

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
NOVEMBER 28, 2011  
COUNCIL CONVENED AT 6:14 P.M.**

1. The invocation was given by Chaplain Robert Jones, Saint Luke Missionary Baptist Church/Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:  
Mayor Lawrence Morrissey  
Aldermen: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Beck, McNeely, Robertson -12-  
Absent: Wasco, Timm -2-
3. Alderman Mark moved to accept the Journal of Proceedings of November 21, 2011, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Wasco, Timm absent).

**PUBLIC HEARING**

4. Mayor Morrissey called upon Alderman Beach to conduct a public hearing. Alderman Beach called the public hearing to order at 6:16 pm, stating that it was being held pursuant to 65 ILCS 5/11—15.1-3, for the preannexation agreement for 8650 Junction Road. He asked for questions or comments from the Council members, and then from the general public and closed the hearing at 6:16 pm.

The meeting returned to regular business at 6:16 pm.

**PUBLIC PARTICIPATION**

5. Bruce Roberts pointed out elections are coming up and the high crime rate will be an issue the aldermen will need to address.
6. Prophet Yusef recited scripture.
7. Rodney Lashock spoke in opposition of privatization of municipal services and urged the aldermen to reconsider outsourcing street sweeping.
8. Tommy Carpenter also spoke opposing outsourcing of street sweeping and offered several options and noted grant monies are available.

**PETITIONS AND COMMUNICATIONS**

9. Alderman Johnson submitted an e-mail from G.J. Marlow concerning the removal of street lights on 15<sup>th</sup> Street between 18<sup>th</sup> and 19<sup>th</sup> Avenues. Referred to Public Works Department.

10. Alderman Elyea communicated a request from John Groh, Rockford Area Convention and Visitor's Bureau, regarding funding for the Laurent House Foundation. Referred to Planning and Development Committee.

### **NEW COMMITTEE REPORTS**

11. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the Final Plat No. 7 of Saint Anthony Medical Subdivision. LAID OVER.
12. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the amended annexation for property located at 11xx Edson Road and 8700 Friday Road. The Legal Director shall prepare the necessary Ordinance. LAID OVER.
13. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Variation to increase the maximum allowable height for a free-standing sign from eight (8) feet to twenty (20) feet for one business on a single lot in a C-2, Limited Commercial Zoning District at 3007 North Main Street. LAID OVER.
14. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the request for a Zoning Map Amendment from R-3, Multi-family Residential to C-3, General Commercial District at 45xx Turner Street. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

### **2011-390CR**

15. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for the sale of alcohol by the drink in conjunction with a bar/tavern and DENIAL of an outdoor seating area in a C-3, General Commercial Zoning District in the name of **Jay Gesner of Stumpy's of Rockford, Inc. d/b/a Stumpy's** located at 5801 Columbia Parkway. The approval is subject to the following conditions:
  1. Meet all applicable building and fire codes.
  2. Compliance with all City of Rockford liquor codes.
  3. There shall be no cover charge.

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

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-391CR**

16. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the annexation agreement for property located at 8650 Junction Road. The Legal Director is instructed to prepare the necessary Ordinance. Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-392CR**

17. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the annexation of property located at 8650 Junction Road. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-393CR**

18. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the request for a Zoning Map Amendment from Ogle County AG-1, Agriculture District to the City of Rockford I-2, General Industrial District at 8650 Junction Road, Davis Junction, Illinois. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-394CR**

19. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the annexation of property located at 11xx Edson Road and 87xx-8700 Friday Road. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-395CR**

20. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the annexation of property located at 33xx-43xx Southbend Road, 43xx-45xx Condon Road, 86xx-89xx Friday Road and 43xx-45xx Edson Road. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-396CR**

21. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the request for a Zoning Map Amendment from Winnebago County AG, Agriculture District to the City of Rockford I-2, General Industrial District at 11xx Edson Road, 1100 Edson Road, 87xx Friday Road and 8700 Friday Road, Davis Junction, Illinois. The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

22. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Harmon Park Drainage Improvements Phase 4B – Cross Street & Colorado Street be made to Willet Hofmann & Associates to perform design engineering for the project for a total not-to-exceed cost of \$31,200. The funding for this project will come from Sales Tax funds (flood control/Stormwater Management Program). LAID OVER.

23. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Harmon Park Drainage Improvements Phase 2 – Harmon Park Detention Facility and Adjacent Improvements be made to Willet Hofmann & Associates to perform design engineering for the project for a total not-to-exceed cost of \$20,000. The funding for this project will come from Sales Tax funds (Flood Control/Stormwater Management Program). LAID OVER.
24. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Storm Water System Master Agreement: Task Order #2 Keith Creek Flood Inundation Mapping be made to MWH Americas, Inc. at a not-to-exceed cost of \$21,864 for storm water engineering. The project will be funded by Sales Tax. Approximately \$15,000 of the fee will come from remaining funds from Task Order #1. LAID OVER.

**2011-397CR**

25. Alderman Beck read a Finance and Personnel Committee Report recommending the adoption of a committee report authorizing the Mayor & Legal Director to enter into a Loan Extension Agreement with Keith Creek Development, LLC consistent with the draft. The Legal Director shall prepare the appropriate Ordinance.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. McNeely voted no; Ald. Wasco, Timm absent). The Committee Report was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

26. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of November 28, 2011 in the amount of \$2,624,061.20. MOTION PREVAILED by a roll call vote of:

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

**PETITIONS AND COMMUNICATIONS**

27. Alderman Robertson submitted a request Ken Irwin, Heartland Community Church, requesting permission for a temporary sign permit for a 17' 6" X 4' banner on the south side of the parking deck for Christmas Program Advertising from 38 days from November 29, 2011 to January 3, 2012 located at 1102 South Alpine Road. Alderman Robertson moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent).

28. Alderman McNeely submitted a letter from Anthony Foreman, JT's Bourbon Street Grille, concerning the mortgage for property located at 1407 North Main Street. Referred to the Legal Department, Mayor Morrissey's Office and Aldermen.
29. Alderman McNeely submitted a letter from Steve Webb, United States Postal Service, announcing a public meeting to be held on Thursday, December 8, 2011 at 7:00 pm inside the Best Western Clock Tower Resort and Conference Center, 7801 E. State Street. She encouraged all to attend. Public input is welcome.

### **NEW COMMITTEE REPORTS**

30. Alderman Elyea read a Planning and Development Committee Report recommending approval of the attached Development Agreement with NCO Customer Management, for CDBG-R grant in the amount of \$100,000 for assistance with job training and hiring. LAID OVER.

### **OFFICERS REPORTS**

31. Mayor Morrissey announced Friday, December 2, 2011 at 3:00 pm in the City Hall Lobby will be the "Excellence Everywhere" Award Ceremony to honor employees for their years of service and accomplishment throughout the year.
32. Mayor Morrissey congratulated the Boylan Catholic High School football team for winning their second state football championship in excellent fashion this past weekend.
33. Mayor Morrissey mentioned city staff will be drafting a policy regarding the Street Lighting Program to present to council for adoption in the near future.
34. Mayor Morrissey commented on the on-going violence in Rockford and again reiterated our commitment to partner with other law enforcement agencies, judiciary, state and federal prosecutors to remedy the system and process of prosecuting offenders.
35. Alderman Johnson congratulated the Boylan Titans for winning the state football championship.
36. Alderman Johnson thanked Tim Hanson, Director Public Works, and his staff for decorating council chambers with beautiful holiday garland and lights.
37. Alderman Johnson mentioned on December 19, 2011 will be the Aldermanic Holiday Party at Minglewood on E. State Street after council.
38. Alderman Johnson thanked Alderman McNeely for announcing the United States Postal Service public meeting on Thursday, December 8, 2011 at 7:00 pm. at the Best Western Clock Tower Resort and Conference Center.
- 38a. Alderman Johnson thanked Mayor Morrissey and Alderman Robertson for inviting her to represent them at a ceremony held at Thompson School last week. Representative from the 9/11 Emergency Responders Committee presented small 9/11 artifacts to the school

on behalf of New York City firefighter Richard Mercado. Students also sang patriotic songs and read their original poetry at the ceremony.

