

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
NOVEMBER 8, 2010
COUNCIL CONVENED AT 6:25 P.M.**

1. The City Council Clerk called the meeting to order in the absence of the Mayor and recognized Alderman Mark who moved that Alderman Beach serve as Mayor Pro Tem for the meeting. Said motion was seconded by Alderman Curran. MOTION PREVAILED (Ald. Hervey, Beck absent).
2. The invocation was given by Father Ron Montanye, Rockford Police Chaplain and the Pledge of Allegiance was led by City Council Page Yesenia Centeno.
3. Roll Call:

Alderman Beach, Mayor Pro Tem

Aldermen: Sosnowski, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, (Beach), Elyea, McNeely, Robertson -12-
Absent: Hervey, Beck -2-
4. Alderman Mark moved to accept the Journal of Proceedings of November 1, 2010, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Hervey, Beck absent).

PUBLIC PARTICIPATION

5. Prophet Yusef spoke about domestic violence.

PETITIONS AND COMMUNICATIONS

6. Alderman Johnson submitted three (3) requests for service. Referred to Public Works Department.
7. Alderman Johnson submitted a Memorandum from Julia Valdez, Director of Human Resources, regarding upcoming events.
 1. Downtown Holiday Festival, 12/4/10Referred to Code and Regulation Committee.
8. Alderman Johnson submitted a request from Beth Eden, United Methodist Church, Bethlehem: A Virtual Experience, requesting permission for a freestanding temporary banner at 3201 Huffman Boulevard from November 14, 2010 through December 5, 2010. Alderman Johnson moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey, Beck absent).

9. Alderman Sosnowski submitted a request from Judith Loudin, Children's Home and Aid Society, Mother's House Children's Holiday Shop, requesting permission for a freestanding temporary banner at 5846 E. State Street from December 1, 2010 through December 20, 2010. Alderman Sosnowski moved to grant the Prayer of the Petitioner, seconded by Alderman Timm. MOTION PREVAILED (Ald. Hervey, Beck absent).
10. Alderman McNeely submitted a request from Todd Cagnoni, Deputy Director Community Development Department, on behalf of the Element, requesting permission for freestanding temporary murals (4 total); (2) murals at the NW corner of North Avon and West State and (2) murals at the SE corner of North Avon and West State from November 9, 2010 through July, 2011. Alderman McNeely moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey, Beck absent).

NEW COMMITTEE REPORTS

11. Alderman Mark read a Finance and Personnel Committee Report recommending that The Shumway Building Lease between the City of Rockford and the Rockford Area Arts Council be extended for five years, consistent with the previous lease, except the termination period of one year shall be reduced to thirty days. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
12. Alderman Mark read a Finance and Personnel Committee Report, to whom was referred the matter of increasing the 2010 tax levy for street and bridge purposes from .06% of the value as equalized or assessed by the Department of Revenue of all taxable property in the City of Rockford to .10% of the value, as equalized or assessed by the Department of Revenue of all taxable property in the City of Rockford, hereby recommends:

That the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Department of Revenue for street and bridge purposes. LAID OVER.

13. Alderman Mark read a Finance and Personnel committee report, to whom was referred the matter of the 2010 Tax Levy Ordinance, hereby begs leave to report recommending that the Levy Ordinance be prepared by the Finance Department, and accepted in the amount of \$49,451,100 for the levies in the General, Sanitation, Tuberculosis Sanitarium, Library, Library Maintenance, Illinois Municipal Retirement, Unemployment Compensation, Worker's Compensation, and Auditing Funds. LAID OVER.

2010-390CR

14. Alderman Mark read a Finance and Personnel Committee Report recommending the award for Demolition of 154, 158, & 178 Morgan Street and 2717 W. State Street be made to Swinson Materials, of Rockford, Illinois for their total bid of \$68,900.00. The funding source is Sales Tax.

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

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

2010-391CR

15. Alderman Mark read a Finance and Personnel Committee Report recommending the Sole Source Contract award be made to Pierce Midwest Refurbishment Center for Repairs to the 1998 Pierce Aerial in the amount of \$120,000. The funding source is Fire Department Operating Budget.

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

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

16. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of November 8, 2010 in the amount of \$3,418,573.79.

Alderman Thompson-Kelly made a motion to separate the funding for the purchase of the TAPCO Building from the vouchers and refer it back to the Code and Regulation Committee, seconded by Alderman Sosnowski. After discussion, Alderman Thompson-Kelly withdrew her motion and Alderman Sosnowski withdrew his second.

