

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**JULY 2, 2012**  
**COUNCIL CONVENED AT 6:10 P.M.**

1. The invocation was given by Chaplain Shem Nichols, Central Christian Church /Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Absent: Thompson-Kelly, McNeely -2-
3. Alderman Mark moved to accept the Journal of Proceedings of June 25, 2012, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Thompson-Kelly, McNeely absent).

**PUBLIC PARTICIPATION**

4. Roland Poska invited community members to join him at the intersection of State and Main at 12:00 (noon) on July 4<sup>th</sup> to share a moment of interdependence and celebrate our national day of independence.
5. Prophet Yusef spoke about the power of belief and quoted scripture.
6. Bruce Roberts stated he does not support geographic policing and "beat officers", arguing that foot patrol is the most expensive and least productive form of patrolling. He urged council members to hire more police officers.
7. Linda Heckert urged council members to support the EDEEN Initiative.
8. John Chadwick also encouraged council members to support the EDEEN Initiative Master Agreement.

**PETITIONS AND COMMUNICATIONS**

9. Alderman Wasco submitted a memorandum from Mark Rose, Land Acquisition Officer, regarding Tax Abatement on Demolition and Foreclosure Property. Referred to Finance and Personnel Committee.
10. Alderman Mark submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming events:
  1. The Room Place Tent Sale – 7/14-15/12
  2. Aldersgate United Methodist Church Corn Boil – 7/29/12

Referred to Code and Regulation Committee.

11. Alderman Mark submitted the Rockford Traffic Commission Agenda for the meeting to be held on July 11, 2012. Referred to Traffic Commission.
12. Alderman Johnson submitted three (3) requests for service. Referred to Police Department, Community Development/Code Enforcement and Public Works Department

### **NEW COMMITTEE REPORTS**

13. Alderman Wasco read a Finance and Personnel Committee Report recommending the award of contract for Water Quality Testing be made to PDC Laboratories, Inc. of Peoria, Illinois in an amount not to exceed \$60,354.50. The funding source is Water Division Operating Budget. LAID OVER.

#### **2012-241CR**

14. Alderman Wasco read a Finance and Personnel Committee Report recommending Engineering Agreement Amendment: West State St. Water & Sewer Re-Route be made to Fehr-Graham and Associates for an additional \$79,893.95 for a total not-to-exceed cost of \$163,708.71 for additional design services for the West State St. Water & Sewer Re-Route Improvements relating to the Illinois Department of Transportation's US Business Route 20, FAP Route 303 roadway reconstruction project. The funding source is Sales Tax funds.

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

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm,  
Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

#### **2012-242CR**

15. Alderman Wasco read a Finance and Personnel Committee Report recommending the Engineering Agreement: South Industrial Park Water Main Extension be made to Willett Hofmann for design engineering for a total not-to-exceed cost of \$29,300.00. The funding for this project will come from WRIA funds.

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

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm,  
Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

**2012-243CR**

16. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Well House 39 Storm Water Improvements – 2012 be made to the low bidder, Stenstrom Excavation and Blacktop Group, of Rockford, Illinois for their bid of \$62,295.50. The funding source is water Operations Fund.

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

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

17. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of July 2, 2012 in the amount of \$2,168,683.78. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

18. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of packaged liquor in conjunction with a convenience store in the name of Nilesh Patel d/b/a Discount Tobacco and Pantry in a C-3, Commercial Zoning District located at 615 South Rockford Avenue. LAID OVER.

19. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board thereby recommending that City Council DENY the sale of packaged liquor in conjunction with a gas station and convenience store in the name of **Fayez Asad d/b/a Choice Gas Stop, Inc.** in a I-1, Light Industrial Zoning District located at 2914 West State Street. LAID OVER.

20. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a restaurant and APPROVE the sale of liquor by the drink within the outdoor seating area in the name of **Addison Jun d/b/a Izakaya 88** in a C-2, Limited Commercial Zoning District located at 293 Executive Parkway. Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. Meeting all applicable building and fire codes.
3. That there shall be no cover charge and may not function as a night club or have a dance floor/stage area over 150 square feet.
4. Hours are limited to Monday-Sunday 4:30 pm – 2:00 am

5. That the outdoor seating area to close by 10:00 pm during the weekdays and midnight on weekends.

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

21. 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 the frontage landscape strip from ten (10) feet to seven (7) feet along South Main Street in a C-2, Limited Commercial Zoning District located at 1207 South Main Street. Approval is subject to the following conditions:

1. Removal of landscaping during construction must be replaced to original plantings.
2. Maintenance of plantings must include adequate watering, pruning, mowing and removal of litter not only of the owner's property but also the property line and the street curb or edge of pavement.

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

**2012-244CR**

22. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a restaurant and bar in the name of **Matthew Idzikowski d/b/a Vintage @501, Ltd.** in a C-4, Urban Mixed-Use Zoning District located at 501 East State Street. 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 alcoholic beverages shall be in conjunction with a restaurant and bar.
4. The hours of operation will be limited to 11:00 am to 2:00 am Monday thru Saturday.
5. The hours of operation will be limited to 11:00 am to 2:00 am on Sunday.
6. The restaurant and bar shall not operate as a nightclub or have a dance floor.
7. The restaurant and bar shall not be a cover charge or any DJ's
8. Live entertainment shall be limited to musical entertainment during meal services
9. The applicant may apply for an "S" permit during special events.

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. Thompson-Kelly, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm,  
Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

**2012-245CR**

23. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a Veteran's Club and beer garden/outdoor seating area in the name of **Richard Rivera d/b/a Lt. Robert C.A. Carlson Post 1207, American Legion** in a C-2, Limited Commercial Zoning District located at 1011 South Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable City of Rockford Liquor Codes.
2. Must meet all applicable Building and Fire Codes.
3. Maintenance of landscaping to 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 and/or replacement of landscape units along South Alpine Road to be completed by September 1, 2012.
4. Removal of two (2) free-standing signs along South Alpine Road to be replaced with on (1) landmark style sign.

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. Thompson-Kelly, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm,  
Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

**2012-246CR**

24. Alderman Mark read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE (A) a Variation to increase the maximum allowable height from a free-standing sign from eight (8) feet to thirty (30) feet; APPROVE (B) a Variation to increase the maximum allowable square footage for a free-standing sign from sixty-four (64) feet to one hundred (100) feet and APPROVE (C) a Variation to allow for a free-standing pylon sign when a free-standing landmark style sign is required in a C-2, Limited Commercial Zoning District located at 6551 East State Street. Approval is subject to the following conditions:

1. Meeting 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.

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

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm,  
Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

**2012-247CR**

25. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #141-94 for a Planned Unit Development consisting of an Auto Rental Agency and Consumer Installment Lender in a C-2, Limited Commercial Zoning District located at 4231 and 4235 East State Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permits for Staff review and approval.
3. That the existing freestanding sign will need to be removed.
4. That the new freestanding sign shall be in accordance with Exhibit G
5. The Applicant will need to demonstrate that the three (3) trees indicated on the landscaping plan along the east property line are on the subject property.
6. The site will need to develop in accordance with the submitted Exhibits E and F.

Approval is based on the Finding 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. Thompson-Kelly, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm,  
Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

**OFFICERS REPORTS**

26. Mayor Morrissey presented a Proclamation proclaiming the week of July 1, 2012 to be "JOE MARINO WEEK" in Rockford, Illinois and urged all citizens to recognize Joe Marino for his many contributions to our community.
27. Mayor Morrissey reported the City of Rockford Human Services Department has announced locations of cooling sites throughout the city and surrounding area. A list of sites has been distributed and is available at [www.keepcool.illinois.gov](http://www.keepcool.illinois.gov).

28. Mayor Morrissey mentioned a Memorandum regarding the Consumer Confidence Report and 2011 Water Quality Report has been distributed to the aldermen and mailed to all water customers.
29. Mayor Morrissey submitted an appointment to the Community Action Advisory Board; Ron Clewer, to replace John Cressman. The term will expire February, 2014. LAID OVER
30. Mayor Morrissey mentioned an article in the *Rockford Register Star* regarding geographic policing and he commended Chief Epperson on the day to day deployment decisions he makes with limited resources to meet the needs of our community.
31. Alderman Elyea thanked Chief Epperson for providing beat officers in high crime areas. She believes it has been very effective in deterring crime.
32. Alderman Wasco referred to Mayor Morrissey and the Legal Department an inappropriate video criticizing police. He encouraged the community to stand united in supporting our police officers.