39. Alderman Mark also congratulated the Boylan Titans and Coach Dan Appino on winning their second straight football championship.
40. Alderman Mark appreciates city staff drafting a policy regarding the Street Lighting Program and suggested including ComEd officials in that process.
41. Alderman Mark announced this coming weekend is the Rockford Dance Company's Nutcracker at the Coronado Theatre. He reported he is coming out of retirement after performing for 14 years and retiring 4 years ago, he will be playing the role of mother Ginger.

### **UNFINISHED BUSINESS**

#### **2011-398CR**

43. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the 2012 budget be adopted as amended per the attached deficit schedule dated 11/21/11 and that the Budget Officer be directed to prepare the necessary Appropriation Ordinance. MOTION PREVAILED by a roll call vote of:

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

#### **2011-399CR**

44. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the 2012 budget be amended to include the organization funding for a total of \$3,375,571 per the Economic Development, Education & Entrepreneurship Network Fund schedule dated 11/21/11, subject to each organization's participation in the unified strategic planning process and Council's approval of the strategic plan for 2012.

Alderman Thompson-Kelly made a motion to amend the schedule to include the West State and Kishwaukee Weed-n-Seed programs for \$25,000 each, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Wasco, Timm absent).

MOTION PREVAILED by a roll call vote of:

Ayes:	Durkee, Curran, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Beck, Robertson -10-
Nays:	Mark, McNeely -2-
Absent:	Wasco, Timm -2-

**2011-400CR**

45. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the approval of the Change in Pharmacy Benefit Manager from Express Scripts to Medco effective January 1, 2012. The term of the agreement with Medco is one (1) year. The funding source is Health Insurance Fund. MOTION PREVAILED by a roll call vote of:

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

**2011-401CR**

46. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the approval of the Addition of Roth provision to the Deferred Compensation (457(b)) Plan. There is no cost to the City. MOTION PREVAILED by a roll call vote of:

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

**2011-402CR**

47. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Renaissance Corners Improvements be made to the low bidder, Northern Illinois Service, of Rockford, Illinois for the total bid of \$634,770.51. The funding source is HUD-EDI Grant (\$500,000) & Sales Tax. MOTION PREVAILED by a roll call vote of:

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

**2011-403CR**

48. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Consultant Services: Logistics Parkway Extension Grant Application be made to EHB consulting to perform grant application services for a total not to exceed cost of \$13,500. The project will be funding using Sales Tax funds under the 2012 CIP Project Development Category. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Beach, Elyea, Beck, Robertson -11-  
Nays: McNeely -1-  
Absent: Wasco, Timm -2-

**2011-404CR**

49. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Madison Street Extension be made to Arnold Lundgren & Associates to perform design engineering for the project for a total not to exceed cost of \$18,900. The funding for this project will come from Sales Tax funds under the 2012 CIP Project Development category. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Beach, Elyea, Beck, Robertson -11-  
Nays: McNeely -1-  
Absent: Wasco, Timm -2-

**2011-405CR**

50. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending adoption of the committee report authorizing the Mayor and Legal Director to enter into an agreement consistent with the draft attached hereto. The funding source shall be the Credit Facility Bond to be entered into between the City and Siemens, and the RAVE and Coronado operating subsidies. The legal director shall prepare the appropriate ordinance. MOTION PREVAILED by a roll call vote of:

