

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
JANUARY 22, 2013  
COUNCIL CONVENED AT 6:11 P.M.**

1. The invocation was given by Chaplain Philip Henslin, New Life Evangelical Lutheran Church and the Pledge of Allegiance was led by the City Council Clerk.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck, McNeely -11-  
Absent: Thompson-Kelly, Johnson, Robertson -3-
3. Alderman Mark moved to accept the Journal of Proceedings of January 14, 2013 seconded by Alderman Wasco.

Alderman Jacobson moved to reconsider #48 of the Journal of Proceedings of the January 14, 2013 City Council meeting, seconded by Elyea. MOTION PREVAILED (Ald. McNeely voted no; Ald. Thompson-Kelly, Johnson, Robertson absent).

Alderman Jacobson moved the adoption of a Resolution to abate a portion of the taxes of this unit of government levied upon both land and improvements on the property at 1715 Northrock Court, currently occupied by Beavermatic, Inc. The abatement shall begin with the taxes levied for 2014 and collected in 2015 and continue through the taxes levied in 2018 and collected in 2019, and shall each year abate 100% of the increase in the real property taxes attributable to an increase in equalized assessed value of said property over the equalized assessed value in 2011, seconded by Alderman Beck. MOTION PREVAILED by a Roll Call vote of:

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

The Journal of Proceedings as amended was placed up for acceptance. MOTION PREVAILED (Ald. Thompson-Kelly, Johnson, Robertson absent).

**PUBLIC PARTICIPATION**

4. Emily Werth voiced her concern and opposition to the Rockford Apartment Association/ Rockford Area Association of Realtor's proposed Rental Property Registration and Chronic Nuisance Ordinance.
5. Melvin Brown encouraged the city leaders to move forward and join with pastors to discuss investment of infrastructure and businesses on the west side in order to improve the economic situation which contributes to the high crime rate.

6. Prophet Yusef spoke about the importance of public transportation and its vital role to aid in Rockford's economy recovery.
7. Antar Baker spoke in honor of Dr. Martin Luther King Jr., his ideals, what he stood for and died for. He expressed concern that all religious faiths are not offered an opportunity to participate in giving the opening prayer at council. He thanked Mayor Morrissey and Chief Epperson for celebrating Dr. King's birthday.
8. John Brantley reported he attended the City of Rockford Compstat meeting in January and voiced his frustration with the actions and statements made by some city leaders.

### **PETITIONS AND COMMUNICATIONS**

10. Alderman Wasco submitted a Memorandum from Chris Black, Finance Director regarding 2012 Property Tax Abatements. Referred to Finance and Personnel Committee.
11. Alderman Wasco submitted a Memorandum from Chris Black, Finance Director regarding Issuance of Refunding Bonds Series 2004A, 2004B, 2004E, and 2005C. Referred to Finance and Personnel Committee.
12. Alderman Wasco submitted a Memorandum from Matt Vitner, City Engineer regarding City-State Agreement: Illinois Route 2/South Main Street. Referred to Finance and Personnel Committee.
13. Alderman Wasco submitted a Memorandum from Patrick Zuroske, Capital Program Manager regarding DCEO Agreement: Ingersoll Sports Complex IKE Grant Disaster Funding. Referred to Finance and Personnel Committee.
14. Alderman Mark submitted the Zoning Board of Appeals minutes from the meeting held on January 15, 2013. Referred to Code and Regulation Committee.
15. Alderman Mark submitted the Liquor and Tobacco Advisory Board Meeting minutes from the meeting held on January 15, 2013. Referred to Code and Regulation Committee.

### **NEW COMMITTEE REPORTS**

16. Alderman Mark read a Code and Regulation Committee Report recommending approving the release of the following closed session minutes:

December 22, 2008	October 19, 2009	September 7, 2010
December 8, 2008	October 13, 2009	August 30, 2010
December 1, 2008	July 20, 2009	August 9, 2010
April 7, 2008	August 10, 2009	March 8, 2010
April 21, 2008	March 23, 2009	March 1, 2010
May 5, 2008	June 1, 2009	June 21, 2010
May 12, 2008	May 11, 2009	February 1, 2010
May 19, 2008	December 6, 2010	February 8, 2010
June 2, 2008	November 29, 2010	January 10, 2011

September 22, 2008  
November 3, 2008  
November 17, 2008  
September 26, 2011  
September 12, 2011  
September 19, 2011  
August 22, 2011  
August 8, 2011  
July 15, 2011  
June 13, 2011  
June 2, 2012

October 25, 2010  
October 18, 2010  
October 4, 2010  
June 6, 2011  
March 28, 2011  
March 14, 2011  
January 23, 2012  
January 30, 2012  
February 13, 2012  
February 21, 2012

January 31, 2011  
December 12, 2011  
December 5, 2011  
February 27, 2012  
April 23, 2012  
April 30, 2012  
May 14, 2012  
May 21, 2012  
June 18, 2012  
June 11, 2012

The remainder to be kept closed as a need for confidentiality still remains, as the cases are still pending. LAID OVER.