Mayor Morrissey advised he has not seen the video and assured Alderman Wasco that Winnebago County State's Attorney Joe Bruscato will be contacted.

#### **UNFINISHED BUSINESS**

33. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending approval of the Master Agreement of the City of Rockford's Commercial District Economic Development, Education and Entrepreneurship Network (EDEEN). The Legal Director shall prepare the appropriate ordinance.

Alderman Jacobson made a motion to lay the committee report over, seconded by Alderman Mark. MOTION PREVAILED.

The Committee Report was LAID OVER.

#### **2012-248CR**

34. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending approval of a Resolution calling a Public Hearing and convening a Joint Review Board regarding the proposed approval of the East State Street/Mulford Road Redevelopment Project Area, designation of the proposed said area, and the adoption of tax increment allocation financing for said area. MOTION PREVAILED by a Roll Call vote of:

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

**2012-249CR**

35. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the Change Order: Roadway Improvements for Renaissance Corners 2011 for rerouting of the water main, elimination of connection and new alignment, be made to Northern Illinois Service Co. for an additional \$32,253.30 for a total cost of \$710,451.46. The funding will come from WRIA Funds and Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-

Nays: -0-

Absent: Thompson-Kelly, McNeely -2-

**2012-250CR**

36. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the Change Order: City-Wide Sidewalk Package B 2012 for additional sidewalk removal and replacement, installation of additional accessibility ramps and removal and replacement of driveway, be made to TCI Concrete, Inc. for an additional \$15,968.93 for a total not-to-exceed cost of \$47,705.40. The funding will come from Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-

Nays: -0-

Absent: Thompson-Kelly, McNeely -2-

**2012-251CR**

37. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the Intergovernmental Agreement with the Blackhawk Fire Protection District in connection with Rockford Fire Department giving the Blackhawk Fire Protection District a raft with an outboard motor and trailer to tow the raft. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-

Nays: -0-

Absent: Thompson-Kelly, McNeely -2-

**2012-252CR**

38. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a Residential Parking Zone in municipal parking lot "F" near the intersection of 8<sup>th</sup> Street and 13<sup>th</sup> Avenue. MOTION PREVAILED (Ald. Thompson-Kelly, McNeely absent).

**2012-253CR**

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

1. Request from 5<sup>th</sup> Ward for Yield Sign at the intersection of Kennon Road and Foley Street.
2. Request from the 3<sup>rd</sup> Ward to establish a "No Parking Anytime" restriction on the west side of Hall Street from Jefferson Street to 6<sup>th</sup> Street.
3. Request from the 6<sup>th</sup> Ward to establish a "No Parking Anytime" restriction on both sides of Linden Court from Linden Road north to cul-de-sac.

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

## **MOTIONS AND RESOLUTIONS**

### **2012-101R**

40. Alderman Jacobson, on behalf of the Planning and Development Committee, moved the adoption of a Resolution calling a Public Hearing and convening a Joint Review Board in connection with approval of a Redevelopment Plan and Project for and the designation of the East State Street/Mulford Road Redevelopment Project Area. MOTION PREVAILED by a Roll Call vote of:

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

### **2012-102R**

41. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for Roland Poska requesting a special event permit for the Fishy Whale Signing to be held on Wednesday, July 4, 2012 at 12:00 (noon) at the intersection of State and Main Streets. MOTION PREVAILED (Ald. Thompson-Kelly, McNeely absent).

### **2012-103R**

42. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for Alpine Kiwanis Organization requesting a special event permit for Alpine Kiwanis Organization Brat Days Fundraiser to be held on July 20, 2012 from 11:00 am – 8:00 pm at Logli Supermarket, 6410 East State Street and Edgebrook Center, 1639 North Alpine Road. MOTION PREVAILED (Ald. Thompson-Kelly, McNeely absent).

