

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
JANUARY 19, 2010
COUNCIL CONVENED AT 6:13 P.M.**

1. The invocation was given by Pastor Samuel Sarpiva, Rockford Community Church/Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Absent: -0-
3. Alderman Mark moved to accept the Journal of Proceedings of January 11, 2010, seconded by Alderman Jacobson. MOTION PREVAILED.

PUBLIC PARTICIPATION

4. Pastor Kenneth Board expressed his concern with the negative impact it would have to the Rockford community to legalize video gambling.
5. Prophet Yusef suggested the way to revitalize the Rockford economy is through manufacturing.
6. Bob Parvin spoke in support of legalizing video gambling.
7. Doc Slafkosky lauded all those involved with the opening of Main Street downtown and the positive impact on the businesses located there.
8. Tom Dal Santo urged the aldermen to vote in support of legalizing video gambling which would bring funding for capital improvement projects.

PETITIONS AND COMMUNICATIONS

9. Alderman Thompson-Kelly requested Pastor Kenneth Board lead Council in a pray for the victim's of the Haiti Earthquake.
10. Alderman Thompson-Kelly submitted a letter from Sharon Wegler, Site Coordinator for Ellis Heights Weed & Seed, inviting everyone to an Open House at the United Neighborhood Center, 1810 W. State Street on Saturday, January 23rd from 1:00 pm to 3:00 pm. Referred to Mayor Morrissey's Office.
11. Alderman Jacobson submitted a request from Glen Greenberg/Professional Accounting & Tax Service, requesting a temporary inflatable balloon sign 18' high to be installed on roof of building for three (3) weeks, January 25, 2010 to February 15, 2010 at 2955 11th

Street. Alderman Jacobson moved to grant the Prayer of the Petitioner, seconded by Alderman Hervey. MOTION PREVAILED.

12. Alderman Johnson submitted a request for service to install a crosswalk at 20th Street and Broadway. Referred to Public Works/Traffic.
13. Alderman Johnson submitted an e-mail from a constituent concerning drug activity in her neighborhood. Referred to the Police Department.
14. Alderman Beach submitted two (2) e-mails opposing video gambling in the City of Rockford. Referred to Mayor Morrissey's Office.
15. Alderman Beach read a Memorandum from Jon Hollander, City Engineer, regarding the Intergovernmental Agreement for Traffic Signal Maintenance. Referred to Finance and Personnel Committee.
16. Alderman Beach read a Memorandum from Karen Elyea, Alderwoman 11th Ward, regarding the proposed ordinance prohibiting passage to and from a health care facility-engaging in prohibited activities near facility. Referred to Code and Regulation Committee.
17. Alderman Sosnowski submitted a Memorandum from Alderman Doug Mark, regarding Release of Lien East Side Center. Referred to Planning and Development Committee.
18. Alderman Sosnowski submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding South Main Rail Yards. Referred to Planning and Development Committee.

NEW COMMITTEE REPORTS

19. Alderman Beach read a Code and Regulation recommending the approval of the annexation of 1120 Simpson Road. LAID OVER.
20. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the attached amendment to Section 23-150 of the Rockford Code of Ordinances regarding the records required to dealers in second hand goods. The Legal Director shall prepare the necessary Ordinance. LAID OVER.
21. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of vouchers for the week of January 19, 2010 in the amount of \$2,913,776.01. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

