approval
3. All signs must be brought into compliance with the current sign ordinance
4. Parking spaces must be secure for events that take place within the auction house
5. That the property is annexed into the City.

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

31. Alderman Beck moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for sale of retail merchandise and short term loans (pawn shops) in a C-2, Limited Commercial Zoning District at 912, 914 West Riverside Blvd and 3600 North Main Street.

1. Meeting all applicable building and fire codes
2. Submittal of building permits for Staff review and approval
3. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval

4. The hours of operation will be limited to 10 am to 7 pm Monday through Sunday.
5. The operation of the sale of retail merchandise and short-term loans (pawn shop) is limited to the two (2) store fronts located at 912 and 914 W. Riverside Blvd.
6. That there shall be no sale, resale or purchase of firearms
7. Window display signage is limited to 35% of window surface area

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

Ayes: Getchius, Thompson-Kelly, Oddo, Newburg, Beck, Chiarelli -6-
 Nays: Durkee, McNamara, Frost, Hervey, Hilton, Beach, Elyea, McNeely -8-
 Absent: -0-

2013-317CR

32. 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 Zoning Map Amendment from C-1, Limited Office Zoning District, C-2, Limited Commercial Zoning District with Pre-annexation Agreement to C-3, Commercial General Zoning District for parcel B and DENY a Zoning Map Amendment from C-1, Limited Office Zoning District, C-2, Limited Commercial Zoning District with Pre-annexation Agreement to C-3, Commercial General Zoning District for parcel A and APPROVE a Zoning Map Amendment from C-1, Limited Office Zoning District, C-2, Limited Commercial Zoning District with Pre-annexation Agreement to C-2, Limited Commercial Zoning District for parcel A and APPROVE a Special Use Permit for Gas Station and APPROVE a Variation to eliminate interior landscaping requirements in the C-3, General Commercial Zoning District for parcel B, DENY a Variation to increase sign height from 8 feet to 16 feet and APPROVE a Variation to increase sign height from 8 feet to 13 feet 6 inches and REVERSE to APPROVE a Variation to increase the maximum square footage of 64 to 96 square feet for a landmark style sign, APPROVE a Special Use Permit for grocery/retail store with outdoor garden center and drive thru pharmacy, APPROVE a Variation to the interior landscaping to eliminate building foundation landscaping and reduce interior landscaping from 10% to 4%, APPROVE a Variation to eliminate 4 foot open green spaces along south property line and APPROVE a Special Use Permit for off premise business sign at McFarland and Rote Road in a C-3, General Commercial Zoning District at 2103 McFarland Road and xxxx North Perryville Road. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. That the signage is in accordance with Exhibit L
3. Submittal of a revised landscaping plan for Staff review and approval, including additional landscape units for Lot 3 along proposed Anjali Drive and to include additional buffering along the east property line (add Lot 6) inclusive of an 8 foot high wood fence.
4. That the property develops in accordance with the tree preservation plan and tree inventory.
5. That a revised street design inclusive of a landscape median in conformance with City Engineer requirements is submitted for Staff review and approval.

6. That detention is provided in accordance with the requirements of the City Engineer.
7. That the installation and maintenance of the landscape within the McFarland Road median shall be the responsibility of the development.
8. That McFarland Road is constructed from Rote Road to Spring Road in accordance with the requirements of the City Engineer including a bike path on the east side of the road and a sidewalk on the west side of the road.
9. That a Final Plat is approved and recorded for the property.

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

Ayes: Durkee, Getchius, McNamara, Frost, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, Chiarelli -11-
 Nays: Hervey, Elyea, McNeely -3-
 Absent: -0-

2013-117-O

33. 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 persons:

Richard Buckley and Gary Weeks d/b/a Molly's Deli for the sale of beer and wine with a restaurant and video gaming in a C-3, General Commercial Zoning District at 7425 East State Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. Submittal of building permit for Staff review and approval
4. The 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 8:00am – 1:00am Monday through Sunday.
6. Window display signage is limited to 30% of 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 DJs
10. The restaurant shall not have any live entertainment
11. The restaurant shall not operate as a nightclub

MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Thompson-Kelly, Oddo, Newburg, Beck, McNeely, Chiarelli -8-
 Nays: Durkee, Frost, Hervey, Hilton, Beach, Elyea -6-
 Absent: -0-

