

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
MAY 27, 2014  
COUNCIL CONVENED AT 6:16 P.M.**

1. The invocation was given by Chaplain Marvin Hightower, Mt. Zion Missionary Baptist Church and the Pledge of Allegiance was led by Council Page Beatrice Medrano.
2. Roll Call:  
Mayor Lawrence Morrissey  
Aldermen: Getchius, McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -11-  
Absent: Durkee, Thompson-Kelly, McNeely -3-
3. Alderman Beach moved to accept the Journal of Proceedings of May 19, 2014 seconded by Alderman Hervey. MOTION PREVAILED (Durkee, Thompson-Kelly, McNeely).

**PUBLIC PARTICIPATION**

4. Marti McKinney urged council members to support the Head Start Program by investing in the program and its employees who have made a commitment to serve disadvantaged families in Rockford.
5. Prophet Yusef listed ten resources the State of Illinois has to turn its financial woes around.
6. John Brantley suggested the smoking ban at RHA properties will create an environment for crime.
7. Tim Hughes urged community members to celebrate the quality of life attributes that Rockford has to offer and he listed several famous/well-known people that call Rockford their home.
8. Roland Poska mentioned several reasons why he believes Rockford is #1.

**PETITIONS AND COMMUNICATIONS**

9. Alderman McNamara submitted a Memorandum from Alderman Durkee regarding an amendment to the RERZ Agreement; To Include Acquisition of 114, 116, 118 Madison Street for Site of Indoor Market at a not-to-exceed value of \$218,000; 2013 appraisal. Referred to Planning and Development Committee.
10. Alderman McNamara submitted a Memorandum from Alderman Durkee regarding an amendment to the RERZ Agreement; Reallocate \$200,000 from Construction to Demolition for Parking Lot T. Referred to Planning and Development Committee.

11. Alderman Hervey submitted a Memorandum from Kerry Partridge, City Attorney, regarding Contract for Online Legal Research Services to LexisNexis. Referred to Finance and Personnel Committee.
12. Alderman Hervey submitted a Memorandum from Vicki Manson, Development Programs Manager, regarding Abandoned Residential Property Program Corporate Resolution. Referred to Finance and Personnel Committee.
13. Alderman Hervey submitted a Memorandum from Patrick Hayes, Legal Director, regarding Intergovernmental Agreement between the City of Rockford and Rockford Metropolitan Exposition, Auditorium and Office Building Authority d/b/a RAVE for Police Services for Traffic Control. Referred to Finance and Personnel Committee.
14. Alderman Hervey submitted a Memorandum from Chet Epperson, Chief of Police, regarding 2014 Justice Assistance Grant (JAG) Application. Referred to Finance and Personnel Committee.
15. Alderman Hervey submitted a Memorandum from Kerry Partridge, City Attorney, regarding Sale of Surplus K-9 to Jo Daviess County Sherriff. Referred to Finance and Personnel Committee.
16. Alderman Hervey submitted a Memorandum from Seth Sommer, Building Code Official, Construction and Development Services, regarding Fine Reduction Requests for 1001 West Street, 614 Pope Street, and 3527 Cardinal Lane. Referred to Finance and Personnel Committee.
17. Alderman Hervey submitted a Memorandum from Julia Valdez, Human Resources Director, regarding Wellness Center Remodeling. Referred to Finance and Personnel Committee.
18. Alderman Beck submitted the Liquor and Tobacco Advisory Board minutes from the meeting held on May 20, 2014. Referred to Code and Regulation Committee.
19. Alderman Beck submitted the Zoning Board of Appeals minutes from the meeting held on May 20, 2014. Referred to Code and Regulation Committee.

#### **NEW COMMITTEE REPORTS**

20. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing a "No Parking Anytime" restriction in the cul-de-sac of Newport Avenue. LAID OVER.
21. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing a "No Parking Anytime" restriction in the cul-de-sac of Hartford Avenue. LAID OVER.

22. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing a "No Parking Anytime" restriction in the cul-de-sac of Trenton Avenue. LAID OVER.
23. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing a "No Parking Anytime" restriction on the west side of River Oaks Lane from Arboretum Drive to 450 feet north of Arboretum Drive. LAID OVER.
24. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Elm Street be required to Stop prior to entering the intersection of Avon Street, thus repealing the existing all-way stop at Avon Street and Elm Street. 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 Mulberry Street be required to Stop prior to entering the intersection of Avon Street, thus repealing the existing all-way stop at Avon Street and Mulberry Street. LAID OVER.
26. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that all traffic be required to stop prior to entering the intersection of Colorado Avenue and West Gate Parkway, thus repealing West Gate Parkway stopping for Colorado Avenue. LAID OVER.
27. Alderman Beck read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance repealing the No Parking Monday through Friday, 8:00 am – 5:00 pm restriction on the west side of Normandy Avenue from Belmont Boulevard to River Bluff Boulevard, thus restoring unrestricted parking. LAID OVER.
28. Alderman Beck read a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:
  1. Request to establish "No Parking Anytime" parking restriction on the west side of Trainer Road from Highridge Road to Windcloud Drive.

LAID OVER.

**2014-123CR**

29. 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 beer and wine by the drink in conjunction with a restaurant and outdoor seating in the name of **Mary's Market Café' and Bakery 2007 LLC d/b/a Mary's Market Café and Bakery** in a C-2, Limited Commercial Zoning District at 4431 East State Street. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. Compliance with all City of Rockford Liquor Codes.

3. Window display signage shall be limited to 35% of window surface area.

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

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

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

#### **2014-124CR**

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 beer and wine by the drink in conjunction with a restaurant and outdoor seating in the name of **Mary's Market Café' and Bakery 2007 LLC d/b/a Mary's Market Café and Bakery** in a C-2, Limited Commercial Zoning District at 1605 and 1659 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 Liquor Codes.
3. Window display signage shall be limited to 35% of window surface area.

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

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

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

#### **2014-125CR**

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 beer and wine by the drink in conjunction with a restaurant and outdoor seating in the name of **Mary's Market Café' and Bakery 2007 LLC d/b/a Mary's Market Café and Bakery** in a C-2, Limited Commercial Zoning District at 2634 and 2636 McFarland Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Window display signage shall be limited to 35% of window surface area.

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

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

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

32. Alderman Hervey read a Finance and Personnel Committee Report recommending the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the administration of the grant of emergency rental assistance as set forth in the agreement. The Legal Director shall prepare the necessary ordinance. LAID OVER.

33. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 27, 2014 in the amount of \$2,477,571.15. MOTION PREVAILED by a Roll Call vote of:

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

#### **OFFICERS REPORTS**

34. Mayor Morrissey called attention to a Memorandum from Charlie Schaefer, Property Improvement Program Manager, providing an update on the recycling container distribution schedule; approximately 70% of the containers have been distributed.

35. Mayor Morrissey thanked everyone involved in coordinating all the Memorial Day events to commemorate our fallen war hero's.

36. Mayor Morrissey mentioned speaking with the father of the city's recent homicide victim concerning the investigation as well as efforts to end violence in our community. He appreciates all the hard work by the Violence Crime Task Force and he pledged the City's support to all the families that have suffered tragedies and to changing the culture of violence in our community.

37. Alderman McNamara reported with deep sympathy the passing of former 3<sup>rd</sup> Ward Alderman and local attorney Tom Meyer. He spoke of Tom's passion for politics, how proud he was of his family and shared a personal story of golfing with Tom and his sons last year.

38. Mayor Morrissey recognized Tom Meyer for his service as an alderman and to the community. He offered condolences to the Meyer family and asked for a moment of silence in memory of Tom.

39. Alderman Beach spoke fondly of Tom Meyer, remembering their heart-to-heart talks about life, family and faith. He will truly miss Tom as he considered him a good friend.
40. Alderman Hervey offered condolences to the Meyer family and shared how much she appreciated Tom's help when she was a new attorney in Rockford.
41. Alderman Hervey announced the 5<sup>th</sup> Ward meeting for this week has been cancelled.

