

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
OCTOBER 14, 2014
COUNCIL CONVENED AT 6:31 P.M.**

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

Alderman Getchius, Mayor Pro Tem

Aldermen: Durkee, (Getchius), McNamara, Frost, Hervey, Hill, Thompson-Kelly, Newburg, Oddo, Beach, Elyea, Chiarelli -12-
Absent: Beck, McNeely -2-
4. Alderman Beach moved to accept the Journal of Proceedings of October 6, 2014 seconded by Alderman Hervey.

Alderman Hervey moved to reconsider items #45, #46, #47 and #48 of the Journal of Proceedings from October 6, 2014; the Leases for vehicles and equipment, seconded by Newburg. MOTION PREVAILED (Ald. Beck, McNeely absent).

The Resolutions were placed back on the floor.

Alderman Hervey moved to amend each item to reflect the funding source is the respective 2015 department budgets, seconded by Alderman Thompson-Kelly. MOTION PREVAILED (Ald. Beck, McNeely absent). The items were placed up for passage.

2014-262R

- 4a. A Resolution authorizing the Mayor to execute an agreement for Tax-Exempt Lease for Ambulances and Related equipment with PNC at a lease rate of 1.420%, the total financed is \$548,876.00. The funding source is Fire Department Budget for 2015. MOTION PREVAILED by a Roll Call vote of:

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

2014-263R

- 4b. A Resolution authorizing the Mayor to execute an agreement for Tax-Exempt Lease for (2) Fire Engines and Related equipment with US Bancorp at a lease rate of 2.01%, the total financed is \$1,160,000.00. The funding source is Fire Department Budget for 2015. MOTION PREVAILED by a Roll Call vote of:

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

2014-264R

- 4c. A Resolution authorizing the Mayor to execute an agreement for Tax-Exempt Lease for Heavy Equipment (1) bomb trailer, (1) SWAT vehicle, (1) Patcher, (4) snow plows, (1) chipper, (1) backhoe, (2) slope mowers, (2) water dumps with US Bancorp at a lease rate of 2.285%, the total financed is \$1,684,000.00. The funding source is Public Works and Police Department Budget for 2015. MOTION PREVAILED by a Roll Call vote of:

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

2014-265R

- 4d. A Resolution authorizing the Mayor to execute an agreement for Tax-Exempt Lease for Squad and Unmarked Vehicles with PNC at a lease rate of 1.449%, the total financed is \$1,025,000.00. The funding source is Police Department Budget for 2015. MOTION PREVAILED by a Roll Call vote of:

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

The Journal of Proceedings as amended was placed up for passage. MOTION PREVAILED (Ald. Beck, McNeely absent).

PUBLIC PARTICIPATION

5. John Brantley spoke about domestic violence and finding solutions to fix the problem. He invited everyone to attend a meeting at North Main Manor-Olesen Plaza, 505 North Main Street at 2:00 pm on Thursday, October 16, 2014.
6. Ron Freeze voiced concerns regarding friends that were cited for different violations and wants to know how they can resolve the issues.

PETITIONS AND COMMUNICATIONS

7. Alderman Thompson-Kelly submitted the resume of Ervin Wainwright for consideration to the Lincoln Promise Zone Board. Referred to Mayor Morrissey's Office.
8. Alderman Chiarelli submitted a Memorandum from Kerry Partridge, City Attorney, regarding Amendments to Chapter 13, Section 13-23, Organization of Department; Qualifications of Police Chaplains.

Referred to Code and Regulation Committee.