17. Alderman Mark read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that prohibits commercial vehicles on South Trainer Road from 270 feet south of Fincham Drive to Newburg Road. LAID OVER.
18. Alderman Mark read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Roland Avenue yield to Jackson Street prior to entering the intersection. LAID OVER.
19. Alderman Mark read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing "Terrace Parking" on the north side of Reed Avenue from 11<sup>th</sup> Street to 120 feet west of 11<sup>th</sup> Street. LAID OVER.
20. Alderman Mark read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing "Federal Permit Parking Only Monday – Friday, 8:00 am to 5:00 pm on the west side of Court Street from Chestnut Street to Cedar Street, thus repealing the "2 Hour" parking restriction. LAID OVER.
21. Alderman Mark read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing "Official Parking Only" on the east side of South 1<sup>st</sup> Street from 62 feet south of Walnut Street to 100 feet south of Walnut Street, thus repealing the "No Parking Anytime" restriction. LAID OVER.
22. Alderman Mark read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a "20 MPH School Speed Limit" on 6<sup>th</sup> Avenue from 14<sup>th</sup> Street to 15<sup>th</sup> Street. LAID OVER.
23. Alderman Mark read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing "Official Parking Only" Monday – Friday, 8:00 am – 5:00 pm on the north side of Elm Street from Winnebago Street to 165 feet east of Winnebago Street, thus repealing the "No Parking Anytime" restriction. LAID OVER.

24. Alderman Mark read a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:
1. Request in the 12<sup>th</sup> Ward to establish a "No Parking Anytime" restriction on the east side of Oxford Street from Fulton Street to 75 feet north of Fulton Street.
  2. Request in the 2<sup>nd</sup> Ward to establish a midblock Pedestrian Crossing on 9<sup>th</sup> Street, 475 feet north of Charles Street.

LAID OVER.

25. Alderman Jacobson read a Planning and Development Committee Report recommending approval of the Option to Purchase the property at 134 North Main Street for \$1.00 (One Dollar) from Peter T. Sullivan, III. The Legal Director shall prepare the appropriate Purchase Agreement and ordinance. LAID OVER.
26. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Upholstery Services be made to the sole bidder, Koch Upholstery, of Rockford, Illinois for their hourly labor rates shown on the tabulation, an estimated annual cost of \$14,200.00. The funding source is Garage Fund. LAID OVER.
27. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for PCC Patching - 2013 be made to the low bidder, TCI Concrete, of Rockford, Illinois for their total bid of \$44,705.00. The funding source is Water Operating Budget. LAID OVER.
28. Alderman Wasco read a Finance and Personnel Committee Report recommending an Amendment to the Professional Services Contract with Fehr-Graham & Associates to include up to an additional \$21,000 in order to complete the environmental cleanup at the Ingersoll sight. The funding source is USEPA Brownfields Grants. LAID OVER.
29. Alderman Wasco read a Finance and Personnel Committee Report recommending an Amendment to the Professional Services Contract with Tetra Tech, Inc. to include up to an additional \$10,000 in order to complete the assessment tasks in the West State Street Corridor. The funding source is USEPA Brownfields Grants. LAID OVER.
30. Alderman Wasco read a Finance and Personnel Committee Report recommending approval of the Letter of Understanding between the Illinois Department of Transportation and the City of Rockford: IL Route 251 Median Curb & Gutter (Olive St. – 600 ft. north of Olive Street). IDOT will prepare a formal city-state agreement and finalize the terms in the Letter of Understanding. LAID OVER.

**2013-022CR**

31. Alderman Wasco read a Finance and Personnel Committee Report recommending the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the City's Guarantee of the Rockford Mass Transit District line of credit in the amount of \$1,500,000 to fund district operations.

