

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
MARCH 5, 2012
COUNCIL CONVENED AT 6:15 P.M.**

1. The invocation was given by Colonel Tom Lewis, Salvation Army Church/Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:
Mayor Lawrence Morrissey
Aldermen: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Absent: Hervey -1-
3. Alderman Mark moved to accept the Journal of Proceedings of February 27, 2012, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Hervey absent).

PUBLIC PARTICIPATION

4. Tim Hughes announced March is Women's History Month and spoke about Rockford natives Janice Voss, Julia Lanthrop and Elizabeth Hanson. He suggested establishing a memorial honoring Rockford's historic women.
5. Lorie Langan announced the "March for the Arts Campaign" and invited community members to attend the many arts events throughout the city during this month.
6. Ryan Smith expressed his concern about crime in Rockford and response time from the police department and offered his support for conceal and carry.
7. Prophet Yusef spoke about standing united as a community and nation.
8. Mary Lou Castro invited the community to attend, donate and participate in a Youth Summit to be held at the end of the month at Booker Washington Center.

PETITIONS AND COMMUNICATIONS

9. Alderman Beach submitted a request from Steve Blomgren, in conjunction with the Unitarian Universalist Church Rummage Sale, requesting permission to limit parking to no parking on the east side of Dawn Avenue from Raven Street north to Turner Street and on the north side of Turner Street from Dawn Avenue west to Ridgeview Avenue beginning March 23, 2012 from 7:00 am – 4:00 pm and March 24, 2012 from 8:00 am – 3:00 pm; event located at Unitarian Universalist Church, 484 Turner Street. Alderman Beach moved to grant the Prayer of the Petitioner, seconded by Alderman Beck. MOTION PREVAILED (Ald. Hervey absent).
10. Alderman Beach submitted the Rockford Traffic Commission Agenda for the meeting to be held on March 14, 2012. Referred to Public Works/Traffic Commission

11. Alderman Beach submitted a Memorandum from Julia Valdez, Deputy City Administrator/Director of Human Resources regarding upcoming special events:

1. Red Shoe Run – 4/14/12
2. State Street Mile – 8/4/12

Referred to Code and Regulation Committee.

12. Alderman Beck submitted a Memorandum from Jeremy Carter, Traffic Engineer regarding City-State Agreement Amendment: HSIP Funding for Rockton Avenue and Custer Avenue and 15th Avenue and 9th Street. Referred to Finance and Personnel Committee.

13. Alderman Beck submitted a Memorandum from Jennifer Jaeger, Community Services Director regarding Small business loan to Lydia's Café. Referred to Finance and Personnel Committee.

14. Council Clerk submitted a letter from Comcast regarding the franchise fee calculation for the City of Rockford for the quarterly period ending December 31, 2011. Placed on File.

NEW COMMITTEE REPORTS

15. Alderman Jacobson read a Redistricting Ward Map Committee Report for the City of Rockford following the 2010 census, recommending the City Council adopt the attached City of Rockford Ward Map, dated March 5, 2012. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

16. Alderman Mark read a Legislative Lobbying Committee Report recommending that the City Council support the legislation authorizing the provisions for carrying of concealed firearms, and support the adoption of legislation consistent with the Family and Personal Protection Act or the License to Carry Firearms for Self Defense Act. LAID OVER.

17. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Office Supplies be made to the low bidder, Mid-City Office Products, of Loves Park, Illinois for an estimated annual cost of \$120,000. The funding source is Departmental Operating Budgets. LAID OVER.

18. Alderman Beck read a Finance and Personnel Committee Report recommending the award for South Main Street Corridor – Overhead Utility Design be made to Com Ed for a total not-to-exceed cost of \$120,000.00 for utility design services. The funding for this project will come from Sales Tax funds, and will be credited toward the future construction of the relocation. LAID OVER.

19. Alderman Beck read a Finance and Personnel Committee Report recommending the award for West State Street Corridor – Overhead Utility Relocation be made to Com Ed for a total not-to-exceed cost of \$919,651.00 for overhead utility relocation services. The funding for this project will come from Sales Tax funds. LAID OVER.