9. Alderman Chiarelli submitted the Rockford Traffic Commission minutes from the meeting held on October 8, 2014. Referred to Code and Regulation Committee.
10. Alderman Chiarelli submitted a Memorandum from the Legal Department regarding the annexation for Water at 2036 New Milford School Road. Referred to Code and Regulation Committee.
11. Alderman Chiarelli submitted a Memorandum from the Legal Department regarding the annexation of 3844 Sandy Hollow Road. Referred to Code and Regulation Committee.
12. Alderman Chiarelli submitted a Memorandum from the Legal Department regarding the annexation of 5208 Sherwood Forest Road. Referred to Code and Regulation Committee.
13. Alderman Chiarelli submitted a Memorandum from Matthew Vitner, City Engineer, regarding Authorizing Use of Non-Highway Vehicles on a Portion of Elm Street. Referred to Code and Regulation Committee.
14. Alderman Hervey submitted a Memorandum from Chris Black, Finance Director, regarding 2014 Property Tax Levy Ordinance. Referred to Finance and Personnel Committee.
15. Alderman Hervey submitted a Memorandum from Deb Dorsey, Grants Compliance Supervisor, regarding Application for Technical Assistance Scholarship Program. Referred to Finance and Personnel Committee.

PROCLAMATIONS

- 15a. Alderman Getchius, on behalf of Mayor Morrissey, presented a Proclamation proclaiming the month of October, 2014 to be "HEAD START AWARENESS MONTH" in Rockford, Illinois and urged all citizens to support the Head Start Program and their commitment in creating a quality program that truly provides young children with a "head start" in life.

NEW COMMITTEE REPORTS

2014-268CR

16. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of the Request for 204 Irving Avenue in Rockford, Illinois to have any outstanding fines and liens waived since the property will be demolished and under the control of a responsible not-for-profit organization.

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

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

17. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of October 14, 2014 in the amount of \$3,132,978.09.

Alderman Durkee made a motion to amend the vouchers to hold out payment to Edward Atkinson for CPR, First Aid/AED Training, seconded by Alderman Thompson-Kelly. MOTION PREVAILED (Ald. Beck, McNeely absent).

The vouchers as amended were placed up for passage. MOTION PREVAILED by a Roll Call vote of:

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

18. Alderman Durkee read a Planning and Development Committee Report recommending approval of the Redevelopment Agreement between City of Rockford and Midtown Westtown Lofts, LLC for the properties at 403, 407, 409, 411, 414, 416 7th Street and 1019 3rd Avenue. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

19. Alderman Chiarelli read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY the sale of packaged liquor with live entertainment, dancing and video gaming and APPROVE the sale of liquor by the drink in conjunction with live entertainment, dancing and video gaming in the name of **Steven LeRoy Swoboda/Swoboda Entertainment, Inc. d/b/a as Big Foot Gentlemen's Club** in a C-2, Limited Commercial Zoning District at 1608 South Alpine Road. Approval subject to conditions:

1. Must meet all applicable liquor codes.
2. Must meet all Building and Fire Codes.
3. Removal of roof sign and all other non-conforming signs and any future signage must comply with the current sign ordinance.
4. Landscaping improvements must be in accordance with the submitted site plan Exhibit D.
5. That the windows shall not be covered with bars or other devices that block the windows.
6. Window display signage is limited to 35% of window area.
7. The sale of liquor is limited to indoors.
8. Security must be provided at a minimum of one (1) per fifty (50) patrons by a State of Illinois licensed Security Firm.

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

OFFICERS REPORTS

20. Alderman Getchius announced the next budget meeting will be held this Saturday, October 18, 2014 from 8:00 am – 11:00 am in Council Chambers, City Hall 2nd floor.
21. Alderman Getchius mentioned a Memorandum from Chris Black, Finance Director, has been distributed to council members regarding 2015 Health Insurance Rates.
- 21a. Alderman Getchius also mentioned a Memorandum from Patrick Hayes, Legal Director, has been distributed to council members regarding the IAFF Initial Proposals.
22. Alderman McNamara clarified the next budget meeting will be held on Saturday, October 25, 2014 from 8:00 am – 11:00 pm in Council Chambers.

Alderman Getchius apologized and stands corrected.

23. Alderman McNamara urged administration to move quickly to securing a development to the TREK Building and getting it back on the tax rolls and functioning in the community.

Alderman Getchius echoed Alderman McNamara's comments and concerns.

UNFINISHED BUSINESS

2014-269CR

24. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the Fine Reduction request for Commercial Property at 1616 Elmwood in Rockford, Illinois to \$5,000.00 upon compliance with outstanding code violations by June 30, 2015, any outstanding water, clean-up and mow liens, and remove fence and top soil and seed gravel area.

