

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
OCTOBER 1, 2012
COUNCIL CONVENED AT 6:07 P.M.**

1. The Clerk called the meeting to order in the absence of the Mayor, and recognized Alderman Beck who moved that Alderman Hervey serve as Mayor Pro Tem for the meeting. Said motion was seconded by Alderman Beach. MOTION PREVAILED (Ald. Curran, Wasco, Thompson-Kelly, McNeely absent).
2. The invocation was given by Chaplain Jesus Calvillo, First Church of God/Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
3. Roll Call:

Alderman Hervey, Mayor Pro Tem

Aldermen: Durkee, Mark, (Hervey), Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -10-
Absent: Curran, Wasco, Thompson-Kelly, McNeely -4-
4. Alderman Mark moved to accept the Journal of Proceedings of September 24, 2012, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran, Wasco, Thompson-Kelly, McNeely absent).

PUBLIC PARTICIPATION

5. Prophet Yusef offered suggestions on how to make Rockford financially independent.

Alderman Curran joined the meeting at 6:14 pm.

6. Roland Poska proposed adding gold stars to the American Flag to honor the "Gold Star Boys" of World War II and spoke about expanding our thought process and money supply. He invited everyone to his book signing at J.R. Kortman, 107 North Main Street on November 2, 2012 from 5:00 pm to 9:00 pm.

PETITIONS AND COMMUNICATIONS

7. Alderman Johnson submitted seven (7) requests for service. Referred to Community Development/Code Enforcement, Public Works Department, Police and Fire Departments.
8. Alderman Durkee submitted a request from Samuel Castree, Club President Rock Run Soccer Club, requesting permission for temporary lighting for practice field located at 6310 Guilford Road from October 1, 2012 through November 20, 2012 from 4:00 pm – 9:00 pm. Alderman Durkee moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Thompson-Kelly, McNeely absent).
9. Alderman Mark submitted a request for a Groundwater Ordinance for 310 South Avon Street. Referred to Code and Regulation Committee.

10. Alderman Mark submitted a Memorandum from Julia Valdez, Director of Human Resources, regarding a special event request:
 1. Soup-R-Fest - 10/13/12.
 2. Stand Up for Religious Freedom Rally – 10/20/12

Referred to Code and Regulation Committee.
11. Alderman Mark submitted the Rockford Traffic Commission Agenda for meeting to be held on October 10, 2012. Referred to Traffic Commission.
12. Alderman Mark submitted a Memorandum from Julia Scott-Valdez, Director Human Resources, regarding Phase I of the Compensation Study for Non-Represented Employees. Referred to Finance and Personnel Committee.
13. Alderman Timm submitted an e-mail from Rachel Walters Stefanini requesting a traffic control sign posted at the intersection of Quincy and Court. Referred to Public Works/Traffic Commission.
14. Alderman Beck submitted a Memorandum from Mark Rose, Land Acquisition Officer regarding Application to purchase City owned lot 3417 Chestnut St. Referred to Finance and Personnel Committee.
15. Alderman Beck submitted a Memorandum from Kerry Partridge, City Attorney regarding Cash v City of Rockford – Retention of Outside Counsel. Referred to Finance and Personnel Committee.

NEW COMMITTEE REPORTS

16. Alderman Mark read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for outdoor storage, recycling of salvaged materials and outdoor storage area for salvaged materials in an I-2, General Industrial Zoning District at 2xx Quaker Road and 217 Peoples Avenue. Approval is subject to the following conditions:
 1. That the property conform with all building and fire codes.
 2. That the property conform within all State and Federal Regulations
 3. That the entrance drive be improved with concrete for a distance of 100 feet from Quaker Road (including apron in right-of-way) into the site and for employee and customer parking.
 4. That a subdivision plat is submitted for City Council review and approval and recordation by the applicant.
 5. Prior to establishment of use, the property shall be in conformance with site plan dated August 20, 2012, including construction and obtaining occupancy of "future building" (this will require connection to public sewer and water) and that the two existing buildings on the site be raised or brought into conformance with building codes.

