

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
MARCH 19, 2012
COUNCIL CONVENE AT 6:07 P.M.**

1. The invocation was given by Chaplain Samuel Sarpiya, Rockford Community 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, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Beck, McNeely -11-
Absent: Wasco, Timm, Robertson -3-
3. Alderman Mark moved to accept the Journal of Proceedings of March 12, 2012, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Wasco, Timm, Robertson absent).

PUBLIC PARTICIPATION

4. Prophet Yusef encouraged everyone to prepare today for tomorrow's challenges.
5. Roland Poska encouraged community members to purchase a copy of the *Great Human Race* and invited them to attend an event on April 1, 2012 at 12:00 (noon) – 4:00 pm at the Rockford Art Museum.
6. Bruce Roberts commended council members for passing a committee report that support conceal and carry.

PETITIONS AND COMMUNICATIONS

7. Alderman Beach read the Rockford Traffic Commission minutes from the meeting held on March 14, 2012. Code and Regulation Committee.
8. Alderman Elyea submitted a Memorandum from Reid Montgomery, Director of Community Development and Building Department, regarding an Amendment of Development Agreement with Financial Management Systems (FMS). Referred to Planning and Development Committee.
9. Alderman Thompson-Kelly submitted a Memorandum regarding proposed regulations for tobacco shops, second hand stores, cash stores and pawn shops. Referred to Code and Regulation Committee.
10. Alderman Johnson submitted three (3) requests for service. Referred to Public Works Department.

11. Alderman McNeely submitted an e-mail from Doris Sanders regarding a street light that was taken down at 720 S. Pierpont. Referred to Public Works Department.
12. Alderman McNeely submitted two letters from Torona Wainwright. Referred to Legal Department.

NEW COMMITTEE REPORTS

13. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: State Street Signal Repairs be made to Arnold Lundgren Associates, to perform design engineering for a total not-to-exceed cost of \$47,850. The funding for this project will come from Sales Tax funds. LAID OVER.
14. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of March 19, 2012 in the amount of \$1,990,733.21. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Beck, McNeely -11-
Nays: -0-
Absent: Wasco, Timm, Robertson -3-

OFFICERS REPORTS

15. Mayor Morrissey thanked City staff and community volunteers for their efforts to organize another great St. Patrick's Day parade and also thanked the Winnebago County Sheriff's Department for assisting with traffic control.
16. Mayor Morrissey congratulated the Auburn High School boys' basketball team finishing third in the state.
17. Mayor Morrissey congratulated the Rock Valley College women's basketball team on winning their national championship.
28. Mayor Morrissey expressed his appreciation to everyone involved in helping coordinate the State of the City Address.
19. Mayor Morrissey announced yard waste collection will resume on Monday, March 26, 2012 and continue until late in the fall.
20. Alderman Thompson-Kelly also advised her constituents that yard waste collection will resume next Monday, March 26, 2012.
21. Alderman Thompson-Kelly reminded everyone that tomorrow is the primary election and encouraged them to vote.
22. Alderman Mark congratulated the Auburn High School boys' basketball team on a tremendous season with a third place finish at the state tournament.

23. Alderman Mark also congratulated Auburn High School and Keith School on a tremendous showing at the State Scholastic Bowl, both finishing third in their division.
24. Alderman Mark announced the Rockford Dance Company will be presenting the production of Cinderella this weekend at the Coronado Performing Arts Center, Saturday at 7:00 pm and Sunday at 3:00 pm. This will be his fourth and final performance as one of the wicked step-sisters. He invited everyone to attend the performance.
25. Mayor Morrissey congratulated the East High School boys' basketball team on a great season.
26. Mayor Morrissey encouraged citizens to support the electrical aggregation proposition on the ballot.

UNFINISHED BUSINESS

2012-098CR

27. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of a sole-source contract with Carus Corporation, of Peru, Illinois to continue to supply polyphosphate chemicals, Carus 8400 and AquaMag. The estimated cost is \$100,000 depending on the amount of water produced during the contract term. The funding source is Water Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Beck, McNeely -11-

Nays: -0-

Absent: Wasco, Timm, Robertson -3-

2012-099CR

28. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of Task Order #18 with MWH Americas, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$97,400. The task order will be completed under a Master Agreement with MWH Americas, Inc. Funding for the project will come from the Water Replacement and Improvement Account (WRIA). MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Beck, McNeely -11-

Nays: -0-

Absent: Wasco, Timm, Robertson -3-

29. Alderman Beach moved the adoption of a Code and Regulation Committee Report 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. LAID OVER.

