

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
JANUARY 25, 2010
COUNCIL CONVENED AT 6:21 P.M.**

1. The invocation was given by Colonel Tom Lewis, Salvation Army/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 -12-
Absent: McNeely (late), Robertson -2-
3. Mayor Morrissey recognized Representative Chuck Jefferson at tonight's council meeting.
4. Alderman Mark moved to accept the Journal of Proceedings of January 19, 2010, seconded by Alderman Jacobson.

Alderman Jacobson made a motion to reconsider the Prayer of Petitioner of Glen Greenberg/Professional Accounting and Tax Service at 2955 11th Street, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely, Robertson absent).

Alderman McNeely joined the meeting at 6:26 pm.

Alderman Jacobson made a motion to deny the Prayer of Petitioner, seconded by Alderman Timm. MOTION PREVAILED (Ald. Robertson absent).

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

PUBLIC PARTICIPATION

5. James Vandiver spoke opposing the proposed amendment regarding the records required of dealers of secondhand goods.
6. Matt Sigley also spoke opposing the proposed record keeping requirements of dealers of secondhand goods.
7. Glen Turpoff thanked the Aldermen for their continued efforts with Legislators to get a State Capital Program approved in April, 2009 and urged them to vote "yes" for video gambling in Rockford.
8. Steve Nailor encouraged the Aldermen to consider the positive financial impact it would have on our road projects and jobs in the Rockford community by voting "yes" for video gambling.
9. Brad Long urged the Aldermen to vote yes to "Opt In" for video gambling in Rockford.

PETITIONS AND COMMUNICATIONS

10. Alderman Johnson submitted two (2) Requests for Service. Referred to Community Development/Code Enforcement.
11. Alderman Johnson submitted an e-mail from Paula Fitzpatrick regarding snow plow damage to her yard. Referred to Public Works Department.
12. Alderman Beach submitted four (4) e-mails opposing the "bubble zone" at the Old Turner School/Rockford's Abortion Clinic. Referred to Mayor Morrissey's Office.
13. Alderman Beach submitted a Memorandum from Kerry Partridge, City Attorney, regarding Open Meetings Act Resolution. Referred to Code and Regulation Committee.
14. Alderman Beach submitted the Traffic Commission Minutes from the meeting held on January 13, 2010. Referred to Code and Regulation Committee.
15. Alderman Beach submitted the Liquor Advisory Board Minutes from the meeting held on January 20, 2010. Referred to Code and Regulation Committee.
16. Alderman Beach submitted the Zoning Board of Appeals Minutes from the meeting held on January 20, 2010. Referred to Code and Regulation Committee.
17. Alderman Wasco submitted a Memorandum from Andres Sammul, Finance Director, regarding Keith Creek Flood Control. Referred to Finance & Personnel Committee.
18. Alderman Wasco submitted a Memorandum from Ron Schultz, City Attorney, regarding Retention of Outside Counsel for Environmental Cost Recovery. Referred to Finance and Personnel Committee.
19. Alderman Thompson-Kelly submitted a letter from Representative Chuck Jefferson's Office concerning a new tuition waiver available for children of veteran's living in Illinois. Placed on File.
20. Alderman Hervey submitted two (2) Requests for Service. Referred to Community Development/Code Enforcement and Public Works Department.
21. Alderman McNeely submitted a Request for information concerning demolition of 623 and 700 Willard Avenue. Referred to Community Development.
22. Alderman Beach reported the minutes from a board meeting he attended reflected he was absent. He requested that be corrected.

23. Alderman Sosnowski submitted a Memorandum from Reid Montgomery Director of Community Development, regarding RAEDC 2009- 4th Quarter Report. Referred to Planning and Development Committee.

