

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
OCTOBER 12, 2010  
COUNCIL CONVENED AT 6:22 P.M.**

1. The invocation was given by Chaplain Phil Henselin, New Life Evangelical Lutheran Church/Police Chaplain and the Pledge of Allegiance was led by City Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -12-  
Absent: Sosnowski, Thompson-Kelly (late) -2-
3. Alderman Mark moved to accept the Journal of Proceedings of October 4, 2010, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Sosnowski, Thompson-Kelly absent).

**PUBLIC PARTICIPATION**

4. Robert Pfluger distributed a handout and CD for the alderman to review about "The Global Plan for Recovery and Reform".
5. Prophet Yusef spoke about the importance of a thriving tourism industry for Rockford's economy.

**PETITIONS AND COMMUNICATIONS**

6. Alderman Johnson submitted three (3) requests for service. Referred to Community Development/Code Enforcement.
7. Alderman Johnson submitted a letter from Dennis and Kay Eagleson, 3420 Chadwick Drive, requesting reimbursement for services from Roto-Rooter for sewer backup in their basement caused by a plugged water main. Referred to Legal Department.
8. Alderman Johnson submitted a Memorandum from Alderman Joe Sosnowski regarding the Redevelopment of the Lorden Building on South Main. Referred to Planning and Development Committee.
9. Alderman Thompson-Kelly submitted an e-mail from a constituent regarding neighbors playing loud music all hours of the night. Referred to the Police Department.
10. Alderman Thompson-Kelly submitted a Memorandum from herself regarding RFP for service of 9-1-1 Call-Taking/Dispatching and Emergency Medical Services (Ambulance Service). Referred to Finance and Personnel Committee.

11. Alderman Hervey submitted two (2) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.
12. Alderman Hervey opened a bid for Sale of Property at 617 Fisher Ave. from Josephine Varalli in the amount of \$560.00 Referred to Purchasing and Legal Departments.
13. Alderman Mark submitted a letter from Loren Heinzeroth, Heinzeroth Marketing Group, regarding her Challenge of Rezoning 411 Y Blvd. (Parking Lot) from R-2 to R-1. Referred to Community Development/Todd Cagnoni
14. Alderman Mark submitted a request from Margie Mullins, Winnebago County Clerk, regarding parking for judges of the General Election, requesting permission for barricades on parking lanes on Winnebago and Elm, Church and Elm and Court and Elm to allow for Primary Election Officials traffic only at the Winnebago County Administration Building on Tuesday, November 2, 2010 beginning at 5:00 pm. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Sosnowski absent).
15. Alderman Elyea submitted a request from Nancy Strain, Executive Director Board of Elections, requesting permission for flashing arrow sign to be placed on South 6<sup>th</sup> Street, parking lane in front of 301 S. 6<sup>th</sup> Street, on Tuesday, November 2, 2010 by 5:00 pm. Alderman Elyea moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Sosnowski absent).
16. Alderman Beck submitted a Memorandum from Julia Valdez, Director Human Resources, regarding upcoming special events:
  1. Four Door Filming (8) filming sessions on Saturdays and Sundays in October and November.

Referred to Code and Regulation Committee.
17. Alderman Beck submitted a Memorandum from Alderman Jacobson regarding amendment to hours for Sunday sales of liquor. Referred to Code and Regulation Committee.
18. Alderman Beck submitted a Memorandum from Ronald Schultz, City Attorney, regarding the Davis Junction Boundary Agreement. Referred to Code and Regulation Committee.