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

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

32. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of January 22, 2013 in the amount of \$1,740,040.01. MOTION PREVAILED by a Roll Call vote of:

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

### **OFFICERS REPORTS**

33. Mayor Morrissey called attention to a Memorandum announcing a change in the trash collection scheduled for the Bradley Heights neighborhood.
34. Mayor Morrissey mentioned several events that took place in Rockford last week, the Winnebago County Crime Summit, the YWCA Truth and Reconciliation event and Dr. Martin Luther King events, all with the common thread of working together to solve the issues facing the community.
35. Mayor Morrissey mentioned on Saturday he attended the Martin Luther King Scholarship Luncheon and commended a young man for delivering a very powerful speech about the importance of all of us working together to make sure Dr. King's dream is achieved.

### **UNFINISHED BUSINESS**

36. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the attached Rental Property Registration and Chronic Nuisance Ordinance.

Alderman Mark made a motion to lay the committee report over, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly, Johnson, Robertson absent). The Committee Report was LAID OVER.

37. Alderman Mark moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for a Planned Unit Development consisting of a bed and breakfast in an R-1, Single-Family Residential Zoning District at 939 North Second Street.

Alderman Mark made a motion to lay the committee report over, seconded by Alderman Beach. MOTION PREVAILED (Ald. Thompson-Kelly, Johnson, Robertson absent). The Committee Report was LAID OVER.

**2013-002-O**

38. Alderman Mark moved the adoption of 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 Ordinances 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:

**Sean S. Chinna d/b/a Gasland Express** for the sale of packaged liquor in conjunction with a gas station and convenience store in a C-3, Commercial General District and R-4, Multi-Family Residential District at 3299 South Alpine Road. 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 to be in accordance with the liquor code.
4. The sale of liquor shall be limited to the interior plan that will not exceed more than 10% of floor area.
5. That the window signage shall not exceed 35% of window area and all temporary outdoor signs shall be removed.
6. Maintenance of garbage/debris within the green area next to the residential uses.
7. 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.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck, McNeely -9-  
Nays: Curran, Beach -2-  
Absent: Thompson-Kelly, Johnson, Robertson -3-

**2013-003-O**

39. Alderman Mark moved the adoption of 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 Ordinances 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:

**Chirag Patel d/b/a Cork. Keg and Spirits** for modification of an existing liquor license to include the sale of liquor by the drink with a wine bar and liquor store at 1603 North Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. Meeting all applicable building and fire codes.
3. Signage must be in compliance with the Zoning Ordinance and may not cover more than 35% of the window surface for indoor signs.

4. Hours of operation should be limited to Monday through Thursday 10:00 am to 9:00 pm, Friday through Saturday and 10:00 am to midnight, Sunday 10:00 am to 9:00 pm.
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.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Jacobson, Elyea, Beck, McNeely, Mayor Morrissey -8-

Nays: Durkee, Hervey, Timm, Beach -4-

Absent: Thompson-Kelly, Johnson, Robertson -3-

**2013-004-O**

40. Alderman Mark moved the adoption of 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 Ordinances 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:

**Marjorie A. Axelson d/b/a Wild, Wild Westmor Lanes** for the sale of liquor by the drink in conjunction with a bowling alley, bar and snack bar in an I-1, Light Industrial Zoning District at 2335 and 2407 North Central Avenue. 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 sale of alcohol shall be limited to the interior site plan that was submitted Exhibit B.
4. Submittal of detailed site and landscaping plans for Staff's review and approval.
5. That the freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing freestanding sign.
6. The bowling alley, bar and snack bar shall not operate as a nightclub
7. The bowling alley, bar and snack bar shall not have outside liquor sales.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck, McNeely -10-

Nays: Beach -1-

Absent: Thompson-Kelly, Johnson, Robertson -3-

**2013-005-O**

41. Alderman Mark moved the adoption of an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to allow a four (4) foot chain link fence in a front yard in an R-1, Single-Family Residential District at 2311 Green Street.

MOTION PREVAILED by a Roll Call vote of:

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

**2013-006-O**

42. Alderman Mark moved the adoption of an Ordinance for the following Zoning Text Amendments:

**Article 20 Residential Districts**

20-004 Uses:

Table 201- Use Classification Table: Add Wildlife Rehabbers "S", in the RE, R-1, R1-U, R-2, R-3 and R-4 Districts

Article 91 General Terms

Add Definition of drop box Article 91, General Terms as follows:

Wildlife Rehabber – an individual licensed by the Illinois Department of Natural Resources under Section 5/3.22, Chapter 520 of the Illinois Compiled Statutes.