6. That the special use permit shall lapse after a period of five (5) years from the approval date.

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

17. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Variation to increase maximum height for a free-standing sign from eight (8) feet to twenty-eight (28) feet; APPROVE the Variation to increase maximum allowable square footage for a free-standing sign from sixty-four (64) feet to sixty-nine (69) feet; and APPROVE the Variation to allow a free-standing pylon sign when a free-standing landmark style sign is required at 6551 East State Street. Approval is subject to the following conditions:
 1. Meet all Building and Fire Codes.
 2. Submittal of Building permit for staff review and approval.
 3. The free-standing sign must be in accordance with Exhibits D and E.
 4. The three (3) existing free-standing signs will 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.

18. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 1201 East State Street.

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

19. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 3929 North Mulford Road.

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

20. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 3336 11th Street.

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

21. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 1145 North Alpine Road.

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

22. Alderman Mark read a Code and Regulation Committee Report REVERSING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of packaged beer and wine in conjunction with a gas station in the name of **Narendra Patel d/b/a Lions Quick Mart** in an R-1, Single-family Residential District at 3307 Charles Street. LAID OVER.
23. Alderman Mark read a Code and Regulation Committee Report recommending the sale of the attached list of vacant Community Development lots for a minimum bid of \$350.00 each property and must follow the requirements listed on the Notice of Sale of City Owned Property. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

2012-349CR

24. Alderman Mark 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 used car lot (passenger vehicle sales) in a C-4, Urban Mixed-Use Zoning District at 222 North 3rd Street. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Any future signage on the property must comply with the current sign regulations.
3. That 80% of the vehicles be no more than five (5) years old.
4. That Applicant must provide a minimum of six (6) customer parking spaces.
5. Any landscaping that has died must be replaced and must be maintained in healthy conditions. This must be completed prior to establishing use. Maintenance of plantings must include adequate watering, pruning, mowing and removal of litter not only of the owner's property but also the area between the property line and the street curb or edge or pavement.

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

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

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -11-

Nays: -0-

Absent: Wasco, Thompson-Kelly, McNeely -3-

2012-350CR

25. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from R-2, Two-family Residential Zoning District to a C-1, Limited Office

Zoning District at 513 South Phelps Avenue and 5713 Elaine Drive. Approval is subject to the following conditions:

1. Meeting all applicable Fire and Building Codes.
2. Submittal of a Building Permit for Staff review and approval.
3. Meeting all applicable building codes, specifically documentation from a licensed design professional (Architect), licensed in the State of Illinois indicating construction conforms with building code requirement.
4. Submittal of a revised site plan drawn to scale that indicates the parking spaces are conforming to the parking space size requirements.
5. That the two (2) individual zoning lots are combined into one (1) zoning lot with the submittal of a Winnebago Real Estate Combination Form for Staff review and approval.
6. That the freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing freestanding sign.

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

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

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

2012-351CR

26. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce required rear yard setback from thirty (30) feet to twenty-eight (28) feet in an R-2, Two-family Residential Zoning District at 6761 Rote Road. Approval is subject to the following conditions:

1. Meeting all applicable Fire and Building codes.
2. Submittal of a Building Permit for Staff review and approval.
3. The site must be developed in accordance with Exhibit D.

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

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

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -11-
Nays: -0-

Absent: Wasco, Thompson-Kelly, McNeely -3-

27. Alderman Beck read a Finance and Personnel Committee Report recommending the purchase of the Munis GoDocs module software in order to implement an electronic distribution process to enable email delivery of paystubs for a total cost of \$11,000. The funding source is Information Technology Operating Budget. LAID OVER.
28. Alderman Beck read a Finance and Personnel Committee Report recommending the award for SCADA Support Services be made to Baxter Woodman CSI for a total not to exceed cost of \$60,000. The funding for this project will come from the Water Division Operating Budget. LAID OVER.
29. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Airport Infrastructure/EDA Grant Administration Services be made to the sole proposer, Ellen Burgeson, Inc., of Rockford, Illinois for a fee of \$75.00 per hour with a not to exceed total of \$55,000. The funding source is EDA funds, City Sales Tax funds and Airport funds. LAID OVER.

2012-352CR

30. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Concrete Materials be made to the low bidder for each item as shown on tabulation and summarized:

84 Lumber Co.	Portland Cement
Roscoe Ready Mix	Ready-Mix Concrete, High Early Strength, 2% Calcium, Quick-Set Ready Mix Concrete & Minimum Delivery Charge
Super Mix	Flowable Fill

The funding source is Departmental Operating Budgets.