### **NEW COMMITTEE REPORTS**

#### **2010-341CR**

19. Alderman Hervey read a Finance and Personnel Committee Report recommending authorization for the Fire Chief to bid on a used pumper, not to exceed \$225,000. The funding source is DCEO Grant.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
 Nays: -0-  
 Absent: Sosnowski -1-

**2010-342CR**

20. Alderman Hervey read a Finance and Personnel Committee Report recommending the Award for Demolition of 227 Stewart Ave., 216 N. Henrietta, 2111 Mulberry, 1439 W. Jefferson St., and 933 S. 5<sup>th</sup> St. be made to the low bidders for each structure as shown on tabulation and summarized:

JD Mark	1439 W. Jefferson 933 S. 5 <sup>th</sup> St.	\$10,740 (NSP&CDBG) \$26,675 (CDBG)
KM Demolition	216 N. Henrietta	\$11,447 (CDBG)
G & G Construction	2111 Mulberry	\$14,400 (NSP)
Swinson Materials	227 Stewart Ave.	\$ 5,100 (NSP)

Funding source: NSP & CDBG Funds.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
 Nays: -0-  
 Absent: Sosnowski -1-

**2010- 343CR**

21. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Bituminous Material Supply be made to the low bidder, William Charles Construction, of Loves Park, Illinois for their total bid of \$32,760.00. The funding source is Private Sector Funds.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
 Nays: -0-  
 Absent: Sosnowski -1-

**2010-344CR**

22. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for City-Wide Street Repair #5 be made to the low bidder, Stenstrom Excavation, of Rockford, Illinois for their total bid of \$182,261.30. The funding source is Sales Tax.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Sosnowski -1-

**2010-345CR**

23. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of the Intergovernmental Agreement for City Police Services by and between the City of Rockford Police Dept. and Rockford School District No. 205.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Sosnowski -1-

24. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of October 12, 2010 in the amount of \$3,566,751.78. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Sosnowski -1-

25. Alderman Beck read a Code and Regulation Committee Report recommending the adoption of amendments to Chapter 105, Article II, Division 1 of the City of Rockford Code of Ordinances, repealing and replacing any previous ordinances, as attached hereto. The Legal Director is hereby instructed to prepare the appropriate Ordinance. LAID OVER.

26. Alderman Beck read a Code and Regulation Committee Report recommending the adoption of amendments to Chapter 105, Article II, Division 2 of the City of Rockford Code of Ordinances and the 2003 ICC International Building Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

27. Alderman Beck read a Code and Regulations Committee Report recommending the adoption of amendments to Chapter 105, Article II, Division 3 of the City of Rockford Code of Ordinances and the 2003 ICC International Residential Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
28. Alderman Beck read a Code and Regulations Committee Report recommending the adoption of amendments to Chapter 105, Article II, Division 4 of the City of Rockford Code of Ordinances and the 2003 ICC International Electrical Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
29. Alderman Beck read a Code and Regulation Committee Report recommending the adoption of amendments to Chapter 105, Article II, Division 5 of the City of Rockford Code of Ordinances and the 2003 ICC International Mechanical Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
30. Alderman Beck read a Code and Regulations Committee Report recommending the adoption of amendments to Chapter 105, Article II, Division 7 of the City of Rockford Code of Ordinances and the 2003 ICC International Property Maintenance Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
31. Alderman Beck read a Code and Regulations Committee Report recommending the adoption of amendments to Chapter 9, Article III, Division 2 of the City of Rockford Code of Ordinances and the 2003 ICC International Fire Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
32. Alderman Beck read a Code and Regulations Committee Report recommending the adoption of amendments to Chapter 105 of the City of Rockford Code of Ordinances and the 2009 ICC International Existing Building Code, as amended, repealing and replacing any previous ordinances, hereby begs leave to report recommending the adoption of said amendments, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
33. Alderman Beck read a Code and Regulations Committee Report recommending the adoption of amendments to Chapter 105 of the City of Rockford Code of Ordinances and the 2009 ICC International Fuel/Gas Code, as amended, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
34. Alderman Beck read a Code and Regulations Committee Report recommending the adoption of amendments to Chapter 105 of the City of Rockford Code of Ordinances and the 2009 ICC International Energy Conservation Guide, as amended, repealing and replacing any previous ordinances, hereby begs leave to report recommending the

adoption of said amendments, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

35. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending that the City Council approve the attached agreement for \$14,028 in grant assistance to The Literacy Council to provide English as a Second Language (ESL) instruction via the Healthy Neighborhoods Grant Program. The funding recommendation will enable The Literacy Council to serve approximately 75 low-income residents. LAID OVER.
36. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending that the City Council approve the attached agreement for \$27,000 in grant assistance to Rockford Youth Initiative to provide continuation of educational activities for youth via the Healthy Neighborhoods Grant Program. The funding recommendation will enable Rockford Youth Initiative to serve approximately 750 low/mod-income residents. LAID OVER.
37. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending that the City Council approve the attached agreement for \$22,500 in grant assistance to Winnebago County Health Department to continue the Weed n Seed program which provides academic assistance to youth and case management to adults via the Healthy Neighborhoods Grant Program. The funding recommendation will serve approximately 210 low-income residents. LAID OVER.
38. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending that the City Council approve the attached agreement for \$26,472 in grant assistance to Children's Home and Aid to provide assistance in expansion of crises nursery via the Healthy Neighborhoods Grant Program. The funding recommendation will enable Children's Home and Aid to serve approximately 700 low-income residents. LAID OVER.
39. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending approval of the addition of four eligible residential TIF Districts and any future residential TIF Districts to the Tax Incentive Program. The four presently eligible TIFs are the Expanded Mid-town District, River District North, Broadway, East River, and Assisted Living/River Housing. LAID OVER.

#### **OFFICERS REPORTS**

40. Mayor Morrissey thanked the aldermen and community members for participating in the day trip to Daytona, Florida on Saturday to advocate and support Rockford's efforts to bring the Embry Riddle Aeronautical University Campus to Rockford.
41. Mayor Morrissey reported Governor Quinn was in Rockford last Friday to announce the award of \$8 million to Rockford for the River Edge Program and the opportunities within the \$8 million commitment for a potential Embry Riddle Aeronautical Campus.

42. Mayor Morrissey announced the Finance and Personnel Committee Meeting of the Whole will be held on Saturday, October 16, 2010 at 8:30 am to 12:00 (noon) in Council Chambers, City Hall, to discuss budget finance issues.
43. Mayor Morrissey announced the next RockStat meeting will be held on Thursday, October 14th at 9:00 am at Heartland Church.
44. Alderman Wasco presented Mayor Morrissey with an Embry Riddle T-Shirt on behalf of the Realtors and commended the Rockford Area Association of Realtors and members of the Illinois Association of Realtors who were present at the news conference offering their support of Rockford's efforts to bring Embry Riddle Aeronautical University here.
45. Alderman Thompson-Kelly commented after reviewing the Finance and Personnel Meeting of the Whole agenda she was concerned time was not allotted for the aldermen's questions and suggestions.

Alderman Hervey noted after each department's presentation, questions and concerns may be discussed.

46. Alderman Jacobson reported the day trip to Daytona on Saturday was very educational and impressive, touring the campus and learning about all Embry Riddle Aeronautical University has to offer its students and community. He applauded the efforts of those participating in the trip to advocate for Rockford as Embry Riddle's next campus location.
47. Alderman McNeely announced the Rockford School District will be holding a meeting on October 14<sup>th</sup> at the Auburn Freshman Campus to discuss neighborhood schools. She encouraged everyone to attend.
48. Alderman Beach reported the Stanley Cup Trophy was in Rockford at the Ice Hogs game on Sunday afternoon at the Metro Centre, won by the Chicago Blackhawks this year
49. Alderman Beach urged the aldermen to review the general fund revenue and expense page in your finance summary book before attending the budget meeting on Saturday.
50. Alderman Hervey also urged the alderman to review the budget book and be prepared to make some very serious decisions at Saturday's meeting.