Add Definition to Article 91:

**Wildlife Rehabilitation Specialist** – an individual licensed by the Illinois Department of Natural Resources pursuant to 520 ILCS 5/3.22.

Amend Regulations:

**Residential Districts**

Add to Table 20-1, Wildlife Rehabilitation "S", in the RE, R-1, R1-U, R-2, R-3 and R-4 Districts.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck -10-  
Nays: McNeely -1-  
Absent: Thompson-Kelly, Johnson, Robertson -3-

**2013-007-O**

43. Alderman Mark moved the adoption of 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 drive-thru in conjunction with a fast food restaurant; a (B) Variation to reduce the required parking from 723 parking spaces to 544 parking spaces; a (C) Variation to allow building lighting wall sconces and trash enclosure lighting to have a 75 degree cutoff or greater when lighting with less than 75 degree cutoff is required; and (D) a Variation to allow for a free-standing

pylon sign along East State Street in a C-2, Limited Commercial Zoning District at 7130 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Submittal of a revised landscape plan to include building foundation landscaping of at least 50% for the proposed building and plant species for Staff's review and approval.
3. Must obtain separate permits for signage and sign must be constructed to match building design and in accordance with submitted sign elevations.
4. Must develop site in accordance with site and landscaping plans approved by Staff.
5. Must develop site and lighting in accordance with Exhibit H, the photometric plan approved by Staff.
6. Must develop building elevations in accordance with Exhibit L.

Approval is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck -10-  
Nays: McNeely -1-  
Absent: Thompson-Kelly, Johnson, Robertson -3-

**2013-008-O**

44. Alderman Mark moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a church in an R-3, Multi-Family Residential District and R-2, Two-Family Residential District at 2101 and 2029 Auburn Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. A design professional must evaluate the building to ensure that the building satisfies required building codes.

Approval is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

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

**2013-009-O**

45. Alderman Mark moved the adoption of an Ordinance for the vacation of the right-of-way between South Central Avenue and Victoria Avenue also known as Domino Avenue. Advertisement costs will be paid by Pilgrims Promise. The following conditions will apply:

1. The existing 2' steel gas main owned by Nicor shall be maintained in an easement.
2. The property be vacated equally to Pilgrim's Promise CDC and Ms. Shirley Fricks (2115 South Central Avenue).
3. The property has been valued at \$1,070.00. Pilgrims Promise has requested to pay for advertisement costs only.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck, McNeely -11-

Nays: -0-

Absent: Thompson-Kelly, Johnson, Robertson -3-

46. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending approval of the recommended 2013 EDEEN (Economic Development Education and Entrepreneurial Network) Budget and Strategic Plan. The Legal Director shall prepare the appropriate ordinance. Alderman Durkee made a motion to amend the committee report to reduce the budget item from \$3,323,450 to \$3,000,000, seconded by Alderman Beck.

After further discussion, Alderman Durkee withdrew his motion, Alderman Beck withdrew his second.

The Committee Report was placed up for passage. MOTION FAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Elyea -3-

Nays: Mark, Wasco, Hervey, Jacobson, Timm, Beach, Beck, McNeely -8-

Absent: Thompson-Kelly, Johnson, Robertson -3-

Alderman Beach exited the meeting at 7:07 pm.

**2013-023CR**

47. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Commercial Garage Labor – Cars and Light Trucks be made to the low bidder, Mr. Norm’s Garage, of Rockford, Illinois for an estimated total contract of \$345,000 for 1 year with option to extend for (2) 1-year terms. The funding source is Garage Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck, McNeely -10-

Nays: -0-

Absent: Thompson-Kelly, Johnson, Beach, Robertson -4-

**2013-024CR**

48. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Commercial Garage Labor – Heavy Duty Trucks be made to the low bidder, McVeigh’s Truck Repair, of Rockford, Illinois for an estimated total contract of \$65,000 for 1 year with option to extend for (2) 1-year terms. The funding source is Garage Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck, McNeely -10-

Nays: -0-

Absent: Thompson-Kelly, Johnson, Beach, Robertson -4-

**2013-025CR**

49. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the City Council authorize the Mayor and City Legal Director to enter into a retainer agreement with Attorney Ron Schultz consistent with the draft attached, providing for a monthly retainer of \$1,000 per month and hourly fees of \$200 per hour for billable time in excess of eight hours per month. The funding source is Legal Department Operating Budget. The legal director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck -9-  
Nays: McNeely -1-  
Absent: Thompson-Kelly, Johnson, Beach, Robertson -4-

