

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
SEPTEMBER 15, 2014
COUNCIL CONVENED AT 6:13 P.M.**

1. The clerk called the meeting to order in the absence of the Mayor, and recognized Alderman Beck who moved that Alderman Beach serve as Mayor Pro Tem for the meeting. Said motion was seconded by Alderman Elyea. MOTION PREVAILED (Ald. Getchius, McNeely absent).
- 1a. The invocation was given by Chaplain Lou Ness, Emmanuel Episcopal Church and the Pledge of Allegiance was led by City Council Page Beatriz Medrano.
2. Roll Call:

Alderman Beach, Mayor Pro Tem

Aldermen: Durkee, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Newburg, (Beach), Elyea, Beck, Chiarelli -12-
Absent: Getchius, McNeely (late) -2-
3. Alderman Beck moved to accept the Journal of Proceedings of September 8, 2014 seconded by Alderman Elyea. MOTION PREVAILED (Ald. Getchius, McNeely absent).

PUBLIC HEARING

4. Alderman Beach called upon Alderman Durkee to conduct a public hearing. Alderman Durkee called the public hearing to order at 6:15 pm, stating that a public hearing is being held tonight as required by the Illinois Department of Commerce and Economic Opportunity (DCEO) as part of the close-out process of the grant.

In May of 2012 the City of Rockford received a grant award of \$4,832,737 from the Illinois Department of Commerce and Economic Opportunity (DCEO) for property acquisition and demolition in Phase 3 of the City's Keith Creek – Churchill Park Property Buyout Program. The funds, which came originally from HUD's Disaster Recovery program and were distributed in Illinois by DCEO, were used to acquire 42 properties in Churchill Park that were extensively damaged by the 2006 and 2007 floods (list of addresses is attached) and to demolish the structures on those properties.

All grant activities have been completed and all grant funds for Phase 3 have been drawn down and spent for their intended purpose so the DCEO grant is ready to be closed out.

He asked for any questions or comments from the general public with regard to Grant #08-358003. Hearing no questions or comments, the public hearing was closed at 6:17 pm.

The meeting returned to regular business at 6:17 pm.

PUBLIC PARTICIPATION

5. Mary Lou Castro spoke in memory of Andy Campos senior and expressed her disapproval of Chief Epperson and the police department.
6. John Brantley spoke about the recent domestic violence and child abuse charges against a few NFL players.

Alderman McNeely joined the meeting at 6:22 pm.

7. Toby Haldeman urged council members to stand united and vote yes to purchase of the Turner School Building for the District 2 geo policing site.
8. Roland Poska believes the human species has no change if we can't end prejudice and violence and war in 63 years.

PETITIONS AND COMMUNICATIONS

9. Alderman Chiarelli submitted a Memorandum from Lafakeria Vaughn, Assistant City Attorney, regarding the proposed ordinance to prohibit the use of groundwater as a potable water supply at 502 South Main Street. Referred to Code and Regulation Committee.
10. Alderman Chiarelli submitted a Memorandum from Kelly Nokes, Assistant Operations Manager, regarding upcoming special events:
 1. Murphy's Pub EDM Halloween Bash, October 31 – November 1, 2014
 2. Rockford Art Deli Birthday Celebration, September 27, 2014

Referred to Code and Regulation Committee.

11. Alderman Chiarelli submitted the Rockford Traffic Commission minutes from the meeting held on September 10, 2014. Referred to Code and Regulation Committee.
12. Alderman Chiarelli submitted a Memorandum from Matthew Vitner, City Engineer, regarding Airport Drive Right-of-Way Dedication Plat. Referred to Code and Regulation Committee.
13. Alderman Durkee submitted a Memorandum from Planning and Development Committee Regarding the Proposed Objectives for 2014-2015. City staff are directed to implement the following:
 - City staff are directed to identify the process and implement renaming Chestnut/Walnut/First and to identify other streets where this is an impediment to way-finding and rename these streets.
 - City Staff are directed to identify and implement building code accommodations for vintage/historic buildings and general building rehabilitation. Process will utilize best

practices from other communities as well as local assets, including a series of discussions with developer/rehabbers/engineers to glean their insights. Special attention needs to be paid to new business startups in blighted areas.