### **2012-104R**

43. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for Christ for Youth (from Joplin, Missouri) and City of Rockford Department of Community and Economic Development requesting a special event permit for Project Facelift to be held on July 9, 2012 through July 12, 2012. Work will be done in the following neighborhoods, Oakley from Andrews to Mulberry and Jefferson from Irving to Central Avenue. MOTION PREVAILED (Ald. Thompson-Kelly, McNeely absent).

**2012-105R**

44. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for Booker Washington Community Center requesting a special event permit for Booker Washington Community Center's 3-on-3 Basketball Tournament on July 21, 2012 from 12:00 (noon) – 8:00 pm at 318 South Church Street (City Lots SS). MOTION PREVAILED (Ald. Thompson-Kelly, McNeely absent).

**2012-106R**

45. Alderman Wasco, 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: Harmon Park Phase 4B, funding source: Sales Tax
- B. Bid: Demolition of Well U28 & Well U24, funding source: WRIA

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

**NEW BUSINESS**

46. Alderman Mark introduced and read an Ordinance amending Chapter 16, Schedule Section 311 of the Code of Ordinances of the City of Rockford by adding the following:

Establishing a Residential Parking Zone in municipal parking Lot "F" near the intersection of 8<sup>th</sup> Street and 13<sup>th</sup> Avenue.

LAID OVER.

**2012-104-O**

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

**Matthew Idzikowski d/b/a Vintage @501, Ltd.** for the sale of liquor by the drink in conjunction with a restaurant and bar located at 501 East State Street. 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 alcoholic beverages shall be in conjunction with a restaurant and bar.
4. The hours of operation will be limited to 11:00 am to 2:00 am Monday thru Saturday.
5. The hours of operation will be limited to 11:00 am to 2:00 am on Sunday.
6. The restaurant and bar shall not operate as a nightclub or have a dance floor.
7. The restaurant and bar shall not be a cover charge or any DJ's
8. Live entertainment shall be limited to musical entertainment during meal services
9. The applicant may apply for an "S" permit during special events.

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

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

**2012-105-O**

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

**Richard Rivera d/b/a LT Robert C.A. Carlson Post 1207, American Legion** for the sale of liquor by the drink in conjunction with a restaurant and bar located at 1011 South Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable City of Rockford Liquor Codes.
2. Must meet all applicable Building and Fire Codes.
3. Maintenance of landscaping to 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 and/or replacement of landscape units along South Alpine Road to be completed by September 1, 2012.
4. Removal of two (2) free-standing signs along South Alpine Road to be replaced with on (1) landmark style sign.

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

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

**2012-106-O**

49. Alderman Mark introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for (A) a Variation to increase the maximum allowable height from a free-standing sign from eight (8) feet to thirty (30) feet; APPROVE (B) a Variation to increase the maximum allowable square footage for a free-standing sign from sixty-four (64) feet to one hundred (100) feet and APPROVE (C) a Variation to allow for a free-standing pylon sign when a free-standing landmark style sign is required in a C-2, Limited Commercial Zoning District located at 6551 East State Street. Approval is subject to the following conditions:

1. Meeting 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.

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

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm,  
Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

**2012-107-O**

50. Alderman Mark introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for the Modification of Special Use Permit #141-94 for a Planned Unit Development consisting of an Auto Rental Agency and Consumer Installment Lender in a C-2, Limited Commercial Zoning District located at 4231 and 4235 East State Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permits for Staff review and approval.
3. That the existing freestanding sign will need to be removed.
4. That the new freestanding sign shall be in accordance with Exhibit G
5. The Applicant will need to demonstrate that the three (3) trees indicated on the landscaping plan along the east property line are on the subject property.
6. The site will need to develop in accordance with the submitted Exhibits E and F.

Approval is based on the Finding of Fact.

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

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm,  
Beach, Elyea, Beck, Robertson -12-  
Nays: -0-  
Absent: Thompson-Kelly, McNeely -2-

51. Alderman Wasco introduced and read an Ordinance approving the Intergovernmental Agreement with the Blackhawk Fire Protection District and the Mayor and Legal Director be authorized to execute the same. LAID OVER.

