

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
DECEMBER 10, 2012  
COUNCIL CONVENED AT 6:09 P.M.**

1. The invocation was given by Chaplain Lou Ness, Emmanuel Episcopal Church and the Pledge of Allegiance was led by acting Council Page Ishelia Alexander.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Beach, Beck, McNeely, Robertson -11-  
Absent: Jacobson, Timm, Elyea -3-
3. Alderman Mark moved to accept the Journal of Proceedings of December 3, 2012 seconded by Alderman Hervey. MOTION PREVAILED (Ald. Jacobson, Timm, Elyea absent).

**PUBLIC PARTICIPATION**

4. Brandi Brown formally asked the Rockford City Council to request the U.S. Department of Justice for a complete investigation of the police officer's misconduct and excessive force and encouraged city leaders, police department and community members to work towards a common goal of successful race relations.
5. Melvin Brown invited Mayor Morrissey, council members, Chief Epperson and Legal Director Patrick Hayes to a forum on Saturday, December 15<sup>th</sup> from 10:00 am – 12:00 (noon) at the Kingdom Authority Church, 518 North Court Street to address incidents of excessive force.
6. Prophet Yusef spoke about giving men with a felony a second chance.
7. Antar Baker wished everyone a happy Human Right's Day and recited Article 7 of the Declaration of Human Rights. He acknowledged all the law enforcement officers that are diligent and professional in principle when protecting and upholding the rights of all citizens. He asked council members and city residents to join Justice for Our Children in calling for a federal investigation of the police department.

**PETITIONS AND COMMUNICATIONS**

8. Alderman Thompson-Kelly submitted a request for service in the 1900 block of Kilburn Avenue. Referred to Public Works Department.
9. Alderman Thompson-Kelly announced the Justice for Our Children community based group of concerned citizens will be hosting a forum on Saturday, December 15<sup>th</sup> from 10:00 am – 12:00 pm (noon) at the Kingdom Authority Church, 518 North Court Street. On behalf of Justice for Our Children, she invited Mayor Morrissey, council members, Patrick Hayes and Chief Epperson to participate at the forum.

## **PUBLIC PARTICIPATION**

10. John Brantley expressed disappointment with some elected officials false promises and is discouraged by the negative news coverage at Fairgrounds. He believes the police union has too much power and that Anthony Foreman was treated unfairly regarding the Mayoral petition process.

## **PETITIONS AND COMMUNICATIONS**

11. Alderman Mark submitted a Memorandum from Jennifer Cacciapaglia, City Attorney, regarding an amendment to the expiration date of tobacco licenses. Referred to Code and Regulation Committee.
12. Alderman Wasco submitted a Memorandum from Matt Vitner, P.E., City Engineer regarding Morgan Street Railroad Crossing Improvements. Referred to Finance and Personnel Committee.
13. Alderman Wasco opened a bid for Sale of Property located at 903 Acorn Street from Community Kitchen in the amount of \$35.00 (10% of \$350.00). Referred to Purchasing and Legal Department.
14. Alderman Curran submitted a Memorandum from Rob Lamb, regarding a Development Agreement with First Rockford Group for the development of a new Dollar Tree Strip Mall located at 526 W. Jefferson Street. Referred to Planning and Development Committee.
15. Alderman Robertson submitted a request from Stone Eagle Tavern for two (2) Freestanding Temporary Banner Signs located at 6445 East State Street on January 7, 2012. Alderman Robertson moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Jacobson, Timm, Elyea absent).
16. Alderman McNeely submitted a letter from John Griffin, President and CEO of Kelley Williamson Company concerning the drastic fee increases for the annual licenses required for tobacco retailers within the City of Rockford. Referred to the Legal Department and Mayor Morrissey's Office.
17. Alderman Wasco submitted a Memorandum from Patrick Zuroske, Capital Program Manager, announcing the Finance and Personnel Committee has called a Meeting of the Whole for December 12<sup>th</sup> and 13<sup>th</sup> at 5:30 pm in Conference Room B, City Hall 2<sup>nd</sup> floor to discuss the 2013-2017 Capital Improvements Program.