2013-118-O

34. 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:

Daniel Fischer d/b/a Dotty's for the sale of beer and wine by the drink with a café, deli and video gaming in a C-2, Limited Commercial Zoning District at 318 North Alpine Road, 300-318 North Alpine Road and 43xx Morsay Drive. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. A parking agreement to be submitted and approved by Staff
4. That the windows shall not be obstructed with bars or other devices that block the windows.
5. That the window signage shall not exceed 35% of window area
6. That Applicant applies for and receives a building permit for Change of Use
7. Hours of operation shall be Monday thru Sunday from 8:00am – 11:00pm as submitted in the business plan.
8. The sale of alcohol shall be in conjunction with a restaurant as designated by the liquor code.
9. There shall be no cover charge
10. There shall be no live entertainment or DJs
11. There shall be no dance floor

MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, Thompson-Kelly, Oddo, Newburg, Beck, McNeely, Chiarelli, Mayor Morrissey -8-
Nays: Durkee, McNamara, Frost, Hervey, Hilton, Beach, Elyea -7-
Absent: -0-

2013-119-O

35. 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:

Sabrina R. Bunton-Bell d/b/a Mobil for the sale of packaged liquor with a gas station in a C-3, Commercial General Zoning District at 4432 Auburn Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. The sale of liquor shall be limited to the interior plan that will not exceed more than 10% of floor area
4. That the window signage shall not exceed 35% of window area

5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
6. That the hours of operation for liquor sales be restricted from 6:00am – 12:00am Sunday through Saturday.
7. 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, Thompson-Kelly, Oddo, Newburg, Elyea, Beck, McNeely, Chiarelli -13-
 Nays: Beach -1-
 Absent: -0-

2013-120-O

36. 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:

Joshua Marinelli d/b/a The IT Drive In Liquor Store for the sale of packaged liquor in conjunction with a liquor store in a C-2, Limited Commercial Zoning District at 3216 Auburn Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. That the window signage shall not exceed 35% of window area
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
5. That the hours of operation for liquor sales be limited to those allowed by the liquor code.
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, Thompson-Kelly, Oddo, Newburg, Beck, McNeely, Chiarelli -12-
 Nays: Beach, Elyea -2-
 Absent: -0-

2013-121-O

37. 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:

Narendra Patel d/b/a Lions Quick Mart for the sale of packaged beer and wine with a gas station in an R-1, Single-Family Residential District at 3307 Charles Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire and liquor codes
2. The hours of operation are limited to Monday-Saturday 6:00am – 11:00pm and Sunday 9:00am – 9:00pm.
3. Inside window display signage cannot exceed 35% of window surface
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
5. There shall be no single serving sales of beer or wine in volumes of 40 oz. or less
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, Thompson-Kelly, Oddo, Newburg, Elyea, Beck, McNeely, Chiarelli -13-
Nays: Beach -1-
Absent: -0-

2013-122-O

38. Alderman Beck moved the adoption of an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Modification of Special Use Permit #026-11 to add murals in a C-4, Urban Mixed-Use Zoning District at 518 Walnut Street and 123 South 3rd Street. Approval is subject to the following conditions:

1. Mounting of murals must be in accordance to Exhibit E and F. Any modifications to material and/or image of murals will require a modification of Special Use Permit.
2. Sign permits shall be required including an illustration of proposed paintings shall be submitted with the permit applications.
3. The mural panels may not consist of a vinyl banner material within a frame.

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

2013-123-O

39. Alderman Beck moved the adoption of an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to reduce parking from the required 210 parking spaces to 133 parking spaces in a C-2, Limited Commercial Zoning District at 300-320 North Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes

2. The proposed restaurant is limited to the space shown on Exhibit E.

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Elyea, Beck, McNeely, Chiarelli -13-
Nays: Beach -1-
Absent: -0-

2013-124-O

40. Alderman Beck moved the adoption of an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit to allow a religious assembly in an R-1, Single-Family Residential Zoning District at 916, 920 and 926 Harding Street, 15xx and 1515 Clifton Avenue and 907, 913 and 9xx Hopkins Court. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Landscaping units must be installed in accordance with Exhibit E
3. Signage must be in compliance with the sign ordinance for properties located within the R-1 District.