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

**2011-406CR**

51. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the adoption of the committee report authorizing the Mayor and Legal Director to enter into an Inter Governmental Agreement with the RAVE Authority for implementation of the agreement consistent with the draft IGA attached hereto. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a roll call vote of:

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

**2011-162-O**

52. Alderman Beck moved the adoption of an Ordinance authorizing and providing for an Allonge to the \$15,500,000 Taxable Promissory Note, Series 2009 for the purpose of paying ordinary and necessary expenses of the City, authorizing a related Amended and Restated Line of Credit Agreement, prescribing the details of the Amended and Restated Line of Credit Agreement and Note, and providing for the security for and means of payment of the Note. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Beach, Elyea, Beck, Robertson -11-  
Nays: McNeely -1-  
Absent: Wasco, Timm -2-

**2011-163-O**

53. Alderman Beck moved the adoption of an Ordinance authorizing the mayor and legal director to enter into Intergovernmental Agreement with the RAVE Authority for payment of the taxable line of credit for cash flow purposes the Authority. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Beach, Elyea, Beck, Robertson -11-  
Nays: McNeely -1-  
Absent: Wasco, Timm -2-

**2011-407CR**

54. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the vacation of the right of way for the part of 9xx South Gregory Street that lies in the 900 block of South Gregory Street and is two (2) blocks West of Kishwaukee Street. MOTION PREVAILED by a roll call vote of:

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

**2011-164-O**

55. Alderman Beach moved the adoption of an Ordinance for the sale of City owned property at vacant lot located at 628 Kent Street at a minimum bid of \$2,000 with preference to the adjacent property owner. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Beach, Elyea, Beck, Robertson -11-  
Nays: McNeely -1-  
Absent: Wasco, Timm -2-

**MOTIONS AND RESOLUTIONS**

**2011-164R**

56. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution that the Mayor and Legal Director are authorized to execute the attached Annexation Agreement for 8650 Junction Road by and between Yvonne Wolfenberger, Trustee and the City of Rockford, a municipal corporation. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Beach, Elyea, Beck, McNeely, Robertson -12-

Nays: -0-  
Absent: Wasco, Timm -2-

**2011-165R**

57. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a Special Use Permit for the River District's Holiday Hoopla on December 9, 2011 from 6:00 pm – 9:00 pm. MOTION PREVAILED by a roll call vote of:

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

**NEW BUSINESS**

58. Alderman Beck moved the adoption of an Ordinance authorizing the Mayor and legal director to enter into a Performance Contracting Agreement with Siemens Industry, Inc. for the energy performance improvements at the BMO Harris Arena and the Coronado Theater, consistent with the draft.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION FAILED by a roll call vote of:

Ayes: Durkee, Curran, Jacobson, Johnson, Beach, Elyea, Beck,  
Robertson -8-  
Nays: Mark, Hervey, Thompson-Kelly, McNeely -4-  
Absent: Wasco, Timm -2-

The Ordinance is LAID OVER.

59. Alderman Beck moved the adoption of an Ordinance authorizing the Mayor and legal director to enter into an Intergovernmental Agreement with the RAV E Authority for implementation of the Performance Contract Agreement with Siemens Industry, Inc. for the energy performance improvements at the BMO Harris Arena and the Coronado Theater, consistent with the draft.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION FAILED by a roll call vote of:

Ayes: Durkee, Curran, Jacobson, Johnson, Beach, Elyea, Beck,  
Robertson -8-  
Nays: Mark, Hervey, Thompson-Kelly, McNeely -4-  
Absent: Wasco, Timm -2-

The Ordinance is LAID OVER.