NEW COMMITTEE REPORTS

24. Alderman Wasco read a Finance and Personnel Committee Report recommending approval of the purchase of a 2010 Ford Expedition, Special Service Vehicle from IL State Contract PSD #401597 in the amount of \$27,084.00. The funding source is 2009 Recovery Jag Grant. LAID OVER.
25. Alderman Wasco read a Finance and Personnel Committee Report recommending approval of the purchase of 10 2010 Ford Crown Victoria Police Interceptors from Illinois State Contract PSD #4015559 in the amount of \$215,889.00. The funding source is (4) 2009 Recovery Jag Grant, (4) 2009 Jag Grant, and (2) ICJIA Criminal Justice Grant. LAID OVER.
26. Alderman Wasco read a Finance and Personnel Committee Report recommending renewal of the Centrex Agreement with AT&T for a total cost of \$441,210.27. The new agreement extends the contract for three years. The funding source is Departmental Operating Budgets. LAID OVER.
27. Alderman Wasco read a Finance and Personnel Committee Report regarding the bids opened on December 23, 2009 for Snow Plowing Removal Equipment & Operators recommends that per order of 17th Judicial Circuit Court of IL, Case Number 09 MR 909 that the bids be rejected. LAID OVER.
28. Alderman Wasco read a Finance and Personnel Committee Report recommending Award of Agreement: Energy Investment Audit – City Facilities be made to Siemens Building Technologies to perform a comprehensive energy use and savings analysis on selected City facilities. The agreement requires that the City reimburse Siemens up to \$19,500 if recommendations from the Audit are not utilized (under the EPC contract) If the City is required to reimburse Siemens, funding would come from a combination of the Properties & Equipment funds and the EECBG Grant funds. LAID OVER.
29. Alderman Wasco read a Finance and Personnel Committee Report regarding an Intergovernmental Agreement: Winnebago County – Traffic Signal Maintenance & Operation recommends the City create and execute an ordinance that approves the Intergovernmental Agreement with the Winnebago County Highway Department. LAID OVER.
30. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of vouchers for the week of January 25, 2010 in the amount of \$2,897,300.62. MOTION PREVAILED by a Roll Call vote of:

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

Absent: Robertson -1-

31. Alderman Sosnowski read a Committee Report recommending approval of a Real Estate Contract with Chicago, Central and Pacific Railroad Company for the purchase of land for \$1.00 along South Main Street. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
32. Alderman Sosnowski read a Committee Report recommending release of a City lien on a portion of the real estate known as East Side Center. The Legal Director shall prepare and have executed the appropriate documents. LAID OVER.
33. Alderman Sosnowski read a Committee Report recommending extension of a contract for the sale and purchase of the City property at 1225 Charles Street to June 30, 2010. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

OFFICERS REPORTS

34. Mayor Morrissey invited Representative Chuck Jefferson to the podium to announce the upcoming hearing on the job creation bill.

Representative Jefferson advised the hearing will be held on Thursday, January 28, 2010 at 1:00 pm at the Zeke Giorgi Building, 200 S. Wyman Street. He encouraged individuals who wish to testify to submit their written testimony, fax or e-mail, prior to the hearing. For more information, please contact Representative Jefferson's Office at 815/987-7433.

Mayor Morrissey added City administration will have information/materials to present in testimony at the hearing.

35. Mayor Morrissey announced a tour of the 9-1-1 Center and Public Safety Building (PSB) has been scheduled for Tuesday, February 9, 2010 from 1:30 pm to 5:00 pm; 1:30pm - 2:30pm 9-1-1 Center; 3:00pm - 5:00pm PSB tour with Chief Epperson. Please contact Chris Washington/Mayor Morrissey's Office if you would like to attend or if you have any questions.
36. Mayor Morrissey wished Jim Ryan, City Administrator, a happy birthday.
37. Alderman Mark announced the upcoming sessions for the "Roots Rock" Community Gardens Program. The "Preview" session will be held on Tuesday, January 26, 2010 from 6:00 pm – 8:00 pm at the Bethesda Covenant Church, 2101 E State Street; The "How To" session will be held on Thursday, February 11, 2010 from 6:00 pm – 8:30 pm at the Klehm Arboretum & Botanic Garden, 2715 S. Main Street. For more information please contact Monica DeLeon, 815/987-5686 or Cyndie Hall, 815/987-5599.
38. Alderman Mark announced the Police and Fire Departments will be squaring off head to head in a soccer match before the Rampage game at 5:00 on Saturday, January 30th.
39. Alderman McNeely inquired if both the Police and Fire Chiefs would be playing in the soccer event.