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

2013-125-O

41. Alderman Beck moved the adoption of an Ordinance amending Chapter 3, Section 3-56 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 issue a Liquor License to the following person:

Rao Ahmed d/b/a MS Gasolin, Inc. for the sale of tobacco products with a gas station and sale of packaged liquor with a gas station and convenience store in an I-1, Light Industrial Zoning District at 2233 Kishwaukee Street; Starr Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes
2. Compliance with all City of Rockford Liquor Codes
3. Submittal of building permit for Staff review and approval
4. The sale of beer and wine shall be limited to the interior site plan that was submitted Exhibit F
5. Submittal of a revised civil plan to include dumpster enclosure area, material and rendering

6. Submittal of a revised landscape plan to include removal of the raised timber planter that is replaced with a new concrete curbed island around the proposed landscaping along the west property line.
7. The hours of operation and days will be 5:00am – 11:00pm Monday through Thursday.
8. The hours of operation and days will be 5:00am – 12:00am Friday through Saturday.
9. The hours of operation and days will be 6:00am – 10:00pm on Sunday
10. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
11. There shall be no single serving sales of beer or wine in volumes of 40 oz. or less
12. Window display signage is limited to 30% of window area

MOTION PREVAILED by a Roll Call vote of:

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

2013-126-O

42. Alderman Beck Ordinance - Amending Article 62 and Article 21-001-C of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from C-1, Limited Office Zoning District to C-2, Limited Commercial Zoning District at 70xx Rote Road and 18xx McFarland Road, 20xx North Perryville Road. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Beck, Chiarelli -11-
 Nays: Hervey, Elyea, McNeely -3-
 Absent: -0-

2013-127-O

43. Alderman Beck moved the adoption of an Ordinance approving the utility easement from the City of Rockford to ComEd for the South Main Street Corridor. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
 Nays: -0-
 Absent: -0-

2013-128-O

44. Alderman Beck moved the adoption of an Ordinance amending Chapter 16, Section 291 of the Code of Ordinances of the City of Rockford by adding the following, to-wit:

Stop sign control for 19th Street to stop for 11th Avenue at the intersection of 19th Street and 11th Avenue.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

45. Alderman Hervey moved for the adoption of an appointment to the Community Action Advisory Board, Ms. Christina Gloria. Ms. Gloria will serve a three year term, which would expire August 2016.

Alderman Hervey moved to suspend Rule 18, seconded by Alderman Thompson-Kelly. MOTION PREVAILED (Ald. McNeely voted no). The appointment was placed on Passage. MOTION PREVAILED (Ald. McNeely voted no).

MOTIONS AND RESOLUTIONS

2013-120R

46. Alderman Durkee, on behalf of the Planning and Development Committee moved for the adoption of a Resolution approving the Request for Proposals to Redevelop the Southeast Quadrant of the North Main Auburn Intersection. MOTION PREVAILED (Ald. Elyea, McNeely voted no)

2013-121R

47. Alderman Hervey moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement with JX Peterbilt, of Rockford, Illinois in the amount of \$189,490.46 for Two (2) Day Cab Semi-Tractors. The funding source is Fire Department Capital Budget/Lease proceeds. MOTION PREVAILED by a Roll Call vote of:

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

48. Alderman Hervey moved the adoption of a Resolution, by the City of Rockford, Illinois that the Mayor execute an agreement with Taylor Made, of Capron, Illinois for **Architectural Labor** for Human Services Weatherization contracts. The funding source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance through funds from the federal Dept. of Energy and Health and Human Services.

Alderman Thompson-Kelly made a motion to lay over the resolution, seconded by Alderman Frost. MOTION PREVAILED. The Resolution is LAID OVER.

49. Alderman Hervey moved the adoption of a Resolution, by the City of Rockford, Illinois that the Mayor execute an agreement with Taylor Made, of Capron, Illinois for **Architectural Material** for Human Services Weatherization contracts. The funding

source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance through funds from the federal Dept. of Energy and Health and Human Services.

Alderman Thompson-Kelly made a motion to lay over the resolution, seconded by Alderman Frost. MOTION PREVAILED. The Resolution is LAID OVER.