### **UNFINISHED BUSINESS**

#### **2010- 346CR**

51. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending that the property at 424 Buckbee be acquired for the Morgan Street Bridge project for a price of \$225,000 plus relocation costs not to exceed \$125,000 with the property to be leased back to the owner at no cost to the City for up to two years as relocation is completed. The Mayor and Legal Director are authorized to execute the documents necessary to complete the transaction on the terms agreed with the owner. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: McNeely -1-  
Absent: Sosnowski -1-

**2010-347CR**

52. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a gas station and mini-mart in the names of **Devendra Patel and Bajjesh Patel d/b/a BP Gas Station**, in a C-3, General Commercial Zoning District at 4477 Linden Road. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcohol shall be limited to the interior of the convenience store that was submitted.
4. The hours of operation for liquor sales will be limited to 6:00 am to 2:00 am Monday through Saturday.
5. The hours of operation for liquor sales will be limited to 11:00 am to 12:00 (midnight) Sunday.
6. The sale of cigarettes shall be limited to by the package or by the carton and shall not be sold on an individual basis.
7. The sale of alcohol shall not exceed 30% of sales.
8. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.

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

Ayes: Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Elyea, Beck, McNeely, Robertson -10-  
Nays: Curran, Timm, Beach -3-  
Absent: Sosnowski -1-

**2010-348CR**

53. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for sale of liquor by the drink in conjunction with a banquet hall, special events, and dance club in the name of **Nancy M. Macias d/b/a San Jose Cultural Center, LTD.**, in a C-2, Limited Commercial Zoning District at 3780 East State Street. Approval is subject to the following conditions:

1. Hours of operation shall be limited to 8:00 pm to 2:00 am Wednesday through Saturday and Sunday 12:00 pm to 12:00 am (midnight).
2. Security shall be provided at a minimum of 1 per 50 patrons. Servers shall be BASSETT Certified.



3. The business shall operate according to the submitted business and security plans.
4. The business shall maintain a parking agreement with the adjacent property for a minimum of 50 parking spaces or Modification of Special Use Permit approved by City Council.
5. The property shall maintain a maximum capacity of 450 people unless reduced as determined by the Fire Department.
6. The interior layout of the business shall be consistent with the submitted site plan Exhibit K.
7. All applicable building and liquor codes shall apply.
8. The business shall operate in conformance with the submitted dress code.
9. The use of the property shall not detrimentally affect the surrounding neighborhood and business or unduly burden the City of Rockford.
10. The business shall provide parking lot patrol and security during hours of operation and until the parking lot is cleared of all patrons.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Elyea, McNeely, Robertson -10-  
 Nays: Timm, Beach, Beck -3-  
 Absent: Sosnowski -1-

**2010-349CR**

54. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals recommending that City Council APPROVE the Renewal of Special Use Permit #054-08 for an auto salvage or recycling center in an I-2, General Industrial Zoning District at 371 Blackhawk Park Avenue. Approval is subject to the following conditions as applied to the original Special Use Permit.
  1. Meeting all Building and Fire Codes.
  2. Submittal of Building Permits for Staff review and approval.
  3. Submittal of Engineered drawings for Staff's review and approval.
  4. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
  5. The site is limited to the storage of vehicles and shall not allow the dismantling of vehicles on site.
  6. The fencing along Blackhawk Park Avenue (north side), Seminary Street (west side), and the first one hundred (100) feet of the south boundary should be eight (8) feet high solid wood staggered every one hundred (100) to one hundred twenty-five (125) feet as proposed by the applicant fencing.
  7. The surface has to be covered in Recycled Asphalt Product (RAP) and stone as per the final approved plan by Staff.
  8. All conditions must be met prior to establishment of use.
  9. That the property shall conform to state and Federal EPA regulations.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Sosnowski -1-

**2010-350CR**

55. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a private practice and therapy office with owner and one other therapist in an R-2, Two-family Residential District and the Arts and Cultural District Overlay at 514 Prairie Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. The use of the property is limited to therapy.
3. Signage must be in compliance with the Arts and Cultural District.
4. Approval of a building permit for a change of use.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Sosnowski -1-

**2010-351CR**

56. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to maximum sign size and APPROVE the Variation to maximum sign height to permit signage in accordance with submitted design in an I-1, Light Industrial / Business Park District at 2685 Sandhutton Avenue. Approval is subject to the following conditions:

1. Must be constructed in accordance with Exhibit D.
2. The freestanding sign must be landscaped in accordance with Section 1403.5
3. The free-standing sign must meet the required setbacks.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Sosnowski -1-

Alderman Beach exited the meeting at 7:18 to attend a Neighborhood Meeting.

