

**CITY COUNCIL, CITY OF ROCKFORD
(AMENDED) JOURNAL OF PROCEEDINGS
APRIL 28, 2014
COUNCIL CONVENED AT 6:11 P.M.**

1. The invocation was given by Chaplain Kenneth Hendley, Free Will Baptist Church and the Pledge of Allegiance was led by Council Page Beatrice Medrano.
2. Roll Call:
Mayor Lawrence Morrissey
Aldermen: Durkee, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg,
Beach, Elyea, Beck, McNeely, Chiarelli -12-
Absent: Getchius, Hill -2-
3. Alderman Beach moved to accept the Journal of Proceedings of April 21, 2014 seconded by Alderman Hervey. MOTION PREVAILED (Ald. Getchius, Hill absent).

PUBLIC PARTICIPATION

4. Jay Larson, Vice- President of the Keith Creek Neighborhood Association, introduced board members of the association that was formed after the floods in 2006 and 2007. He thanked the City of Rockford and Rockford Park District for working with the association to transform Churchhill Park back into a safe place for families again. He mentioned several community events the Keith Creek Neighborhood has sponsored.
5. Prophet Yusef reported Deacon Lou Ness, Shelter Care Ministries, has set out on a 757 mile walk from Rockford to Washington DC to bring attention to the plight of America's poor. He thanked her for her community leadership and citizen engagement.
6. John Brantley spoke about the increase of crime in the Chicago area, Rockford and Freeport this year and again spoke about his continued efforts with the youth of Fairgrounds and Blackhawk.
7. Toby Haldeman thanked Chief Epperson and officers involved in the prostitution sweep across Rockford and responded to criticism about his public comments and indicated he would continue to point out the conditions of this neighborhood that needed attention.
8. Carolyn Ferguson appealed to council members and community organizations to help a senior citizen get back into her home that was damaged by a fire last September.

PETITIONS AND COMMUNICATIONS

9. Alderman Thompson-Kelly submitted several requests for service. Referred to Community and Economic Development Department/Code Enforcement.
10. Alderman Hervey submitted a Memorandum from Joanne Lewis, Head Start Director, regarding Agreement between Rasmussen College and the City of Rockford Head Start. Referred to Finance and Personnel Committee.

11. Alderman Hervey submitted a Memorandum from Julia Scott-Valdez, Director of Human Resources, regarding IMRF Benefit Protection Leave. Referred to Finance and Personnel Committee.
12. Alderman Hervey submitted an Emergency P.O. for Repairs to the Box Culvert on Harrison Ave. over the Southeast Drainage Way and Pothole Patching. Stenstrom Construction was contracted to perform the repairs for a cost of \$28,782.72. Placed on file.
13. Alderman Hervey opened two bids for Sale of Property located at 326 Bremer Street from Barbara Jackson, of Rockford, Illinois in the amount of \$55.00 (10% of bid) and Fernando Gonzalez of Rockford, Illinois in the amount of \$50.00 (10% of bid). Referred to Purchasing and Legal Departments.
14. Alderman Durkee submitted a Memorandum from James Ryan, City Administrator, regarding Development Agreement for Downtown Beautification. Referred to Planning and Development Committee.
15. Alderman Durkee submitted a Memorandum regarding Termination of the Garrison Lofts Development Agreement. Referred to Planning and Development Committee.
16. Alderman Beck submitted a Memorandum from Patrick Hayes, Legal Director, regarding an amendment to the liquor annual fee for GV licenses. Referred to Code and Regulation Committee.
17. Alderman Beck submitted a Memorandum from Kerry Partridge, City Attorney, regarding an amendment to Chapter 3, Article II, Tobacco for the addition of a penalty provision to tobacco license holders for code violations. Referred to Code and Regulation Committee.

PROCLAMATIONS

18. Mayor Morrissey presented a Proclamation proclaiming the month of April 2014 to be "CHILD ABUSE PREVENTION WEEK" in Rockford, Illinois and encouraged all citizens to support Youth Service Bureau of Illinois Valley and learn about the many programs and resources in our community.
19. Mayor Morrissey presented a Proclamation proclaiming the month of May 2014 to be "BUILDING SAFETY MONTH" in Rockford, Illinois and encouraged all individuals to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, backyard safety; energy efficiency and new technologies in the construction industry and the essential service provided to all of us by local building departments, fire prevention bureaus and agencies in protecting lives and property.
20. Mayor Morrissey presented a Proclamation proclaiming the month of May 2014 to be "MAKER MOVEMENT MONTH" in Rockford, Illinois and called upon our citizens to recognize and celebrate the creativity, innovation and industry of the makers that support our city's prosperity.