20. Alderman Beck read a Finance and Personnel Committee Report recommending approval of Information Technology Services Contract Amendment with Advance Technology Services (ATS) to include an Application Support Analyst at an annual cost of \$87,360. The funding source is Information Technology Operating Budget. LAID OVER.
21. Alderman Beck read a Finance and Personnel Committee Report recommending the award for a Change Order: City-Wide Street Repair No. 2 be made to William Charles Construction for an additional \$97,504.43 for a new total not-to-exceed cost of \$552,005.00 for construction services. The funding source for the project is Sales Tax and Property Fund. LAID OVER.
22. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of March 5, 2012 in the amount of \$3,909,821.56. MOTION PREVAILED by a Roll Call vote of:
- Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
- Nays: -0-
- Absent: Hervey -1-
23. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the Final Plat of Skylight Commons Subdivision. LAID OVER.
24. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow two free-standing signs along North Alpine Road (Billboard/Carpetland Sign) for five (5) years in a C-2, Limited Commercial Zoning District at 326 North Alpine Road. Approval is subject to the following conditions:
1. That the billboard sign be removed by June 3, 2016.
 2. The Carpetland sign be replaced with a monument style sign per the Sign Ordinance.
- Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.
25. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending APPROVAL of a (A) Variation to eliminate building foundation landscaping, a (B) Variation to increase the maximum permitted height of a free-standing sign from 8 feet to 15 feet in height, a (C) Variation to increase the maximum permitted sign square footage from 64 feet to 100 square feet, a (D) Variation to allow parking to back out onto an alley, a (E) Variation to allow a pylon style sign in place of a landmark style sign, a (F) Variation to allow a loading dock to be serviced off a public street (Lafayette Avenue), a (G) Variation to allow the required shade tree requirement to be located within right-of-way along Lafayette Avenue, a (H) Variation to allow reduction in the shade tree planting bed from a minimum of 8 feet wide to 3.63 feet and 5.35 feet, and a (I) Variation in the Design Standards for a proposed building elevation and site plan inclusive of a waiver of the building transparency requirements from 50% to 0% for

building facing façade along Lafayette Avenue and a reduction of building transparency requirements for building facing façade along North 3rd Street in a C-4, Urban Mixed-Use District at 526 East Jefferson Street. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Must develop site in accordance with Exhibit D
3. Submittal of a revised landscape plane to include removal of landscaping within Right-of-Way along North 3rd Street and plant species for Staff's review and approval.
4. Proposed shade trees along Lafayette Avenue must be approved with Public Works.
5. Must obtain separate permits for signage and sign must be constructed to match building design.
6. Submittal of a final plat to be reviewed and approved by Staff and City Council.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

26. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a non-accessory parking lot and APPROVE a Variation to allow parking spaces to back out onto an alley in a C-4, Urban Mixed Use District at 310 South Church Street, 320 and 324 Chestnut Street. Approval is subject to the following conditions:

1. Must submit a parking lot permit application including landscape plan for Staff's review and approval.
2. Should Option (2) be implemented, the removal of the parking spaces at South Church Street and Chestnut Streets need to be removed.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

27. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a restaurant and nightclub in an I-1, Light Industrial Zoning District at 3457 Merchandise Drive. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes.
2. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
3. The hours of operation will be limited to 11:00 am to 2:00 am Monday through Saturday.
4. The hours of operation will be limited to 11:00 am to 12:00 am (Midnight) on Sunday.
5. Security shall be provided at a minimum of 1 per 50 patrons.
6. That the free-standing sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing free-standing sign.
7. That the gravel parking area shall be improved with asphalt or concrete by July 15, 2013.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

28. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of alcohol by the drink in conjunction with a restaurant and nightclub in the name of **Craig Sockwell d/b/a CJ's** in an I-1, Light Industrial Zoning District at 3457 Merchandise Drive.