- City staff is directed to develop and implement the formal procedure for converting Chestnut and Jefferson to two way traffic.
- City staff are directed to develop and implement guidelines for local restaurants, businesses to utilize certain alleyways for outside dining/sales. (Need to preserve easements.)
- City staff is directed to initiate the formation of a business district dedicated to the redevelopment of the 11th Street corridor. Enlist EDEEN to help initiate the business development district.
- City staff are directed to develop and implement procedures for removing billboards within the City of Rockford

Referred to Todd Cagnoni, Director of Community Development.

PROCLAMATIONS

14. Alderman Beach, on behalf of Mayor Morrissey, presented a Proclamation proclaiming September 17, 2014 through September 23, 2014 to be "CONSTITUTION WEEK" in Rockford, Illinois and urged all citizens to reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.
15. Alderman Beach, on behalf of Mayor Morrissey, presented a Proclamation proclaiming the month of September, 2014 to be "NATIONAL RECOVERY MONTH" in Rockford, Illinois and urged all citizens to support this year's theme, "Join the Voices of Recovery; As We Speak Up and Reach Out".

Alderman Newburg exited the meeting at 6:33 pm.

16. Alderman Beach, on behalf of Mayor Morrissey, presented a Proclamation proclaiming Sunday, September 21, 2014 to be "ROCKFORD ETHNIC CELEBRATION DAY" in Rockford, Illinois and urged all citizens to attend this event and celebrate Rockford's global culture.

NEW COMMITTEE REPORTS

17. Alderman Chiarelli read a Code and Regulation Committee Report recommending approval of the acquisition of real properties, 21xx and 2210 Harrison Avenue pertaining to the Harrison Avenue Project. Subject to conditions. LAID OVER.
18. Alderman Beck read a Finance and Personnel Committee Report recommending the City Council approve for signature the sale of five (5) AC Industrial cranes to Neblock, Inc.

for one (1) lump sum of \$65,000.00. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

19. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of September 15, 2014 in the amount of \$3,219,454.87. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

20. Alderman Thompson-Kelly thanked staff for providing a memorandum with a list of current vacancies within our Boards and Commissions; however, she would like a list of all appointments and expirations dates on the Boards and Commissions.
21. Alderman Oddo announced the Rolling Green Neighborhood Association will be hosting a the first annual Free Picnic In The Park event on Saturday, September 20, 2014 from 11:30 am – 3:00 pm at Harmon Park, East Gate Parkway and Idaho. Please bring your own blanket, chairs, food and beverages (no alcohol) and cash for ice cream truck. Free activities will be provided to the children, bounce house, games and face painting. For more information contact Karen Hoffman, 815/978-9479 or KKHoffman01@comcast.net
22. Alderman Oddo also announced on November 8, 2014 will be the Second Annual Vendor Event at Flinn Middle School. Vendors are still needed, if interested please contact Heather Vecchione at Heather.Vecchione@yahoo.com
23. Alderman McNamara thanked Jim Ryan, City Administrator, for taking the lead on his request to have monthly or bi-weekly reports provided to council members on the status of projects and economic activities in the City.

UNFINISHED BUSINESS

24. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Special Use Permit for a title loan business in a C-3, General Commercial Zoning District at 2542 South Alpine Road. Approval is subject to the following conditions:
1. Meeting all applicable Building and Fire Codes.
 2. No north wall sign
 3. Hours of operation limited to Monday through Friday 9:00 am – 7:00 pm and Saturday 10:00 am – 4:00 pm.

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

Ayes: Durkee, Frost, Hill, Thompson-Kelly, Oddo, Beach, Elyea, Beck, Chiarelli -9-

Nays: McNamara, Hervey, McNeely -3-
Absent: Getchius, Newburg -2-

2014-249CR

25. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation in required landscaping per the submitted site plan; and APPROVE a Variation in the required parking spaces per the submitted site plan in a C-3, General Commercial Zoning District at 2019 and 2021 South Main Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of a dumpster detail and rendering for Staff's review and approval.
3. Must develop site in accordance with site and landscaping plans Exhibit D and Exhibit E as approved by Staff.
4. Must obtain separate permits for signage and sign must be in accordance with the Sign Ordinance.
5. All conditions must be met prior to establishment of use.

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

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

26. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report REVERSING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY the sale of package liquor with a gas station in the name of **Robbin Madhok for Magnum Oil 1 Inc. d/b/a Alpine Marathon** in a C-3, General Commercial Zoning District and R-4, Multi-family Residential Zoning District at 3299 South Alpine Road.