21. Mayor Morrissey presented a Proclamation proclaiming Saturday, May 3, 2014 to be "HOLY FAMILY CATHOLIC CHURCH DAY" in Rockford, Illinois and urged all citizens to recognize Holy Family Catholic Church's fifty year tradition of excellence.

NEW COMMITTEE REPORTS

22. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing "No Parking Anytime" on both sides of River Oaks Lane from South Main Street to 70 feet east of South Main Street. LAID OVER.
23. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing "No Parking Anytime" on the north side of Eastridge Drive from 700 feet west of Alpine Road to Wood Road. LAID OVER.
24. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing "No Parking Anytime" in the cul-de-sac of the 900 block of Cambridge Avenue. LAID OVER.
25. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on 15th Avenue yield to 19th Street prior to entering the intersection. LAID OVER.
26. Alderman Beck read a Code and Regulation Committee Report recommending that NO ACTION be taken on the following items:
 1. Request to establish all-way stop at the intersection of Chesterfield Avenue and Bluffside Drive, thus repealing the existing Bluffside Drive stopping for Chesterfield Avenue.
 2. Request to establish fifteen (15) minute parking on the south side of 15th Avenue from forty (40) feet east of Birch Court to seventy (70) feet east of Birch Court, thus repealing the existing "No Parking Anytime" parking restriction.

LAID OVER.

27. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for an auto body shop in an I-1, Light Industrial District at 1615 Kilburn Avenue. Approval is subject to the following conditions:
 1. There shall be no outside overnight storage of vehicles.
 2. Submittal of a revised site plan to be submitted to Staff for review and approval inclusive of a six foot sight-obscuring fence along the eastern boundary.
 3. There shall be no outside storage of vehicle parts.
 4. The property shall meet all Building and Fire codes.

Approval is based on the Findings of Facts. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

28. Alderman Beck read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation to modify the existing legal non-conforming pylon sign from 34 feet to 30 feet in height; and APPROVE the Variation to modify an existing legal non-conforming pylon sign from 127 square feet to 138 square feet in size in a C-3, General Commercial Zoning District at 5695 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. That a revised sign elevation is submitted for Staff review and approval.
3. The two other (2) existing free-standing signs shall be removed.

Approval is based on the Findings of Facts. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

29. Alderman Beck read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to modify an existing legal non-conforming pole sign from 84 square feet to 108 square feet due to adding an electronic message center (24 square feet) in a C-3, General Commercial Zoning District at 6079 East Riverside Boulevard.

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

30. Alderman Beck read 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 a concession stand/bar in the name of Greater Rockford Airport Authority/Paul R. Cicero d/b/a Chicago Rockford International Airport in an I-1, Light Industrial Zoning District at 2 Airport Drive. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.

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

31. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board thereby recommending that City Council APPROVE the sale of tobacco products with a gas station in the name of **Muhamad Fyaz d/b/a Super Gas, Inc.** in a C-3, General Commercial Zoning District at 1955 Elmwood Road. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and tobacco codes.
2. The sale of tobacco products shall be limited to the submitted interior floor plan.
3. Hours are limited to Monday-Sunday 5:00 a.m. to midnight.
4. Inside signage cannot exceed more than 35% of the window surface.
5. The sale of water pipes and "huka" and "hookah" pipes are prohibited.

6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. That the windows shall not be covered with bars or other devices that block the windows.

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

32. Alderman Beck read a Code and Regulation Committee Report REVERSING the Liquor and Tobacco Advisory Board thereby recommending that City Council DENY the sale of tobacco products with a deli and gaming facility in the name of **Daniel Fischer d/b/a Dotty's** in a C-2, Limited Commercial Zoning District at 318 North Alpine Road. 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. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
4. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
5. That the windows shall not be covered with bars or other devices that block the windows.