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

29. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for sale of alcohol by the package in conjunction with a gas station and convenience store in the name of **John Griffin d/b/a Kelly Williamson** in a C-3, General Commercial Zoning District at 321 and 315 North Alpine Road and 45xx Turner Street. 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 hour and days of operation are required to be in compliance with the City of Rockford Liquor Codes.
5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.

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

2012-072CR

30. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a (A) Variation to increase the maximum allowed fence height from 6 feet to 8 feet in the rear yard; and a (B) Variation to increase the maximum allowed fence height from 6 feet to 8 feet in the side yard in a C-1, Limited Office Zoning District at 4773 4794, 4795, 4811, 4833, 4857, 4873 and 4875 Manhattan Drive. Approval is subject to the following conditions:

1. That the fence location is reviewed and approved by Public Works.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Hervey absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Hervey absent).

2012-073CR

31. Alderman Beach read 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 grocery store in the name of **Frank Greco d/b/a Valli Produce** in a C-3, General Commercial Zoning District at 5880 East State Street. Approval is subject to the following conditions:
1. Meeting all City of Rockford Liquor Codes.
 2. Meeting all applicable building and fire codes.

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

Alderman Beach moved to suspend Rule 11, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Hervey absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Hervey absent).

OFFICERS REPORTS

32. Mayor Morrissey presented a Proclamation proclaiming the month of March, 2012 to be "AMERICAN RED CROSS MONTH" in Rockford, Illinois and encouraged all Americans to support this organization and its noble humanitarian mission.
33. Mayor Morrissey presented a Proclamation proclaiming the month of March, 2012 to be "ARTS IN EDUCATION MONTH" in Rockford, Illinois and urged all citizens to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts.
34. Mayor Morrissey recognized the victims of the recent tornados that hit the Midwest. He announced this week, March 4th – March 10th, is National Severe Weather Preparedness Week in the State of Illinois and the city will participate in the tornado drill to be held Tuesday, March 6, 2010 at 10:00 am.
35. Mayor Morrissey submitted an appointment for Department Head - Finance Director, Mr. Chris Black. LAID OVER.
36. Mayor Morrissey reported today he was in Chicago to attend a few meetings, one being an on-going China committee meeting.
37. Mayor Morrissey announced his 7th State of the City Address will be held on March 15, 2012, doors will open at 4:00 pm for information displays and cash bar, presentation to begin at 6:00 pm at the Coronado Performing Arts Center, 314 North Main Street. He invited all to attend.
38. Alderman Timm encouraged everyone to attend the St. Bernadette's Annual Health Fair on Saturday, March 10, 2012 from 9:00am-2:00pm. Personnel from the Rockford Fire Department will be available to check cholesterol, blood pressure and blood sugar levels and there will be a bake sale and raffle.

39. Alderman Robertson mentioned he was part of the search committee for the Finance Director and applauded the committee's decision to offer Chris Black the position.
40. Alderman Johnson mentioned she attended the 32nd YMCA Leadership Luncheon today. She congratulated the nominees and winners and lauded Naomi Tutu for her inspirational message. She also thanked Mayor Morrissey for the Proclamation.
41. Alderman Johnson reported a constituent contacted her about a letter she had received from Century Armored Dispatch Company notifying her of a cash prize. Skeptical of the letter, her constituent researched the company and found it to be a hoax.
42. Alderman Johnson mentioned finding some old pictures of council members and suggested forming a volunteer committee to gather old pictures and archive them.
43. Mayor Morrissey thanked Aldermen Johnson and Thompson-Kelly for attending the Leadership Luncheon and apologized for overlooking them to present the proclamation.
44. Patrick Hayes, Legal Director, informed the aldermen they will be receiving electronic follow-up of House Bill 148 and Senate Bill 3772, the two legislative matters referred to in the Legislative Lobbying Committee Report and as well as a detailed copy of the ward map referred to in the Redistricting Map Committee.
45. Mayor Morrissey congratulated the Rock Valley College women's basketball team heading to the national tournament this year.