Alderman Hervey made a motion to amend the committee report to reflect: Reduce fine to \$5,000 upon compliance with the original order to repair by June 30, 2015; Any outstanding water, clean-up, demolition, board-up and mow liens must be paid; Must remove fence or repair fence and bring it into compliance and either top soil and seed gravel area or pave gravel area under permit in conformance with ordinance; That the property owner and Rockford Park District enter into an agreement which allows the seasonal use of the parking lot(s) for Park District sporting events in exchange for maintenance of the grass and landscaping of said lots during the season, seconded by Alderman McNamara. MOTION PREVAILED (Ald. Beck, McNeely absent).

The committee report as amended was placed up for passage. MOTION PREVAILED by a Roll Call vote of:

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

Absent: Beck, McNeely -2-

2014-270CR

25. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the Fine Reduction request for 2942 Lapey Street in Rockford, Illinois to \$1,000.00 upon compliance with the original order to repair by March 31, 2015 and any outstanding water, clean-up and mow liens must be paid. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-

Absent: Beck, McNeely -2-

2014-271CR

26. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the Fine Reduction request for 2902 Charles Street in Rockford, Illinois to \$1,000.00 upon compliance with the original order to repair by March 31, 2015 and any outstanding water, clean-up and mow liens must be paid. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-

Absent: Beck, McNeely -2-

2014-272CR

27. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a gas station and convenience store in the name of **Fadi Hamed d/b/a 4Less, Inc.** in a C-3, Commercial General Zoning District at 4315 Auburn Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of a revised landscaping plan to include sight-obscuring fence
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. That the windows shall not be covered with bars or other devices that block the window.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited
7. There shall be no sales of single servings of alcohol of 12 ounces or less.
8. Window display signage is limited to 35% of window area.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2014-273CR

28. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending approval of the Final Plat #3 of Bello Reserve Subdivision. MOTION PREVAILED by a Roll Call vote of:

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

2014-274CR

29. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending approval of a Vacation Right-of-Way of 9th Avenue from 24th Street east of Rockford Public School District #205 property as well as the alley adjacent to the said portion of 9th Avenue. Subject to conditions:

1. There is existing sanitary sewer present within this vacated portion of 9th Avenue. An access and construction easement shall be granted to the Rock River Water Reclamation District for the existing sanitary sewer lines.
2. There are existing Commonwealth Edison facilities present with this vacated portion of the alleyway. An access and construction easement shall be granted to Commonwealth Edison for the existing facilities unless the property owner requests abandonment and pays for relocation as necessary.
3. No easements for utilities other than the easement above shall remain on the property for utility purposes.

The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2014-164-O

30. Alderman Chiarelli moved the adoption of an Ordinance amending Chapter 16, Schedule Section 286 of the Code of Ordinances of the City of Rockford to repeal the following:

“All Time Limit Parking Restrictions in Municipal Parking Lot 20 near 7th Street and 2nd Avenue, thus establishing unrestricted parking”.

MOTION PREVAILED by a Roll Call vote of:

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

2014-165-O

31. Alderman Chiarelli moved the adoption of an Ordinance amending Chapter 16, Schedule Section 284 of the Code of Ordinances of the City of Rockford to repeal the following:

The One (1) Hour Parking Restriction on both sides of 18th Avenue from 7th Street to 9th Street, thus establishing unrestricted parking on both sides of 18th Avenue from 7th Street to 9th Street.

The One (1) Hour Parking Restriction on the north sides of 18th Avenue from Seminary Street to Christina Street, thus establishing unrestricted parking on the north sides of 18th Avenue from Seminary Street to Christina Street.

The One (1) Hour Parking Restriction on the east side of 7th Street from 18th Avenue to 19th Avenue, thus establishing unrestricted parking on the east side of 7th Street from 18th Avenue to 19th Avenue.

