

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
AUGUST 26, 2013  
COUNCIL CONVENED AT 6:23 P.M.**

1. The invocation was given by Chaplain Ken 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, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Beach, Elyea, Beck, McNeely, Chiarelli -11-

Absent: Getchius, Hilton, Newburg, -3-

3. Alderman Beach moved to accept the Journal of Proceedings of August 19, 2013 seconded by Alderman Beck.

Alderman Thompson-Kelly moved to reconsider Items 18 and 19 of the Journal of Proceedings of the August 19, 2013 City Council Meeting, the Resolutions for Architectural Labor and Architectural Materials, which failed to receive the majority vote of the City Council, seconded by Alderman Beck. MOTION PREVAILED (Ald. Getchius, Hilton, Newburg absent).

The Resolutions were placed up for passage.

**2013-132R**

A resolution to 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, McNamara, Frost, Thompson-Kelly, Oddo, Elyea, Beck, Chiarelli -8-

Nays: Hervey, Beach, McNeely -3-

Absent: Getchius, Hilton, Newburg -3-

**2013-133R**

A resolution to 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, McNamara, Frost, Thompson-Kelly, Oddo, Elyea, Beck, Chiarelli -8-

Nays: Hervey, Beach, McNeely -3-

Absent: Getchius, Hilton, Newburg -3-

The Journal as amended was placed up for passage. MOTION PREVAILED (Ald. McNeely voted no; Ald. Getchius, Hilton, Newburg absent).

### **PUBLIC PARTICIPATION**

4. Gordon Clark voiced his frustration with the water department ordinance alleging it is unconstitutional to shut-off water if young children live in the home.
5. Dorothy Wallace distributed pictures of two abandoned homes in her neighborhood and urged the city to find a solution as the abandoned homes are affecting their quality of life, impacting property values, creating blight, safety issues and crime.
6. Prophet Yusef spoke about the hope that Politian's can give the American people.
7. John Brantley spoke about the People Who Care lawsuit against the Rockford School District, reported he hosted a back to school cookout and asked for donations to continue his efforts with the youth in Fairgrounds and Blackhawk.
8. On behalf of Roland Poska, Bob announced he is working on a project to promote Roland Poska's Declaration of Interdependence. Fifteen (15) pieces of the art series have been sent to several countries all over the world. He urged everyone to commit to ending violence and prejudice and achieving respect for all.

### **PETITIONS AND COMMUNICATIONS**

9. Mayor Morrissey recognized State Representative Chuck Jefferson at the council meeting tonight.
10. Alderman Thompson-Kelly submitted two request for service. Referred to Public Works Department.
11. Alderman Beck submitted a Memorandum from Julia Valdez, Director of Human Resources, regarding upcoming special events:
  1. Festa Patrias – 9/14 – 15/13Referred to Code and Regulation Committee.
12. Alderman Beck submitted a Memorandum from the Legal Department, regarding water annexation for 4317 Wilshire Avenue. Referred to Code and Regulation Committee.
13. Alderman Beck submitted the Zoning Board of Appeals minutes from the meeting held on August 20, 2013. Referred to Code and Regulation Committee.
14. Alderman Beck submitted the Liquor and Tobacco Advisory Board minutes from the meeting held on August 20, 2013. Referred to Code and Regulation Committee.

15. Alderman Beck submitted the Rockford Traffic Commission Minutes from the meeting held on August 14, 2013. Referred to Code and Regulation Committee.
16. Alderman Durkee submitted a Memorandum regarding the RAEDC Annual Contract. Referred to Planning and Development Committee.
17. The Council Clerk submitted an Invoice from Comcast date 6/30/13 for the Second Quarter Franchise Fee Payment. Placed on File.