UNFINISHED BUSINESS

2012-074CR

46. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Rental of Cherry Valley Farm Site be made to the high bidder, Robert Hunter, of Cherry Valley, Illinois for his bid of \$27,052.00. MOTION PREVAILED by a Roll Call vote of:

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

2012-075CR

47. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Tires and Tire Repairs be made to the low bidder, Wingfoot Commercial Tire, of Rockford, Illinois for their prices as shown on the tabulation. The funding source is Equipment Fund. MOTION PREVAILED by a Roll Call vote of:

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

2012-076CR

48. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of an Engineering Agreement with MWH Americas, Inc. for Relocation of Zone Control Valve No. 10 in an amount not to exceed \$66,700. Funding for the project will come from the Water Replacement and Improvements Account (WRIA). MOTION PREVAILED by a Roll Call vote of:

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

2012-077CR

49. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement Amendment: City-Wide Arterial Resurfacing #2 be made to Willett Hofmann & Associates for an additional \$22,900.00 for a new total not to exceed cost of \$76,888.83 for construction engineering services. The funding source for this project is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

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

2012-078CR

50. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement Amendment: Conceptual Design Fire Station No. 3 be made to Larson & Darby Group for architectural services for the project for an additional \$12,637.75 for a new total not to exceed cost of \$22,387.75. The funding for this project will come from Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

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

2012-079CR

51. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the Change Order: City-Wide Arterial Resurfacing #2 be made to Rock Road Companies for an additional \$158,635.69 for a new total not to exceed cost of \$666,920.01 for construction services. The funding source for this project is Sales Tax Funds. MOTION PREVAILED by a Roll Call vote of:

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

2012-080CR

52. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the Intergovernmental Agreement: Chicago-Rockford International Airport – Eastern Access recommends that the City create and execute an ordinance that approves the Intergovernmental Agreement. The City shall provide up to \$2,000,000 to fund the improvements. Funding for this agreement will come from Sales Tax and/or MFT. The City's share will be required to be integrated into the 2013 and 2014 Capital Improvement programs. MOTION PREVAILED by a Roll Call vote of:

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

2012-081CR

53. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the extension of the 1% non-home rule Municipal Retailers Occupation Tax and Service Occupation Tax through June 30, 2017. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

54. Alderman Beck moved for the appointment to the Rockford Housing Authority Board, Mr. Jerry Lumpkins. This appointment fills the position previously vacated by David Sidney and will expire March 1, 2017.

Alderman Thompson-Kelly requested the record reflect she asked for clarification that Mr. Lumpkins' primary residence is in the City of Rockford.

Mayor Morrissey informed her that Mr. Lumpkins does residence in the City of Rockford.

MOTION PREVAILED (Ald. McNeely voted no; Ald. Hervey absent).

2012-082CR

55. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that City Council approve the settlement in Johnson v. City of Rockford, in the amount of \$75,000 payable as follows: first installment of \$50,000 payable within two weeks of City Council approval and the second installment of \$25,000 in six months after the first installment with a release to be obtained. MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2012-014R

56. Alderman Elyea, on behalf of the Planning and Development Committee, moved the adoption of a Resolution approving a Memorandum of Agreement between the City of Rockford and the Illinois Historic Preservation Agency regarding the disposition of the Ziock Building (Amerock) located at 416 South Main Street. MOTION PREVAILED (Ald. Hervey absent).

2012-015R

57. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution recommending authorizing the Central Services Manager to take bids/proposals for the following:

- A. Bid: Parmele Storm Water Improvements, funding source: Sales Tax
- B. Bid: Demolition of 612 S. Henrietta, 1127 Sanford, and 302 N. Henrietta, funding source: CDBG
- C. Bid: Excavation and Hauling Services, funding source: Street Division Operating Budget
- D. RFP: Asbestos Removal Testing, funding source: Departmental Operating Budgets

MOTION PREVAILED (Ald. Hervey absent).

2012-016R

58. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for The Irish Marching Society, for a special event permit for the St. Patrick's Day Parade. The event will take place on Saturday, March 17, 2012 from 2:00 pm – 5:00 pm and will start in the 500 block of 7th Street and will end in the 400 block of North Main Street. MOTION PREVAILED (Ald. Hervey absent).

