

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
SEPTEMBER 30, 2013
COUNCIL CONVENED AT 6:16 P.M.**

1. The invocation was given by Pastor Perry Bennett, Macedonia Baptist Church, and the Pledge of Allegiance was led by the City Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, McNeely, Chiarelli -12-
Absent: Beck -1-
3. Alderman Hervey moved to accept the Journal of Proceedings of September 23, 2013 seconded by Alderman Frost. MOTION PREVAILED (Ald. Beck absent).

PUBLIC PARTICIPATION

4. John Brantley encouraged city planners to develop the area on South Main near the Family Dollar store with a much needed gas station and fast food business, and again asked for support/donations to help continue his efforts with the youth in Fairgrounds and Blackhawk.
5. Prophet Yusef voiced his concerns that Americans are missing true leadership and core values; demonstrating high IQ's, but low compassion, caring and appreciation for the magic of life.

PETITIONS AND COMMUNICATIONS

6. Alderman Thompson-Kelly submitted a request for service from Robert Medland. Referred to Public Works and Finance Department.
7. Alderman Hervey submitted a Memorandum from Matt Vitner, City Engineer regarding City-State Agreement: Harrison Ave. Railroad Crossing. Referred to Finance and Personnel Committee.
8. Alderman Newburg submitted a letter from John Schmidt. A copy was distributed to all council members and Mayor Morrissey.
9. Alderman Durkee submitted a Memorandum from Jeremy Carter, Traffic Engineer, regarding a Presentation of proposed Functional Classification System Modifications. Referred to Planning and Development Committee.
10. Alderman Durkee submitted a Memorandum from Patrick Hayes regarding Development Agreement with the YMCA of Rockford regarding a Reaffirmation of permission to build over drainage easement at 200 Y Boulevard. Referred to Planning and Development Committee.

11. Alderman Hervey submitted a Memorandum from Patrick Hayes, Legal Director, regarding the City of Rockford and IAFF Arbitration Award. Referred to Finance Department.

PROCLAMATIONS

12. Mayor Morrissey presented a Proclamation proclaiming October 4, 2013 to be "MANUFACTURING DAY" in Rockford, Illinois and encouraged citizens to embrace the rich manufacturing history of our community and support our local manufacturers.
13. Mayor Morrissey presented a Proclamation proclaiming the month of October, 2013 to be "HEAD START AWARENESS MONTH" in Rockford, Illinois and urged all citizens to support the Head Start program and their commitment in creating a quality program that truly provides young children with a "head start" in life.

OFFICERS REPORTS

14. Mayor Morrissey welcomed forward Linnea Bengtsson, International Business Developer, and the delegation from our Sister City of Lidkoping, Sweden to report the progress on the construction of the Swedish Standard House.

Linnea reported the construction group from Sweden has been working in partnership with East High School to build a Swedish Standard House which is scheduled to be completed by the end of the year. The students introduced themselves and presented Mayor Morrissey with a gift.

NEW COMMITTEE REPORTS

15. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of September 30, 2013 in the amount of \$2,266,877.76. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, McNeely, Chiarelli -12-
Nays: -0-
Absent: Beck -1-

16. Alderman Durkee read a Planning and Development Committee Report recommending approval of Rockford Area Economic Development Council (RAEDC) Contract for Service Agreement. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
17. Alderman Durkee read a Planning and Development Committee Report recommending approval of a Development Agreement with Metro Hall Lofts, LLC for rehabilitation of 324-330 East State Street as a mixed use commercial and residential redevelopment. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
18. Alderman Durkee read a Planning and Development Committee Report recommending approval of a Development Agreement with Metro Hall Lofts, LLC for rehabilitation of

408-414 East State Street as a mixed use commercial and residential redevelopment. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

19. Alderman Beach read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for off-premises free-standing pole sign for McDonald's Corporation and DENY a Variation to increase the square footage from 64 square feet to 132.6 square feet in a C-3, General Commercial Zoning District at 3849 Northridge Drive. Approval is subject to the following conditions:

1. Must obtain a sign permit and be installed in accordance to sign elevation Exhibit F.

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

20. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow reduced landscape frontage due to Illinois Department of Transportation project from ten (10) feet to three (3) feet in a C-2, Limited Commercial Zoning District at 3101 North Main Street. Approval is subject to the following conditions:

1. If landscape units can be preserved, that they are relocated along the south side of the property.
2. That a final site plan is submitted for Staff review and approval upon final determination of right-of-way takings from IDOT.
3. Existing signage is to come into conformance with the current sign ordinance.