Denial is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

2014-104CR

33. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for Not For Profit Charitable Organizations in an R-2, Two-family Residential Zoning District at 518-520 Hollister Avenue. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Future signs shall not exceed four (4) feet in height and eight (8) square feet in size (2' x 4').
3. Must obtain all necessary building permits for the change of use for an office and may require a design professional.

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

Alderman Beck moved to suspend Rule 11, seconded by Alderman Elyea. MOTION PREVAILED (Ald. McNeely voted no; Ald. Getchius, Hill absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Getchius, Hill absent).

2014- 105CR

34. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Unit Development consisting of twenty-four (24) townhomes in a

C-1, Limited Office Zoning District at 617 and 653 Featherstone Road. Approval is subject to the following conditions:

1. Submittal of revised building elevations for staff review and approval.
2. The Special Use Permit shall be in substantial conformance with the submitted site design, layout and access from Featherstone Road as depicted in Exhibit F.
3. A landscaping plan for the Special Use Permit shall be submitted and shall be in accordance with the City of Rockford Ordinances as reviewed and approved by staff. A Type "A" landscaping buffer is required throughout the development and the landscaping plans shall reflect this requirement.
4. Submittal of a grading plan to staff for review and approval to determine if drive aisle located in drainage and detention easement will be allowed.
5. Submittal of revised drainage calculations to Staff for review and approval to determine if the drive aisle will impede the required storage volume of the detention pond.
6. An illumination plan shall be submitted for review and approval by staff.
7. Submittal of a revised civil plan to include dumpster enclosure area and rendering.
8. All applicable building and fire codes shall be met as part of the development of the site.
9. A Final Plat shall be submitted prior to development of the site or building permit issuance.

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

Alderman Beck moved to suspend Rule 11, seconded by Alderman Elyea. MOTION PREVAILED (Ald. McNeely voted no; Ald. Getchius, Hill absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Getchius, Hill absent).

35. Alderman Hervey moved the adoption of a Finance and Personnel Committee report recommending authorizing the issuance of bonds series 2014-A, 2014-B, 2014-C and 2014-D to provide \$5.3 million to finance the construction of Fire Station #3 and for the refunding of Series 2004 A, D, E, and H; 2005 A, C, and D, and 2007B General Obligation Bonds previously issued by the City for the purpose of providing savings as to the payment of interest and principal on bonds. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
36. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 28, 2014 in the amount of \$3,250,384.83. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

37. Mayor Morrissey reminded everyone that next Monday, May 5, 2014 the Rockford City Council and Committee Meetings are cancelled due to a number of staff and himself attending the National Emergency Management Conference in Maryland.
38. Mayor Morrissey announced on Wednesday, April 30th he will be participating in a press conference in Springfield regarding various IML related issues, the most pressing is asking the Senate rejected House Bill 5485; minimum manning bill.
39. Mayor Morrissey announced this Wednesday evening will be a Parole Re-Entry Meeting.
40. Alderman Thompson-Kelly appreciates the Tobacco Ordinance amendment being placed on the Code and Regulation Committee agenda for discussion at the May 12th meeting.
41. Alderman Thompson-Kelly thanked the *Rockford Register Star* for the article and colorful pictures about Keep Northern Illinois Beautiful, Auburn Street. She was very disappointed the article did not mention the Auburn Street residents or business owners and asked the editor of the *Register Star* to contact her to discuss her concerns.
42. Alderman Thompson-Kelly thanked the many volunteers for helping at Washington Park Community Center for Com Cast Cares Day last weekend.
43. Alderman Thompson-Kelly requested the legal department present a plan for the properties that the City will be demolishing pursuant to the expanded demolition plan, fast-track demolitions and foreclosed properties.
44. Alderman Hervey mentioned during the summer months the 5th Ward has issues with loud radios, horseback riding on streets and sidewalks and bagged garbage at the curb. She suggested preparing a water bill insert in English and Spanish with condensed language of ordinances pertaining to these issues or any offensive use of property.
45. Alderman McNamara congratulated the Rockford Arts Council on receiving the largest grant funding they have ever received from the National Endowment of the Arts.
46. Alderman Chiarelli asked staff for an update on efforts to alert residents that "storm chasers" may be soliciting their business to fix or replace their roof and that some businesses may not have a permit to do so.