2012-017R

59. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for The Rockford Area Mexican Business Association (RAMBA), for a special event permit and liquor permit for consumption of liquor outdoors on public property ("SP" license) for the Cinco de Mayo Festival at Davis Park, 320 South Wyman Street on Saturday, May 5, 2012 and Sunday, May 6, 2012 from 4:00 pm to midnight (each day). MOTION PREVAILED (Ald. Hervey absent).

2012-018R

60. Alderman Beach moved the adoption of a Resolution requesting permission from Illinois Department of Transportation (IDOT) for temporary street closures of Illinois Route 2 (Main Street) from Park Avenue to Whitman Street and Illinois Route 2 (Wyman Street, Park Avenue, Main Street) from West State Street to Whitman Street for the St. Patrick's Day Parade on March 17, 2012. MOTION PREVAILED (Ald. Hervey absent).

NEW BUSINESS

61. Alderman Beach introduced and read an Ordinance amending Chapter 16, Section 186(b) of the Code of Ordinances of the City of Rockford to add the following:

Restricting parking to Handicapped Parking on the north side of Jefferson Street from 50 feet east of Church Street to 75 feet east of Church Street.

LAID OVER.

62. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 283 of the Code of Ordinances of the City of Rockford to add the following:

Thirty Minute Parking restriction on the south side of Chestnut Street from Winnebago Street to Court Street, thus repealing the existing Two Hour parking restriction.

LAID OVER.

63. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 281 of the Code of Ordinances of the City of Rockford to add the following:

The existing "No Parking 7:00 am – 6:00 pm" restriction on the east side of Ware Avenue from Argus Drive to Colosseum Drive thus restoring unrestricted parking on the east side of Ware Avenue from Argus Drive to Colosseum Drive and retaining the parking restriction of "No Parking from 7:00 am – 6:00 pm" on the west side of Ware Avenue from Argus Drive to Colosseum Drive. LAID OVER.

2012-028-O

64. Alderman Beach introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Frank Greco d/b/a Valli Produce located at 5880 East State Street for the sale of packaged liquor in conjunction with a grocery store in a C-3, General Commercial Zoning District. Approval is subject to the following conditions:

1. Meeting all City of Rockford Liquor Codes.
2. Meeting all applicable building and fire codes.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Wasco. MOTION PREVAILED. The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

2012-029-O

65. Alderman Beach introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a (A) Variation to increase the maximum allowed fence height from 6 feet to 8 feet in the rear yard; and a (B) Variation to increase the maximum allowed fence height from 6 feet to 8 feet in the side yard in a C-1, Limited Office Zoning District at 4773, 4794, 4795, 4811, 4833, 4857, 4873 and 4875 Manhattan Drive. Approval is subject to the following conditions:

1. That the fence location is reviewed and approved by Public Works

Alderman Beach moved to suspend Rule 11, seconded by Alderman Wasco. MOTION PREVAILED. The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

2012-030-O

66. Alderman Beck introduced and read an Ordinance authorizing and providing for the purchase of three quints and one engine from Global Emergency Products approved by the City Council on February 13, 2012.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED. The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

2012-031-O

67. Alderman Beck introduced and read an Ordinance recommending the City provide up to \$2,000,000 to fund the Intergovernmental Agreement for the Chicago-Rockford International Airport – Eastern Access improvements. The City’s share will be required to be integrated into the 2013 and 2014 Capital Improvement programs.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED. The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

2012-032-O

68. Alderman Beck introduced and read an Ordinance for the Intergovernmental Agreement: City of Rockford, County of Winnebago and the Rockford Metropolitan Exposition, Auditorium and Office Building Authority providing for improvement, sale and lease of certain municipal public parking.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED. The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

69. Alderman McNeely recognized E.J. Dilonardo, former IAFF Local 413 President, in attendance at tonight's meeting.
70. Upon motion duly made and seconded, the meeting was adjourned at 7:24 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
March 12, 2012
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. CODE AND REGULATION COMMITTEE REPORTS READ IN MARCH 12, 2012

1. Beach – REVERSING the Zoning Board of Appeals thereby recommending that City Council DENY the Variation to expand the concrete driveway 12 feet wide to 35 feet in length into two properties in the required front yard in an R-1, Single Family Residential Zoning District at 315-319 Wood Avenue.