Alderman Chiarelli made a motion to send the committee report back to Liquor and Tobacco Advisory Board, seconded by Alderman Thompson-Kelly. MOTION PREVAILED.

The Committee Report was REFERRED BACK TO LTAB.

2014-147-O

27. Alderman Chiarelli moved the adoption of an Ordinance amending Article 62 and Article 63 of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from R-1, Single-Family Residential and C-3, General Commercial District to C-2, Limited Commercial District; and Special Use Permit for a Planned Unit Development consisting of a grocery store and off-premises monument sign on adjacent parcel in a C-2, Limited Commercial District at 1701, 1719 West State Street, 117, 121, 123 North Independence Avenue, 120, 124, 128 North Central Avenue. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. Submittal of a dumpster detail and rendering for Staff's review and approval.
4. Must develop site in accordance with Exhibit E, the site and landscaping plan approved by Staff.
5. Must develop building elevations in accordance with Exhibits E.
6. Must obtain separate permits for signage and sign must be constructed with the submitted sign elevations and accordance with the Sign Ordinance.
7. All conditions must be met prior to establishment of use.

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

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

2014-148-O

28. Alderman Chiarelli moved the adoption of an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a drive-through in conjunction with a donut shop (fast food restaurant),(B) Variation to reduce the required parking from 101 parking spaces to 79 spaces; (C) Variation to reduce the required 20 feet front yard setback for a parking lot to 15 feet along East State Street; (D) Variation to reduce the required 20 feet wide frontage landscaping to 15 feet wide along East State Street; (E) Variation to reduce the required 20 feet front yard setback for a parking lot to 11.3 feet along Sundae Drive, (F) Variation to the required 20 feet wide frontage landscaping to 11.3 feet wide along Sundae Drive in a C-2, Limited Commercial Zoning District at 7340 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. Submittal of a revised civil plan to include 80 parking spaces and the reduced width of the parking lot (drive-through lane) along Sundae Drive to 12 feet.
4. Submittal of a revised landscape plan to include removal of landscaping within the right-of-way, additional landscaping added to the perimeter landscaping along East State Street and Sundae Drive, landscaping added to the proposed interior island south of the building and east of the drive-through, and plant species for Staff's review and approval.
5. Submittal of drainage calculations shall be submitted to determine if the existing detention pond has the adequate storm water storage or if additional storm water storage will be required for review and approval by the City Engineer.
6. Submittal of a dumpster detail and rendering for Staff's review and approval.
7. Submittal of a photometric plan with fixture details and fixture specifications for Staff's review and approval.
8. Submittal of building elevations for Staff review and approval.
9. Must obtain separate permits for signage and sign must be constructed to match building design and in accordance with plans approved by Staff.

10. Must develop site in accordance with new civil and landscaping plans approved by Staff.
11. Must develop building in accordance with elevations approved by Staff.
12. All conditions must be met prior to establishment of use.

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

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

Nays: McNeely -1-

Absent: Getchius, Newburg -2-

2014-149-O

29. Alderman Chiarelli moved the adoption of an Ordinance amending Article 62, Article 63 and Article 64 of the Zoning Ordinance for a (A) Zoning Map Amendment from County AG to R-1, Single-Family Residential Zoning District; and (B) Special Use Permit for a church; and (C) Variation to waive the required landscaping; and (D) Variation to waive the required parking standards in an R-1, Single-Family Residential Zoning District at 3844 Sandy Hollow Road. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Submittal of a building permit for Staff review and approval establishing the church.
3. A landscaping plan shall be submitted and shall be in accordance with the City of Rockford Ordinances as reviewed and approved by Staff for any parking lot reconstruction.
4. Submittal of a dumpster detail, rendering, and dumpster enclosure permit for Staff's review and approval.
5. Must obtain separate permits for signage and signage must be in accordance with the City of Rockford Ordinances as reviewed and approved by Staff.

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

Ayes: Durkee, McNamara, Frost, Hervey, Hill, Thompson-Kelly, Oddo, Beach, Elyea, Beck, McNeely, Chiarelli -12-

Nays: -0-

Absent: Getchius, Newburg -2-

- 30.* Alderman Chiarelli moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance for a Special Use Permit to construct a 120' high cell tower in a C-2, Limited Commercial District at 3816 Broadway. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. The fencing material must be vinyl.
3. No more parking spaces may be eliminated and the lease area will be restricted to the area shown on the site plan.