**2010-352CR**

57. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the awards for the Emergency Solutions Grant Program be made to the agencies listed below:

Prairie State Legal Services	\$15,783
Salvation Army	\$22,618
Children's Home & Aid	\$10,414
Shelter Care Ministries	\$39,797
City Administrative Allocation	\$ 3,453

Total of \$92,065.

The funding source is Emergency Solutions Grant. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Sosnowski, Beach -2-

**2010-353CR**

58. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the Intergovernmental Agreement: Pierpont Avenue Resurfacing with Rockford Township and Neblock, Inc. The Intergovernmental Agreement specifies the cost sharing agreement for the project. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Sosnowski, Beach -2-

**MOTIONS AND RESOLUTIONS**

**2010-150R**

59. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a Special Event Permit for Rock River Development Corporation for the Levson Square Center Open Market on May 14, 2011 from 11:00 am to 4:00 pm at 519-525 Marchesano Drive. MOTION PREVAILED (Ald. Sosnowski, Beach absent).

**2010-151R**

1. Alderman Thompson-Kelly, on behalf of the Planning and Development Committee, moved the adoption of a Resolution that the City of Rockford:

- a. Supports the United States Environmental Protection Agency Brownfields Assessment Grant Program and Cleanup Grant Program and recognizes the importance of the United States Environmental Protection Agency's assistance to compliment local investment in these Redevelopment efforts.
- b. Authorizes staff of the Department of Community Development to make application to the United States Environmental Protection Agency for the Community-wide Brownfields Assessment Grant Program for up to \$400,000 Federal Share and the Site-Specific Assessment Grant for up to \$200,000 for the North Madison Street area. (There is no local match required for these assessment grants)
- c. Authorizes staff of the Department of Community Development to make 3 applications to the United States Environmental Protection Agency for the Brownfields Cleanup Grant Program for up to \$200,000 total Federal Share for each grant for the following sites: the Depot Site, the Lorden/ Eclipse Site and the Amerock Site. (The 20% local match of up to \$40,000 for each grant would be in the form of labor, material and other services provided by the City from non-federal sources).

MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Elyea, Beck, Robertson -11-  
 Nays: McNeely -1-  
 Absent: Sosnowski, Beach -2-

**2010-152R**

- 61. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that the estimated revenue and budgeted appropriation as reported in the City's Comprehensive Annual Financial Report for the year ended December 31, 2010 be in accordance with the Statements and Interpretations as promulgated by the Governmental Accounting Standards Board. MOTION PREVAILED (Ald. Sosnowski, Beach absent).
- 62. Alderman Mark, on behalf of Alderman Sosnowski, made a motion to suspend Rule 15 in order to place the matter of retention of Sikich, LLP on the Agenda for the October 18, 2010 City Council Meeting, seconded by Alderman Wasco. MOTION FAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Jacobson, Johnson, Timm, Beck, Robertson -8-  
 Nays: Hervey, Thompson-Kelly, Elyea, McNeely -4-  
 Absent: Sosnowski, Beach -2-

Alderman Thompson-Kelly made a motion to reconsider, seconded by Alderman Curran. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Jacobson, Johnson, Timm, Beck, Robertson -8-

Nays: Hervey, Thompson-Kelly, Elyea, McNeely -4-  
Absent: Sosnowski, Beach -2-

The motion to suspend Rule 15 in order to place the matter of retention of Sikich, LLP on the Agenda for the October 18, 2010 City Council Meeting was placed up for passage. MOTION FAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Jacobson, Johnson, Timm, Beck, Robertson -8-  
Nays: Hervey, Thompson-Kelly, Elyea, McNeely -4-  
Absent: Sosnowski, Beach -2-

### **OFFICERS REPORTS**

63. Alderman Beck announced the Republican Caucus will be meeting at Deli Italia on East State Street tonight.

### **NEW BUSINESS**

64. Alderman Beck introduced and read an Ordinance that the Mayor and Legal Director are hereby authorized to execute the amendments to Chapter 17, Article 2 of the City of Rockford Code of Ordinances. LAID OVER.
65. Alderman Hervey introduced and read an Ordinance for the Intergovernmental Cooperation Agreement between the Township of Rockford, the City of Rockford, and Neblock, Inc. for the Construction of Improvements for Pierpont Ave. from Cunningham Rd. to Liberty St. be approved and the Mayor and Legal Director be authorized to execute the same. LAID OVER.