MOTION PREVAILED by a Roll Call vote of:

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

2014-166-O

32. Alderman Chiarelli moved the adoption of an Ordinance amending Chapter 16, Schedule Section 284 of the Code of Ordinances of the City of Rockford to repeal the following:

The No Parking Anytime Restriction on the north side of Preston Street from Avon Avenue to Waldo Street, thus establishing unrestricted parking on the north side of Preston Street from Avon Avenue to Waldo Street.

MOTION PREVAILED by a Roll Call vote of:

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

2014-167-O

33. Alderman Chiarelli moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute the attached amendments to Section 16-190.1 – Residential Parking Zones of the City of Rockford Code of Ordinances. MOTION PREVAILED by a Roll Call vote of:

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

2014-168-O

34. Alderman Chiarelli moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute the attached amendments to Section 16-131– Penalties; payment in lieu of prosecution of the City of Rockford Code of Ordinances, and Section 16-188 – Violation of the City of Rockford Code of Ordinances. MOTION PREVAILED by a Roll Call vote of:

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

2014-169-O

35. Alderman Chiarelli moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a 150 foot 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 foot 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.

MOTION PREVAILED by a Roll Call vote of:

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

2014-170-O

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

1. Must meet all applicable Building and Fire Codes.
2. Submittal of a revised site plan showing tower 30 foot setback from the front property line.

MOTION PREVAILED by a Roll Call vote of:

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

2014-171-O

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

1. Must meet all applicable Building and Fire Codes.
2. Submittal of a revised site plan showing tower 30 foot setback from the front property line.

MOTION PREVAILED by a Roll Call vote of:

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

2014-172-O

38. Alderman Chiarelli moved the adoption of an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation for landscaping pre the submitted site plan and; Variation to reduce the required front yard setback from 30 feet along Harrison Avenue for a gas canopy in an I-1, Light Industrial Zoning District at 2000 Harrison Avenue. 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 as approved by Staff.
4. That the freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing freestanding sign.
5. Must obtain separate permits for signage and sign must be in accordance with the Sign Ordinance.
6. All conditions must be met prior to establishment of use.

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

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

2014-173-O

39. Alderman Chiarelli moved the adoption of an Ordinance amending Article 62 and Article 64 of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from

County AG to I-1, Light Industrial Zoning District and; Variation to waive interior landscaping for the future parking lot at 5208 Sherwood Forest Road. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Submittal of a civil plan including detention plan for the parking lot and parking lot permit for Staff review and approval.
3. A photometric plan shall be submitted for review and approval by Staff.
4. Submittal of a Tree Preservation Plan and Tree Survey for Staff review and approval.
5. A Tentative Plant must be approved and a Final Plat recorded prior to the construction of any buildings on subject property.

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

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

MOTIONS AND RESOLUTIONS

2014-275R

40. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor or Finance Director to execute an agreement for Station 9 Masonry Repairs with Mike Harris Mason Contractors, of Rockford, Illinois for their total bid of \$66,400.00. The funding source is DCEO Grant funds. MOTION PREVAILED by a Roll Call vote of:

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

2014-276R

41. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Mayor or Finance Director to execute an agreement between the City of Rockford and the State of Illinois Department of Transportation for improvements on IL Route 2 (North Main Street) from Riverside Blvd. to north of Auburn St. Be It Further Resolved: That the City's estimated project cost will be \$4,560,000.00. The funding source is Motor Fuel Tax and Sales Tax. MOTION PREVAILED by a Roll Call vote of:

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

2014-277R

- 42. Alderman Chiarelli, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the Rockford Area Convention and Visitor’s Bureau requesting a Special Event Permit and Liquor Permit for the Stoll on State Event. This event will be held on Saturday, November 29, 2014 from 4:00 pm – 9:00 pm in the downtown/State Street vicinity.

Alderman McNamara made a motion to add: The City of Rockford will absorb \$4,200 for police department services. The funding source for police services will come from City of Rockford Police Department’s operating budget, seconded by Alderman Hervey.
 MOTION PREVAILED by a Roll Call vote of:

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

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

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

2014-278R

- 43. Alderman Chiarelli, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution requesting permission from Illinois Department of Transportation (IDOT) for temporary street and lane closures for the Stroll on State Event on November 29, 2014 from 7:00 am – 11:00 pm. MOTION PREVAILED by a Roll Call vote of:

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

NEW BUSINESS

- 44. Alderman Chiarelli 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:

Fadi Hamed d/b/a 4Less, Inc for the sale of packaged liquor in conjunction with a gas station and convenience store in a C-3, Commercial General Zoning District at 4315 Auburn Street. Approval is subject to the following conditions:

- 1. Meet all Building and Fire Codes.