**2013-026CR**

50. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report regarding Intergovernmental Agreement: Winnebago County Traffic Signal Maintenance and Operation recommends the City create and execute an ordinance that approves the Intergovernmental Agreement with the Winnebago County Highway Dept. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck, McNeely -10-  
Nays: -0-  
Absent: Thompson-Kelly, Johnson, Beach, Robertson -4-

**2013-027CR**

51. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the 2013-2017 (Amended) Capital Improvement Plan which includes the removal of \$200,000 for the 2013 funding of the Downtown, One-Way Pair Conversion to Two-Way and re-allocate it to the Neighborhood Program category. The shift includes taking \$65,000 of the funding to offset the re-allocation of the City-Wide Re-forestation program funding, with the remaining \$135,000 to be allocated on an equal basis to the 14 ward allocations. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Beck -6-  
Nays: Curran, Timm, Elyea, McNeely -4-  
Absent: Thompson-Kelly, Johnson, Beach, Robertson -4-

52. Alderman Wasco moved for the adoption of an appointment to the Community Action Advisory Board; Alderman Ann Thompson-Kelly, term expiring December 2013. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck -9-  
Nays: McNeely -1-  
Absent: Thompson-Kelly, Johnson, Beach, Robertson -4-

53. Alderman Wasco moved for the adoption of an appointment to the Community Action Advisory Board; Alderman Frank Beach, term expiring December 2013. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck -9-  
Nays: McNeely -1-  
Absent: Thompson-Kelly, Johnson, Beach, Robertson -4-

### **MOTIONS AND RESOLUTIONS**

#### **2013-005R**

54. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the Rockford Road Runners requesting a special use permit and liquor permit for consumption of liquor outdoors on public property ("SP" license) for the State Street Mile event to be held on Saturday, August 3, 2013 from 4:45 pm – 8:00 pm on East State Street from Summit to Wyman. MOTION PREVAILED (Ald. Thompson-Kelly, Johnson, Beach, Robertson absent).

#### **2013-006R**

55. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the Irish Marching Society requesting a special use permit for the St. Patrick's Day Parade to be held on Saturday, March 16, 2013 from 2:00 pm – 5:00 pm beginning at the 500 block of 7<sup>th</sup> street and will end in the 400 block of N. Main Street. MOTION PREVAILED (Ald. Thompson-Kelly, Johnson, Beach, Robertson absent).

#### **2013-007R**

56. Alderman Mark moved the adoption of a Resolution requesting permission for temporary street closures of Illinois Route 2, Park Avenue, Main Street and Whitman Street for the Irish Marching Society's St. Patrick's Day Parade on March 16, 2013 from 1:00 pm to 5:00 pm. MOTION PREVAILED (Ald. Thompson-Kelly, Johnson, Beach, Robertson absent).

#### **2013-008R**

57. Alderman Mark moved the adoption of a Resolution requesting permission for temporary street closures of U.S. Business 20, Summit and Jefferson for the Rockford Road Runners State Street Mile Run on August 3, 2013 from 2:30 pm to 7:30 pm. MOTION PREVAILED (Ald. Thompson-Kelly, Johnson, Beach, Robertson absent).

#### **2013-009R**

58. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids/proposals for the following:
- A. RFP: VoIP Phone System, funding source: Information Technology Fund
  - B. RFP: Emergency Solutions Grant Program, funding source: Emergency Solutions Grant
  - C. Bid: Tree Removal, funding source: Street Operating Budget

- D. Bid: Guardrail repair, funding source: Street Division Operating Budget/Risk Management Fund

MOTION PREVAILED (Ald. Thompson-Kelly, Johnson, Beach, Robertson absent).

**2013-010R**

59. Alderman Durkee and Alderman Hervey, moved the adoption of a Resolution that the City Council of the City of Rockford supports legislation to open public sector labor negotiations and interest arbitration hearings to the public, and calls upon Leadership of the IAFF Local 413 and the members of the City's delegation to Illinois General Assembly to cooperatively sponsor and advance such legislation and calls upon the leadership of the IAFF Local 413 to request Arbitrator Elliot Goldstein to reverse his ruling and open the Arbitration Hearing to the Public. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Hervey, Timm, Beck, Mayor Morrissey -6-  
Nays: Mark, Wasco, Jacobson, Elyea, McNeely -5-  
Absent: Thompson-Kelly, Johnson, Beach, Robertson -4-

**NEW BUSINESS**

60. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the Intergovernmental Agreement between the City of Rockford and the Winnebago County Highway Department for Traffic Signal Maintenance and Operation. LAID OVER.
61. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached retainer agreement with Attorney Ronald Schultz. LAID OVER.