**2011-165-O**

60. Alderman Beck moved the adoption of an Ordinance authorizing the Mayor and Legal Director to enter into a Loan Extension Agreement with Keith Creek Development, LLC for payment of the interim financing of the Floodway Land Acquisition Agreement, consistent with the draft.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED by a roll call vote of:

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

The Ordinance was placed up for passage. MOTION PREVAILED by a roll call vote of:

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

**2011-166-O**

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

**Jay Gesner of Stumpy's Rockford, Inc. d/b/a Stumpy's** located at 5801 Columbia Parkway for the sale of alcohol by the drink in conjunction with a bar/tavern in a C-3, General Commercial Zoning District. Approval is based on the following conditions:

1. Meet all applicable building and fire codes.
2. Compliance with all City of Rockford liquor codes.
3. There shall be no cover charge.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-167-O**

62. Alderman Beach introduced and read an Ordinance amending Article 62 and Article 21-001-B, C-1 of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from

Ogle County, AG-1, Agriculture District to the City of Rockford I-2, General Industrial District for 8650 Junction Road, Davis Junction, Illinois 61020.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-168-O**

63. Alderman Beach introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached annexation agreement for the property located at 8650 Junction Road.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-169-O**

64. Alderman Beach introduced and read an Ordinance for the annexation of property located at 33xx-43xx South Bend Road, 43xx-5xx Condon Road, 86xx-89xx Friday Road and 43xx-45xx Edson Road.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-170-O**

65. Alderman Beach introduced and read an Ordinance for the annexation of property located at 11xx Edson Road, 87xx Friday Road and 8700 Friday Road, Davis Junction, Illinois 61020.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-171-O**

66. Alderman Beach introduced and read an Ordinance for the annexation of property located at 8650 Junction Road, Davis Junction, Illinois 61020.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

**2011-172-O**

67. Alderman Beach introduced and read an Ordinance amending Article 62 and Article 21-001-B, C-1 of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from Winnebago County, AG, Agriculture District to the City of Rockford I-2, General Industrial District for 11xx Edson Road, 1100 Edson Road, 87xx Friday Road and 8700 Friday Road, Davis Junction, Illinois 61020.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Timm absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

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

68. Upon motion duly made and seconded, the meeting was adjourned at 7:31 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**  
**December 5, 2011**  
**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)

**I. NEW COMMITTEE REPORTS TO BE READ IN DECEMBER 5, 2011**

**A. CODE AND REGULATIONS**

1. Beach – Traffic – Repeal existing stop sign control of Loomis Street stopping for Rock Street and establish stop control of Rock Street stopping for Loomis Street.
2. Beach – Traffic – “No Parking Anytime” restriction on the west side of Leslie Avenue from Fairview Avenue to Ashland Avenue.
3. Beach – Traffic – Repeal existing “Two Hour Parking” restriction on the south side of Mulberry Street from Winnebago Street to 100 feet east of Winnebago Street and replace with a “Handicap Parking Only” restriction.
4. Beach – Traffic – Repeal existing “No Parking Anytime” restriction on both sides of Green Street from South Pierpont Avenue to 680 feet of South Pierpont Avenue.
5. Beach – Traffic – No Action be taken on the following items:
  - a. Request from Fred Lierman to repeal existing Left Turn Prohibited restriction at the intersection of Palo Verde Drive and Mulford Road.
  - b. Request from Alderman Robertson to establish stop or yield control at the intersection of Alma Drive and Phelps Avenue.
6. Beach – ZBA – Special Use Permit for dentist office at 1425 South Mulford Road.