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

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

17. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending that No Action be taken on the Development Agreement with Anderson Automotive Group. LAID OVER.

OFFICERS REPORTS

18. Alderman Beach thanked Wired Café, Capri, Irish Rose, Deli Italia and Bella Luna for their gracious and generous donation of appetizers in support of the United Way campaign.

19. Alderman Beach reported with sadness the passing of Steven Curington, the founder and president of Reformers Unanimous International through North Love Baptist Church. He offered condolences to his family.
20. Alderman Beach, on behalf of Mayor Morrissey, presented a Proclamation proclaiming Monday, November 8, 2010 to be "FOOD FOR THE NEEDY KICK-OFF DAY" in Rockford, Illinois and encouraged all citizens to contribute to and generously support this worthy cause.
21. Alderman Beach, on behalf of Mayor Morrissey, presented a Proclamation proclaiming the week of November 14, 2010 to be "HOMELESSNESS AWARENESS WEEK" in Rockford, Illinois and encouraged all citizens to recognize that many people do not have housing and need support from citizens, and private/public non-profit service entities.
22. Alderman Beach, on behalf of Mayor Morrissey, presented a Proclamation proclaiming November 13, 2010 to be "MAJOR GENERAL JOHN L. BORLING DAY" in Rockford, Illinois and urged all citizens to honor Major General John L. Borling and to attend the exhibit, "SERVICE OVER SELF", at Veterans Memorial Hall, opening Saturday, November 13, 2010.
23. Alderman Beach, on behalf of Mayor Morrissey, presented a Proclamation proclaiming Thursday, November 11, 2010 to be "VETERAN'S DAY" in Rockford, Illinois and called upon all citizens to observe November 11th as Veteran's Day and on that day to solemnly remember the sacrifices of all those who fought so valiantly to preserve our freedom and our heritage.
24. Alderman Mark reminded everyone that Thursday, November 11th is Veteran's Day and to honor and pay respect to our Veterans and active service members.
25. Alderman Mark congratulated the Boylan Catholic High School Boys Soccer Team on winning the Class 3A State Championship Saturday night in Naperville, Illinois in double overtime and he mentioned attending the assembly today to recognize the team and present the trophy.
26. Alderman Johnson congratulated Alderman Joe Sosnowski for winning his bid for State Representative.
27. Alderman Johnson congratulated Mayor Morrissey and his wife Stacy on the birth of their son Dillon.
28. Alderman Johnson announced the Code and Regulation Committee will be holding public hearing on Monday, November 22, 2010 at 4:30 pm in Conf. Rm. A, City Hall 2nd floor regarding the ComCast Franchise Agreement renewal.
29. Alderman Jacobson announced the Korean War Veteran's will be hosting a fundraising dinner on Sunday at the St. Ambrosia Club. Proceeds will support maintenance costs at the Korean Memorial.

UNFINISHED BUSINESS

2010-392CR

30. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending the Purchase of (4) Chemical Feed System Scales from Smith Ecological Systems, of Rockford, Illinois at a cost of \$2,619 per scale for a total of \$10,476. The funding source is Water Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

2010-393CR

31. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending the award for Sale of Property at 617 Fisher Ave. be made to the sole bidder, Josephine Varalli, of Rockford, Illinois for her total bid of \$560.00. MOTION PREVAILED by a Roll Call vote of:

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

2010-394CR

32. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending the Agreement between the City and the Rockford Area Arts Council be approved as attached. The Mayor and Legal Director are authorized to execute such Agreement. MOTION PREVAILED by a Roll Call vote of:

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

2010-131-O

33. Alderman Mark moved the adoption of an Ordinance making supplemental appropriations for the City of Rockford, a municipal corporation, to finance those functions pertaining to its government and affairs including the General Fund, 911 Fund, Parking Fund, Water Fund, Midtown Tax Increment Financing District Fund, Global Trade Park #2 Tax Increment Financing District Fund, Global Trade Park #3 Tax Increment Financing District Fund, Jackson School Tax Increment Financing District Fund, Seventh Street Tax Increment Financing District Fund, East Side Tax Increment Financing District Fund, East River Tax Increment Financing District Fund, West Side #1 Tax Increment Financing District Fund, Southeast Housing Tax Increment Financing District Fund, Library Fund, and Redevelopment Fund for the Fiscal Year 2010. MOTION PREVAILED by a Roll Call vote of:

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

2010-395CR

34. Alderman Johnson 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 allow an eight foot privacy fence along the back of petitioner's properties within the front yard along Spring Creek Road in an R-1, Single-Family Residential District at 6336, 6358, 6382, 6394 Brigantine Lane. Approval is subject to the following conditions:

1. The applicant shall work with the Traffic Engineer to ensure that the fence will not be located within a sight triangle prior to issuance of a fence permit.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED (Ald. Jacobson voted no; Ald. Hervey, Beck absent).