- 40. Alderman McNeely requested the information she received from the Rockford Police Department via e-mail concerning donation scams for the Haiti Relief Effort would be made public.
- 41. Alderman McNeely thanked George Davis, Director of Human Services, for providing information on how to donate through that department.

Director Davis advised the Human Services Department is accepting donations for the Haitian Development Fund, which specifically provides medical services focusing on medical supplies.

- 42. Alderman McNeely encouraged citizens to contact their Senators and US Representatives to voice their views on health care.
- 43. Alderman Hervey announced the 5th Ward monthly meeting will be held this Thursday, January 28th at 6:00 pm at the Montague Branch Library, 1238 South Winnebago.
- 44. Alderman Beach commended Alderman John Beck for organizing the very successful snow sculpting competition this year and reported the Jefferson High School students received first place for their division and "People's Choice" award and the "Snow Babes" took a first place award as well.
- 45. Alderman Beach welcomed Nathan and Rachel Moe to the City Council meeting. He mentioned both had marched in the Rose Bowl Parade with the Salvation Army Youth Band and will be participating in public service work through the Mayor's Office.

UNFINISHED BUSINESS

2010-019CR

- 46. Alderman Beach moved the adoption of a Code and Regulation Committee Report for the annexation of 1120 Simpson Road. MOTION PREVAILED by a Roll Call vote of:

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

2010-020CR

- 47. Alderman Beach moved the adoption of a Code and Regulation Committee Report 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. MOTION PREVAILED by a Roll Call vote of:

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

2010-021CR

48. 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Beck -8-
Nays: Sosnowski, Curran, Hervey, Beach, McNeely -5-
Absent: Robertson -1-

2010-004-O

49. Alderman Beach moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

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

2010-005-O

50. Alderman Beach moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

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

2010-006-O

51. Alderman Beach moved the adoption of an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a 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. MOTION PREVAILED by a Roll Call vote of:

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

2010-007-O

52. Alderman Beach moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

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

2010-008-O

53. Alderman Wasco moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

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

2010-005R

54. Alderman Wasco moved the adoption of a- Resolution that 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		

MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2010-006R

55. Aldermen Mark and Robertson suggested a Resolution that the City Council direct their full portion of revenues generated from video gaming be specifically set aside for annual capital equipment purchases. Referred to Finance and Personnel Committee.

2010-007R

56. Alderman Thompson-Kelly moved the adoption of a Resolution that the Board of Fire and Police Commissioners amend the requirements for police and fire applications on residency within the City of Rockford. The Fire and Police commissioner's shall develop the qualifications for residency. MOTION PREVAILED (Ald. Mark voted no; Ald. Robertson absent).

2010-008R

57. Alderman Sosnowski suggested a Resolution that the Finance and Personnel Committee consider some of the proceeds from the video gambling to go towards organizations that help counsel for addiction and other related social issues or other social service agencies. Referred to Finance and Personnel Committee.

NEW BUSINESS

58. Alderman Beach introduced and read an Ordinance for the Boundary Agreement between the City of Rockford and Machesney Park Village. LAID OVER.
59. Alderman Beach introduced and read an Ordinance for the amendment to Article V., Alarm System of the City of Rockford Code of Ordinances. LAID OVER.
60. Upon motion duly made and seconded, the meeting was adjourned at 7:36 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
February 1, 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 FEBRUARY 1, 2010

A. CODE AND REGULATIONS

1. Beach – Code and Regulation Closed Session Minutes
- Officers Reports
 - Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER JANUARY 25, 2010

1. Wasco - Finance and Personnel - Recommending approval of the purchase of a 2010 Ford Expedition, Special Service Vehicle from IL State Contract PSD #401597 in the amount of \$27,084.00. The funding source is 2009 Recovery Jag Grant.
2. Wasco - Finance and Personnel - Recommending approval of the purchase of 10 2010 Ford Crown Victoria Police Interceptors from IL State Contract PSD #4015559 in the amount of \$215,889.00. The funding source is (4) 2009 Recovery Jag Grant, (4) 2009 Jag Grant, and (2) ICJIA Criminal Justice Grant.
3. Wasco - Finance and Personnel - Recommending renewal of the Centrex Agreement with AT&T for a total cost of \$441,210.27. The new agreement extends the contract for three years. The funding source is Departmental Operating Budgets.