OFFICERS REPORTS

22. Mayor Morrissey presented a Proclamation proclaiming the week of January 19, 2010 to be "VOTE FOR PHANTOM REGIMENT WEEK" in the Rockford, Illinois and urged all citizens to support and vote for the Phantom Regiment in Round Two of the Chase Community Giving at www.regiment.org.
23. Mayor Morrissey expressed condolences to those who have lost loved ones from the devastating earthquake in Haiti and reminded everyone of our "friendship city" relationship with a village in Haiti named Rockford. He offered continued support from the City of Rockford and thanked the citizens and faith based organizations for their contributions to Haiti relief.
24. Mayor Morrissey thanked all the organizations involved in celebrating the Martin Luther King holiday.
25. Mayor Morrissey mentioned tomorrow night is the Annual Chamber of Commerce dinner at Giovanni's Restaurant from 5:00 pm to 8:00 pm with a reception following.
26. Mayor Morrissey mentioned part II of the budget retreat is scheduled for Saturday, January 23rd beginning at 9:00 am in Council Chambers. Any thoughts, concerns or questions to be included for discussion on Saturday may be directed to staff in his absence. He has been invited to participate at the U.S. Conference of Mayors, all expenses paid by the Mayors Information Project, this Thursday and Friday.
27. Alderman Robertson commended John Holmstrom and his group for their excellent report recommending a hotel and convention center downtown. He announced he will be unavailable to attend part II of the budget retreat on Saturday.
28. Alderman Robertson described the numerous callers he spoke with regarding video gambling as very polite, passionate on their views, both pro and con, and concerned about the impact on this community.
29. Alderman Johnson thanked Fire Chief Bergsten and Joan Sage, Comcast, for their participation at the Rolling Green Neighborhood Association quarterly meeting last week. She announced the next quarterly meeting will be held in April.
30. Alderman Johnson thanked Deputy Chief Lindmark and Sgt. Redmond for keeping her informed over the weekend of the several burglaries in the Rolling Green area. She encouraged her constituents to keep their doors locked and lights on.
31. Alderman Johnson expressed her concerns that City staff has suggested placing volunteer firemen on our City Fire Trucks.
- 31a. Alderman Johnson made a motion to allow E.J. Dilonardo, Union President Local 413 Firefighters, to address Council regarding this issue, seconded by Alderman Jacobson. MOTION PREVAILED.

E.J. Dilonardo reported it would be against the law to allow volunteer firemen on a Fire Department that is covered by a collective bargaining agreement.

32. Alderman Thompson-Kelly thanked the numerous callers for their concerns, both pro and con, regarding the video gambling issue.
33. Alderman Thompson-Kelly expressed disappointment with the recruiting efforts by the Rockford Fire Department in the minority community.
34. Alderman Thompson-Kelly requested Jim Ryan, City Administrator, contact her regarding questions and concerns before the budget retreat this Saturday.

UNFINISHED BUSINESS

2010-013CR

35. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of Task Order #34 with McMahon Associates, Inc. for the Programming of Control Systems for Wells U05 and U13 in an amount not to exceed \$2,000. The task order will be completed under a Master Agreement with McMahon Associates, Inc. Funding for the project will come from IEPA funding and \$25 million G.O. Limited Tax Debt Certificates, Series 2008. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2010-014CR

36. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of Task Order #35 with McMahon Associates, Inc. for the Programming of Control Systems for Well U36 in an amount not to exceed \$34,000. The task order will be completed under a Master Agreement with McMahon Associates, Inc. Funding for the project will come from IEPA funding and \$25 million G.O. Limited Tax Debt Certificates, Series 2008. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2010-015CR

37. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending that the tax levied under the Bond issues referred to on the attached sheet be abated in the amounts as indicated. The Legal Director is hereby authorized to prepare the required Abatement Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2010-016CR

38. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending a need for confidentiality for the following closed session minutes, as the cases and matters are still pending:

11/5/07, 11/13/07, 4/28/08, 10/20/08, 12/15/08 and 2/25/09 and 9/21/09

The following Closed Session Minutes related to labor negotiations will not be included in future committee reports: NONE

But that the minutes for session on the following dates be open to the Public: NONE

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

Alderman McNeely exited the meeting at 7:27 pm.

2010-017CR

39. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the Boundary Agreement between the City of Machesney Park Village and the City of Rockford. MOTION PREVAILED by a Roll Call vote of:

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

40. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the City of Rockford take NO ACTION to Opt Out of Video Gambling pursuant to Section 27 of the Video Gaming Act. LAID OVER.

Alderman Beach made a motion to lay the committee report over, seconded by Alderman McNeely.

2010-018CR

41. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the amendments to Article V, Alarm System of the City of Rockford Code of Ordinances. MOTION PREVAILED by a Roll Call vote of:

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

2010-004-O

42. Alderman Beach moved the adoption of an Ordinance that the Mayor and Legal Director execute the agreement with Kentucky Data Link (KDL) to install fiber optic lines in the right-of-way. MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2010-003R

43. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that the Central Services Manager is authorized to take bids for the following:

A. Bid: Demolition of 1326 Chestnut Street, funding source: CDBG.

MOTION PREVAILED by a Roll Call vote of:

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

2010-004R

44. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that the City approve an Agreement between the City of Rockford and the State of Illinois Department of Transportation for improvements on Illinois Route 2 North Main Street, FAP Route 734, State Section 78RS-3, City Section 09-00871-00RS in the City of Rockford, Winnebago County, Illinois. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