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

21. Alderman Beck read a Code and Regulation Committee Report recommending approval of the sale of vacant lot at 617 North Greenview Avenue for a minimum bid of \$450.00 with preference to the adjacent property owner. LAID OVER.

2013-339CR

22. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a drive-thru pharmacy in a C-2, Limited Commercial Zoning District and C-3, General Commercial Zoning District at 3114, 3134 11th Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a landscape plan including units to be placed within the proposed landscape islands.

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

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

2013-340CR

23. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a private school for music lessons and a studio in an R-1, Single-Family Residential Zoning District at 718 Auburn Street. Approval is based on the Findings of Fact.
1. Meeting all Building and Fire Codes.
 2. The permitted uses on the subject property shall be limited to only those listed in the Special Use Permit.
 3. Meeting all applicable building codes, specifically construction documentation from a licensed design professional (i.e. Architect), licensed in the State of Illinois indicating how the proposed use will meet all appropriate building codes for the "Change of Use" and any construction to take place.
 4. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
 5. That the free-standing sign shall be a low-profile (landmark-style) sign replacing the existing free-standing sign and limited to a maximum of twenty (20) square feet.
 6. All conditions must be met prior to establishment of use.

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

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

2013-341CR

24. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a concert venue in the name of SMG Food and Beverage LLC d/b/a Savor in a C-4, Urban Mixed-Use Zoning District at 320 South Wyman Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.

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

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

2013-342CR

25. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a sports arena in the name of SMG Food and Beverage LLC d/b/a Savor in a C-4, Urban Mixed-Use Zoning District at 300 Elm Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.

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

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

26. Alderman Beach read a Code and Regulation Committee Report recommending approval of the sale of vacant lot at 312 Penfield Place for a minimum bid of \$450.00 with preference to the adjacent property owner. LAID OVER.

OFFICERS REPORTS

27. Mayor Morrissey mentioned the RAVE Monthly Financial Report has been distributed to council members for review.
- 27a. Mayor Morrissey submitted Appointments and Re-appointments for the following individuals as Directors of the Municipal Departments of the City of Rockford:

Todd Cagnoni	Community and Economic Development Department
Chris Black	Finance Department
Julia Scott-Valdez	Human Resources Department
George Davis	Human Services Department **
Glenn Trommels	Information Technology Department
Patrick Hayes	Legal Department
Timothy Hanson	Public Works Department

** Please note that the appointment of George Davis will be effective until, or if, there is a restructuring change within the organization

Appointments of Fire and Police Chiefs are made in accordance with State law through Fire and Police Commission.

LAID OVER for one week.

28. Mayor Morrissey mentioned the award rendered today by the arbitrator in the City of Rockford action with the IAFF Local 413 Firefighters Union. He thanked the team for their outstanding work, and provided some specifics of the award. He mentioned more

details will be provided at the budget retreat this Saturday and Finance and Personnel Committee next Monday.