Todd Cagnoni advised the City of Rockford issued a press release relating to the requirements for a solicitation permit for roofing and urged residents to call the Community and Economic Development Department with any questions or concerns about suspicious activities relating to roofing.

Alderman Hervey asked if the Legal Department could send a cease and desist letter along with a copy of the ordinance to businesses that do not have a permit. She will provide the Legal Department with three names of unpermitted businesses.

Mayor Morrissey asked Patrick Hayes, Legal Director, to follow-up with Todd Cagnoni, Director Community and Economic Development Department and Police Chief Epperson.

47. Mayor Morrissey thanked Gina Caronna, District 205, for her efforts to launch the first-of-its-kind entrepreneurship training program in the high schools using the Etsy platform as a teaching tool. He also thanked Ron Clewer, RHA, for piloting the self-employment curriculum working with the Etsy team.

UNFINISHED BUSINESS

2014-106CR

49. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the proposed Airport Drive Project – Right-of-Way Crossing Agreement with Illinois Railway, between the City of Rockford and Illinois Railway. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2014-064-O

50. Alderman Hervey moved the adoption of an Ordinance for On-Line Access Agreement with the Illinois Secretary of State for retrieving computer stored information. MOTION PREVAILED by a Roll Call vote of:

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

2014-065-O

51. Alderman Hervey moved the adoption of an Ordinance for an Intergovernmental Agreement with the State of Illinois: Replacement of the Railroad Avenue Bridge located between 8th Street and 9th Street. The City's portion of a minimum estimated cost is \$184,000.00. The funding source is Sales tax. MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2014-096R

52. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the Best In Paradise, Inc. and Northern Illinois Food Bank requesting a special event permit and an "S" liquor permit for the Best in Paradise Event to raise funds for the Northern Illinois Food Bank on Saturday, June 21, 2014 from 3:00 pm – 11:00 pm at the Venetian Club, 2180 Elmwood Road, Rockford. MOTION PREVAILED (Ald. Getchius, Hill absent).

2014-097R

53. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the Navy Club Ship #1 Organization requesting a special event permit and an "S" liquor permit for the Navy Club's Annual Pig Roast on Saturday, May 24, 2014 from 12:00 pm (noon) – 12:00 am (midnight) at the Navy Club, 2324 Charles Street, Rockford. MOTION PREVAILED (Ald. Getchius, Hill absent).

2014-098R

54. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the FIT WORLD GROUP, LLC requesting a special event permit for the Biggest Loser Run/Walk Rockford on Friday, June 13, 2014 from 3:00 pm – 8:00 pm and Saturday, June 14, 2014 from 7:00 am – 12:00 pm (noon) at Davis Park, 320 South Wyman Street, Rockford. MOTION PREVAILED (Ald. Getchius, Hill absent).

2014-099R

55. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the NIKOLAS RITSCHER FOUNDATION requesting a special event permit for the Electric Music Factory Event on Saturday, July 19, 2014 from 6:00 pm – 12:00 am (midnight) at Davis Park, 320 South Wyman Street, Rockford. MOTION PREVAILED (Ald. Getchius, Hill absent).

2014-100R

56. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Grounds Maintenance for Water Sites 2014 with M.I.S., of Loves Park, Illinois for their bid of \$30,030.00. The term is 1 year, with up to two 1-year extensions. The funding source is Water Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

2014-101R

57. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Elm Street/Avon Street Resurfacing - 2014 with Rock Road Companies, of Janesville, Wisconsin for their bid of

\$829,133.83. The funding source is EDI Grant Funds, Water Division Budget, and Sales Tax. MOTION PREVAILED by a Roll Call vote of:

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

2014-102R

58. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for City-Wide Street Repairs Group #2-2014 with William Charles Construction, of Loves Park, Illinois for their bid of \$1,088,085.82. The funding source is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

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

2014-103R

59. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Demolition of 2406 West State Street with Swinson Materials, Inc. of Rockford, Illinois for their bid of \$24,669.00. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

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

2014-104R

60. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the use of Motor Fuel Tax funds for Engineering, Construction, and Construction Engineering for South Main Street Reconstruction (Cedar Street to Chestnut Street) in the amount of \$2,000,000.00. MOTION PREVAILED by a Roll Call vote of:

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

2014-105R

61. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that the vehicle leasing plan approved in 2011 be revised in accordance with the memo presented by the Central Services Manager, dated April 7, 2014, to extend

the replacement schedule from four years to six years for full fleet replacement, subject to annual appropriations. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Frost, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -8-
Nays: McNamara, Hervey, Thompson-Kelly, McNeely -4-
Absent: Getchius, Hill -2-

NEW BUSINESS

2014-066-O

62. 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 Not-For-Profit Charitable Organization in an R-2, Two-family Residential Zoning District at 518-520 Hollister Avenue. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Future signs shall not exceed four (4) feet in height and eight (8) square feet in size (2' x 4').
3. Must obtain all necessary building permits for the change of use for an office and may require a design professional.

Approval is based on the Findings of Facts.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Beach. MOTION PREVAILED (Ald. Ald. Getchius, Hill absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

2014-067-O

63. 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 a Planned Unit Development consisting of twenty-four (24) townhomes in a C-1, Limited Office Zoning District at 617-653 Featherstone Road. Approval is subject to the following conditions:

1. Submittal of revised building elevations for staff review and approval.
2. The Special Use Permit shall be in substantial conformance with the submitted site design, layout and access from Featherstone Road as depicted in Exhibit F.
3. A landscaping plan for the Special Use Permit shall be submitted and shall be in accordance with the City of Rockford Ordinances as reviewed and approved by staff. A Type "A" landscaping buffer is required throughout the development and the landscaping plans shall reflect this requirement.
4. Submittal of a grading plan to staff for review and approval to determine if drive aisle located in drainage and detention easement will be allowed.

5. Submittal of revised drainage calculations to Staff for review and approval to determine if the drive aisle will impede the required storage volume of the detention pond.
6. An illumination plan shall be submitted for review and approval by staff.
7. Submittal of a revised civil plan to include dumpster enclosure area and rendering.
8. All applicable building and fire codes shall be met as part of the development of the site.
9. A Final Plat shall be submitted prior to development of the site or building permit issuance.

Approval is based on the Findings of Facts.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Beach. MOTION PREVAILED (Ald. Getchius, Hill absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

64. Alderman Hervey introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached Airport Drive Project – Right-of-Way Crossing Agreement between the City of Rockford and the Illinois Railway. LAID OVER.

65. Alderman Hervey moved to go into closed session to discuss potential litigation, litigation matters and employment matters of a specific employee, seconded by Alderman Beach. MOTION PREVAILED by a Roll Call vote of:

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

The meeting went into closed session at 7:36 pm.

The meeting returned into open session at 9:15 pm and found the following aldermen present:

Durkee, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -11-

66. Upon motion duly made and seconded, the meeting was adjourned at 9:15 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
May 12, 2014
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 APRIL 28, 2014

1. Hervey - Finance and Personnel - Authorizing the issuance of bonds series 2014-A, 2014-B, 2014-C and 2014-D to provide \$5.3 million to finance the construction of Fire Station #3 and for the refunding of Series 2004 A, D, E, and H; 2005 A, C, and D, and 2007B General Obligation Bonds previously issued by the City for the purpose of providing savings as to the payment of interest and principal on bonds. The Legal Director shall prepare the appropriate ordinance.
2. Beck - Code and Regulation – Recommending the Legal Director be instructed to draw an Ordinance establishing “No Parking Anytime” on both sides of River Oaks Lane from South Main Street to 70 feet east of South Main Street.
3. Beck - Code and Regulation - Recommending the Legal Director be instructed to draw an Ordinance establishing “No Parking Anytime” on the north side of Eastridge Drive from 700 feet west of Alpine Road to Wood Road.

4. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance establishing "No Parking Anytime" in the cul-de-sac of the 900 block of Cambridge Avenue.
5. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on 15th Avenue yield to 19th Street prior to entering the intersection.
6. Beck - Code and Regulation - Recommending that NO ACTION be taken on the following items:
 1. Request to establish all-way stop at the intersection of Chesterfield Avenue and Bluffside Drive, thus repealing the existing Bluffside Drive stopping for Chesterfield Avenue.
 2. Request to establish fifteen (15) minute parking on the south side of 15th Avenue from forty (40) feet east of Birch Court to seventy (70) feet east of Birch Court, thus repealing the existing "No Parking Anytime" parking restriction.
7. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for an auto body shop in an I-1, Light Industrial District at 1615 Kilburn Avenue. Approval is subject to the following conditions:
 1. There shall be no outside overnight storage of vehicles.
 2. Submittal of a revised site plan to be submitted to Staff for review and approval inclusive of a six foot sight-obscuring fence along the eastern boundary.
 3. There shall be no outside storage of vehicle parts.
 4. The property shall meet all Building and Fire codes.

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

8. Beck - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation to modify the existing legal non-conforming pylon sign from 34 feet to 30 feet in height; and APPROVE the Variation to modify an existing legal non-conforming pylon sign from 127 square feet to 138 square feet in size in a C-3, General Commercial Zoning District at 5695 East State Street. Approval is subject to the following conditions:
 1. Meet all Building and Fire Codes.
 2. That a revised sign elevation is submitted for Staff review and approval.
 3. The two other (2) existing free-standing signs shall be removed.

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

9. Beck - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to modify an existing legal non-conforming pole sign from 84 square feet to 108 square feet due to adding an electronic message center (24 square feet) in a C-3, General Commercial Zoning District at 6079 East Riverside Boulevard.

Approval is based on the Findings of Fact.

10. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a concession stand/bar in the name of Greater Rockford Airport Authority d/b/a Chicago Rockford International Airport in an I-1, Light Industrial Zoning District at 2 Airport Drive. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.

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

11. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board thereby recommending that City Council APPROVE the sale of tobacco products with a gas station in the name of **Muhamad Fyaz d/b/a Super Gas, Inc.** in a C-3, General Commercial Zoning District at 1955 Elmwood Road. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and tobacco codes.
2. The sale of tobacco products shall be limited to the submitted interior floor plan.
3. Hours are limited to Monday-Sunday 5:00 a.m. to midnight.
4. Inside signage cannot exceed more than 35% of the window surface.
5. The sale of water pipes and "huka" and "hookah" pipes are prohibited.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. That the windows shall not be covered with bars or other devices that block the windows.

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

12. Beck - Code and Regulation - REVERSING the Liquor and Tobacco Advisory Board thereby recommending that City Council DENY the sale of tobacco products with a deli and gaming facility in the name of **Daniel Fischer d/b/a Dotty's** in a C-2, Limited Commercial Zoning District at 318 North Alpine Road. 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. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
4. The sale of water pipes and "huka" or "hookah" pipes are prohibited.

5. That the windows shall not be covered with bars or other devices that block the windows.

II. ORDINANCES LAID OVER APRIL 28, 2014

1. Hervey - Ordinance - Authorizing the Mayor and Legal Director to execute the attached Airport Drive Project – Right-of-Way Crossing Agreement between the City of Rockford and the Illinois Railway.

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 - Authorizing the issuance of bonds series 2014-A, 2014-B, 2014-C and 2014-D to provide \$5.3 million to finance the construction of Fire Station #3 and for the refunding of Series 2004 A, D, E, and H; 2005 A, C, and D, and 2007B General Obligation Bonds previously issued by the City for the purpose of providing savings as to the payment of interest and principal on bonds.
2. Beck – Ordinance - Recommending the Legal Director be instructed to draw an Ordinance establishing “No Parking Anytime” on both sides of River Oaks Lane from South Main Street to 70 feet east of South Main Street.
3. Beck - Ordinance - Recommending the Legal Director be instructed to draw an Ordinance establishing “No Parking Anytime” on the north side of Eastridge Drive from 700 feet west of Alpine Road to Wood Road.
4. Beck - Ordinance - Recommending that the Legal Director be instructed to draw an Ordinance establishing “No Parking Anytime” in the cul-de-sac of the 900 block of Cambridge Avenue.
5. Beck - Ordinance - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on 15th Avenue yield to 19th Street prior to entering the intersection.
6. Beck – Ordinance - APPROVE the Special Use Permit for an auto body shop in an I-1, Light Industrial District at 1615 Kilburn Avenue. Approval is subject to the following conditions:
 1. There shall be no outside overnight storage of vehicles.
 2. Submittal of a revised site plan to be submitted to Staff for review and approval inclusive of a six foot sight-obscuring fence along the eastern boundary.
 3. There shall be no outside storage of vehicle parts.
 4. The property shall meet all Building and Fire codes.