### **2010-109-O**

66. Alderman Hervey introduced and read an Ordinance for the Intergovernmental Agreement for City Police Services be approved and the Mayor and Legal Director be authorized to execute the same.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Sosnowski, Beach absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Sosnowski, Beach -2-

67. Upon motion duly made and seconded, the meeting was adjourned at 7:46 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**  
**October 18, 2010**  
**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
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

**I. NEW COMMITTEE REPORTS TO BE READ IN OCTOBER 18, 2010**

**A. CODE AND REGULATIONS**

1. Beck - Davis Junction Boundary Agreement
- Officers Reports
  - Unfinished Business of previous meeting

**UNFINISHED BUSINESS**

**II. COMMITTEE REPORTS LAID OVER SEPTEMBER 12, 2010**

1. Beck - Code and Regulation - Recommending the adoption of amendments to Chapter 105, Article II, Division 1 of the City of Rockford Code of Ordinances, repealing and replacing any previous ordinances, as attached hereto. The Legal Director is hereby instructed to prepare the appropriate Ordinance.
2. Beck - Code and Regulation - Recommending the adoption of amendments to Chapter 105, Article II, Division 2 of the City of Rockford Code of Ordinances and the 2003 ICC International Building Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance.
3. Beck - Code and Regulations - Recommending the adoption of amendments to Chapter 105, Article II, Division 3 of the City of Rockford Code of Ordinances and the 2003 ICC International Residential Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance.

4. Beck - Code and Regulations - Recommending the adoption of amendments to Chapter 105, Article II, Division 4 of the City of Rockford Code of Ordinances and the 2003 ICC International Electrical Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance.
5. Beck - Code and Regulation - Recommending the adoption of amendments to Chapter 105, Article II, Division 5 of the City of Rockford Code of Ordinances and the 2003 ICC International Mechanical Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
6. Beck - Code and Regulations - Recommending the adoption of amendments to Chapter 105, Article II, Division 7 of the City of Rockford Code of Ordinances and the 2003 ICC International Property Maintenance Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance.
7. Beck - Code and Regulations - Recommending the adoption of amendments to Chapter 9, Article III, Division 2 of the City of Rockford Code of Ordinances and the 2003 ICC International Fire Code, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance.
8. Beck - Code and Regulations - Recommending the adoption of amendments to Chapter 105 of the City of Rockford Code of Ordinances and the 2009 ICC International Existing Building Code, as amended, repealing and replacing any previous ordinances, hereby begs leave to report recommending the adoption of said amendments, as attached hereto. The Legal Director shall prepare the appropriate ordinance.
9. Beck - Code and Regulations - Recommending the adoption of amendments to Chapter 105 of the City of Rockford Code of Ordinances and the 2009 ICC International Fuel/Gas Code, as amended, repealing and replacing any previous ordinances, as attached hereto. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
10. Beck - Code and Regulations - Recommending the adoption of amendments to Chapter 105 of the City of Rockford Code of Ordinances and the 2009 ICC International Energy Conservation Guide, as amended, repealing and replacing any previous ordinances, hereby begs leave to report recommending the adoption of said amendments, as attached hereto. The Legal Director shall prepare the appropriate ordinance.
11. Thompson-Kelly - Planning and Development - Recommending that the City Council approve the attached agreement for \$14,028 in grant assistance to The Literacy Council to provide English as a Second Language (ESL) instruction via the Healthy Neighborhoods Grant Program. The funding recommendation will enable The Literacy Council to serve approximately 75 low-income residents.
12. Thompson-Kelly - Planning and Development - Recommending that the City Council approve the attached agreement for \$27,000 in grant assistance to Rockford Youth



Initiative to provide continuation of educational activities for youth via the Healthy Neighborhoods Grant Program. The funding recommendation will enable Rockford Youth Initiative to serve approximately 750 low/mod-income residents.