50. Alderman Hervey moved the adoption of a Resolution, by the City of Rockford, Illinois that the Mayor execute an agreement with Total Plumbing, of Machesney Park, Illinois for **Mechanical Labor & Material** for Human Services Weatherization contracts. The funding source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance through funds from the federal Dept. of Energy and Health and Human Services.

Alderman McNeely made a motion to lay over the resolution, seconded by Alderman Thompson-Kelly. MOTION PREVAILED. The Resolution is LAID OVER.

2013-122R

51. Alderman Hervey moved the adoption of a Resolution, by the City of Rockford, Illinois that the Mayor execute an agreement with William Charles Construction, of Loves Park, Illinois for the Change Order for City-Wide Street Repairs Group 2 for an additional amount of \$240,000,00, contract total \$876,083.35. The funding source is Sales Tax Funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-
Nays: -0-
Absent: -0-

2013-123R

52. Alderman Hervey moved the adoption of a Resolution, by the Council of the City of Rockford, Illinois, that the City authorize a submittal of an Illinois Transportation Enhancement Program Grant application between the City of Rockford and the Illinois Dept. of Transportation for funding of the conversion of the former Illinois Railway Bridge to a "Rails-to-Trails" multi-use path to connect the Morgan St. Bridge Path, across the Rock River, connecting to Davis Festival Park located in the City of Rockford, Winnebago County, Illinois.

Alderman McNamara made a motion to lay over the resolution, seconded by Alderman Newburg. MOTION FAILED.

The resolution was placed up for passage. MOTION PREVAILED (Ald. Frost voted no).

NEW BUSINESS

53. Alderman Beck introduced and read an Ordinance amending Article 62 and Article 21-001-D of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from

County R-1, C-1, Limited Office Zoning District to C-2, Limited Commercial Zoning District at 4457 Auburn Street. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes
2. Submittal of a landscape plan for Staff's review and approval
3. All signs must be brought into compliance with the current sign ordinance
4. Parking spaces must be secure for events that take place within the auction house
5. That the property is annexed into the City.

Approval is based on the Findings of Fact. LAID OVER.

54. Alderman Beck introduced and read an Ordinance amending Article 62, Article 63 and Article 64 of the Zoning Ordinance of the City of Rockford for a (A) Zoning Map Amendment from C-1, Limited Office Zoning District, C-2, Limited Commercial Zoning District with Pre-annexation Agreement to C-3, Commercial General Zoning District for Parcel B; (B) Zoning Map Amendment from C-1, Limited Office Zoning District, C-2, Limited Commercial Zoning District with Pre-annexation Agreement to C-2, Limited Commercial Zoning District for Parcel A; (C) Special Use Permit for Gas Station; (D) Variation to eliminate interior landscaping requirements in the C-3, General Commercial Zoning District for Parcel B; (E) Variation to increase sign height from 8' to 13'6"; (F) Variation to increase the maximum square footage of 64 to 96 square feet for a landmark style sign; (G) Special Use Permit for grocery/retail store with outdoor garden center and drive thru pharmacy; (H) Variation in the interior landscaping to eliminate building foundation landscaping and reduce interior landscaping from 10% to 4%; (I) Variation to eliminate 4 foot open green spaces along south property line and; (J) Special Use Permit for off premise business sign at McFarland and Rote Road in a C-3, General Commercial Zoning District at 2103 McFarland Road and xxxx North Perryville Road. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes
2. That the signage is in accordance with Exhibit L
3. Submittal of a revised landscaping plan for Staff review and approval, including additional landscape units for Lot 3 along proposed Anjali Drive and to include additional buffering along the East property line inclusive of an 8 foot high wood fence.
4. That the property develop in accordance with the tree preservation plan and tree inventory.
5. That a revised street design inclusive of a landscape median in conformance with City Engineer requirements is submitted for Staff review and approval.
6. That detention is provided in accordance with the requirements of the City Engineer.
7. That the installation and maintenance of the landscape within the McFarland Road median shall be the responsibility of the development.
8. That McFarland Road is constructed from Rote Road to Spring Road in accordance with the requirements of the City Engineer including a bike path on the east side of the road and a sidewalk on the west side of the road.
9. That a Final Plat is approved and recorded for the property.