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

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

2012-353CR

31. Alderman Beck read a Finance and Personnel Committee to whom was referred the memo of George Davis, Human Services Director, recommending the approval of the proposed Amendments to Local Administering Agency Funding Agreements.

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

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

32. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of October 1, 2012 in the amount of \$2,155,931.95. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

33. Alderman Hervey, on behalf of Mayor Morrissey, presented a Proclamation proclaiming October, 2012 to be "ARTS AND HUMANITIES MONTH" in Rockford, Illinois and urged all local, state and federal officials to invest in nonprofit arts organizations.
34. Alderman Hervey announced the lights around City Hall will shine purple this October to raise awareness on the issue of Domestic Violence. Statistics show nearly 1 of 3 American women will experience domestic or dating violence during their lifetime. Speaking up about domestic violence is one of the first steps to ending it.
35. Alderman Mark reported the passing of Vi Carlson. He reflected on her amazing musical talent and spoke of her beautiful spirit and impact on this community.
36. Alderman Johnson reported she attended the City of Rockford Wellness Fair last week and turned in her survey.
37. Alderman Johnson reminded Rolling Green residents the Neighborhood Association quarterly meeting will be held on Tuesday, October 9, 2012 at Broadway Covenant Church, 3500 Broadway from 6:30 pm – 8:00 pm.
38. Alderman Johnson provided council with an update on the Harmon Park Flood Mitigation Project.
39. Alderman Durkee warned seniors living in nursing homes, retirement or assisted living homes of a medical scam requesting them into sign a false prescription for some type of home health care service.

UNFINISHED BUSINESS

2012-354CR

40. Alderman Mark moved the adoption of a Code and Regulation Committee Report REVERSING the Liquor Advisory Board, thereby recommending that City Council DENY the Modification of existing liquor license to allow sale of liquor by the drink with a

package liquor store in the name of Chirag K. Patel d/b/a Cork, Keg and Spirits in a C-3, Commercial General Zoning District at 1603 North Alpine Road. MOTION PREVAILED by a Roll Call vote of:

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

2012-355CR

41. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that City Council approve the vacate part of Horsman Street lying north of Lawndale Avenue and that AT&T, Comcast Cable, and ComEd shall retain utility easements in the vacated portion. Approval is subject to the following conditions:

1. Payment of the sum of \$ 5,500.00 by the petitioner.

The Legal Director shall prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2012-356CR

42. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that City Council give approval for a proposed ordinance prohibiting the use of groundwater for the area surrounding 2410 South Alpine Road. MOTION PREVAILED by a Roll Call vote of:

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

2012-357CR

43. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance repealing the "2 Hour" parking restriction on the south side of 3rd Avenue from 160 feet west of 7th Street to 7th Street, thus restoring the unrestricted parking. MOTION PREVAILED by a Roll Call vote of:

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

2012-358CR

44. Alderman Mark moved the adoption of a Code and Regulation Committee Report to establish one "Handicap Parking" stall on the east side of South Church Street and from 35 feet north of Green Street to 60 feet north of Green Street, thus repealing the existing "2 Hour" parking restriction. MOTION PREVAILED by a Roll Call vote of:

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

2012-359CR

45. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for FMLA Leave Management be made to the sole proposer, ComPsych-FMLA Source, of Chicago, Illinois for their charge of \$1.45 per employee per month, for an annual total of \$17,313.00. The funding source is Human Resources Operating Fund. MOTION PREVAILED by a Roll Call vote of:

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

2012-148-O

46. Alderman Beck moved the adoption of an Ordinance approving the Memorandum of Understanding between Rockford Public Schools to improve outcomes for children, families and neighborhoods in the Rockford School District's Empowerment Zone. MOTION PREVAILED by a Roll Call vote of:

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

2012-149-O

47. Alderman Beck moved the adoption of an Ordinance - Approving the Sub Grantee Agreement between the South Main Shopping Center for the Repayment of the required 60% of the Brownfield Loan in connection with the demolition costs of the properties located at 502 S. Main St. and 222 Cedar St. and the Mayor and Legal Director be authorized to execute the same. MOTION PREVAILED by a Roll Call vote of:

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

2012-150-O

48. Alderman Jacobson moved the adoption of an Ordinance approving the adoption of the Mulford and East State Street Redevelopment Plan and Project and recommended by the Joint Review Board be approved. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Jacobson, Johnson, Timm, Beach, Beck,
Robertson -8-
Nays: Curran, Hervey, Elyea -3-
Absent: Wasco, Thompson-Kelly, McNeely -3-

2012-151-O

49. Alderman Jacobson moved the adoption of an Ordinance approving the designation of the Mulford and East State Street Redevelopment Project Area and recommended by the Joint Review Board. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Jacobson, Johnson, Timm, Beach, Beck,
Robertson -8-
Nays: Curran, Hervey, Elyea -3-
Absent: Wasco, Thompson-Kelly, McNeely -3-

2012-152-O

50. Alderman Jacobson moved the adoption of an Ordinance approving the adoption of the Tax Increment Financing for the Mulford and East State Street Redevelopment Project Area and recommended by the Joint Review Board be approved. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Jacobson, Johnson, Timm, Beach, Beck,
Robertson -8-
Nays: Curran, Hervey, Elyea -3-
Absent: Wasco, Thompson-Kelly, McNeely -3-

2012-153-O

51. Alderman Jacobson moved the adoption of an Ordinance providing for the sharing of the revenue from the Mulford and East State Tax Increment Financing (TIF) be approved. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Jacobson, Johnson, Timm, Beach, Beck,
Robertson -8-
Nays: Curran, Hervey, Elyea -3-
Absent: Wasco, Thompson-Kelly, McNeely -3-

2012-154-O

52. Alderman Jacobson moved the adoption of an Ordinance approving the Agreement between Swim-N-More and the City of Rockford for CDBG Funding for 2012. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck,
Robertson -10-
Nays: Curran -1-

Absent: Wasco, Thompson-Kelly, McNeely -3-

2012-151R

53. Alderman Jacobson moved the adoption of a Resolution regarding the Utilization of Payments in Lieu of Tax Funds for support of Workforce Development, Job Training and High School Career Academies. MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2012-152R

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

A. Bid: Dehumidification Equipment – 5 Units, funding source: Water Operating Budget

B. Bid: City-Wide Sidewalk & ADA Package J – 2012, funding source: Sales Tax

C. Bid: (4) Ambulances, funding source 2014 Fire Department Capital Budget

D. Bid: City-Wide Vehicles & Maintenance, funding source: Public Works, Fire, Police & CD 2013 Capital Budgets

E. RFP: Reclaiming First – Planning, Engineering, & Architectural Services, funding source: DCEO River Edge Redevelopment Zone Funds (City's portion), and Park District Funds

MOTION PREVAILED (Ald. Wasco, Thompson-Kelly, McNeely absent).

NEW BUSINESS

2012-155-O

55. Alderman Mark introduced and read an Ordinance approving the vacation of part of Horsman Street lying north of Lawndale Avenue.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Wasco, Thompson-Kelly, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

56. Alderman Mark introduced and read an Ordinance approving the Groundwater Ordinance for 2410 South Alpine Road. LAID OVER.
57. Alderman Mark introduced and read an Ordinance approving a Two Hour Parking Restriction on the south side of 3rd Avenue from 160 feet west of 7th Street to 7th Street, thus restoring unrestricted parking. LAID OVER.
58. Alderman Mark introduced and read an Ordinance approving a Handicapped Parking stall on the east side of South Church Street from 35 feet north of Green Street to 60 feet north of Green Street, thus repealing the existing 2 Hour parking Restriction. LAID OVER.

2012-156-O

59. Alderman Mark introduced and read an Ordinance approving a Variation to Reduce the required rear yard setback from thirty (30) feet to twenty-eight (28) feet in an R-2, Two-Family Residential Zoning District at 6761 Rote Road. Approval is subject to the following conditions:

1. Meeting all applicable fire and building codes
2. Submittal of a building permit for Staff review and approval
3. The site must be developed in accordance with Exhibit D

Alderman Mark moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Wasco, Thompson-Kelly, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

2012-157-O

60. Alderman Mark introduced and read an Ordinance approving a Zoning Map Amendment from R-2, Two-Family Residential Zoning District to a C-1, Limited Office Zoning District at 513 South Phelps Avenue and 5713 Elaine Drive. Approval is subject to the following conditions:

1. Meeting all applicable fire and building codes
2. Submittal of a building permit for Staff review and approval
3. Meeting all applicable building codes, specifically documentation from a licensed designed professional (Architect), licensed in the State of Illinois indicating construction conforms with building code requirement
4. Submittal of a revised site plan drawn to scale that indicates the parking spaces are conforming to the parking space size requirements
5. That the two (2) individual zoning lots are combined into one (1) zoning lot with the submittal of a Winnebago Real Estate Combination Form for Staff review and approval

6. That the freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing freestanding sign

Alderman Mark moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Wasco, Thompson-Kelly, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

2012-158-O

61. Alderman Mark introduced and read an Ordinance approving a Special Use Permit for a used car lot (passenger vehicle sales) in a C-4, Urban Mixed Use Zoning District at 222 North 3rd Street. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes
2. Any future signage on the property must comply with the current sign regulations
3. That 80% of the vehicles be no more than 5 years old
4. The applicant must provide a minimum of six (6) customer parking spaces
5. Any landscaping that has died must be replaced and must be maintained in health conditions. This must be completed prior to establishing use. Maintenance of planting must include adequate watering, pruning mowing and removal of litter not only of the owner's property but also the area between the property line and the street curb or edge of pavement.

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

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

2012-159-O

62. Alderman Beck moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Amendments to Local Administering Agency Funding Agreements.

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

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

63. Upon motion duly made and seconded, the meeting was adjourned at 6:57 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
October 9, 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

I. COMMITTEE REPORTS TO BE READ IN OCTOBER 9, 2012

A. CODE AND REGULATIONS

1. Mark – LAB – Modifications of exiting liquor license for **Chris Wachowiak d/b/a Kryptonite** located at 308 West State Street.

Officers Reports

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER OCTOBER 1, 2012

1. Mark - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for outdoor storage, recycling of salvaged materials and outdoor storage area for salvaged materials in an I-2, General Industrial Zoning District at 2xx Quaker Road and 217 Peoples Avenue. Approval is subject to the following conditions:
 1. That the property conform with all building and fire codes.
 2. That the property conform within all State and Federal Regulations
 3. That the entrance drive be improved with concrete for a distance of 100 feet from Quaker Road (including apron in right-of-way) into the site and for employee and customer parking.
 4. That a subdivision plat is submitted for City Council review and approval and recordation by the applicant.
 5. Prior to establishment of use, the property shall be in conformance with site plan dated August 20, 2012, including construction and obtaining occupancy of "future building" (this will require connection to public sewer and water) and that the two

existing buildings on the site be raised or brought into conformance with building codes.

6. That the special use permit shall lapse after a period of five (5) years from the approval date.

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

2. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Variation to increase maximum height for a free-standing sign from eight (8) feet to twenty-eight (28) feet; APPROVE the Variation to increase maximum allowable square footage for a free-standing sign from sixty-four (64) feet to sixty-nine (69) feet; and APPROVE the Variation to allow a free-standing pylon sign when a free-standing landmark style sign is required at 6551 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building permit for staff review and approval.
3. The free-standing sign must be in accordance with Exhibits D and E.
4. The three (3) existing free-standing signs will need to be removed.

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

3. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 1201 East State Street.

Denial is based on the Findings of Fact.

4. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 3929 North Mulford Road.

Denial is based on the Findings of Fact.

5. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 3336 11th Street.

Denial is based on the Findings of Fact.

6. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective

message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 1145 North Alpine Road.

Denial is based on the Findings of Fact.

7. Mark - Code and Regulation - REVERSING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of packaged beer and wine in conjunction with a gas station in the name of **Narendra Patel d/b/a Lions Quick Mart** in an R-1, Single-family Residential District at 3307 Charles Street.
8. Mark - Code and Regulation - Recommending the sale of the attached list of vacant Community Development lots for a minimum bid of \$350.00 each property and must follow the requirements listed on the Notice of Sale of City Owned Property. The Legal Director is hereby instructed to prepare the necessary Ordinance.
9. Beck - Finance and Personnel - Recommending the purchase of the Munis GoDocs module software in order to implement an electronic distribution process to enable email delivery of paystubs for a total cost of \$11,000. The funding source is Information Technology Operating Budget.
10. Beck - Finance and Personnel - Recommending the award for SCADA Support Services be made to Baxter Woodman CSI for a total not to exceed cost of \$60,000. The funding for this project will come from the Water Division Operating Budget.
11. Beck - Finance and Personnel - Recommending the award for Airport Infrastructure/EDA Grant Administration Services be made to the sole proposer, Ellen Burgeson, Inc., of Rockford, Illinois for a fee of \$75.00 per hour with a not to exceed total of \$55,000. The funding source is EDA funds, City Sales Tax funds and Airport funds.