## **NEW COMMITTEE REPORTS**

18. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a modification of a Special Use Permit for a Planned Unit Development for redevelopment in an R-4, Multifamily Residential District and C-2, Limited Commercial District to amend the conditions of approval to allow market rate housing and amend the timing of future Madison Street right-of-way dedication at 502 Seminary Street, 422 College Avenue, 539,

533, 517 & 505 3<sup>rd</sup> Street and 423 & 417 Division Street. (previously 502, 505, 515 Seminary and 326, 360 College Avenue. Approval is subject to the following conditions:

Phase I

1. Submittal of a final plat for Staff's review and approval.
2. Construction of proposed residential buildings must be in conformance with submittal of Exhibit I and according to the site layout in Exhibit F
3. Landscaping units shall be installed in accordance with Exhibit G & H including the northwest corner reserved for future market rate units as part of Phase II of the development.
4. Covenants and restrictions shall be submitted for Staff review and approval and recorded on the property in perpetuity limiting the housing to terms and conditions as restricted in the regulatory and operating agreement for the duration of the compliance period, and any deviation from the operating agreement must be approved by City Council.
5. The portion of Madison Street indicated in Phase II shall be dedicated as ROW or deeded on the City of Rockford for future roadway purpose no later than December 31, 2014.
6. The continuance and full development of the proposed Tentative Planned Unit Development.

Phase II

7. Submittal of a Final Planned Unit Development prior to development.
8. Submittal of a final plat for Staff's review and approval.
9. Construction of proposed buildings must be in conformance with submittal of Exhibit I.
10. Site layout shall be in conformance with the submittal plans indicated as Exhibit D.
11. The portion indicated as housing on the north side of Madison shall be removed and planned as future open space.
12. Detailed landscaping plans shall be submitted as part of the final planned unit development for Phase II of the project as well as tree preservation and removal plan.
13. Covenants and restrictions shall be submitted for Staff review and approval and recorded on the property in perpetuity limiting the housing to terms and conditions as restricted in the regulatory and operating agreement for the duration of the compliance period, and any deviation from the operating agreement must be approved by City Council.

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 FAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Thompson-Kelly, Johnson, Beach, Beck, Robertson -9-

Nays: Hervey, McNeely -2-  
Absent: Jacobson, Timm, Elyea -3-

The Committee Report was LAID OVER.

19. Alderman Wasco read a Finance and Personnel Committee Report recommending the reduction of collateral requirement from 110% to 105%. LAID OVER.
20. Alderman Wasco read a Finance and Personnel Committee Report recommending award for Parking System Management be made to ABM Parking Services/Ampco System Parking for management of the municipal parking system. For costs as referred to in the memo dated December 10, 2012. The funding source is the City Parking fund. LAID OVER.

**2012-437CR**

21. Alderman Wasco read a Finance and Personnel Report Recommending the award for Change Order: City-Wide Street Repairs Group #2 be made to William Charles Construction for an additional location added to the package due to their proximity to the Harlem Blvd. project for a total not to exceed cost of \$1,360,008.50. The funding for this project will come from Sales Tax funds through the Neighborhood Program Allocation funds.

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

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

**2012-438CR**

22. Alderman Wasco read a Finance and Personnel Committee Report recommending approval of the Memorandum of Understanding between the City of Rockford Human Services Department and the Winnebago County Health Department regarding the "We Choose Health" Grant. The grant would provide the City of Rockford Human Services Dept. with \$10,000 to expand the community gardens project into targeted schools.

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

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

**2012-439CR**

23. Alderman Wasco read a Finance and Personnel Committee Report recommending authorizing the Mayor and Legal Director to enter into an agreement extending the Loan Agreement and Assigned Note with Keith Creek Development, LLC to December 1, 2013, consistent with the draft attached.