29. Mayor Morrissey thanked council members, department heads and city staff for their participation at Saturday's Council 2014 Budget Retreat. He thanked Alderman Hervey and Chris Black, Finance Director, for their efforts.
30. Mayor Morrissey mentioned the Weekly Street Sweeping/Street Maintenance Update has been distributed to council members.
31. Mayor Morrissey thanked Alderman Thompson-Kelly for meeting with him last week to discuss their mutual goal of improving services to our citizens and appreciates the willingness of the CCA Board members to work together towards a mutual resolution.
32. Mayor Morrissey mentioned the Auburn/Main Street roundabout opened last week and thanked staff for their work on the project.
33. Mayor Morrissey with deep sadness reported the passing of Dorothy Galloway, dear friend to the community, from injuries she sustained in a car crash. He offered his condolences and prayers to her family.
34. Alderman Beach also expressed sympathy to the family of Dorothy Galloway, a wonderful woman with a big heart and passion for this community. She will be missed, but not forgotten.
35. Alderman Thompson-Kelly offered prayers to the family of Dorothy Galloway.
36. Alderman Thompson-Kelly thanked Mayor Morrissey for his comments regarding the Human Services Department. She read a letter from Crystal Walker, CAA Board Chair. Copies of the letter were distributed to council members and Mayor Morrissey.
37. Alderman Thompson-Kelly thanked Susan Skinner, Mayor Morrissey's Assistant, for all the hard work she does to make the Mayor's Office run correct and seamless.
38. Alderman Thompson-Kelly reported the West Gateway Coalition fundraiser was a great success and thanked everyone for their support.
39. Alderman Durkee announced this Saturday the University of Illinois will be sponsoring a Child Abuse Seminar and asked George Davis, Director of Human Services, to provide some statistics for our region on child abuse.

George Davis advised that from 2009-2011 Rockford saw an average of 19.5 per 1000 individuals of situations of abuse/neglect in the Winnebago County area, compared to a state-wide average of 8.3 per 1000 individuals.

He also advised Winnebago County's substitute care/foster care/relatives care rate between 2003-2012 increased by 40% of children, compared to a state average drop by 25%.

40. Alderman Beach advised he contacted the University of Illinois to see if the Child Abuse Seminar could be videotaped or recorded since he will not be able to attend because he will be at the Council Budget meeting on Saturday.
41. Alderman Hervey announced the next Council Budget meeting will be held on October 5, 2013 at 9:00 am – 12:00 (noon) in Council Chambers. She asked council members to inform her if they are unable to attend Saturday's meeting.
42. Alderman McNamara also expressed sincerely sympathy and condolences to the family of Dorothy Galloway and asked the community to keep her husband Ed in their thoughts and prayers.

Alderman Beach exited the meeting at 7:02 pm

UNFINISHED BUSINESS

2013-343CR

43. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the Award for Tax Exempt Lease for Heavy Equipment be made to Fifth Third Equipment Finance, of Chicago, Illinois for an interest rate of 2.46%. The funding source is Public Works and Fire Budgets for 2014. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, Frost, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -9-
 Nays: McNamara, Hervey -2-
 Absent: Beach, Beck -2-

2013-344CR

44. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending that the City Council of the City of Rockford approve the attached lease between the City of Rockford and Jodi's Inc. for the property located at 211 Elm St., Section A, commonly known as Kiwi Café. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
 Nays: -0-
 Absent: Beach, Beck -2-

2013-345CR

45. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals thereby recommending that City Council APPROVE the Variation in perimeter landscape strip from twenty (20) feet to triangle landscape on the western and eastern frontage on Charles Street, to DENY the Variation to reduce interior landscape; to DENY the Variation to reduce required 50% building foundation landscaping and to APPROVE the Variation to reduce the front yard setback from fifteen (15) feet to zero (0) feet along Charles Street and 21st Street in a C-2,

Limited Commercial Zoning District and I-1, Light Industrial Zoning District at 2409, 2425 Charles Street and 24xx Charles Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes.
2. Submittal of a revised landscape plan for Staff's review and approval.
3. Must work with Public Works staff to address drainage.
4. Submittal of building elevation plans for Staff's review and approval.