45. Alderman Mark commented he would be reading in a Resolution at next week's meeting regarding video gambling.

NEW BUSINESS

46. Alderman Wasco introduced and read an Ordinance directing the application of pledged revenues and other moneys in Bond Funds and Escrow Bond Funds of Various Bond Ordinances for the Payment of Principal and Interest on the Bonds issued pursuant to said Ordinances. LAID OVER.
47. Alderman Beach introduced and read an Ordinance amending Article 62, and Article 64 of the Zoning Ordinances of the City of Rockford for a Zoning Map Amendment from R-2, Two-family Residential District to C-1, Limited Office District; and a Variation to reduce the required parking from 140 parking spaces to 26 parking spaces in a C-1, Limited Office Zoning District at 758 North Second Street. Approval is subject to the following conditions:
1. Meeting all applicable Building and Fire Codes.
 2. Submittal of landscaping plan including required landscape buffers for Staff's review and approval.
 3. The building shall not be leased or rented for non-union related parties and any other activity as indicated within Exhibit E.
 4. If the property is sold, future uses of the property would need to be evaluated for compliance of parking.
 5. That the property develop in general conformance with the submitted site plan and building elevation.
 6. That the alley is improved adjacent to the property as part of the development.

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

48. Alderman Beach introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to increase the front yard fence height from maximum allowed 4 feet to 5 feet 10 inches along 20th Street in an R-1, Single-family Zoning District at 2341 17th Avenue.

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

49. Alderman Beach introduced and read an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a church and church related services; and a Variation to reduce the required yard setback from 30 feet to 12 feet 8 inches; and a Variation to increase the Maximum Impervious Surface Ratio from 40% to 60% in an R-1, Single-family Residential Zoning District at 5xx and 702 Cambridge Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a revised Landscaping Plan and Illumination Plan for Staff review and approval prior to Zoning Clearance of a building permit.
3. Submittal of a Building permit for Staff review and approval.
4. Site must develop in accordance with Exhibit D.

Approval is subject to the Findings of Fact. LAID OVER.

50. Alderman Beach introduced and read an Ordinance amending Section 23-150 of the Code of Ordinances of the City of Rockford regarding records required of dealers in second hand goods. LAID OVER.
51. Alderman Wasco moved to go into closed session for purposes of reviewing City Council closed session minutes, seconded by Alderman Mark. MOTION PREVAILED by a Roll Call vote of:
- Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -13-
- Nays: -0-
- Absent: McNeely -1-

The meeting went into closed session at 7:32 p.m.

The meeting returned to open session at 7:36 p.m. and found the following alderman present:

Alderman Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson – 13-

MOTION AND RESOLUTIONS

52. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that the Closed Session Minutes of the City Council of the City of Rockford for sessions on the following dates be open to the public, pursuant to Section 2.06 of the Open Meetings Act:

None

The following Closed Session Minutes related to labor negotiations will not be included in future Resolutions:

August 17, 2009	September 8, 2009	September 14, 2009
September 21, 2009	January 4, 2010	

The need for confidentiality still exists for the closed session minutes for the following dates:

November 2, 1998	November 5, 2007	January 20, 2009
November 9, 1998	November 13, 2007	April 6, 2009
October 25, 2004	March 3, 2008	April 20, 2009
February 21, 2006	March 17, 2008	July 13, 2009
September 11, 2006	May 12, 2008	December 14, 2009
February 5, 2007	November 5, 2008	September 24, 2007
January 5, 2009		

LAID OVER.

53. Upon motion duly made and seconded, the meeting was adjourned at 7:38 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
January 25, 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 JANUARY 25, 2010

A. CODE AND REGULATIONS

1.

- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER JANUARY 19, 2010

1. Beach - Code and Regulation - Annexation of 1120 Simpson Road.
2. Beach - Code and Regulation - Amendment to Section 23-150 of the Rockford Code of Ordinances regarding the records required to dealers in second hand goods. The Legal Director shall prepare the necessary Ordinance.
3. Beach - Code and Regulation - Recommending that the City of Rockford take NO ACTION to Opt Out of Video Gambling pursuant to Section 27 of the Video Gaming Act.

III. ORDINANCES LAID OVER JANUARY 19, 2010

1. Alderman Wasco introduced and read an Ordinance directing the application of pledged revenues and other moneys in Bond Funds and Escrow Bond Funds of Various Bond

Ordinances for the Payment of Principal and Interest on the Bonds issued pursuant to said Ordinances. LAID OVER.