### **UNFINISHED BUSINESS**

#### **2014-125R**

42. Alderman Hervey moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Electronic Agenda Management System with CarahSoft/IQM2, of Reston, Virginia for a monthly amount of \$2,108 for a three (3) year term. The funding source is Information Technology Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Getchius, McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach,  
Elyea, Beck, Chiarelli -11-

Nays: -0-

Absent: Durkee, Thompson-Kelly, McNeely -3-

43. Alderman Beck moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council to APPROVE the Special Use Permit for a building maintenance and repair shop in a C-1, Limited Officer Zoning District at 403, 407, 419, 425 North 3<sup>rd</sup> Street and 625 Lafayette Avenue. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. Submittal of Building Permit for Staff review and approval.
  3. Submittal of a revised detailed landscape plan inclusive of a Type A Buffer along the proposed fence to include the type of plant species to be planted for Staff's review and approval.
  4. That the proposed fence be constructed entirely of wrought iron type design. Fence Permit shall be submitted for Staff review and approval.
  5. The outside storage shall only consist of trucks, trailers and will be limited to the asphalt surface as identified on the revised site plan. There shall be no other outside storage.
  6. That a Parking Lot Permit be submitted to Staff for review and approval for the proposed addition to the existing asphalt surface north of the building.
  7. That the existing roof sign shall be removed, and future signage shall conform to the Sign Ordinance.
  8. The Special Use Permit shall lapse after a period of five (5) years.
  9. All requirements for landscaping, fencing, building codes, and signage removal shall take place prior to the establishment of use.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary Ordinance.

Alderman Newburg made a motion to lay the committee report over, seconded by Alderman Beach. The committee report was LAID OVER.

**2014-126CR**

44. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending approval of the attached Ordinance to repeal Ordinance 2012-160-O and enact a new Ordinance to prohibit the use of groundwater as a potable water supply at the site located at 310 South Avon Street due to changed conditions, new exhibits and soil removal activities. The Legal Director is hereby instructed to prepare the appropriate ordinance.

Alderman Beck moved to amend the committee report to reflect that the committee voted to repeal Ordinance 2012-169-O, rather than Ordinance 2012-160-O. All references to 2012-160-O in the committee report shall be amended to reflect the correct ordinance of 2012-169-O, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Durkee, Thompson-Kelly, McNeely absent).

The amended committee report was placed up for passage. MOTION PREVAILED (Ald. Durkee, Thompson-Kelly, McNeely absent).

**2014-077-O**

45. Alderman Beck moved the adoption of an Ordinance for the Sale of City owned property, vacant lot at 806 Lee Street, PIN #11-22-205-008 at a minimum bid of \$450.00 with preference to the adjacent property owner and includes advertising. MOTION PREVAILED by a Roll Call vote of:

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

**2014-078-O**

46. Alderman Beck moved the adoption of an Ordinance for the Sale of City owned property, vacant lot at 824 Lee Street, PIN #11-22-205-004 at a minimum bid of \$450.00 with preference to the adjacent property owner and includes advertising. MOTION PREVAILED by a Roll Call vote of:

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

**2014-127CR**

47. Alderman McNamara moved the adoption of a Planning and Development Committee Report for the approval of CDBG assistance to James Purifoy/15<sup>th</sup> & Chris Restaurant (201 15<sup>th</sup> Avenue). The Legal Director shall prepare the appropriate Ordinance. MOTION PREVAILED (Ald. Durkee, Thompson-Kelly, McNeely absent).

## MOTIONS AND RESOLUTIONS

### 2014-126R

48. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution requesting permission from IDOT for temporary street and lane closures of State Highways in the City of Rockford for the Rockford Public School District 2.05 Fun Run on June 7, 2014. MOTION PREVAILED (Ald. Durkee, Thompson-Kelly, McNeely absent).

### 2014-127R

49. 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 Crack Sealing with Complete Asphalt Services, of West Dundee, Illinois for \$215,000. The funding source is Sales Tax Funds. MOTION PREVAILED by a Roll Call vote of:

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

### 2014-128R

50. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute a sole source agreement for slope mowers with Kut Kwick, of Brunswick, GA for a total cost of \$125,002. The funding source is lease funds/Street Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

### 2014-129R

51. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute a contract for 2014 Police Vehicles with Lou Bachrodt Auto Mall, of Rockford, Illinois for 16 – 2014 Chevrolet Caprice and 14 – 2014 Chevrolet Impala Police Patrol vehicles for an estimated cost of \$788,220. The funding source is Lease Funds/Police Dept. Operating Budget in 2015. MOTION PREVAILED by a Roll Call vote of:

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

### 2014-130R



52. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an amendment to the engineering agreement for Harrison Avenue Reconstruction (9<sup>th</sup> St-20<sup>th</sup> St) with Fehr-Graham and Associates, of Rockford, Illinois for an additional \$75,398.13. The funding source is Surface Transportation Urban Funds 80% / Sales Tax 20%. MOTION PREVAILED by a Roll Call vote of:

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

**2014-131R**

53. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute a change order to the contracts for Public Works Materials with William Charles of Loves Park, Rock Road of Janesville, and Northern Illinois Service of Rockford for an additional \$40,000. The contract will be increased to a not to exceed level of \$254,000 in order to cover future expenses thru August 31, 2014. The funding source is the Street and Water Division Operating Budgets. MOTION PREVAILED by a Roll Call vote of:

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

**2014-132R**

54. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution rejecting bids received for City-Wide Sidewalk and ADA Repairs Package 3 and taking new proposals immediately. MOTION PREVAILED by a Roll Call vote of:

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

**2014-133R**

55. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution approving the Intergovernmental Agreements (State of Illinois #5936, 5935, 5938) between the City of Rockford and the State of Illinois regarding the leasing of parking spaces at 100 South Wyman Street, 200 South Church Street and 318 South Church Street in Rockford, Illinois. MOTION PREVAILED by a Roll Call vote of:

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

## NEW BUSINESS

### 2014-079-O

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

**Mary's Market Café' and Bakery 2007 LLC d/b/a Mary's Market Café' and Bakery** for the sale of beer and wine by the drink in conjunction with a restaurant and outdoor seating in a C-2, Limited Commercial Zoning District at 4431 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Window display signage shall be limited to 35% of window surface area.

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

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

### 2014-080-O

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

**Mary's Market Café' and Bakery 2007 LLC d/b/a Mary's Market Café' and Bakery** for the sale of beer and wine by the drink in conjunction with a restaurant and outdoor seating in a C-2, Limited Commercial Zoning District at 1605 and 1659 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 Liquor Codes.
3. Window display signage shall be limited to 35% of window surface area.

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

Ayes: Getchius, McNamara, Frost, Hervey, Hill, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -11-

Nays: -0-  
Absent: Durkee, Thompson-Kelly, McNeely -3-

**2014-081-O**

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

**Mary's Market Café' and Bakery 2007 LLC d/b/a Mary's Market Café' and Bakery** for the sale of beer and wine by the drink in conjunction with a restaurant and outdoor seating in a C-2, Limited Commercial Zoning District at 2634 and 2636 McFarland Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
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3. Window display signage shall be limited to 35% of window surface area.

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

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

59. Alderman Beck introduced and read an Ordinance to repeal ordinance 2013-169-O and to prohibit the use of groundwater as a potable water supply within the subject area of the City of Rockford, Illinois. LAID OVER.

**2014-082-O**

60. Alderman McNamara introduced and read an Ordinance approving the CDBG assistance to James Purifoy/15<sup>th</sup> & Chris Restaurant (201 15<sup>th</sup> Avenue).

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

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

## OFFICERS REPORTS

61. Alderman Beach announced the Republican caucus will meet at the Capri Restaurant after council tonight.
62. Upon motion duly made and seconded, the meeting was adjourned at 7:23 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**  
**June 2, 2014**  
**6:00 P.M.**  
**AMENDED AGENDA**

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings

**PUBLIC HEARING – SALE OF BONDS IN THE AMOUNT OF \$5,750,000 FOR  
CONSTRUCTION OF FIRE STATION #3**

- Petitions and Communications
- Proclamations
- Committee Reports
- Officers Reports

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS LAID OVER MAY 27, 2014**

1. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance establishing a "No Parking Anytime" restriction in the cul-de-sac of Newport Avenue.
2. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance establishing a "No Parking Anytime" restriction in the cul-de-sac of Hartford Avenue.
3. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance establishing a "No Parking Anytime" restriction in the cul-de-sac of Trenton Avenue.

4. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance establishing a "No Parking Anytime" restriction on the west side of River Oaks Lane from Arboretum Drive to 450 feet north of Arboretum Drive.
5. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on Elm Street be required to Stop prior to entering the intersection of Avon Street, thus repealing the existing all-way stop at Avon Street and Elm Street.
6. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on Mulberry Street be required to Stop prior to entering the intersection of Avon Street, thus repealing the existing all-way stop at Avon Street and Mulberry Street.
7. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that all traffic be required to stop prior to entering the intersection of Colorado Avenue and West Gate Parkway, thus repealing West Gate Parkway stopping for Colorado Avenue.
8. Beck - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance repealing the No Parking Monday through Friday, 8:00 am – 5:00 pm restriction on the west side of Normandy Avenue from Belmont Boulevard to River Bluff Boulevard, thus restoring unrestricted parking.
9. Beck - Code and Regulation - Recommending that "No Action" be taken on the following items:
  1. Request to establish "No Parking Anytime" parking restriction on the west side of Trainer Road from Highridge Road to Windcloud Drive.
10. Beck - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council to APPROVE the Special Use Permit for a building maintenance and repair shop in a C-1, Limited Officer Zoning District at 403, 407, 419, 425 North 3<sup>rd</sup> Street and 625 Lafayette Avenue. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. Submittal of Building Permit for Staff review and approval.
  3. Submittal of a revised detailed landscape plan inclusive of a Type A Buffer along the proposed fence to include the type of plant species to be planted for Staff's review and approval.
  4. That the proposed fence be constructed entirely of wrought iron type design. Fence Permit shall be submitted for Staff review and approval.
  5. The outside storage shall only consist of trucks, trailers and will be limited to the asphalt surface as identified on the revised site plan. There shall be no other outside storage.
  6. That a Parking Lot Permit be submitted to Staff for review and approval for the proposed addition to the existing asphalt surface north of the building.

7. That the existing roof sign shall be removed, and future signage shall conform to the Sign Ordinance.
8. The Special Use Permit shall lapse after a period of five (5) years.
9. All requirements for landscaping, fencing, building codes, and signage removal shall take place prior to the establishment of use.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary Ordinance.

11. Hervey - Finance and Personnel - Recommending the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the administration of the grant of emergency rental assistance as set forth in the agreement. The Legal Director shall prepare the necessary ordinance.

## **II. ORDINANCES LAID OVER MAY 27, 2014**

1. Beck - Ordinance - Repeal ordinance 2013-169-O and to prohibit the use of groundwater as a potable water supply within the subject area of the City of Rockford, Illinois.

- Motions and Resolutions

## **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. Beck – Ordinance - Establishing a “No Parking Anytime” restriction in the cul-de-sac of Newport Avenue.
2. Beck – Ordinance - Establishing a “No Parking Anytime” restriction in the cul-de-sac of Hartford Avenue.
3. Beck – Ordinance - Establishing a “No Parking Anytime” restriction in the cul-de-sac of Trenton Avenue.
4. Beck – Ordinance - Establishing a “No Parking Anytime” restriction on the west side of River Oaks Lane from Arboretum Drive to 450 feet north of Arboretum Drive.
5. Beck – Ordinance - That traffic on Elm Street be required to Stop prior to entering the intersection of Avon Street, thus repealing the existing all-way stop at Avon Street and Elm Street.
6. Beck – Ordinance - That traffic on Mulberry Street be required to Stop prior to entering the intersection of Avon Street, thus repealing the existing all-way stop at Avon Street and Mulberry Street.

7. Beck – Ordinance - That all traffic be required to stop prior to entering the intersection of Colorado Avenue and West Gate Parkway, thus repealing West Gate Parkway stopping for Colorado Avenue.
8. Beck – Ordinance - Repealing the No Parking Monday through Friday, 8:00 am – 5:00 pm restriction on the west side of Normandy Avenue from Belmont Boulevard to River Bluff Boulevard, thus restoring unrestricted parking.
9. Beck - Ordinance - Approve the Special Use Permit for a building maintenance and repair shop in a C-1, Limited Officer Zoning District at 403, 407, 419, 425 North 3<sup>rd</sup> Street and 625 Lafayette Avenue. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.
  2. Submittal of Building Permit for Staff review and approval.
  3. Submittal of a revised detailed landscape plan inclusive of a Type A Buffer along the proposed fence to include the type of plant species to be planted for Staff’s review and approval.
  4. That the proposed fence be constructed entirely of wrought iron type design. Fence Permit shall be submitted for Staff review and approval.
  5. The outside storage shall only consist of trucks, trailers and will be limited to the asphalt surface as identified on the revised site plan. There shall be no other outside storage.
  6. That a Parking Lot Permit be submitted to Staff for review and approval for the proposed addition to the existing asphalt surface north of the building.
  7. That the existing roof sign shall be removed, and future signage shall conform to the Sign Ordinance.
  8. The Special Use Permit shall lapse after a period of five (5) years.
  9. All requirements for landscaping, fencing, building codes, and signage removal shall take place prior to the establishment of use.