Approval/Denial is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, Chiarelli -10-
Nays: McNeely -1-
Absent: Beach, Beck -2-

2013-346CR

46. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on 12th Avenue be required to stop prior to entering the intersection of 17th Street and 12th Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -2-

2013-347CR

47. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance "No Left Turn 7am-9am and 4pm-6pm, Monday-Friday" for northbound traffic on Chelsea Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -2-

2013-348CR

48. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that prohibits commercial vehicles on Arnold Avenue from Midvale Drive to Newburg Road. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-

Nays: -0-
Absent: Beach, Beck -2-

2013-349CR

49. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:

1. Request to establish an all-way stop at the intersection of South 6th Street and 23rd Avenue.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -2-

2013-146-O

50. Alderman Chiarelli moved the adoption of an Ordinance amending Chapter 16, Schedule Section 317 of the Code of Ordinances of the City of Rockford by adding the following:

"Right Turn Only, 6am-9am and 3pm-6pm", thus repealing, "No Left Turn 6am-9am and 3pm-6pm.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -2-

2013-167R

51. Alderman Hervey moved the adoption of a Resolution to rescinding the portion of Ordinance 2013-026-O authorizing the issuance of bonds for the Ingersoll project.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -2-

MOTIONS AND RESOLUTIONS

2013-168R

52. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement for Parking Lot C Landscaping Improvements with Hernandez Bros. Professional Landscaping, of Rockford, Illinois in the amount of

\$32,548.50. The funding source is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, Chiarelli -10-
Nays: McNeely -1-
Absent: Beach, Beck -2-

2013-169R

53. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement for Garage Rear Lift Replacement with Standard Industrial and Auto Equipment, of Hanover, Illinois in the amount of \$111,396.00 for 2 replacements in 2013 and 4 in 2014. The funding source is Garage Fund. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -2-

2013-170R

54. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, by the City Council of the City of Rockford, Illinois that the Mayor execute an agreement for Road Salt with Cargill Corporation, of North Olmstead, OH in the amount of \$56.52 per ton. The funding source is Street Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -2-

55. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution, authorizing the Mayor and Legal Director to execute an Agreement between the City of Rockford and the Illinois Clean Energy Community Foundation for street light upgrades and improvements for Charles Street. The City shall pay \$15,600 as its portion of construction and any remaining balance over what the Illinois Clean Energy Community Foundation pays for its portion of the construction costs. The funding source is Traffic Operations Budget.

Alderman Hervey requested this item be held out for one week. The Resolution was HELD OUT.

2013-171R

56. Alderman Chiarelli, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the Epilepsy Foundation requesting a special event permit and liquor permit for consumption of liquor ("SP" license) for the Blocktoberfest Event

on Saturday, October 12, 2013 from 4:00 pm – 12:00 am (midnight) in the 100 block of North and South Main Streets and the 200 and 300 blocks of West State Street.
MOTION PREVAILED (Ald. Beach, Beck absent).

NEW BUSINESS

57. Alderman Chiarelli introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation in the perimeter landscape strip from twenty (20) feet to triangular landscaping on the western and eastern frontage on Charles Street; a Variation to reduce the front yard setback from fifteen (15) feet to zero (0) feet along Charles Street and 21st Street in a C-2, Limited Commercial Zoning District and I-1, Light Industrial Zoning District at 2409, 2425 Charles Street and 24xx Charles Street. Approval is subject to the following conditions:

1. Meet all applicable building and fire codes.
2. Submittal of a revised landscape plan for Staff's review and approval.
3. Must work with Public Works staff to address drainage.
4. Submittal of building elevation plans for Staff's review and approval.

Approval/Denial is based on the Findings of Fact.

58. Alderman Chiarelli introduced and read an Ordinance amending Chapter 16, Schedule Section 297 of the Code of Ordinances of the City of Rockford to add the following:

"No Left Turn 7am – 9am and 4pm – 6pm Monday – Friday" for northbound traffic on Chelsea Avenue.

LAID OVER.

59. Alderman Chiarelli introduced and read an Ordinance amending Chapter 16, Schedule Section 291 of the Code of Ordinances of the City of Rockford to add the following:

That traffic on 12th Avenue be required to stop prior to entering the intersection of 17th Street and 12th Avenue.

LAID OVER.