2010-396CR

35. Alderman Johnson moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the Sale of liquor by the drink in conjunction with a tavern in the name of Gene Hayenga d/b/a Gene's Place, Inc., in a C-3 General Zoning District at 4412 Manchester Drive, Unit F-1. Approval is subject to the following conditions:

1. Meeting all applicable Liquor, Building and Fire Codes.
2. Must be in accordance with the Business and Security plans.
3. That there shall be no cover charge to enter or dance floor/stage area over 150 square feet.
4. Hours of operation are limited as shown within Exhibit F.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED (Ald. Hervey, Beck absent).

2010-397CR

36. Alderman Johnson moved the adoption of a Code and Regulation Committee Report recommending approval of the proposed ordinance prohibiting the use of groundwater for the property located at 3708 East State Street a/k/a Octopus Carwash. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED (Ald. Hervey, Beck absent).

MOTIONS AND RESOLUTIONS

2010-156R

37. Alderman Johnson, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a Special Event Permit for the Arthritis Foundation of Greater Illinois in conjunction with an event being held on November 20, 2010 from 8:00 am to 11:00 am at the Rockford Health Systems Campus located at 2400 North Rockton Avenue. MOTION PREVAILED (Ald. Hervey, Beck absent).

NEW BUSINESS

38. Alderman Johnson introduced and read an Ordinance amending Chapter 16, Section 303 of the Code of Ordinances of the City of Rockford to add the following:

A mid-block pedestrian crossing on Haskell Avenue 150 feet south of Bruce Street.

LAID OVER.

39. Alderman Johnson introduced and read an Ordinance amending Chapter 16, Section 290 of the Code of Ordinances of the City of Rockford to add the following:

A designation for Bell School Road from Spring Brook Road to Riverside Boulevard as a "Through Street".

LAID OVER.

40. Alderman Johnson introduced and read an Ordinance amending Chapter 16, Section 280 of the Code of Ordinances of the City of Rockford to add the following:

No Parking Anytime on the west side of Bend Trail from Creek Bend to Bell School Road and on the east side of Bend Trail from Bell School Road to 100 feet south of Bell School Road.

LAID OVER.

2010-132-O

41. Alderman Johnson introduced and read an Ordinance prohibiting the use of groundwater as a potable water supply within the subject area; site located at 3708 E. State Street and certain properties around the site.

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

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

42. Deputy Chief Lori Sweeney, Rockford Police Department, gave a presentation on the Crime mapping System (Crimemapping.com) available on-line tomorrow which will provide accurate and up-to-date information to the public.
43. Upon motion duly made and seconded, the meeting was adjourned at 7:34 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
November 15, 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 NOVEMBER 15, 2010

A. CODE AND REGULATIONS

1. Beck – Sale of property located at Concord and West State Street for a cost of \$35,000.
- Officers Reports
 - Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER NOVEMBER 8, 2010

1. Hervey - Finance and Personnel - Recommending that The Shumway Building Lease between the City of Rockford and the Rockford Area Arts Council be extended for five years, consistent with the previous lease, except the termination period of one year shall be reduced to thirty days. The Legal Director shall prepare the appropriate ordinance.
2. Hervey - Finance and Personnel - The matter of increasing the 2010 tax levy for street and bridge purposes from .06% of the value as equalized or assessed by the Department of Revenue of all taxable property in the City of Rockford to .10% of the value, as equalized or assessed by the Department of Revenue of all taxable property in the City of Rockford, hereby recommends:

That the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Department of Revenue for street and bridge purposes.