Approval is based on the Findings of Fact. LAID OVER.

55. 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 sale of retail merchandise and short term loans (pawn shops) in a C-2, Limited Commercial Zoning District at 912, 914 West Riverside Blvd and 3600 North Main Street.
1. Meeting all applicable building and fire codes
 2. Submittal of building permits for Staff review and approval
 3. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval
 4. The hours of operation will be limited to 10 am to 7 pm Monday through Sunday.
 5. The operation of the sale of retail merchandise and short-term loans (pawn shop) is limited to the two (2) store fronts located at 912 and 914 W. Riverside Blvd.
 6. That there shall be no sale, resale or purchase of firearms
 7. Window display signage is limited to 35% of window surface area

The Ordinance was read in in error, the committee report failed to pass.

56. Alderman Beck introduced and read an Ordinance for the sale of city-owned property at vacant lot 325 Salter Avenue for a minimum bid of \$1.00 for the use of playground. LAID OVER.
57. Alderman Hervey introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the Ordinance covering compensation for the Employees of the City of Rockford who are not represented by a Union or Association, for the period January 1, 2013 to December 31, 2013. Employees of the City of Rockford, including appointed Department Heads and the City Administrator, who are not represented by any Union or Association, shall be paid in accordance with the Classification and Compensation Plan of the City of Rockford and the Pay for Performance Plan as contained in the Personnel Rules and Regulations. However, there shall be a 2% general wage increase for 2013, retroactive to the first full payroll period of 2013. LAID OVER.
57. Upon motion duly made and seconded, the meeting was adjourned at 8:15 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
August 19, 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
- Proclamations
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER AUGUST 12, 2013

1. Durkee - Planning and Development - Recommending approval of the CDBG Funding for \$11,500 to Angie Johnson/All Paws Grooming (130 N. 1st St.). The Legal Director shall prepare the appropriate ordinance.

II. ORDINANCES LAID OVER AUGUST 12, 2013

1. Beck - Ordinance - Amending Article 62 and Article 21-001-D of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from County R-1, C-1, Limited Office Zoning District to C-2, Limited Commercial Zoning District at 4457 Auburn Street. Approval is subject to the following conditions:
 1. Must meet all applicable building and fire codes
 2. Submittal of a landscape plan for Staff's review and approval
 3. All signs must be brought into compliance with the current sign ordinance
 4. Parking spaces must be secure for events that take place within the auction house
 5. That the property is annexed into the City.

Approval is based on the Findings of Fact.

2. Beck - Ordinance - Amending Article 62, Article 63 and Article 64 of the Zoning Ordinance of the City of Rockford for a (A) Zoning Map Amendment from C-1, Limited Office Zoning District, C-2, Limited Commercial Zoning District with Pre-annexation Agreement to C-3, Commercial General Zoning District for Parcel B; (B) Zoning Map Amendment from C-1, Limited Office Zoning District, C-2, Limited Commercial Zoning

District with Pre-annexation Agreement to C-2, Limited Commercial Zoning District for Parcel A; (C) Special Use Permit for Gas Station; (D) Variation to eliminate interior landscaping requirements in the C-3, General Commercial Zoning District for Parcel B; (E) Variation to increase sign height from 8' to 13'6"; (F) Variation to increase the maximum square footage of 64 to 96 square feet for a landmark style sign; (G) Special Use Permit for grocery/retail store with outdoor garden center and drive thru pharmacy; (H) Variation in the interior landscaping to eliminate building foundation landscaping and reduce interior landscaping from 10% to 4%; (I) Variation to eliminate 4 foot open green spaces along south property line and; (J) Special Use Permit for off premise business sign at McFarland and Rote Road in a C-3, General Commercial Zoning District at 2103 McFarland Road and xxxx North Perryville Road. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes
2. That the signage is in accordance with Exhibit L
3. Submittal of a revised landscaping plan for Staff review and approval, including additional landscape units for Lot 3 along proposed Anjali Drive and to include additional buffering along the East property line inclusive of an 8 foot high wood fence.
4. That the property develop in accordance with the tree preservation plan and tree inventory.
5. That a revised street design inclusive of a landscape median in conformance with City Engineer requirements is submitted for Staff review and approval.
6. That detention is provided in accordance with the requirements of the City Engineer.
7. That the installation and maintenance of the landscape within the McFarland Road median shall be the responsibility of the development.
8. That McFarland Road is constructed from Rote Road to Spring Road in accordance with the requirements of the City Engineer including a bike path on the east side of the road and a sidewalk on the west side of the road.
9. That a Final Plat is approved and recorded for the property.