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

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

***Item did not receive a super majority vote to pass.**

31.* Alderman Chiarelli moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance for a Special Use Permit for a 130' monopole cellular tower in a C-3, General Commercial Zoning District at 3017 Wallin Avenue. Approval is subject to the following conditions:

1. Approval is subject to the following conditions:
2. Must meet all applicable building and fire codes.
3. Submittal of a revised site plan showing tower 30' setback from the front property line.

Approval is based on the Findings of Facts. MOTION FAILED by a Roll Call vote of:

Ayes: Durkee, Frost, Thompson-Kelly, Oddo, Beach, Elyea, Beck, McNeely, Chiarelli -9-
Nays: McNamara, Hervey, Hill -3-
Absent: Getchius, Newburg -2-

***Item did not receive a super majority vote to pass.**

32.* Alderman Chiarelli moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance for a Special Use Permit for a 150' monopole cellular tower in an I-1, Light Industrial Zoning District at 1507 Kishwaukee Street. Approval is subject to the following conditions:

1. Submittal of a revised site plan to include a 100' setback from the right-of-way along the south alley, fencing to be changed from chain link to vinyl and for the landscaping to be incorporated along both alleys.
2. Must meet all applicable building and fire codes.
3. Must submit documentation of approval through FAA.

Approval is based on the Findings of Facts. MOTION FAILED by a Roll Call vote of:

Ayes: Durkee, Frost, Thompson-Kelly, Oddo, Beach, Elyea, Beck, McNeely, Chiarelli -9-
Nays: McNamara, Hervey, Hill -3-
Absent: Getchius, Newburg -2-

***Item did not receive a super majority vote to pass.**

2014-150-O

33. Alderman Chiarelli moved the adoption of 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:

Bond Drug Company of Illinois LLC d/b/a Walgreens for the sale of packaged liquor with a retail drug store with sundries in a C-2, Limited Commercial Zoning District at 3929 Mulford Road. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of the window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
4. 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.
5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sales of alcohol between 12:00 am and 7:00 am.

MOTION PREVAILED by a Roll Call vote of:

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

2014-151-O

34. Alderman Chiarelli moved the adoption of 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:

Bond Drug Company of Illinois LLC d/b/a Walgreens for the sale of packaged liquor with a retail drug store with sundries in a C-2, Limited Commercial Zoning District at 1145 North Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of the window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
4. 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.
5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sales of alcohol between 12:00 am and 7:00 am.

MOTION PREVAILED by a Roll Call vote of:

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

2014-152-O

35. Alderman Chiarelli moved the adoption of 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:

Bond Drug Company of Illinois LLC d/b/a Walgreens for the sale of packaged liquor with a retail drug store with sundries in a C-2, Limited Commercial Zoning District at 2323 Charles Street. Approval is subject to the following conditions:

1. Must meet all applicable Building, Fire and Liquor codes.
2. Window display signage is limited to 35% of the window area.
3. The sale of alcohol shall be limited to the submitted interior floor plan Exhibit E.
4. 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.
5. There shall be no single service sales of beer or wine in volumes of 40 ounces or less.
6. There shall be no sales of alcohol between 12:00 am and 7:00 am.

MOTION PREVAILED by a Roll Call vote of:

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

2014-153-O

36. Alderman Chiarelli moved the adoption of 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:

Abduraman Isai and Istref Sam Sabini / Menns Inc. d/b/a Tavern on Clark for a modification of an existing liquor license by the drink and outdoor seating area with a restaurant to extend hours of operation to 2:00 am in a C-3, General Commercial Zoning District at 755 Clark Drive. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. The hours are limited to Sunday through Saturday 7:00 AM to 2:00 AM
3. Window display signage shall be limited to 35% of the window surface area.
4. There shall not be a cover charge, dance floor, or DJ's.