13. Thompson-Kelly - Planning and Development - Recommending that the City Council approve the attached agreement for \$22,500 in grant assistance to Winnebago County Health Department to continue the Weed n Seed program which provides academic assistance to youth and case management to adults via the Healthy Neighborhoods Grant Program. The funding recommendation will serve approximately 210 low-income residents.
14. Thompson-Kelly - Planning and Development - Recommending that the City Council approve the attached agreement for \$26,472 in grant assistance to Children's Home and Aid to provide assistance in expansion of crises nursery via the Healthy Neighborhoods Grant Program. The funding recommendation will enable Children's Home and Aid to serve approximately 700 low-income residents.
15. Thompson-Kelly - Planning and Development - Recommending approval of the addition of four eligible residential TIF Districts and any future residential TIF Districts to the Tax Incentive Program. The four presently eligible TIFs are the Expanded Mid-town District, River District North, Broadway, East River, and Assisted Living/River Housing.

### **III. ORDINANCES LAID OVER OCTOBER 12, 2010**

1. Beck - Ordinance - That the Mayor and Legal Director are hereby authorized to execute the amendments to Chapter 17, Article 2 of the City of Rockford Code of Ordinances.
2. Hervey - Ordinance - For the Intergovernmental Cooperation Agreement between the Township of Rockford, the City of Rockford, and Neblock, Inc. for the Construction of Improvements for Pierpont Ave. from Cunningham Rd. to Liberty St. be approved and the Mayor and Legal Director be authorized to execute the same.

- Motions and Resolutions

### **IV. MOTION AND RESOLUTIONS READ IN OCTOBER 18, 2010**

1. Beck - Four Door Filming (8) filming sessions on Saturdays and Sundays in October and November.

### **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. Beck – Ordinance – For the approval the sale of packaged liquor in conjunction with a gas station and mini-mart in the names of **Devendra Patel and Baijesh Patel d/b/a BP Gas Station**, in a C-3, General Commercial Zoning District at 4477 Linden Road. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
  2. Compliance with all City of Rockford Liquor Codes.
  3. The sale of alcohol shall be limited to the interior of the convenience store that was submitted.
  4. The hours of operation for liquor sales will be limited to 6:00 am to 2:00 am Monday through Saturday.
  5. The hours of operation for liquor sales will be limited to 11:00 am to 12:00 (midnight) Sunday.
  6. The sale of cigarettes shall be limited to by the package or by the carton and shall not be sold on an individual basis.
  7. The sale of alcohol shall not exceed 30% of sales.
  8. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.
2. Beck – Ordinance – For the approval the sale of liquor by the drink in conjunction with a banquet hall, special events, and dance club in the name of **Nancy M. Macias d/b/a San Jose Cultural Center, LTD.**, in a C-2, Limited Commercial Zoning District at 3780 East State Street. Approval is subject to the following conditions:
1. Hours of operation shall be limited to 8:00 pm to 2:00 am Wednesday through Saturday and Sunday 12:00 pm to 12:00 am (midnight).
  2. Security shall be provided at a minimum of 1 per 50 patrons. Servers shall be BASSETT Certified.
  3. The business shall operate according to the submitted business and security plans.
  4. The business shall maintain a parking agreement with the adjacent property for a minimum of 50 parking spaces or Modification of Special Use Permit approved by City Council.
  5. The property shall maintain a maximum capacity of 450 people unless reduced as determined by the Fire Department.
  6. The interior layout of the business shall be consistent with the submitted site plan Exhibit K.
  7. All applicable building and liquor codes shall apply.
  8. The business shall operate in conformance with the submitted dress code.
  9. The use of the property shall not detrimentally affect the surrounding neighborhood and business or unduly burden the City of Rockford.
  10. The business shall provide parking lot patrol and security during hours of operation and until the parking lot is cleared of all patrons.
3. Beck – Ordinance – For approval of the Renewal of Special Use Permit #054-08 for an auto salvage or recycling center in an I-2, General Industrial Zoning District at 371 Blackhawk Park Avenue. Approval is subject to the following conditions as applied to the original Special Use Permit.
1. Meeting all Building and Fire Codes.
  2. Submittal of Building Permits for Staff review and approval.
  3. Submittal of Engineered drawings for Staff's review and approval.
  4. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.