### **NEW COMMITTEE REPORTS**

18. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of an Intergovernmental Agreement between the City of Rockford and the Rockford Housing Authority for data sharing. LAID OVER.
19. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of August 26, 2013 in the amount of \$3,215,048.81. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Beach, Elyea, Beck, McNeely, Chiarelli -11-

Nays: -0-

Absent: Getchius, Hilton, Newburg -3-

20. Alderman Beck read a Code and Regulation Committee Report recommending approval of the sale of the vacant lot located at 325 Penfield Place for a minimum bid of \$350.00 with preference to the adjacent property owner. LAID OVER.
21. Alderman Beck read a Code and Regulation Committee Report recommending the approval of Plat #11, Wesley Willows Retirement Cottages. LAID OVER.

### **2013-321CR**

22. Alderman Beck read a Code and Regulation Committee Report recommending that City Council APPROVE a settlement in *Ford v. Cleaveland, et al.* in the amount of \$30,000.00 with a release to be obtained.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Getchius, Hilton, Newburg absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Beach, Elyea, Beck, McNeely, Chiarelli -11-

Nays: -0-

Absent: Getchius, Hilton, Newburg -3-

23. Alderman Durkee read a Planning and Development Committee Report recommending approval of an amendment to the Code of Ordinances Sec. 2-27. - Time of regular

meetings, to reflect a change in the committee meeting times and City Council time as follows:

- A. Planning and Development – 4:00 pm
- B. Codes and Regulations – 5:00 pm
- C. Finance and Personnel – 6:00 pm
- D. City Council Meetings – 7:00 pm

The Legal Director shall prepare the appropriate ordinance. LAID OVER.

### **OFFICERS REPORTS**

- 24. Mayor Morrissey explained the delay in releasing the internal report to the public regarding the stimulus funding investigation. He thanked council members for their recommendations and advice and the community for their patience.
- 25. Alderman Beach reported the passing of former Alderman Nancy Johnson's mother and read a thank you letter to Mayor Morrissey and city staff from Nancy and her sister Natalie.
- 26. Alderman McNamara reported two successful events downtown this past weekend, the Rockford Dance Company event celebrating 40 years and Rockford Art Museum event celebrating 100 years. He also thanked everyone involved with the "Raise the Roof" fundraiser this past Saturday with first-year proceeds going towards restoring the roof of the Laurent House.
- 27. Alderman Hervey announced she will be seeking input from the aldermen of dates and times to begin scheduling budget meetings and asked them to provide any items or initiatives to be included in budget discussions.
- 28. Alderman Beach reported this past Saturday was "A Car's Day Out", all-day vehicle cruise to benefit BraveHearts Therapeutic Riding and Educational Center. The event began in Harvard with the cruise reaching the Rockford Speedway at noon for laps around the track and finishing at Don Carter Lanes with a car show, outdoor grill, bake sale and sock hop.
- 29. Alderman Beck reminded everyone the annual Rockford Chariots and Jr. Chariots Wheelchair Basketball game against local politicians and members of the media will be held this Friday at 6:00 pm at the Rockford City Market, RAMP Parking lot, 202 Market Street on August 30, 2013. He encouraged everyone to attending this fundraising event for the Rockford Chariots.
- 30. Alderman Thompson-Kelly thanked Mayor Morrissey for his comments regarding stimulus funds investigation and appreciates his "open door" to council members and CAP Board members discuss with their concerns and recommendations.

31. Alderman Frost announced this coming weekend is the PUMA Cup Soccer Tournament in Rockford. He encouraged the aldermen to drive to one of the SportsCore facilities to see the impact this tournament has on our community.
32. Alderman McNeely reported this past Saturday started the 50<sup>th</sup> anniversary of Martin Luther King's March on Washington and his speech "I Have a Dream". She agrees, as do most people, the dream is not realized and she listed some issues that still need to be addressed.
33. Alderman McNamara announced the City Market will have extended hours this Friday, August 30<sup>th</sup> until 11:00 pm; two bands will be performing ,Trash 80's and Vintage Vinyl.