5. Live entertainment shall be limited to a single performer playing a single instrument.

MOTION PREVAILED by a Roll Call vote of:

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

2014-154-O

37. Alderman Chiarelli moved the adoption of 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:

Samir R. Rathod/Veer Mahi Inc. d/b/a 320 Grocery for the sale of tobacco products with a grocery store in a C-3, General Commercial Zoning District at 320 North Court Street. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and tobacco codes.
2. Hours are limited to Monday-Saturday 8:00 AM to 8:00 PM, Sunday 9:00 AM to 7:00 PM.
3. Inside signage cannot exceed more than 35% of the window surface and any temporary signs in violation must be removed.
4. That the windows shall not be covered with bars or other devices that block the windows.
5. A dumpster enclosure must be constructed and the fenced must be repaired on the north side.
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. The sale of water pipes and "huka" or "hookah" pipes are prohibited.

MOTION PREVAILED by a Roll Call vote of:

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

2014-155-O

38. Alderman Chiarelli moved the adoption of 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:

Junaid_Ahmed for JR Gasoline, Inc. d/b/a Kilburn Shell for the sale of tobacco products in conjunction with a gas station in a C-3, Commercial General Zoning District at 913 Kilburn Avenue. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor and Tobacco Codes.
3. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit F.
4. Submittal of a civil plan to include improvements to the parking lot and 12 parking spaces.
5. Submittal of a revised landscape plan to include perimeter landscaping along Kilburn Avenue and Whitman Street, interior islands, open green space, removal of the raised timber planter that is replaced with a new concrete curbed island around the existing perimeter landscaping at the southwest corner of the property, and plant species for Staff review and approval.
6. Submittal of a dumpster detail, rendering, and dumpster enclosure permit for staff's review and approval.
7. The hours of operation and days will be 5:00 A.M. to Midnight Monday through Sunday.
8. 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.
9. That the windows shall not be covered with bars or other devices that block the window.
10. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
11. Window display signage is limited to 35% of window area.

MOTION PREVAILED by a Roll Call vote of:

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

2014-156-O

39. Alderman Chiarelli moved the adoption of 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:

Cliffbreakers Riverside Resort, LLC d/b/a Cliffbreakers Riverside Resort for the sale of liquor by the drink in conjunction with a catering, restaurant, bar, banquet hall and hotel and the sale of liquor by the drink in conjunction with an outdoor seating area in a C-3, General Commercial Zoning District at 700 West Riverside Boulevard. Approval is subject to the following conditions:

1. Must meet all applicable liquor codes.
2. Must meet all applicable building and fire codes.

3. The proposed use shall not operate as a night club.
4. The proposed use shall not have a cover charge.
5. The sale of alcohol shall be limited to the submitted plans.
6. The hours of operation shall be in accordance with the liquor code.

MOTION PREVAILED by a Roll Call vote of:

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

2014-250CR

40. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the City Council approve for signature the Memorandum of Understanding with State of IL (S. Main St. Two-Way Conversion). Funding for the project will come from Motor Fuel Tax. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED (Ald. McNeely voted no; Ald. Getchius, Newburg absent).

MOTIONS AND RESOLUTIONS

2014-244R

41. Alderman Durkee, on behalf of the Planning and Development Committee, moved for the adoption of a Resolution initiating the process of demolishing the next list of properties -Property List #3 in accordance with the 2014 Demolition Ranking Criteria and Selection Process.

Alderman Durkee made a motion to exclude the three added properties to the list, seconded by Alderman Hill. MOTION PREVAILED (Ald. Elyea voted no; Ald. Getchius, Newburg absent).

2014-245R

42. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor to execute an agreement for Starr Street Water Main Replacement with N-TRAK Group, of Loves Park, Illinois for their bid of \$188,088.50. The funding source is Water Replacement & Improvement Account (WRIA). MOTION PREVAILED by a Roll Call vote of:

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

2014-246R

43. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution rejecting the bids received for 7th Street Lighting (2nd Avenue to 4th Avenue) and taking new bids immediately. MOTION PREVAILED by a Roll Call vote of:

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

2014-247R

44. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution approving the Change Order for Broadway and Auburn St. Resurfacing with TCI Concrete for an additional amount of \$130,000 and an amended contract total of \$1,463,946.93. The funding source is Parking Fund & Health Fund. MOTION PREVAILED by a Roll Call vote of:

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

2014-248R

45. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids for

A. Bid: Station 9 Masonry Repairs, funding source: Department of Commerce and Economic Opportunity

MOTION PREVAILED by a Roll Call vote of:

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

2014-249R

46. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution expressing official intent regarding expenditures from the funds of the City of Rockford, Winnebago and Ogle County, Illinois to be reimbursed from proceeds of obligations to be issued by the City of Rockford, Winnebago and Ogle County, Illinois. MOTION PREVAILED by a Roll Call vote of:

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

NEW BUSINESS

47. Alderman Chiarelli introduced and read an Ordinance for the acquisition of real property commonly known as 21xx and 2210 Harrison Avenue, and said properties are necessary, useful, advantageous and desirable to the Harrison Avenue Project. LAID OVER FOR TWO WEEKS.
48. Upon motion duly made and seconded, the meeting was adjourned at 7:33 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
September 22, 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
- Public Hearing
- Public Participation
- Petitions and Communications
- Proclamations
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER SEPTEMBER 15, 2014

A. FINANCE AND PERSONNEL

1. Beck - Committee Report - Recommending the City Council approve for signature the sale of five (5) AC Industrial cranes to Neblock, Inc. for one (1) lump sum of \$65,000.00. The Legal Director shall prepare the appropriate ordinance.

B. CODE AND REGULATION

1. Chiarelli - Committee Report - Recommending approval of the acquisition of real properties, 21xx and 2210 Harrison Avenue pertaining to the Harrison Avenue Project. Subject to conditions.

II. MOTION/RESOLUTIONS LAID OVER JULY 28, 2014

1. Durkee – Resolution – TIF Policy Statement and Guideline Point System for TIF funds and other public funding sources.

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 – Approve sale of five (5) AC Industrial cranes to Neblock, Inc. for one (1) lump sum of \$65,000.00.
2. Beck – Ordinance – Approve the Memorandum of Understanding with State of Illinois (South Main Street Two-Way Conversion). Funding for the project will come from Motor Fuel Tax. (SUSPEND RULES)
3. Chiarelli - Ordinance - Acquisition of real properties, 21xx and 2210 Harrison Avenue pertaining to the Harrison Avenue Project. Subject to conditions.

* 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 22, 2014, 5:15 p.m.

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

AGENDA

1. C & R 14-174 September Traffic Commission Minutes
2. C & R 14-175 Special Events: a)Murphy’s Pub EDM Halloween Bash, 10/31 – 11/1/14
b)Rkfd Art Deli Bday Celebration, 9/27/14
3. C & R 14-161 Request for the Sale of Packaged Liquor with live entertainment, dancing and video gaming; and the Sale of Liquor by the Drink with live entertainment, dancing and video gaming in a C-2, Limited Commercial District at 1609 South Alpine Road (Steven LeRoy Swoboda/Swoboda Entertainment Inc.,)
3. C & R 14-176 502 South Main Street Groundwater Ordinance
4. C & R 14-177 Airport Drive Right-of-Way Dedication Plat
5. C & R 14-181 Review of Chapter 3, Alcoholic Liquor of the City of Rockford Code of Ordinances

FINANCE AND PERSONNEL COMMITTEE
Monday, September 22, 2014, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Main Street Gateway Arches to Sjostrom & Sons, Inc. in the amount of \$255,500.00 – Laid over 9/15
 - B. Award of Bid: Concrete & Cement Materials to the sole bidder, Supermix Concrete, of McHenry, Illinois for an estimated annual value of \$110,000.00
 - C. Award of Bid: Demolition of 2827 West State Street to Northern Illinois Service Co., of Rockford, Illinois in the amount of \$48,890.00
 - D. Award of Sole Source Contract: Water Operations Database Management System in the amount of \$198,720.00
 - E. Resolution to take Bids: a. Fire Station Parking Lots, funding source: Department of Commerce and Economic Opportunity Grant (DCEO)
b. Fire Station Sprinkler Installation, funding source: FEMA Grant Funds
 - F. Vouchers in the amount of \$2,326,354.36
2. Consideration of Alternative Proposals for the Sale of 120, 124 and 128 N. Central Avenue; and parts of 1701, 1711 and 1719 W. State St., Rockford, IL

PLANNING AND DEVELOPMENT COMMITTEE
Monday, September 22, 2014, 5:30 p.m.
CD Conference Rm., City Hall 2nd floor
AGENDA

1. Memorandum regarding the Approval of 2015 Community Services Block Grant Program Work Plan as required by the Illinois Department of Commerce and Economic Opportunity.

LEGISLATIVE LOBBYING COMMITTEE
Monday, September 22, 2014, _____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

No Meeting Scheduled.