**OFFICERS REPORTS**

52. Alderman Robertson announced the democratic caucus will be meeting at The Irish Rose after tonight's council meeting.

53. Alderman Robertson requested a recycling bin under his desk.
54. Upon motion duly made and seconded, the meeting was adjourned at 7:09 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**  
**July 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
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)
- Officers Reports

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS LAID OVER JULY 2, 2012**

1. Jacobson - Planning and Development - Recommending approval of the Master Agreement of the City of Rockford's Commercial District Economic Development, Education and Entrepreneurship Network (EDEEN). The Legal Director shall prepare the appropriate ordinance.
2. Wasco - Finance and Personnel - Recommending the award of contract for Water Quality Testing be made to PDC Laboratories, Inc. of Peoria, Illinois in an amount not to exceed \$60,354.50. The funding source is Water Division Operating Budget.
3. Mark - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of packaged liquor in conjunction with a convenience store in the name of Nilesh Patel d/b/a Discount Tobacco and Pantry in a C-3, Commercial Zoning District located at 615 South Rockford Avenue.
4. Mark - Code and Regulation - SUSTAINING the Liquor Advisory Board thereby recommending that City Council DENY the sale of packaged liquor in conjunction with a gas station and convenience store in the name of **Fayez Asad d/b/a Choice Gas Stop, Inc.** in a I-1, Light Industrial Zoning District located at 2914 West State Street.
5. Mark - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a restaurant and APPROVE the sale of liquor by the drink within the outdoor seating

area in the name of **Addison Jun d/b/a Izakaya 88** in a C-2, Limited Commercial Zoning District located at 293 Executive Parkway. Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. Meeting all applicable building and fire codes.
3. That there shall be no cover charge and may not function as a night club or have a dance floor/stage area over 150 square feet.
4. Hours are limited to Monday-Sunday 4:30 pm – 2:00 am
5. That the outdoor seating area to close by 10:00 pm during the weekdays and midnight on weekends.

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

6. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the frontage landscape strip from ten (10) feet to seven (7) feet along South Main Street in a C-2, Limited Commercial Zoning District located at 1207 South Main Street. Approval is subject to the following conditions:
  1. Removal of landscaping during construction must be replaced to original plantings.
  2. Maintenance of plantings must include adequate watering, pruning, mowing and removal of litter not only of the owner's property but also the property line and the street curb or edge of pavement.

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

## **II. ORDINANCES LAID OVER JULY 2, 2012**

1. Mark - Ordinance - Amending Chapter 16, Schedule Section 311 of the Code of Ordinances of the City of Rockford by adding the following:

Establishing a Residential Parking Zone in municipal parking Lot "F" near the intersection of 8<sup>th</sup> Street and 13<sup>th</sup> Avenue.
2. Wasco - Ordinance - Approving the Intergovernmental Agreement with the Blackhawk Fire Protection District and the Mayor and Legal Director be authorized to execute the same.

- Motions and Resolutions

## **III. MOTIONS AND RESOLUTIONS**

### **A. TO BE READ IN JULY 9, 2012**

1. Mark - The Room Place Tent Sale – 7/14-15/12
2. Mark - Aldersgate United Methodist Church Corn Boil – 7/29/12

**B. LAID OVER JUNE 25, 2012 FOR TWO WEEKS**

1. Mark - Directing staff to move forward with the proposed recommendations as follows:
  1. That the City amend the zoning ordinance to clarify a number of uses and set forth requirements for a special use permit for Title Loan Businesses, anticipated Government Payment Businesses and Currency Exchange Businesses. This would be consistent with current requirements for a special use permit for Pay Day Loan Stores and Pawn Shops.
  2. That the City revise the tobacco requirements to increase fees (application fee and annual license fees) and regulate location, design and business operation through the Liquor Advisory Board or similarly appointed board which allows for public notification and public participation.
  3. That the City revise the second hand store license requirements to increase the fee, increase formal enforcement and provide stricter penalties for nonconformance.