Approval is based on the Findings of Fact.

11. Hervey – Ordinance - Intergovernmental Agreement providing for the administration of the grant of emergency rental assistance as set forth in the agreement.

\* 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, June 2, 2014, 4:45 p.m.**

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

**AGENDA**

1. C & R 14-33 ZBA#045-13 Special Use Permit for a Planned Unit Development  
consisting of a Women's and Children's Center with a new addition and parking lot; Variations to decrease required front yard setback along West State Street, North Horsman Street and Mulberry Street to 0 feet for new canopy additions in a C-3, General Commercial Zoning District at 715 W. State Street; 120 N. Rockton Ave; 1xx & 129 N. Horsman Street
2. C & R 14-78 ZBA#013-14 Variation to allow a roof sign in a C-4, Urban Mixed-Use Zoning District at 303 North Main Street
3. C & R 14-79 ZBA#014-14 Variation to allow a third wall sign in a C-2, Limited commercial Zoning District at 1405 Kishwaukee Street
4. C & R 14-80 ZBA#015-14 Special Use Permit for a tattoo shop in a C-3, General Commercial Zoning District at 1712 West State Street
5. C & R 14-81 ZBA#016-14 Variation to modify a nonconforming free-standing sign from 112 square feet to 97 square feet (for a new 27 square feet electronic message center) in a C-2, Limited Commercial Zoning District at 2551 North Perryville Road
6. C & R 14-82 ZBA#017-14 Variation to reduce the required setback of a freestanding sign from five (5) feet to zero (0) feet in an I-1, Light Industrial Zoning District and I-2, General Industrial Zoning District at 2233 Kishwaukee Street and 22xx Starr Street
7. C & R 14-83 ZBA#018-14 Special Use Permit for a U-Hall outdoor rental business consisting of moving trucks, pickup trucks, cargo vans, and trailers in a C-2, Limited Commercial Zoning District at 121, 127, 133 Hall Street; 1012 East Jefferson Street; 139 North 6<sup>th</sup> Street
8. C & R 14-84 ZBA#019-14 Special Use Permit for murals in a C-4, Urban

Mixed-Use Zoning District at 299 North Madison Street

9. C & R 14-36 014-LTAB-001 Request for the Sale of beer and wine in conjunction with a bar and gaming facility in a C-3, General Commercial Zoning District at 1422 20<sup>th</sup> Street
10. C & R 14-90 Claim by A1 Restoration in the Amount of \$14,137.92 for Services at; 707 Peter Ave, 708 Peter Ave, and 3503 Windpoint Drive
11. 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

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, June 2, 2014, 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: 2 Ambulances
  - B. Award of Bid: City-Wide Commercial Street Repairs Group 1
  - C. Award of Non-Competitive Bid: Online Legal Research Services
  - D. Change Order: N. Main & Auburn Street Roundabout
  - E. Vouchers
2. Fine Reduction Requests
  - 1001 West Street
  - 614 Pope Street
  - 3527 Cardinal Lane
3. Abandoned Residential Property Program

4. Intergovernmental Agreement between the City of Rockford and Rockford Metropolitan Exposition, Auditorium and Office Building Authority d/b/a RAVE for Police Services for Traffic Control
5. 2014 Justice Assistance Grant (JAG) Application
6. Wellness Center Remodeling

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, June 2, 2014, 5:00 p.m.  
CD Conference Rm., City Hall 2<sup>nd</sup> 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.
3. Memorandum from Todd Cagnoni regarding Mary's Market, Inducement Letter – 4343 East State Street, 43xx East State Street, 4431 East State Street, and 44xx East State Street.
4. Discussion on Rockford City Market Project
5. Alderman Durkee submitted a memorandum from Alderman Durkee regarding Amendment to RERZ Agreement (To Include Acquisition of 114-116-118 Madison Street for Site of Indoor Market at a Not-To Exceed Value of \$218,000; 2013 Appraisal)
6. Alderman Durkee submitted a memorandum from Alderman Durkee regarding Amendment to RERZ Agreement (Reallocate \$200,000 from Construction to Demolition for Parking Lot T).

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, June 2, 2014, \_\_\_\_ p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

No Meeting Scheduled.