**2013-010-O**

62. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached Intergovernmental Agreement for a written guaranty securing a revolving line of credit for the Rockford Mass Transit District, by and between the City of Rockford, a municipal corporation and the Rockford Mass Transit District.

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

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Elyea, Beck, McNeely -10-  
Nays: -0-  
Absent: Thompson-Kelly, Johnson, Beach, Robertson -4-

63. Upon motion duly made and seconded, the meeting was adjourned at 7:39 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, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**January 28, 2013**  
**6:00 P.M.**  
**AMENDED 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 Participation
- Petitions and Communications

**I. COMMITTEE REPORTS TO BE READ IN JANUARY 28, 2013**

**A. CODE AND REGULATIONS**

1. Mark – Traffic – “20 MPH School Speed Limit” on 14<sup>th</sup> Street from 5<sup>th</sup> Avenue to 6<sup>th</sup> Avenue.
- Officers Reports

**UNFINISHED BUSINESS**

**II. COMMITTEE REPORTS LAID OVER JANUARY 22, 2013**

1. Mark - Code and Regulation - Recommending approving the release of the following closed session minutes:

December 22, 2008	October 19, 2009	September 7, 2010
December 8, 2008	October 13, 2009	August 30, 2010
December 1, 2008	July 20, 2009	August 9, 2010
April 7, 2008	August 10, 2009	March 8, 2010
April 21, 2008	March 23, 2009	March 1, 2010
May 5, 2008	June 1, 2009	June 21, 2010
May 12, 2008	May 11, 2009	February 1, 2010
May 19, 2008	December 6, 2010	February 8, 2010
June 2, 2008	November 29, 2010	January 10, 2011
September 22, 2008	October 25, 2010	January 31, 2011
November 3, 2008	October 18, 2010	December 12, 2011
November 17, 2008	October 4, 2010	December 5, 2011
September 26, 2011	June 6, 2011	February 27, 2012
September 12, 2011	March 28, 2011	April 23, 2012

September 19, 2011  
August 22, 2011  
August 8, 2011  
July 15, 2011  
June 13, 2011  
June 2, 2012

March 14, 2011  
January 23, 2012  
January 30, 2012  
February 13, 2012  
February 21, 2012

April 30, 2012  
May 14, 2012  
May 21, 2012  
June 18, 2012  
June 11, 2012

The remainder to be kept closed as a need for confidentiality still remains, as the cases are still pending.

2. Mark - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that prohibits commercial vehicles on South Trainer Road from 270 feet south of Fincham Drive to Newburg Road.
3. Mark - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on Roland Avenue yield to Jackson Street prior to entering the intersection.
4. Mark - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance establishing "Terrace Parking" on the north side of Reed Avenue from 11<sup>th</sup> Street to 120 feet west of 11<sup>th</sup> Street.
5. Mark - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance establishing "Federal Permit Parking Only Monday – Friday, 8:00 am to 5:00 pm" on the west side of Court Street from Chestnut Street to Cedar Street, thus repealing the "2 Hour" parking restriction.
6. Mark - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance establishing "Official Parking Only" on the east side of South 1<sup>st</sup> Street from 62 feet south of Walnut Street to 100 feet south of Walnut Street, thus repealing the "No Parking Anytime" restriction.
7. Mark - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance for a "20 MPH School Speed Limit" on 6<sup>th</sup> Avenue from 14<sup>th</sup> Street to 15<sup>th</sup> Street.
8. Mark - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance establishing "Official Parking Only Monday – Friday, 8:00 am – 5:00 pm" on the north side of Elm Street from Winnebago Street to 165 feet east of Winnebago Street, thus repealing the "No Parking Anytime" restriction.
9. Mark - Code and Regulation - Recommending that "No Action" be taken on the following items:
  1. Request in the 12<sup>th</sup> Ward to establish a "No Parking Anytime" restriction on the east side of Oxford Street from Fulton Street to 75 feet north of Fulton Street.