60. Alderman Chiarelli introduced and read an Ordinance amending Chapter 16, Schedule Section 302 of the Code of Ordinances of the City of Rockford to add the following:

Prohibiting commercial vehicles on Arnold Avenue from Midvale Drive to Newburg Road

LAID OVER.

2013-147-O

61. Alderman Chiarelli introduced and read an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a drive-thru pharmacy in a C-

2, Limited Commercial Zoning District and C-3, General Commercial Zoning District at 3114, 3134 11th Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a landscape plan including units to be placed within the proposed landscape islands.

Approval is based on the Findings of Fact.

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -1-

2013-148-O

62. Alderman Chiarelli introduced and read an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a private school for music lessons and a studio in an R-1, Single-Family Residential Zoning District at 718 Auburn Street. Approval is based on the Findings of Fact.

1. Meeting all Building and Fire Codes.
2. The permitted uses on the subject property shall be limited to only those listed in the Special Use Permit.
3. Meeting all applicable building codes, specifically construction documentation from a licensed design professional (i.e. Architect), licensed in the State of Illinois indicating how the proposed use will meet all appropriate building codes for the "Change of Use" and any construction to take place.
4. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
5. That the free-standing sign shall be a low-profile (landmark-style) sign replacing the existing free-standing sign and limited to a maximum of twenty (20) square feet.
6. All conditions must be met prior to establishment of use.

Approval is based on the Findings of Fact.

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -1-

2013-149-O

63. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56, Article III of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

SMG Food and Beverage LLC d/b/a Savor for the sale of liquor by the drink in conjunction with a concert venue in a C-4, Urban Mixed-Use Zoning District at 320 South Wyman Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -1-

2013-150-O

64. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56, Article III of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

SMG Food and Beverage LLC d/b/a Savor for the sale of liquor by the drink in conjunction with a sports arena in a C-4, Urban Mixed-Use Zoning District at 300 Elm Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.

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

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Elyea, McNeely, Chiarelli -11-
Nays: -0-
Absent: Beach, Beck -1-

65. Alderman Hervey introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached Lease between the City of Rockford and Jodi's Inc. for the property located at 211 Elm St., Section A, commonly known as Kiwi Café. LAID OVER.
66. Upon motion duly made and seconded, the meeting was adjourned at 7:34 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
October 7, 2013
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
- Petitions and Communications
- Proclamations
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER SEPTEMBER 30, 2013

1. Durkee - Planning and Development - Recommending approval of Rockford Area Economic Development Council (RAEDC) Contract for Service Agreement. The Legal Director shall prepare the appropriate ordinance.
2. Durkee - Planning and Development - Recommending approval of a Development Agreement with Metro Hall Lofts, LLC for rehabilitation of 324-330 East State Street as a mixed use commercial and residential redevelopment. The Legal Director shall prepare the appropriate ordinance.
3. Durkee - Planning and Development - Recommending approval of a Development Agreement with Metro Hall Lofts, LLC for rehabilitation of 408-414 East State Street as a mixed use commercial and residential redevelopment. The Legal Director shall prepare the appropriate ordinance.
4. Beach - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for off-premises free-standing pole sign for McDonald's Corporation and DENY a Variation to increase the square footage from 64 square feet to 132.6 square feet in a C-3, General Commercial Zoning District at 3849 Northridge Drive. Approval is subject to the following conditions:
 1. Must obtain a sign permit and be installed in accordance to sign elevation Exhibit F.

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

5. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow reduced landscape frontage due to Illinois Department of Transportation project from ten (10) feet to three (3) feet in a C-2, Limited Commercial Zoning District at 3101 North Main Street. Approval is subject to the following conditions:
 1. If landscape units can be preserved, that they are relocated along the south side of the property.
 2. That a final site plan is submitted for Staff review and approval upon final determination of right-of-way takings from IDOT.
 3. Existing signage is to come into conformance with the current sign ordinance.