Approval is based on the Findings of Fact.

3. Beck - Ordinance - For the sale of city-owned property at vacant lot 325 Salter Avenue for a minimum bid of \$1.00 for the use of playground.
4. Hervey - Ordinance - Authorizing the Mayor and Legal Director to execute the Ordinance covering compensation for the Employees of the City of Rockford who are not represented by a Union or Association, for the period January 1, 2013 to December 31, 2013. Employees of the City of Rockford, including appointed Department Heads and the City Administrator, who are not represented by any Union or Association, shall be paid in accordance with the Classification and Compensation Plan of the City of Rockford and the Pay for Performance Plan as contained in the Personnel Rules and Regulations. However, there shall be a 2% general wage increase for 2013, retroactive to the first full payroll period of 2013.

III. MOTION/RESOLUTIONS

I. LAID OVER AUGUST 12, 2013

1. Hervey – Resolution - Execute an agreement with Taylor Made, of Capron, Illinois for **Architectural Labor** for Human Services Weatherization contracts. The funding source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance through funds from the federal Dept. of Energy and Health and Human Services.
2. Hervey – Resolution - Execute an agreement with Taylor Made, of Capron, Illinois for **Architectural Material** for Human Services Weatherization contracts. The funding source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance through funds from the federal Dept. of Energy and Health and Human Services.
3. Hervey – Resolution - Execute an agreement with Total Plumbing, of Machesney Park, Illinois for **Mechanical Labor & Material** for Human Services Weatherization contracts. The funding source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance through funds from the federal Dept. of Energy and Health and Human Services.

II. READ IN AUGUST 19, 2013

1. Beck - Bike for the Arts – 9/7/13

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. Durkee – Ordinance - Approval of the CDBG Funding for \$11,500 to Angie Johnson/All Paws Grooming (130 N. 1st St.).

* same action taken before

- Adjournment

* * * * *

POSSIBLE ADDITIONAL ITEMS:

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

CODE AND REGULATION COMMITTEE

Monday, August 19, 2013, 5:15 p.m.

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

AGENDA

1. C & R 13-143 Special Event: Bike for the Arts (BART) 9/7/13
2. C & R 13-144 Plat No. 11 Wesley Willows Retirement Cottages
3. C & R 13-111 Public Safety Committee
4. C & R 13-62 013-LTAB-008 **Request for the Sale of Tobacco** in conjunction with a convenience store in a C-3, Commercial General Zoning District at **2338 Charles Street**
5. C & R 13-142 Closed Session for Purposes of Pending and/or Threatened Litigation: Linskey v. City of Rockford

FINANCE AND PERSONNEL COMMITTEE

Monday, August 19, 2013, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: One (1) Backhoe
 - B. Award of Bid: City-Wide Street Repairs Group 6
 - C. Engineering Agreement: Water Reservoir Inspection Services at Wells 13, 18, 30, 31 & Stanley Street
 - D. Vouchers
2. Financial Discussion

PLANNING AND DEVELOPMENT COMMITTEE

Monday, August 19, 2013, 5:15 p.m.

CD Conference Rm., City Hall 2nd floor

AGENDA

1. Memorandum regarding Rockford Area Economic Development Council's (RAEDC) Quarterly Report for 2013.
2. Memorandum from Jovita Donahue, Development Specialist, regarding E. State & Alpine TIF Signage Program.
3. Memorandum from Alderman Tim Durkee regarding Ongoing Planning Initiative Efforts.

4. Request by Alderman McNamara regarding a resolution for an ad hoc committee to review the existing TIF District's, Ordinances related to TIF's and recommend best practice guidelines.

LEGISLATIVE LOBBYING COMMITTEE

Monday, August 19, 2013, _____ p.m.

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

AGENDA

No Meeting Scheduled.