4. Wasco - Finance and Personnel - Regarding the bids opened on December 23, 2009 for Snow Plowing Removal Equipment & Operators recommends that per order of 17th Judicial Circuit Court of Illinois, Case Number 09 MR 909 that the bids be rejected.
5. Wasco - Finance and Personnel - Recommending Award of Agreement: Energy Investment Audit – City Facilities be made to Siemens Building Technologies to perform a comprehensive energy use and savings analysis on selected City facilities. The agreement requires that the City reimburse Siemens up to \$19,500 if recommendations from the Audit are not utilized (under the EPC contract) If the City is required to reimburse Siemens, funding would come from a combination of the Properties & Equipment funds and the EECBG Grant funds.
6. Wasco - Finance and Personnel - Regarding an Intergovernmental Agreement: Winnebago County – Traffic Signal Maintenance & Operation recommends the City create and execute an ordinance that approves the Intergovernmental Agreement with the Winnebago County Highway Department.
7. Sosnowski – Planning and Development - Recommending approval of a Real Estate Contract with Chicago, Central and Pacific Railroad Company for the purchase of land for \$1.00 along South Main Street. The Legal Director shall prepare the appropriate ordinance.
8. Sosnowski – Planning and Development - Recommending release of a City lien on a portion of the real estate known as East Side Center. The Legal Director shall prepare and have executed the appropriate documents.
9. Sosnowski – Planning and Development - Recommending extension of a contract for the sale and purchase of the City property at 1225 Charles Street to June 30, 2010. The Legal Director shall prepare the appropriate ordinance.

III. ORDINANCES LAID OVER JANUARY 25, 2010

1. Beach - Ordinance - For the Boundary Agreement between the City of Rockford and Machesney Park Village.
2. Beach - Ordinance - For the amendment to Article V., Alarm System of the City of Rockford Code of Ordinances.

V. MISCELLANEOUS HELD OUT JANUARY 25, 2010

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

IV. 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 annexation of 1120 Simpson Road.

* same action taken before

• Adjournment

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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, February 1, 2010, 4:30 p.m.

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

AGENDA

1. C & R 10-13 January Traffic Commission Minutes
2. C & R 10-12 Open Meetings Act Resolution
3. C & R 09-06 ZBA#055-09 Modification of Special Use Permit #122-01 from a Planned Mixed-use Development for a recovery home for young adolescent women between the ages of 14-18 not to exceed 12 residents plus staff to a Planned Mixed-Use Development consisting of an addiction recovery home for adolescent people not to exceed 12 residents plus staff in an R-1, Single-Family Residential Zoning District at 2415 East State Street & 127 Hollister Avenue
4. C & R 09-08 09-LAB-019 Request for the sale of alcohol by the package in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District at 2837 11th Street (Applicants: Harmil & Brijesh Patel dba Citgo Mini Mart)
5. C & R 09-09 09-LAB-020 Request for the sale of liquor by the drink in conjunction with a restaurant in a C-2, Limited Commercial Zoning District at 3053 North Perryville Road (Applicant: Yamin Sun dba

Oriental Dragon Restaurant)

6. C & R 10-14 Closed Session for purposes of pending litigation/John Giliberti

FINANCE AND PERSONNEL COMMITTEE

**Monday, February 1, 2010, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Award of Bid: Two 33-Passenger Buses
 - B. Award of Contract: Mail and Inserter Lease
 - C. Engineering Agreement: Stoneridge Bridge
 - D. Engineering Agreement: Fairview Avenue Bridge
 - E. Resolution to take Bids
 - F. Vouchers
2. Retention of Outside Counsel for Environmental Cost Recovery
3. Keith Creek Flood Control

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, February 1, 2010, 5:45 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. RAEDC 4th Quarter 2009 results.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, _____, 2010, 4:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.