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

6. Beach - Code and Regulation - Recommending approval of the sale of vacant lot at 617 North Greenview Avenue for a minimum bid of \$450.00 with preference to the adjacent property owner.
7. Beach - Code and Regulation - Recommending approval of the sale of vacant lot at 312 Penfield Place for a minimum bid of \$450.00 with preference to the adjacent property owner.

II. ORDINANCES LAID OVER SEPTEMBER 30, 2013

1. Hervey - Ordinance - Lease between the City of Rockford and Jodi's Inc. for the property located at 211 Elm St., Section A, commonly known as Kiwi Café.
2. Chiarelli - Ordinance - Amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation in the perimeter landscape strip from twenty (20) feet to triangular landscaping on the western and eastern frontage on Charles Street; a Variation to reduce the front yard setback from fifteen (15) feet to zero (0) feet along Charles Street and 21st Street in a C-2, Limited Commercial Zoning District and I-1, Light Industrial Zoning District at 2409, 2425 Charles Street and 24xx Charles Street. Approval is subject to the following conditions:
 1. Meet all applicable building and fire codes.
 2. Submittal of a revised landscape plan for Staff's review and approval.
 3. Must work with Public Works staff to address drainage.
 4. Submittal of building elevation plans for Staff's review and approval.

Approval/Denial is based on the Findings of Fact.

3. Chiarelli - Ordinance - Amending Chapter 16, Schedule Section 297 of the Code of Ordinances of the City of Rockford to add the following:

"No Left Turn 7am – 9am and 4pm – 6pm Monday – Friday" for northbound traffic on Chelsea Avenue.

4. Chiarelli - Ordinance - Amending Chapter 16, Schedule Section 291 of the Code of Ordinances of the City of Rockford to add the following:

That traffic on 12th Avenue be required to stop prior to entering the intersection of 17th Street and 12th Avenue.

5. Chiarelli - Ordinance - Amending Chapter 16, Schedule Section 302 of the Code of Ordinances of the City of Rockford to add the following:

Prohibiting commercial vehicles on Arnold Avenue from Midvale Drive to Newburg Road

III. MOTION/RESOLUTIONS HELD OUT SEPTEMBER 30, 2013

1. Hervey, on behalf of the Finance and Personnel Committee, - Authorizing the Mayor and Legal Director to execute an Agreement between the City of Rockford and the Illinois Clean Energy Community Foundation for street light upgrades and improvements for Charles Street. The City shall pay \$15,600 as its portion of construction and any remaining balance over what the Illinois Clean Energy Community Foundation pays for its portion of the construction costs. The funding source is Traffic Operations Budget.

IV. MISCELLANEOUS/APPOINTMENTS

A. LAID OVER SEPTEMBER 30, 2013

1. Mayor Morrissey – Appointments/Re-Appointments – Directors of Municipal Departments:

Todd Cagnoni	Community and Economic Development Department
Chris Black	Finance Department
Julia Scott-Valdez	Human Resources Department
George Davis	Human Services Department **
Glenn Trommels	Information Technology Department
Patrick Hayes	Legal Department
Timothy Hanson	Public Works Department

** Please note that the appointment of George Davis will be effective until, or if, there is a restructuring change within the organization

Appointments of Fire and Police Chiefs are made in accordance with State law through Fire and Police Commission.

LAID OVER.

B. HELD OUT SEPTEMBER 30, 2013

1. Mayor Morrissey - Appointment - Community Action Agency Board, Mr. Fred Hoople, for a three-year term ending November 2016. (Pursuant to Rule 18, this item is up for passage on October 28, 2013).