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER MARCH 5, 2012

1. Jacobson - Redistricting Ward Map - For the City of Rockford following the 2010 census, recommending the City Council adopt the attached City of Rockford Ward Map, dated March 5, 2012. The Legal Director shall prepare the appropriate ordinance.
2. Mark - Legislative Lobbying - Recommending that the City Council support the legislation authorizing the provisions for carrying of concealed firearms, and support the adoption of legislation consistent with the Family and Personal Protection Act or the License to Carry Firearms for Self Defense Act.
3. Beck - Finance and Personnel - Recommending the award for Office Supplies be made to the low bidder, Mid-City Office Products, of Loves Park, Illinois for an estimated annual cost of \$120,000. The funding source is Departmental Operating Budgets.
4. Beck - Finance and Personnel - Recommending the award for South Main Street Corridor – Overhead Utility Design be made to Com Ed for a total not-to-exceed cost of

\$120,000.00 for utility design services. The funding for this project will come from Sales Tax funds, and will be credited toward the future construction of the relocation.

5. Beck - Finance and Personnel - Recommending the award for West State Street Corridor – Overhead Utility Relocation be made to Com Ed for a total not-to-exceed cost of \$919,651.00 for overhead utility relocation services. The funding for this project will come from Sales Tax funds.
6. Beck - Finance and Personnel - Recommending approval of Information Technology Services Contract Amendment with Advance Technology Services (ATS) to include an Application Support Analyst at an annual cost of \$87,360. The funding source is Information Technology Operating Budget.
7. Beck - Finance and Personnel - Recommending the award for a Change Order: City-Wide Street Repair No. 2 be made to William Charles Construction for an additional \$97,504.43 for a new total not-to-exceed cost of \$552,005.00 for construction services. The funding source for the project is Sales Tax and Property Fund.
8. Beach - Code and Regulation - Recommending the approval of the Final Plat of Skylight Commons Subdivision.
9. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow two free-standing signs along North Alpine Road (Billboard/Carpetland Sign) for five (5) years in a C-2, Limited Commercial Zoning District at 326 North Alpine Road. Approval is subject to the following conditions:
 1. That the billboard sign be removed by June 3, 2016.
 2. The Carpetland sign be replaced with a monument style sign per the Sign Ordinance.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

10. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending APPROVAL of a (A) Variation to eliminate building foundation landscaping, a (B) Variation to increase the maximum permitted height of a free-standing sign from 8 feet to 15 feet in height, a (C) Variation to increase the maximum permitted sign square footage from 64 feet to 100 square feet, a (D) Variation to allow parking to back out onto an alley, a (E) Variation to allow a pylon style sign in place of a landmark style sign, a (F) Variation to allow a loading dock to be serviced off a public street (Lafayette Avenue), a (G) Variation to allow the required shade tree requirement to be located within right-of-way along Lafayette Avenue, a (H) Variation to allow reduction in the shade tree planting bed from a minimum of 8 feet wide to 3.63 feet and 5.35 feet, and a (I) Variation in the Design Standards for a proposed building elevation and site plan inclusive of a waiver of the building transparency requirements from 50% to 0% for building facing façade along Lafayette Avenue and a reduction of building transparency requirements for building facing

façade along North 3rd Street in a C-4, Urban Mixed-Use District at 526 East Jefferson Street. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Must develop site in accordance with Exhibit D
3. Submittal of a revised landscape plane to include removal of landscaping within Right-of-Way along North 3rd Street and plant species for Staff's review and approval.
4. Proposed shade trees along Lafayette Avenue must be approved with Public Works.
5. Must obtain separate permits for signage and sign must be constructed to match building design.
6. Submittal of a final plat to be reviewed and approved by Staff and City Council.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

11. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a non-accessory parking lot and APPROVE a Variation to allow parking spaces to back out onto an alley in a C-4, Urban Mixed Use District at 310 South Church Street, 320 and 324 Chestnut Street. Approval is subject to the following conditions:

1. Must submit a parking lot permit application including landscape plan for Staff's review and approval.
2. Should Option (2) be implemented, the removal of the parking spaces at South Church Street and Chestnut Streets need to be removed.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

12. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a restaurant and nightclub in an I-1, Light Industrial Zoning District at 3457 Merchandise Drive. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes.
2. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
3. The hours of operation will be limited to 11:00 am to 2:00 am Monday through Saturday.
4. The hours of operation will be limited to 11:00 am to 12:00 am (Midnight) on Sunday.
5. Security shall be provided at a minimum of 1 per 50 patrons.
6. That the free-standing sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing free-standing sign.
7. That the gravel parking area shall be improved with asphalt or concrete by July 15, 2013.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

13. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of alcohol by the drink in conjunction with a restaurant and nightclub in the name of **Craig Sockwell d/b/a CJ's** in an I-1, Light Industrial Zoning District at 3457 Merchandise Drive.

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

14. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for sale of alcohol by the package in conjunction with a gas station and convenience store in the name of **John Griffin d/b/a Kelly Williamson** in a C-3, General Commercial Zoning District at 321 and 315 North Alpine Road and 45xx Turner Street. 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 hour and days of operation are required to be in compliance with the City of Rockford Liquor Codes.
5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.

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

III. ORDINANCES LAID OVER MARCH 5, 2012

1. Beach - Ordinance - Amending Chapter 16, Section 186(b) of the Code of Ordinances of the City of Rockford to add the following:

Restricting parking to Handicapped Parking on the north side of Jefferson Street from 50 feet east of Church Street to 75 feet east of Church Street.

2. Beach - Ordinance - Amending Chapter 16, Schedule Section 283 of the Code of Ordinances of the City of Rockford to add the following:

Thirty Minute Parking restriction on the south side of Chestnut Street from Winnebago Street to Court Street, thus repealing the existing Two Hour parking restriction.

3. Beach - Ordinance - Amending Chapter 16, Schedule Section 281 of the Code of Ordinances of the City of Rockford to add the following:

The existing "'No Parking 7:00 am – 6:00 pm"' restriction on the east side of Ware Avenue from Argus Drive to Colosseum Drive thus restoring unrestricted parking on the east side of Ware Avenue from Argus Drive to Colosseum Drive and retaining the parking restriction of

"No Parking from 7:00 am – 6:00 pm" on the west side of Ware Avenue from Argus Drive to Colosseum Drive.

IV. MISCELLANEOUS/APPOINTMENTS LAID OVER MARCH 5, 2012

1. Mayor Morrissey – Appointment – Department Head/Finance Director, Mr. Chris Black.
- Motions and Resolutions

V. RESOLUTIONS TO BE READ IN MARCH 12, 2012

1. Beach – Red Shoe Run – 4/14/12
2. Beach – State Street Mile – 8/4/12

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. Beck – Ordinance – For the extension of the 1% non-home rule Municipal Retailers Occupation Tax and Service Occupation Tax through June 30, 2017.
- * 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, March 12, 2012, 5:15 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

1. C & R 12-38 Special Events: Red Shoe Run 4/14/12; State St. Mile 8/4/12

FINANCE AND PERSONNEL COMMITTEE

**Monday, March 12, 2012, 4:45 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Presentation - Rivers Edge Redevelopment Zone Grant Agreement (Laid over 3/5)

2. Purchasing and Vouchers
 - A. Award of Sole Source Contract: Water Treatment Chemicals
 - B. Engineering Agreement: Water System Rehabilitation Project, Task Order #18
 - C. Emergency Repair to 1995 Pierce Aerial Truck
 - D. Resolution to take Bids
 - E. Vouchers
3. Small Business Loan to Lydia's Café – Suspend rules
4. City-State Agreement Amendment: - HSIP Funding

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, March 12, 2011, _____ p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, March 12, 2012, _____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.