5. The site is limited to the storage of vehicles and shall not allow the dismantling of vehicles on site.
  6. The fencing along Blackhawk Park Avenue (north side), Seminary Street (west side), and the first one hundred (100) feet of the south boundary should be eight (8) feet high solid wood staggered every one hundred (100) to one hundred twenty-five (125) feet as proposed by the applicant fencing.
  7. The surface has to be covered in Recycled Asphalt Product (RAP) and stone as per the final approved plan by Staff.
  8. All conditions must be met prior to establishment of use.
  9. That the property shall conform to state and Federal EPA regulations.
4. Beck – Ordinance – For approval of the Special Use Permit for a private practice and therapy office with owner and one other therapist in an R-2, Two-family Residential District and the Arts and Cultural District Overlay at 514 Prairie Street. Approval is subject to the following conditions:
1. Meeting all applicable building and fire codes.
  2. The use of the property is limited to therapy.
  3. Signage must be in compliance with the Arts and Cultural District.
  4. Approval of a building permit for a change of use.
5. Beck – Ordinance – For approval of the Variation to maximum sign size and approval of the Variation to maximum sign height to permit signage in accordance with submitted design in an I-1, Light Industrial / Business Park District at 2685 Sandhutton Avenue. Approval is subject to the following conditions:
1. Must be constructed in accordance with Exhibit D.
  2. The freestanding sign must be landscaped in accordance with Section 1403.5
  3. The free-standing sign must meet the required setbacks.
- \* 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 18, 2010, 4:45 p.m.**

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

**AGENDA**

1. C & R 10-160            Four Door Filming (8) filming sessions on Saturdays & Sundays in October & November
2. C & R 10-158            Amendment to hours for Sunday sales of liquor
3. C & R 10-159            Davis Junction Boundary Agreement
4. C & R 10-157            Closed Session for Purposes of Pending Litigation and/or Land Acquisition or Sale

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, October 18, 2010, 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: City-Wide Alley Reconstruction – 2010 (2) Suspend rules
  - B. Resolution to take Bids
  - C. Vouchers

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, October 18, 2010, 5:30 p.m.**

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

**AGENDA**

1. Memorandum from Dwayne Collins, Grants Compliance Specialist, regarding 2011 Draft Action Plan – CDBG, Home, and Emergency Shelter Grants Program.
2. Memorandum from Alderman Sosnowski, 1<sup>st</sup> Ward Alderman, regarding publishing a RFP for the Redevelopment of the former Lorden Building on South Main for commercial or residential use.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, October 18, 2010, \_\_\_\_\_ p.m.**

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

**AGENDA**

No Meeting Scheduled

**FINANCE AND PERSONNEL MEETING OF THE WHOLE**  
**Saturday, October 16, 2010, 8:30 am – 12:00 (noon)**  
**City Council Chambers, City Hall 2<sup>nd</sup> floor**  
**AGENDA**

8:40-9:00 a.m.      2011 Budget Overview

9:15-9:25 a.m.      Mayors Office

9:30-9:40 a.m.      Legal Department

9:45-10:00 a.m.     Public Works Department

10:05-10:15 a.m.    Finance Department

10:20-10:35 a.m.    Break

10:35-10:45 a.m.    CD

10:50-11:00 a.m.    Human Resources

11:05-11:20 a.m.    Police

11:25-11:45 a.m.    Fire

Discussion Format is as follows:

- Current staffing level, how that has changed over the last few fiscal years
- Increases in departmental budget; where increases have occurred, explanation of why/how the cost of maintaining service levels is increasing
- Review of deficit plan for the department