2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of a revised landscaping plan to include sight-obscuring fence
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. That the windows shall not be covered with bars or other devices that block the window.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited
7. There shall be no sales of single servings of alcohol of 12 ounces or less.
8. Window display signage is limited to 35% of window area.

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

OFFICERS REPORTS

45. Alderman McNamara announced a community meeting will be held Thursday, October 17, 2014 at Ellis Arts Academy at 6:00 pm. Rock Valley College President Mike Mastroianni will be speaking and taking questions.
46. Upon motion duly made and seconded, the meeting was adjourned at 7:39 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
October 20, 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

I. PUBLIC HEARINGS

1. Annexation – 3844 Sandy Hollow Road
2. Annexation – 5208 Sherwood Forest Road
3. Consolidated Plan 20/20 Plan (to convene immediately upon adjournment)

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

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER OCTOBER 14, 2014

1. Durkee - Planning and Development - Approval of the Redevelopment Agreement between City of Rockford and Midtown Westtown Lofts, LLC for the properties at 403, 407, 409, 411, 414, 416 7th Street and 1019 3rd Avenue. The Legal Director shall prepare the appropriate ordinance.
2. Chiarelli - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY the sale of packaged liquor with live entertainment, dancing and video gaming and APPROVE the sale of liquor by the drink in conjunction with live entertainment, dancing and video gaming in the name of **Steven LeRoy Swoboda/Swoboda Entertainment, Inc. d/b/a as Big Foot Gentlemen's Club** in a C-2, Limited Commercial Zoning District at 1608 South Alpine Road. Approval subject to conditions:
 1. Must meet all applicable liquor codes.
 2. Must meet all Building and Fire Codes.

3. Removal of roof sign and all other non-conforming signs and any future signage must comply with the current sign ordinance.
4. Landscaping improvements must be in accordance with the submitted site plan Exhibit D.
5. That the windows shall not be covered with bars or other devices that block the windows.
6. Window display signage is limited to 35% of window area.
7. The sale of liquor is limited to indoors.
8. Security must be provided at a minimum of one (1) per fifty (50) patrons by a State of Illinois licensed Security Firm.

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

III. ORDINANCES LAID OVER OCTOBER 14, 2014

1. Chiarelli - 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:

Fadi Hamed d/b/a 4Less, Inc for the sale of packaged liquor in conjunction with a gas station and convenience store in a C-3, Commercial General Zoning District at 4315 Auburn Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of a revised landscaping plan to include sight-obscuring fence
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. That the windows shall not be covered with bars or other devices that block the window.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited
7. There shall be no sales of single servings of alcohol of 12 ounces or less.
8. Window display signage is limited to 35% of window area.

Approval is based on the Findings of Facts.

IV. APPOINTMENTS LAID OVER OCTOBER 14, 2014

- 1.* Re-appointment - Liquor and Tobacco Advisory Board and Zoning Board of Appeals; Mr. Craig Sockwell, term ending June 2018. (Pursuant to Rule 18, this item is up for passage on October 27, 2014).
- 2.* Re-appointment – Liquor and Tobacco Advisory Board and Zoning Board of Appeals; Ms. Alicia DiBenedetto, term ending June 2019. (Pursuant to Rule 18, this item is up for passage on October 27, 2014).

- 3.* Re-appointment - Electrical Commission; Division Chief Matt Knott, term ending June 2015. (Pursuant to Rule 18, this item is up for passage on October 27, 2014).
- 4.* Re-appointment - Electrical Commission; Mr. Charles Laskonis, term ending June 2015. (Pursuant to Rule 18, this item is up for passage on October 27, 2014).
- 5.* Re-appointment to the Library Board; Mr. James O'Hagan, term ending June 2015. (Pursuant to Rule 18, this item is up for passage on October 27, 2014).
- 6.* Re-appointment to the Library Board; Mr. Edward Geeser, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on November 10, 2014).
- 7.* Re-appointment to the Library Board; Mr. Brad Long, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on November 10, 2014).