**IV. MISCELLANEOUS/APPOINTMENTS**

**A. LAID OVER JULY 2, 2012**

1. May or Morrissey - Appointment - Community Action Advisory Board, Ron Clewer, term ending February, 2014. (Pursuant to Rule 18, this item is up for passage on August 6, 2012)

**B. HELD OUT JUNE 25, 2012**

- 1.\* Mayor Morrissey - Appointment - Historic Preservation Board, Rebecca Lichty, term ending June 2015. (Pursuant to Rule 18, this item is up for passage on July 16, 2012)
- 2.\* Mayor Morrissey - Re-appointment - Historic Preservation Board, Scott Sanders and Janna Bailey, term ending June 2015. (Pursuant to Rule 18, this item is up for passage on July 16, 2012)
- 3.\* Mayor Morrissey – Re-appointment – Historic Preservation Board, Janna Bailey, term ending June 2015. (Pursuant to Rule 18, this item is up for passage on July 16, 2012)
- 4.\* Mayor Morrissey - Appointment - Building Board of Appeals, Brian Blakemore, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on July 16, 2012)
- 5.\* Mayor Morrissey – Re-appointment – Building Board of Appeals, Joel Sjostrom, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on July 16, 2012)
- 6.\* Mayor Morrissey - Re-appointment - Building Board of Appeals, William Waldorf, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on July 16, 2012)

- 7.\* Mayor Morrissey – Re-appointment – Building Board of Appeals, Joseph Reister, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on July 16, 2012)
- 8.\* Mayor Morrissey – Re-appointment – Building Board of Appeals - Kerry Harlacher, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on July 16, 2012)
- 9.\* Mayor Morrissey – Re-appointment – Building Board of Appeals, Joseph Zimmer, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on July 16, 2012)

**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. Jacobson – Ordinance - Master Agreement of the City of Rockford’s Commercial District Economic Development, Education and Entrepreneurship Network (EDEEN).
- 2. Mark – Ordinance – LAB - APPROVE the sale of liquor by the drink in conjunction with a restaurant and APPROVE the sale of liquor by the drink within the outdoor seating area in the name of **Addison Jun d/b/a Izakaya 88** in a C-2, Limited Commercial Zoning District located at 293 Executive Parkway.
- 3. Mark – Ordinance – ZBA – APPROVE a Variation to reduce the frontage landscape strip from ten (10) feet to seven (7) feet along South Main Street in a C-2, Limited Commercial Zoning District located at 1207 South Main Street.

\* 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, July 9, 2012, 5:15 p.m.**

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

**AGENDA**

- 1. C & R 12-118 Special Events: The Room Place Tent Sale 7/14/12 & 7/15/12  
Aldersgate United Methodist Church Corn Boil  
7/29/12

2. C & R 12-105 ZBA 019-12 **Special Use Permit** for a drive-thru Restaurant  
**Variation** to reduce the required setback from 30 feet to 15 feet along Mill Road for building addition  
**Variation** to eliminate three (3) parking spaces  
**Variation** to reduce the frontage landscape strip from 20 feet to four (4) feet and;  
**Variation** to increase the number of permitted wall signs from two (2) to three (3) wall signs in a C-2, Limited Commercial Zoning District at **609 South Perryville Road**
3. C & R 12-100 Basketball Hoop Complaint
4. C & R 12-116 Sale of Surplus Properties Acquired through the CDBG Program

**FINANCE AND PERSONNEL COMMITTEE**

Monday, July 9, 2012, 5:15 p.m.  
 Conference Room B, City Hall 2<sup>nd</sup> floor (south room)  
**AGENDA**

1. Purchasing and Vouchers
  - A. Award of RFP: Benefits Consultant
  - B. Resolution to take Bids
  - C. Vouchers
    - √ Training/Travel for Human Services Department
2. Tax Abatement on Demolition & Foreclosure Property
3. iFiber project Update – **Info only**

**PLANNING AND DEVELOPMENT COMMITTEE**

Monday, July 9, 2012, \_\_\_\_ p.m.  
 CD Conference Room, City Hall 2<sup>nd</sup> floor  
**AGENDA**

No Meeting Scheduled.

**LEGISLATIVE LOBBYING COMMITTEE**

Monday, July 9, 2012, \_\_\_\_ p.m.  
 Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
**AGENDA**

No Meeting Scheduled.