7. Beach - Right-of-Way Vacation Alley Adjacent to 211 South Court Street
- Officers Reports

## **UNFINISHED BUSINESS**

### **II. COMMITTEE REPORTS LAID OVER NOVEMBER 28, 2011**

1. Beach - Code and Regulation - Recommending the approval of the Final Plat No. 7 of Saint Anthony Medical Subdivision.
2. Beach - Code and Regulation - Recommending the approval of the amended annexation for property located at 11xx Edson Road and 8700 Friday Road. The Legal Director shall prepare the necessary Ordinance.
3. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Variation to increase the maximum allowable height for a free-standing sign from eight (8) feet to twenty (20) feet for one business on a single lot in a C-2, Limited Commercial Zoning District at 3007 North Main Street.
4. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the request for a Zoning Map Amendment from R-3, Multi-family Residential to C-3, General Commercial District at 45xx Turner Street. The Legal Director is hereby instructed to prepare the necessary Ordinance.
5. Beck - Finance and Personnel - Recommending that the 2012 License and Fee Schedule be approved and that the Legal Director shall prepare the appropriate ordinance.
6. Beck - Finance and Personnel - Recommending the award for Engineering Agreement: Harmon Park Drainage Improvements Phase 4B – Cross Street & Colorado Street be made to Willet Hofmann & Associates to perform design engineering for the project for a total not-to-exceed cost of \$31,200. The funding for this project will come from Sales Tax funds (flood control/Stormwater Management Program).
7. Beck - Finance and Personnel - Recommending the award for Engineering Agreement: Harmon Park Drainage Improvements Phase 2 – Harmon Park Detention Facility and Adjacent Improvements be made to Willet Hofmann & Associates to perform design engineering for the project for a total not-to-exceed cost of \$20,000. The funding for this project will come from Sales Tax funds (Flood Control/Stormwater Management Program).
8. Beck - Finance and Personnel - Recommending the award for Storm Water System Master Agreement: Task Order #2 Keith Creek Flood Inundation Mapping be made to MWH Americas, Inc. at a not-to-exceed cost of \$21,864 for storm water engineering. The project will be funded by Sales Tax. Approximately \$15,000 of the fee will come from remaining funds from Task Order #1.

9. Elyea - Planning and Development - Recommending approval of the attached Development Agreement with NCO Customer Management, for CDBG-R grant in the amount of \$100,000 for assistance with job training and hiring.

**III. ORDINANCES LAID OVER NOVEMBER 28, 2011**

1. Beck - Ordinance - Authorizing the Mayor and legal director to enter into a Performance Contracting Agreement with Siemens Industry, Inc. for the energy performance improvements at the BMO Harris Arena and the Coronado Theater, consistent with the draft.
2. Beck - Ordinance - Authorizing the Mayor and legal director to enter into an Intergovernmental Agreement with the RAV E Authority for implementation of the Performance Contract Agreement with Siemens Industry, Inc. for the energy performance improvements at the BMO Harris Arena and the Coronado Theater, consistent with the draft.

**IV. MISCELLANEOUS/APPOINTMENT HELD OUT NOVEMBER 28, 2011**

1. Mayor Morrissey - Re-appointment - Traffic Commission, Leland Carlson for a five year term to expire October, 2016. (Pursuant to Rule 18 this re-appointment will be up for passage on December 27, 2011).

**V. RESOLUTIONS**

1. Review of City Council Closed Session Minutes.

**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).

\* 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, December 5, 2011, 5:15 p.m.**

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

**AGENDA**

1. C & R 11-199 November Traffic Commission Minutes
2. C & R 11-191 ZBA#044-11 Special Use Permit for a dentist office in an R-1, Single-Family Residential Zoning District at **1425 South Mulford Road**
3. C & R 11-184 Right-of-Way Vacation Alley Adjacent to 211 South Court Street
4. C & R 11-205 Closed Session for Purposes of Pending and/or Threatened Litigation and Land Acquisition

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, December 5, 2011, 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: Street Sweeping
  - B. Award of Bid: Police Emergency Response Vehicle
  - C. Vouchers
2. Letter of Understanding: South Main Corridor/N. Main & Auburn Roundabout
3. Leasing Policy
4. 2012 Budget
5. Financial Discussion

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, December 5, 2011, 5:30 p.m.**

**CD Conference Room, City Hall 2<sup>nd</sup> floor**

**AGENDA**

1. Referral from Alderman Karen Elyea regarding a request from John Groh, RACVB, for funding for the Laurent House Foundation.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, December 5, 2011, \_\_\_\_\_ p.m.**

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

**AGENDA**

Next Meeting Scheduled for December 12, 2011