3. Hervey - Finance and Personnel - Recommending that the Levy Ordinance be prepared by the Finance Department, and accepted in the amount of \$49,451,100 for the levies in the General, Sanitation, Tuberculosis Sanitarium, Library, Library Maintenance, Illinois Municipal Retirement, Unemployment Compensation, Worker's Compensation, and Auditing Funds.
4. Thompson-Kelly - Planning and Development - Recommending that No Action be taken on the Development Agreement with Anderson Automotive Group.

III. ORDINANCES LAID OVER NOVEMBER 8, 2010

1. Beck - Ordinance - Amending Chapter 16, Section 303 of the Code of Ordinances of the City of Rockford to add the following:

A mid-block pedestrian crossing on Haskell Avenue 150 feet south of Bruce Street.

2. Beck - Ordinance - Amending Chapter 16, Section 290 of the Code of Ordinances of the City of Rockford to add the following:

A designation for Bell School Road from Spring Brook Road to Riverside Boulevard as a "Through Street".

3. Beck - Ordinance - Amending Chapter 16, Section 280 of the Code of Ordinances of the City of Rockford to add the following:

No Parking Anytime on the west side of Bend Trail from Creek Bend to Bell School Road and on the east side of Bend Trail from Bell School Road to 100 feet south of Bell School Road.

- Motions and Resolutions

IV. MOTION AND RESOLUTIONS TO BE READ IN NOVEMBER 15, 2010

1. Beck - Downtown Holiday Festival, 12/4/10

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. Beck – Ordinance – Approval of the Variation to allow an eight foot privacy fence along the back of petitioner's properties within the front yard along Spring Creek Road in an R-1, Single-Family Residential District at 6336, 6358, 6382, 6394 Brigantine Lane. Approval is subject to the following conditions:

1. The applicant shall work with the Traffic Engineer to ensure that the fence will not be located within a sight triangle prior to issuance of a fence permit.

Approval is based on the Findings of Fact.

2. Beck – Ordinance – Approval the Sale of liquor by the drink in conjunction with a tavern in the name of Gene Hayenga d/b/a Gene’s Place, Inc., in a C-3 General Zoning District at 4412 Manchester Drive, Unit F-1. Approval is subject to the following conditions:
 1. Meeting all applicable Liquor, Building and Fire Codes.
 2. Must be in accordance with the Business and Security plans.
 3. That there shall be no cover charge to enter or dance floor/stage area over 150 square feet.
 4. Hours of operation are limited as shown within Exhibit F.
3. Beck – Ordinance - Sale of property located at Concord and West State Street for a cost of \$35,000.
- * 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, November 15, 2010, 5:15 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

- | | |
|-----------------|--|
| 1. C & R 10-163 | ZBA#029-10 Special Use Permit for a Planned Unit Development for a Multi-Family Residential Development consisting of 48 units in a C-2, Limited Commercial District at 6640, 6660, 6730 Fincham Drive |
| 2. C & R 10-68 | ZBA#012-10 Special Use Permit for the operation of a Sexually oriented bookstore business in a C-3, General Commercial Zoning District at 280 North Phelps Avenue, Unit E |
| 3. C & R 10-174 | Special Event: Downtown Holiday Festival 12/4/10 |
| 4. C & R 10-157 | Closed Session for Purposes of Pending Litigation and/or Land Acquisition or Sale of Property |

FINANCE AND PERSONNEL COMMITTEE
Monday, November 15, 2010, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA

1. Purchasing and Vouchers
 - A. Engineering Agreement: Well 37 VOC Treatment Design Evaluation
 - B. Resolution to take Bids/Proposals
 - C. Vouchers
2. Fee Ordinance

PLANNING AND DEVELOPMENT COMMITTEE
Monday, November 15, 2010, _____ p.m.
CD Conference Room, City Hall 2nd floor
AGENDA

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE
Monday, November 15, 2010, 4:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

1. Resolution of Support for Pension Coalition Initiative
2. Support of Illinois Municipal League Legislative Initiatives
3. Veto Session Issues
4. 2011 Legislative Agenda Planning
5. New Business

FINANCE AND PERSONNEL MEETING OF THE WHOLE
Saturday, November 13, 2010, 8:30 am – 12:00 (noon)
City Council Chambers, City Hall 2nd floor
AGENDA

1. Budget Deficit Review
2. Review of City Staff Budget Reduction Proposals
3. Review of Aldermanic Budget Reduction Proposals:

- a. Defer Pension Contributions
- b. Internal Loan from Water Fund to General Fund
- c. Reduce Health Insurance Fund Surplus
- d. Labor Concessions