III. ORDINANCES LAID OVER OCTOBER 1, 2012

1. Mark - Ordinance - Approving the Groundwater Ordinance for 2410 South Alpine Road.
2. Mark - Ordinance - Approving a Two Hour Parking Restriction on the south side of 3rd Avenue from 160 feet west of 7th Street to 7th Street, thus restoring unrestricted parking.
3. Mark - Ordinance - Approving a Handicapped Parking stall on the east side of South Church Street from 35 feet north of Green Street to 60 feet north of Green Street, thus repealing the existing 2 Hour parking restriction.

IV. MOTIONS AND RESOLUTIONS TO BE READ IN OCTOBER 9, 2012

1. Mark - Soup-R-Fest - 10/13/12.
2. Mark - Stand Up for Religious Freedom Rally – 10/20/12

V. 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. Mark – Ordinance – For a Special Use Permit for outdoor storage, recycling of salvaged materials and outdoor storage area for salvaged materials in an I-2, General Industrial Zoning District at 2xx Quaker Road and 217 Peoples Avenue. Approval is subject to the following conditions:

1. That the property conform with all building and fire codes.
2. That the property conform within all State and Federal Regulations
3. That the entrance drive be improved with concrete for a distance of 100 feet from Quaker Road (including apron in right-of-way) into the site and for employee and customer parking.
4. That a subdivision plat is submitted for City Council review and approval and recordation by the applicant.
5. Prior to establishment of use, the property shall be in conformance with site plan dated August 20, 2012, including construction and obtaining occupancy of "future building" (this will require connection to public sewer and water) and that the two existing buildings on the site be raised or brought into conformance with building codes.
6. That the special use permit shall lapse after a period of five (5) years from the approval date.

Approval is based on the Findings of Fact.

2. Mark – Ordinance – For a Variation to increase maximum height for a free-standing sign from eight (8) feet to twenty-eight (28) feet; APPROVE a Variation to increase maximum allowable square footage for a free-standing sign from sixty-four (64) feet to sixty-nine (69) feet; and APPROVE a Variation to allow a free-standing pylon sign when a free-standing landmark style sign is required at 6551 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building permit for staff review and approval.
3. The free-standing sign must be in accordance with Exhibits D and E.
4. The three (3) existing free-standing signs will need to be removed.

Approval is based on the Findings of Fact.

3. Mark – Ordinance - Sale of the attached list of vacant Community Development lots for a minimum bid of \$350.00 each property and must follow the requirements listed on the Notice of Sale of City Owned Property.

* 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

Tuesday, October 9, 2012, 5:15 p.m.

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

AGENDA

1. C & R 12-171 Special Events: (a) Soup-R-Fest 10/13/12
(b) Stand Up for Religious Freedom Rally,
10/20/12
2. C & R 12-172 Request for Groundwater Ordinance for 310 South Avon Street
3. C & R 12-35 Miracle Mile Request – Proposed Regulations for Tobacco Shops,
Second Hand Stores, Cash Stores and Pawn Shops

FINANCE AND PERSONNEL COMMITTEE

Tuesday, October 9, 2012, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: (2) Clam Loaders – Suspend rules
 - B. Award of Bid: (2) Bucket Trucks – Suspend rules
 - C. Award of Bid: West State Street Demolitions, Package C – Suspend rules
 - D. Award of Bid: Golden Prairie Watermain Improvements 2012 – Suspend rules
 - E. Vouchers
2. Application to Purchase City Owned Lot
3. Cash v City of Rockford – Retention of Outside Counsel
4. Phase I Compensation Study - Pay for Elected Officials

PLANNING AND DEVELOPMENT COMMITTEE

**Tuesday, October 9, 2012, _____ p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

**Tuesday, October 9, 2012, _____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.