2. Request in the 2<sup>nd</sup> Ward to establish a midblock Pedestrian Crossing on 9<sup>th</sup> Street, 475 feet north of Charles Street.
10. Mark - Code and Regulation - Recommending the approval of the attached Rental Property Registration and Chronic Nuisance Ordinance.
11. Mark - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for a Planned Unit Development consisting of a bed and breakfast in an R-1, Single-Family Residential Zoning District at 939 North Second Street.
12. Jacobson - Planning and Development - Recommending approval of the Option to Purchase the property at 134 North Main Street for \$1.00 (One Dollar) from Peter T. Sullivan, III. The Legal Director shall prepare the appropriate Purchase Agreement and ordinance.
13. Wasco - Finance and Personnel - Recommending the award for Upholstery Services be made to the sole bidder, Koch Upholstery, of Rockford, Illinois for their hourly labor rates shown on the tabulation, an estimated annual cost of \$14,200.00. The funding source is Garage Fund.
14. Wasco - Finance and Personnel - Recommending the award for PCC Patching - 2013 be made to the low bidder, TCI Concrete, of Rockford, Illinois for their total bid of \$44,705.00. The funding source is Water Operating Budget.
15. Wasco - Finance and Personnel - Recommending an Amendment to the Professional Services Contract with Fehr-Graham & Associates to include up to an additional \$21,000 in order to complete the environmental cleanup at the Ingersoll sight. The funding source is USEPA Brownfields Grants.
16. Wasco - Finance and Personnel - Recommending an Amendment to the Professional Services Contract with Tetra Tech, Inc. to include up to an additional \$10,000 in order to complete the assessment tasks in the West State Street Corridor. The funding source is USEPA Brownfields Grants.
17. Wasco - Finance and Personnel - Recommending approval of the Letter of Understanding between the Illinois Department of Transportation and the City of Rockford: IL Route 251 Median Curb & Gutter (Olive St. – 600 ft. north of Olive Street). IDOT will prepare a formal city-state agreement and finalize the terms in the Letter of Understanding.

### **III. ORDINANCES LAID OVER JANUARY 22, 2013**

1. Wasco - Ordinance - Authorizing the Mayor and Legal Director to execute the Intergovernmental Agreement between the City of Rockford and the Winnebago County Highway Department for Traffic Signal Maintenance and Operation.
2. Wasco - Ordinance - Authorizing the Mayor and Legal Director to execute the attached retainer agreement with Attorney Ronald Schultz.

#### **IV. APPOINTMENTS**

##### **A. HELD OUT JANUARY 22, 2013**

- 1.\* Mayor Morrissey - Appointment - Historical Preservation Commission, Mr. Dave Coady, for a three-year term ending January 2016. (Pursuant to Rule 18, this item is up for passage on February 11, 2013).
- 2.\* Mayor Morrissey - Re-appointment - Fire Pension Board, Mr. Michael White, Jr., for a three-year term ending January 2016. (Pursuant to Rule 18, this item is up for passage on February 11, 2013).

##### **V. RESOLUTIONS TO BE READ IN JANUARY 28, 2013**

1. Resolution to Submit to Referendum the Election of the Mayor and Aldermen of the City of Rockford at Nonpartisan Elections. Requires Suspension of Rule 15.

##### **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. Mark – Ordinance - Prohibiting commercial vehicles on South Trainer Road from 270 feet south of Fincham Drive to Newburg Road.
2. Mark – Ordinance - Traffic on Roland Avenue yield to Jackson Street prior to entering the intersection.
3. Mark - Ordinance - Establishing "Terrace Parking" on the north side of Reed Avenue from 11<sup>th</sup> Street to 120 feet west of 11<sup>th</sup> Street.
4. Mark - Ordinance - Establishing "Federal Permit Parking Only Monday – Friday, 8:00 am to 5:00 pm on the west side of Court Street from Chestnut Street to Cedar Street, thus repealing the "2 Hour" parking restriction.
5. Mark - Ordinance - Establishing "Official Parking Only" on the east side of South 1<sup>st</sup> Street from 62 feet south of Walnut Street to 100 feet south of Walnut Street, thus repealing the "No Parking Anytime" restriction.
6. Mark - Ordinance – Establishing a "20 MPH School Speed Limit" on 6<sup>th</sup> Avenue from 14<sup>th</sup> Street to 15<sup>th</sup> Street.
7. Mark - Ordinance - Establishing "Official Parking Only" Monday – Friday, 8:00 am – 5:00 pm on the north side of Elm Street from Winnebago Street to 165 feet east of Winnebago Street, thus repealing the "No Parking Anytime" restriction.
8. Jacobson – Ordinance - Option to Purchase the property at 134 North Main Street for \$1.00 (One Dollar) from Peter T. Sullivan, III.