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. Durkee – Ordinance - Rockford Area Economic Development Council (RAEDC) Contract for Service Agreement.
 2. Durkee – Ordinance - Development Agreement with Metro Hall Lofts, LLC for rehabilitation of 324-330 East State Street as a mixed use commercial and residential redevelopment.
 3. Durkee – Ordinance - Development Agreement with Metro Hall Lofts, LLC for rehabilitation of 408-414 East State Street as a mixed use commercial and residential redevelopment.
 4. Beach – Ordinance - Special Use Permit for off-premises free-standing pole sign for McDonald’s Corporation and DENY a Variation to increase the square footage from 64 square feet to 132.6 square feet in a C-3, General Commercial Zoning District at 3849 Northridge Drive. Approval is subject to the following conditions:
 1. Must obtain a sign permit and be installed in accordance to sign elevation Exhibit F.Approval is based on the Findings of Fact.
 5. Beach – Ordinance - Variation to allow reduced landscape frontage due to Illinois Department of Transportation project from ten (10) feet to three (3) feet in a C-2, Limited Commercial Zoning District at 3101 North Main Street. Approval is subject to the following conditions:
 1. If landscape units can be preserved, that they are relocated along the south side of the property.
 2. That a final site plan is submitted for Staff review and approval upon final determination of right-of-way takings from IDOT.
 3. Existing signage is to come into conformance with the current sign ordinance.Approval is based on the Findings of Fact.
 6. Beach – Ordinance - Sale of vacant lot at 617 North Greenview Avenue for a minimum bid of \$450.00 with preference to the adjacent property owner.
 7. Beach – Ordinance - Sale of vacant lot at 312 Penfield Place for a minimum bid of \$450.00 with preference to the adjacent property owner.
 8. Hervey – Ordinance – Tax Exempt Lease for Heavy Equipment with Fifth Third Equipment Finance of Chicago, Illinois for an interest rate of 2.46% for the Public Works Department and Fire Department.
- * 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, October 7, 2013, 5:15 p.m.

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

AGENDA

1. C & R 13-161 ZBA#029-13 Special Use Permit for body art services consisting of tattoo and piercing in a C-2, Limited Commercial Zoning District at 3809 East State Street
2. C & R 13-173 ZBA#033-13 Special Use Permit for passenger vehicle sales in an I-1, Light Industrial Zoning District at 3424 and 3426 South Alpine Road

FINANCE AND PERSONNEL COMMITTEE

Monday, October 7, 2013, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Contract: City-Wide Vehicles
 - B. Award of Sole Source Contract: ComEd Street Lights
 - C. Award of Sole Source Contract: Meter Reading Equipment Upgrade
 - D. Vouchers
2. Affordable Care Act Counseling
3. City-State Agreement: Harrison Avenue Railroad Crossing
4. City of Rockford and IAFF Arbitration Award
5. Financial Discussion (August)

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, October 7, 2013, 5:00 p.m.
CD Conference Rm., City Hall 2nd floor
AGENDA**

1. Consideration of appointees to the Ad-Hoc Committee on Tax Increment Financing.
2. Memorandum from Mark Williams, Economic Development Manager, regarding Logistics Parkway Development and solicitation of proposals for the development of City-owned property at 5775 Logistics Parkway.
3. Memorandum from Jeremy Carter, Traffic Engineer, regarding a Presentation of proposed Functional Classification System Modifications.
4. Memorandum from Patrick Hayes regarding Development Agreement with the YMCA of Rockford regarding a Reaffirmation of permission to build over drainage easement at 200 Y Boulevard.
5. Memorandum from Alderman Tim Durkee Regarding the Review of the 2020 Plan.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, October 7, 2013, _____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.

2014 CITY COUNCIL BUDGET REVIEW AGENDA

**Saturday, October 5, 2013, 9:00 a.m.
Council Chambers, 2nd Floor, City Hall
AGENDA**

- | | |
|---------------|---|
| 9:00 – 9:15 | Opening Remarks, Mayor and City Administrator |
| 9:15 – 10:15 | Updates on Special Projects |
| | A. Fire Station #3 Relocation |
| | B. Geographic Policing Facilities |
| 10:15 – 10:30 | Break |
| 10:30 – 10:45 | General Fund Budget Discussion |
| 10:45 – 11:15 | City Council Members Budget Requests |
| 11:15 – 12:00 | Closed Session: Litigation, Real Estate Acquisition, Labor Negotiation Matters. |