### **UNFINISHED BUSINESS**

34. Alderman Durkee moved the adoption of a Planning and Development Committee Report recommending approval of the creation of an East State and Alpine TIF Signage Program for assistance in promoting the cleanup of the business corridor by removing decaying business signs and replacing with signage that meets current City code requirements. Program funded by East State and Alpine TIF revenue. The Legal Director shall prepare the appropriate ordinance. REFERRED BACK TO COMMITTEE.

Alderman Durkee made a motion to refer the item back to Planning and Development Committee, seconded by Alderman Beck. MOTION PREVAILED (Ald. Getchius, Hilton, Newburg absent).

#### **2013-133-O**

35. Alderman Durkee moved the adoption of an Ordinance approving the Development Agreement with Angie M. Johnson DBA All Paws Beauty Salon regarding CDBG assistance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, McNamara, Frost, Thompson-Kelly, Oddo, Beach, Elyea, Beck, McNeely, Chiarelli -10-  
 Nays: Hervey -1-  
 Absent: Getchius, Hilton, Newburg -3-

#### **2013-134-O**

36. 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 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. Approval is subject to the following conditions:
  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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Beach, Elyea, Beck, Chiarelli -10-  
 Nays: McNeely -1-  
 Absent: Getchius, Hilton, Newburg -3-

### **MOTIONS AND RESOLUTIONS**

#### **2013-134R**

37. Alderman Durkee, on behalf of the Planning and Development Committee, moved for the adoption of a Resolution approving the creation of an ad hoc committee (to review the existing TIF Districts, Ordinances related to TIFs and recommend best practice guidelines.

Alderman McNeely made a motion to lay the resolution over. Motion failed for lack of a second.

Alderman Elyea made a motion to amend the resolution to add that appointed members be City of Rockford residents and have knowledge of TIF districts, seconded by Alderman Beach. MOTION FAILED by a Roll Call vote of:

Ayes: Hervey, Oddo, Beach, Elyea, McNeely -5-  
 Nays: Durkee, McNamara, Frost, Thompson-Kelly, Beck, Chiarelli -6-  
 Absent: Getchius, Hilton, Newburg -3-

The Resolution was placed up for passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Beach, Elyea, Beck, Chiarelli -10-  
 Nays: McNeely -1-  
 Absent: Getchius, Hilton, Newburg -3-

#### **2013-135R**

38. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the River District Business of Block 5 requesting a special event permit and liquor permit for consumption of liquor outdoors on public property ("SP" license) for the Block 5 Festival on Saturday, September 14, 2013 in the 500 block of East State Street from 6:00 pm – 11:59 pm. MOTION PREVAILED (Ald. Getchius, Hilton, Newburg absent).

**2013-136R**

39. 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 CDW, of Vernon Hills, Illinois in the amount of \$25,752.50 for 50 printers and mounts for the Police Department vehicles. The funding source is Police Dept. Capital Budget. MOTION PREVAILED by a Roll Call vote of:

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

**OFFICERS REPORTS**

40. Alderman McNeely submitted a letter from Karolyn Downey concerning a business violating the noise and building code ordinances. Referred to Community Development and Animal Control.
41. Upon motion duly made and seconded, the meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Diane Reed  
City Council Clerk

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

**CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS**  
**City Council Chambers, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**September 3, 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 26, 2013**

1. Hervey - Finance and Personnel - Recommending approval of an Intergovernmental Agreement between the City of Rockford and the Rockford Housing Authority for data sharing.
2. Beck - Code and Regulation - Recommending approval of the sale of the vacant lot located at 325 Penfield Place for a minimum bid of \$350.00 with preference to the adjacent property owner.
3. Beck - Code and Regulation - Recommending the approval of Plat #11, Wesley Willows Retirement Cottages.
4. Durkee - Planning and Development - Recommending approval of an amendment to the Code of Ordinances Sec. 2-27. - Time of regular meetings, to reflect a change in the committee meeting times and City Council time as follows:
  - A. Planning and Development – 4:00 pm
  - B. Codes and Regulations – 5:00 pm
  - C. Finance and Personnel – 6:00 pm
  - D. City Council Meetings – 7:00 pm

The Legal Director shall prepare the appropriate ordinance.