Alderman Jacobson made a motion to lay the committee report over, seconded by Alderman Thompson-Kelly.

MOTIONS AND RESOLUTIONS

2012-025R

30. Alderman Beach read a Resolution requesting permission from the Illinois Department of Transportation (IDOT) for temporary street closures of Illinois Route 2 (Wyman Street), a State Highway in the City of Rockford, from Chestnut Street to Park Avenue, and Illinois Route 2 (Park Avenue) from Wyman Street to Main Street for the Heritage Run on April 22, 2012. MOTION PREVAILED (Ald. Wasco, Timm, Robertson absent).

2012-026R

31. 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: Paint & Paint Supplies, funding source: Property Division Operating

MOTION PREVAILED (Ald. Wasco, Timm, Robertson absent).

NEW BUSINESS

32. Alderman Beach introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to allow two freestanding 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. LAID OVER.

33. Alderman Beach introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for (A) Variation to eliminate building foundation landscaping, (B) Variation to increase the maximum permitted height for a free-standing sign from 8 feet to 15 feet in height, (C) Variation to increase the maximum permitted sign square footage from 64 square feet to 100 square feet, (D) Variation to allow parking to back out onto an alley, (E) Variation to allow a loading dock to be serviced off a public street (Lafayette Avenue), (F) Variation to allow the required shade tree requirement to be located within right-of-way along Lafayette Avenue, (G) 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 (H) Variation to the design standards for the proposed building elevation and site plan inclusive of a waiver for 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.
7. That, by agreement of the applicant, the following uses are prohibited on the property; sexually oriented businesses, establishments that buy gold and other precious metals, tile loan stores, payday loan stores, cash stores, pawn shops, tattoo parlors, retail establishments that sell tobacco or packaged liquor in which said sales of tobacco or packaged liquor exceed 20% of the gross revenue, or restaurant with sale of liquor by the drink in excess of 50% of the gross revenue.

Approval is based on the findings of fact. LAID OVER.

34. Alderman Beach introduced and read an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for (A) a Special Use Permit for a non-accessory parking lot, (B) Variation to allow parking spaces to back out onto an alley in a C-4, Urban Mixed-Use District at 310 South Church 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. LAID OVER.

35. Alderman Beach introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a 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. LAID OVER.

36. 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:

Craig Sockwell d/b/a On The Rocks located at 3457 Merchandise Drive for the sale of alcohol by the drink in conjunction with a restaurant and nightclub in an I-1, Light Industrial Zoning District. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The hours of operation will be limited to 11:00 am to 2:00 am Sunday through Saturday.
4. The sale of alcohol shall be limited to the interior of the nightclub and restaurant as shown on Exhibit E.
5. Security shall be provided at a minimum of 1 per 50 patrons.
6. That the freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing freestanding sign.
7. That the gravel parking area shall be improved with asphalt or concrete by July 15, 2013.

LAID OVER.

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John Griffin d/b/a Kelley Williamson located at 321, 315 North Alpine Road and 45xx Turner Street for the sale of packaged liquor in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District. 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.

LAID OVER.

PETITIONS AND COMMUNICATIONS

38. Alderman Beck submitted a Memorandum from Patrick Hayes, Legal Director, regarding an Intergovernmental Agreement for Joint Bid of Electrical Aggregation Supply. Referred to Finance and Personnel Committee.
39. Upon motion duly made and seconded, the meeting was adjourned at 6:34 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
March 26, 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

I. PUBLIC HEARING

1. Rockford Mass Transit District – Rockford Regional Multimodal Transportation Center Project

- 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)