2. Beach - Ordinance - Amending Article 62, and Article 64 of the Zoning Ordinances of the City of Rockford for a Zoning Map Amendment from R-2, Two-family Residential District to C-1, Limited Office District; and a Variation to reduce the required parking from 140 parking spaces to 26 parking spaces in a C-1, Limited Office Zoning District at 758 North Second Street. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Submittal of landscaping plan including required landscape buffers for Staff's review and approval.
 3. The building shall not be leased or rented for non-union related parties and any other activity as indicated within Exhibit E.
 4. If the property is sold, future uses of the property would need to be evaluated for compliance of parking.
 5. That the property develop in general conformance with the submitted site plan and building elevation.
 6. That the alley is improved adjacent to the property as part of the development.

Approval is based on the Findings of Fact.

3. Beach - Ordinance - Amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to increase the front yard fence height from maximum allowed 4 feet to 5 feet 10 inches along 20th Street in an R-1, Single-family Zoning District at 2341 17th Avenue.

Approval is based on the Findings of Fact.

4. Beach - Ordinance - Amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a church and church related services; and a Variation to reduce the required yard setback from 30 feet to 12 feet 8 inches; and a Variation to increase the Maximum Impervious Surface Ratio from 40% to 60% in an R-1, Single-family Residential Zoning District at 5xx and 702 Cambridge Avenue. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Submittal of a revised Landscaping Plan and Illumination Plan for Staff review and approval prior to Zoning Clearance of a building permit.
 3. Submittal of a Building permit for Staff review and approval.
 4. Site must develop in accordance with Exhibit D.

Approval is subject to the Findings of Fact.

5. Beach - Ordinance - Amending Section 23-150 of the Code of Ordinances of the City of Rockford regarding records required of dealers in second hand goods.

IV. MOTION AND RESOLUTIONS LAID OVER JANUARY 19, 2010

1. Wasco - Resolution - Closed Session Minutes of the City Council of the City of Rockford for sessions on the following dates be open to the public, pursuant to Section 2.06 of the Open Meetings Act:

None

The following Closed Session Minutes related to labor negotiations will not be included in future Resolutions:

August 17, 2009	September 8, 2009	September 14, 2009
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September 11, 2006	May 12, 2008	December 14, 2009
February 5, 2007	November 5, 2008	September 24, 2007
January 5, 2009		

V. MISCELLANEOUS

1. Mayor Morrissey - Appointment - Airport Authority Board - Pastor Kenneth Copeland, to replace Gwyn Gulley, whose term expired in May 2007. Pastor Copeland's appointment is for a five-year term, which would expire May 2012. (Pursuant to Rule 18 this appointment is up for passage on February 1, 2010.

- Motions and Resolutions

VI. 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. Beach – Ordinance – For the approval of the Boundary Agreement between the City of Machesney Park Village and the City of Rockford.
2. Beach – Ordinance – For the approval of the amendments to Article V, Alarm System of the City of Rockford Code of Ordinances.

* 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, January 25, 2010, 5:15 p.m.

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

AGENDA

1. C & R 10-10 Proposed Ordinance; Prohibiting passage to & from a health care facility engaging in prohibited activities near facility
2. C & R 09-195 Sale of Vacant Lots/416 & 420 North Avon Street
3. C & R 10-11 Review of Closed Session Minutes

FINANCE AND PERSONNEL COMMITTEE

Monday, January 25, 2010, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Contract: Purchase of 2010 Ford Expedition for Police Department
 - B. Award of Contract: Purchase of 2010 Ford Crown Victoria Police Interceptors
 - C. Award of Contract: Centrex Phone Service
 - D. Reject Bids: Snow Removal
 - E. Award of Proposal: Investment Grade Facility Audits
 - F. Change Order: East State Street Sidewalks – Info Only
 - G. Vouchers
2. Intergovernmental Agreement for Animal Control Services
3. Intergovernmental Agreement for Traffic Signal Maintenance
4. 4th Quarter Investment Report

5. Financial Discussion

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, January 25, 2010, 5:45 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Alderman Doug Mark, regarding Release of Lien East Side Center.
2. Memorandum from Ronald N. Schultz, City Attorney, regarding South Main Rail Yards.
3. Memorandum from Ronald N. Schultz, City Attorney, regarding Charles Street Lot.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, _____, 4:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.