**II. MOTION/RESOLUTIONS READ IN SEPTEMBER 3, 2013**

1. Beck - Festa Patrias – 9/14 – 15/13

**III. 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. Hervey – Ordinance - Intergovernmental Agreement between the City of Rockford and the Rockford Housing Authority for data sharing.
2. Beck – Ordinance - Sale of the vacant lot located at 325 Penfield Place for a minimum bid of \$350.00 with preference to the adjacent property owner.
3. Durkee – Ordinance - Amendment to the Code of Ordinances Sec. 2-27. - Time of regular meetings, to reflect a change in the committee meeting times and City Council time as follows:
  - A. Planning and Development – 4:00 pm
  - B. Codes and Regulations – 5:00 pm
  - C. Finance and Personnel – 6:00 pm
  - D. City Council Meetings – 7:00 pm

\* 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, September 3, 2013, 4:45 p.m.**  
**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**  
**AGENDA**

1. C & R 13-154 Update for the City of Rockford Rules and Regulations
2. C & R 13-158 August Traffic Commission Minutes
3. C & R 13-156 Special Event: Festa Patrias 9/14/14 & 9/15/13

4. C & R 13-157 Water Annexation for 4317 Wilshire Avenue
5. C & R 13-111 Public Safety Committee
6. 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
7. C & R 13-145 ZBA#024-13 Variation to increase the maximum allowed fence height in the front yard from four (4) feet six (6) feet along 8' Street in an R-2, Two-Family Residential Zoning District at 612, 616 8<sup>th</sup> Street & 1209 5<sup>th</sup> Ave
8. C & R 13-147 ZBA#026-13 Variation in the perimeter landscape strip from 20 feet to triangular landscaping on the western and eastern frontage on Charles Street; Variation to reduce interior landscaping; Variation to reduce required 50% building foundation landscaping; Variation to reduce the front yard setback from 15 feet to 0 feet along Charles Street and 21<sup>st</sup> Street in a C-2, Limited Commercial Zoning District and I-1, Light Industrial Zoning District at 2409, 2425 Charles Street & 24xx Charles Street
9. C & R 13-64 Request for the Sale of Packaged Liquor with a gas station and convenience store in a C-3 Commercial General Zoning District at 818 South 6<sup>th</sup> Street
10. C & R 13-151 Request for the Sale of Packaged Liquor in conjunction with a convenience store in a C-2, Limited Commercial Zoning District at 1203 7<sup>th</sup> Street

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, September 3, 2013, 5:15 p.m.**

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

**AGENDA**

1. Purchasing and Vouchers
  - A. Award of Bid: Waterworks Supplies & Materials
  - B. Award of Bid: Public Works Materials
  - C. Award of Bid: Public Works Concrete & Cement Materials
  - D. Award of Bid: Fire Station Network Cabling
  - E. Award of Bid: City-Wide Street Repairs, Group 7

- F. Award of RFP: Tax Exempt Lease of Squads & Unmarked Vehicles
  - G. Engineering Agreement: Landstrom Road Project
  - H. Engineering Agreement: Harrison Avenue Reconstruction Phase II
  - I. Change Order #1: South Main Street Demolitions
  - J. Change Order: West State Street (Sunset to Kent Creek) Water & Sewer Main Reroute – **Info only**
  - K. Emergency P.O. Harrison Avenue Drainage Ditch Repairs – **Info only**
  - L. Vouchers
- 2. City-State Agreement Amendment #2: West State Street
  - 3. Investment Report - July 2013

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, September 3, 2013, 5:15 p.m.**

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

**AGENDA**

- 1. Memorandum from Alderman Tim Durkee regarding Ongoing Planning Initiative Efforts.
- 2. Memorandum from Jovita Donahue, Development Specialist, regarding E. State & Alpine TIF Signage Program.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, September 3, 2013, \_\_\_ p.m.**

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

**AGENDA**

No Meeting Scheduled.