II. COMMITTEE REPORTS READ IN MARCH 26, 2012

A. CODE AND REGULATION

1. Beach – Traffic – “Commercial Loading” parking zone from 8:00 am to 5:00 pm, Monday through Friday on the north side of Broadway from Arbor Court to 50 feet west of Arbor Court, thus repealing the portion of the existing two hour parking limit.
2. Beach – Traffic – Traffic on Church Street be required to yield prior to entering the intersection of Loomis Street and Church Street.
3. Beach – Traffic – Traffic on Court Street be required to yield prior to entering the intersection of Loomis Street and Court Street.
4. Beach – Traffic – “No Action” taken on the following items:
 1. “No Parking Anytime” restriction on the east side of Bucknell Drive from Harrison Avenue to Yale Drive.
 2. “No Parking Anytime” restriction on one side of the street at the following locations:

- a. 16th Avenue from 18th Street to 20th Street
- b. 18th Street from Broadway to 16th Avenue
- c. 19th Street from Broadway to 16th Avenue

UNFINISHED BUSINESS

III. COMMITTEE REPORTS LAID OVER MARCH 19, 2012

1. Beck - Finance and Personnel - Recommending the award for Engineering Agreement: State Street Signal Repairs be made to Arnold Lundgren Associates, to perform design engineering for a total not-to-exceed cost of \$47,850. The funding for this project will come from Sales Tax funds.
2. Beach - Code and Regulation - 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.

IV. ORDINANCES LAID OVER MARCH 19, 2012

1. Beach - Ordinance - Amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to allow two freestanding 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.

2. Beach - Ordinance - Amending Article 64 of the Zoning Ordinance of the City of Rockford for (A) Variation to eliminate building foundation landscaping, (B) Variation to increase the maximum permitted height for a free-standing sign from 8 feet to 15 feet in height, (C) Variation to increase the maximum permitted sign square footage from 64 square feet to 100 square feet, (D) Variation to allow parking to back out onto an alley, (E) Variation to allow a loading dock to be serviced off a public street (Lafayette Avenue), (F) Variation to allow the required shade tree requirement to be located within right-of-way along Lafayette Avenue, (G) 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 (H) Variation to the design standards for the proposed building elevation and site plan inclusive of a waiver for 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:
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4. Proposed shad 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.
7. That, by agreement of the applicant, the following uses are prohibited on the property; sexually oriented businesses, establishments that buy gold and other precious metals, tile loan stores, payday loan stores, cash stores, pawn shops, tattoo parlors, retail establishments that sell tobacco or packaged liquor in which said sales of tobacco or packaged liquor exceed 20% of the gross revenue, or restaurant with sale of liquor by the drink in excess of 50% of the gross revenue.

Approval is based on the findings of fact.

3. Beach - Ordinance - Amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for (A) a Special Use Permit for a non-accessory parking lot, (B) Variation to allow parking spaces to back out onto an alley in a C-4, Urban Mixed-Use District at 310 South Church Street. Approval is subject to the following conditions:
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 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.

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 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.
- Motions and Resolutions

V. MOTIONS AND RESOLUTIONS TO BE READ IN MARCH 26, 2012

1. Beach – OSF Heritage Run – 4/22/12

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.

* 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, March 26, 2012, 5:15 p.m.

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

AGENDA

1. C & R 12-39 OSF Heritage Run 4/22/12
2. C & R 12-48 March Traffic Commission Minutes

FINANCE AND PERSONNEL COMMITTEE

Monday, March 26, 2012, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: City-Wide Mowing – Suspend rules
 - B. Award of Bid: Parmele Storm Water Improvements – Suspend rules
 - C. Award of Non-Competitive Bid: Consultant for Economic Development
 - D. Change Order: Snow Plow Push Frame Repairs – Suspend rules
 - E. Engineering Agreement: Whitman Interchange Feasibility Study (Laid over 3/19)
 - F. Resolution to take Bids

G. Vouchers

2. Intergovernmental Agreement for Joint Bid of Electrical Aggregation Supply

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, March 26, 2012, 5:30 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Reid Montgomery, Director, Community Development and Building Department, regarding an Amendment of Development Agreement with Financial Management Systems (FMS).
2. State and Mulford TIF, Ordinance setting Public Hearing and Joint Review Board.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, March 26, 2012, _____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.