- \* 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, January 28, 2013, 4:45 p.m.**

**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**

**AGENDA**

- |    |              |  |
|----|--------------|--|
| 1. | C & R 13-19  | Electronic Recycling   |
| 2. | C & R 12-203 | ZBA#047-12 <b>Variation</b> to increase the maximum allowable square footage of a detached garage (accessory structure) from 720 square feet to 1,032 square feet in an R-1, Single-Family Residential Zoning District at <b>6115 Forest Hills Road</b>                                |
| 3. | C & R 13-03  | ZBA#050-12 <b>Zoning Map Amendment</b> from County R-1 to City R-1, Single-Family Residential Zoning District <b>Special Use Permit for Planned Unit Development</b> consisting of a home museum in an R-1, Single-Family Residential Zoning District at <b>4646 Spring Brook Road</b> |
| 4. | C & R 13-04  | ZBA#051-12 <b>Special Use Permit</b> for a Payday Loan Store in a C-3, Commercial General District at <b>2410-2530 South Alpine Road</b>   |
| 5. | C & R 13-05  | ZBA#052-12 <b>Special Use Permit</b> for body art services/retail/jewelry/clothing <b>Variation</b> to allow street parking in a C-2, Limited Commercial Zoning District at <b>1002 East State Street and 103 Hall Street</b>  |
| 6. | C & R 13-06  | ZBA#053-12 <b>Special Use Permit</b> for community based housing on the 4 <sup>th</sup> floor for a maximum of sixteen (16) residents in a C-4, Urban Mixed-Use Zoning District at <b>526 West State Street</b>  |
| 7. | C & R 13-07  | ZBA#054-12 <b>Variation</b> to increase the square footage from 64   |

square feet to 257 square feet for freestanding monument-style sign **Variation** to increase the height from 8' to 20'8" for a freestanding monument style sign along I-90 **Variation** to increase the square footage from 64 square feet to 108 square feet for a freestanding monument style sign along North Bell School Road in a C-3, Commercial General District at **3535 North Bell School Road**

8. C & R 13-08 012-LAB-035 **Request for the Sale of Tobacco Products** with a gas station and convenience store in a C-3, Commercial General District at **1603 11<sup>th</sup> Street**
9. C & R 13-09 012-LAB-036 **Request for the Sale of Tobacco Products** in conjunction with a convenience store in a C-4, Urban Mixed Use Zoning District at **1623 Broadway**
10. C & R 13-11 012-LAB-038 **Request for the Sale of Tobacco Products** with a gas station and convenience store in an R-1, Single- Family Residential Zoning District at **3307 Charles Street**
11. C & R 13-12 012-LAB-039 **Request for the Sale of Package Liquor** in conjunction with a convenience store in a C-2, Limited Commercial Zoning District at **1203 7<sup>th</sup> Street**
12. C & R 12-114 City Street Lighting Policy

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, January 28, 2013, 5:15 p.m.**

**Conference Room B, City Hall 2<sup>nd</sup> floor (south room)**

**AGENDA**

1. Purchasing and Vouchers
  - A. Award of Bid: Janitorial Services –City Facilities - Suspend rules (Laid over 1/22)
  - B. Change Order: City Hall Carpeting
  - C. Vouchers
2. Ingersoll Sports Complex
  - A. Engineering Agreement: Architectural/Civil Design – Suspend rules

- B. Intergovernmental Agreement: DCEO/City for IKE Disaster Funding – Suspend rules
  - C. Request for Proposal: Owner’s Representative/Construction Oversight
  - D. Agreement: Geotechnical Investigation – Suspend rules
  - E. Consultant Agreement: Grant Administration/Management – Suspend rules
  - F. Authorization to Issue Bonds for Indoor Sports Facility
- 3. City-State Agreement: Illinois Route 2/South Main Street
  - 4. 2012 Property Tax Abatements
  - 5. Issuance of Refunding Bonds Series 2004A, 2004B, 2004E, and 2005C
  - 6. 2013 Budget (Laid over 1/22)

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, January 28, 2013, \_\_\_\_\_ p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

No Meeting Scheduled.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, January 28, 2013, \_\_\_\_\_ p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

No Meeting Scheduled.