Approval is based on the Findings of Facts.

7. Beck – Ordinance - APPROVE a Variation to modify the existing legal non-conforming pylon sign from 34 feet to 30 feet in height; and APPROVE the Variation to modify an existing legal non-conforming pylon sign from 127 square feet to 138 square feet in size in a C-3, General Commercial Zoning District at 5695 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. That a revised sign elevation is submitted for Staff review and approval.
3. The two other (2) existing free-standing signs shall be removed.

Approval is based on the Findings of Facts.

8. Beck – Ordinance - APPROVE the Variation to modify an existing legal non-conforming pole sign from 84 square feet to 108 square feet due to adding an electronic message center (24 square feet) in a C-3, General Commercial Zoning District at 6079 East Riverside Boulevard.

Approval is based on the Findings of Facts.

9. Beck – Ordinance - APPROVE the sale of liquor by the drink in conjunction with a concession stand/bar in the name of Greater Rockford Airport Authority/Paul R. Cicero d/b/a Chicago Rockford International Airport in an I-1, Light Industrial Zoning District at 2 Airport Drive. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.

10. Beck – Ordinance - APPROVE the sale of tobacco products with a gas station in the name of **Muhamad Fyaz d/b/a Super Gas, Inc.** in a C-3, General Commercial Zoning District at 1955 Elmwood Road. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and tobacco codes.
2. The sale of tobacco products shall be limited to the submitted interior floor plan.
3. Hours are limited to Monday-Sunday 5:00 a.m. to midnight.
4. Inside signage cannot exceed more than 35% of the window surface.
5. The sale of water pipes and “huka” and “hookah” pipes are prohibited.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. That the windows shall not be covered with bars or other devices that block the windows.

* 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, May 12, 2014, 5:15 p.m.

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

AGENDA

1. C & R 14-64 ZBA#011-14 Special Use Permit for a building maintenance and repair shop in a C-1, Limited Office Zoning District at 403, 407, 419, 425 North 3rd Street & 625 Lafayette Avenue.
2. C & R 14-71 Request to buy City Owned Vacant Lot/806 Lee Street
3. C & R 14-72 Request to buy City Owned Vacant Lot/824 Lee Street
4. C & R 14-73 Amendment to Chapter 3, Article II, Tobacco for the addition of a penalty provision to tobacco license holders for code violations
5. C & R 14-74 Liquor Annual Fee for GV Licenses
6. C & R 14-75 Closed Session/*Settlement of 2013-L-208; City of Rockford v. Advanced Public Safety, Inc.,*

FINANCE AND PERSONNEL COMMITTEE

Monday, May 12, 2014, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Slope Mowing
 - B. Award of Bid: Armored Vests for the Police Department
 - C. Award of Bid: Dump Trucks & Snow Plows
 - D. Award of Bid: City-Wide Landscaping
 - E. Award of Bid: Railroad Avenue Water Main Abandonment

- F. Award of Bid: Demolition of 802 Marchesano Drive
 - G. Award of Bid: Fire Station #3
 - H. Award of Sole Source Contract: Mobile Data Terminals
 - I. Award of Sole Source Contract: Water Treatment Chemicals (Polyphosphate)
 - J. Award of Sale of Real Estate: 326 Bremer Street
 - K. Award of RFP: Collection Services
 - L. Resolution for Improvement under the Illinois Highway Code for IR Bridge Conversion to Multi-Use Path
 - M. Vouchers
2. IMRF Benefit Protection Leave
 3. Agreement between Rasmussen College and City of Rockford Head Start

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, May 12, 2014, 5:00 p.m.
CD Conference Rm., City Hall 2nd floor
AGENDA**

1. Memorandum from Patrick Hayes, Legal Director, regarding Termination of the Garrison Lofts Development Agreement.
2. Memorandum from James Ryan, City Administrator, regarding Development Agreement for Downtown Beautification.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, May 12, 2014, 4:30 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

1. Legislative Matters in Springfield
2. New Business