V. NEW BUSINESS (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

- 1. Durkee – Ordinance - Redevelopment Agreement between City of Rockford and Midtown Westtown Lofts, LLC for the properties at 403, 407, 409, 411, 414, 416 7th Street and 1019 3rd Avenue.
- 2. Chiarelli – Ordinance - Approve the sale of liquor by the drink in conjunction with live entertainment, dancing and video gaming in the name of **Steven LeRoy Swoboda/ Swoboda Entertainment, Inc. d/b/a as Big Foot Gentlemen’s Club** in a C-2, Limited Commercial Zoning District at 1608 South Alpine Road. Approval subject to conditions:
 - 1. Must meet all applicable liquor codes.
 - 2. Must meet all Building and Fire Codes.
 - 3. Removal of roof sign and all other non-conforming signs and any future signage must comply with the current sign ordinance.
 - 4. Landscaping improvements must be in accordance with the submitted site plan Exhibit D.
 - 5. That the windows shall not be covered with bars or other devices that block the windows.
 - 6. Window display signage is limited to 35% of window area.
 - 7. The sale of liquor is limited to indoors.
 - 8. Security must be provided at a minimum of one (1) per fifty (50) patrons by a State of Illinois licensed Security Firm.

* 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, October 20, 2014, 5:00 p.m.

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

AGENDA

1. C & R 14-188 October Traffic Commission Minutes
2. C & R 14-193 Authorizing Use of Non-Highway Vehicles on a Portion of Elm Street
3. C & R 14-189 Water Annexation for 2036 New Milford School Road
4. C & R 14-190 Annexation for 3844 Sandy Hollow Road
5. C & R 14-191 Annexation for 5208 Sherwood Forest Road
6. C & R 14-180 **Request for the Sale of Packaged Liquor** in conjunction with a convenience store in a C-3, General Commercial Zoning District at **4415 Harrison Avenue, Unit C, 4412 Harrison Avenue** (Harwinder Kaur-Applicant)
7. C & R 14-187 Amendment to Chapter 13, Section 13-23. Organization of department; Qualifications of Police Chaplains
8. C & R 13-111 Public Safety Report
9. C & R 14-181 Review of Chapter 3, Alcoholic Liquor of the City of Rockford Code of Ordinances

FINANCE AND PERSONNEL COMMITTEE

Monday, October 20, 2014, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Keith Creek Stabilization – 2014 to Copenhaver Construction, of Gilberts, Illinois for their bid of \$288,121.00 (Held out 10/14)

- B. Award of Bid: Main Street Gateway Arches to Sjostrom & Sons, Inc., of Rockford, Illinois for their bid of \$255,500.00 – Laid over 9/22
 - C. Award of Bid: East State Street Sidewalk Repairs to Campos Construction, of Rockford, Illinois for their bid of \$41,300.00
 - D. Award of Non-Competitive Contract: Harrison Avenue Reconstruction – Electric Transmission Line Relocation to Commonwealth Edison in the amount of \$300,000
 - E. Vouchers in the amount of \$3,378,756.90
- 2. Application for Technical Assistance Scholarship Program through the Center for Community Progress to receive assistance on vacant land maintenance and reuse strategies
 - 3. 2014 Property Tax Levy Discussion

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, October 20, 2014, ____ p.m.
CD Conference Rm., City Hall 2nd floor
AGENDA**

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, October 20, 2014, ____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.

The City of Rockford intends to comply with the intent and spirit of the Americans With Disabilities Act. If a sign language interpreter, personal p.a. system, or other special accommodations are needed, please call the Legal Department at 967-6797 at least 48 hours in advance, so we can be prepared to assist you. For TTY, please call 987-5718, and staff in the Mayor's Office will advise the Legal Department of the request.