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

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

24. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of December 10, 2012 in the amount of \$2,511,913.15. MOTION PREVAILED by a Roll Call vote of:

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

**OFFICERS REPORTS**

25. Mayor Morrissey presented a Proclamation proclaiming the week of December 9, 2012 to be "CHURCHILL PARK CHRISTMAS PARADE WEEK" in Rockford, Illinois and encouraged citizens to join this neighborhood as they hold this parade and light their Christmas tree.
26. Mayor Morrissey presented a Proclamation proclaiming Saturday, December 15, 2012 to be "700 Celebration Day" in Rockford, Illinois and encouraged citizens to support, enjoy and participate at this worthy event.
27. Mayor Morrissey called attention to a Memorandum from Chief Epperson in response to an article in Sunday's *Rockford Register Star*, which outlines the Rockford Police Department's current police report release protocol and working relationship with the Winnebago County Sheriff's Department.
28. Mayor Morrissey informed council members he sent a follow-up communication to the Governor's Office asking for a response to his request to partner with the State of Illinois to allow for information sharing of ex-offenders released into the Rockford community. Connecting all the government agencies would help identify the most serious criminal offenders and provide them with services through the Prisoner Re-entry Program aimed to help them find jobs and transition back into society.

29. Mayor Morrissey invited Chief Epperson to the podium to announce that Lt. Doug Pann has been selected as the first Commander of the new Geographic Pilot District (PPD), holding the rank of Assistant Deputy Chief.  
  
Lt. Pann remarked he was honored to accept the position of Commander and will immediately work to implement the Police Pilot District plan for District II.
30. Mayor Morrissey announced the Rockford Police Department promotional ceremony will be held tomorrow at 3:30 pm at the Rockford College Fischer Chapel, 5050 E. State Street.
31. Alderman Beach reported the Zion Development Corporation is celebrating 30 years of service to the community. He congratulated them on their accomplishments.
32. Alderman McNeely read a letter from John Griffin, President and CEO of Kelley Williamson Mobil, concerning the fee increases for the annual tobacco licenses in the City of Rockford. She plans on meeting with a number of businesses to discuss their concerns and complaints.
33. Alderman Mark commented staff has had discussions with the attorney representing Kelley Williamson Mobil and advised the amendments to the tobacco license were discussed over several months and done very publicly.
34. Alderman Hervey commented she thought the amendments to the tobacco license were to regulate smoke shops that engage in the sale of synthetic marijuana, bath salts and other items used as drugs not to increase the annual tobacco licensing fee. She advised there has been discussion in Finance and Personnel to revisit the fee schedule.
35. Alderman Mark explained to Alderman Hervey that regulating tobacco shops was the main focus of the amendments to the tobacco licensing ordinance.
36. Alderman Johnson thanked Alderman Beach for his comments about Zion Development Corporation and also congratulated them on 30 years of service.

Alderman Robertson exited the meeting at 7:09 pm

37. Alderman Johnson commented on the gorgeous new carpet in Council Chambers and addition of the City logo.

### **UNFINISHED BUSINESS**

#### **2012-440CR**

38. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report regarding the memorandum from Patrick Hayes, Legal Director for the Modification of Water Rates for Condominium Association Irrigation from a Commercial Rate to Residential Rate Structure be approved. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Beach, Beck -9-

Nays: McNeely -1-  
Absent: Jacobson, Timm, Elyea, Robertson -4-

**2012-441CR**

39. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Bag Salt – Ice and Snow melting Product be made to the low bidder; Harder Corp. of Rockford, Illinois for their prices as shown on tabulation, estimated annual value of this contract is \$29,000. The funding source is Property Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

**2012-442CR**

40. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Weatherization Contracts for Architectural Labor be made to Total Plumbing, of Machesney Park, Illinois. The total program includes Architectural Labor, Architectural Material, Mechanical Labor, and Mechanical Material and is for a maximum of eighty-five homes and is not to exceed \$375,000. The funding source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance from the Federal Department of Energy and Health and Human Services. MOTION PREVAILED by a Roll Call vote of:

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

**2012-443CR**

41. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Weatherization Contracts for Architectural Material be made to Total Plumbing, of Machesney Park, Illinois. The total program includes Architectural Labor, Architectural Material, Mechanical Labor, and Mechanical Material and is for a maximum of eighty-five homes and is not to exceed \$375,000. The funding source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance from the Federal Department of Energy and Health and Human Services. MOTION PREVAILED by a Roll Call vote of:

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

**2012-444CR**

42. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Weatherization Contracts for Mechanical Labor be made to Total Plumbing, of Machesney Park, Illinois. The total program includes Architectural

Labor, Architectural Material, Mechanical Labor, and Mechanical Material and is for a maximum of eighty-five homes and is not to exceed \$375,000. The funding source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance from the Federal Department of Energy and Health and Human Services. MOTION PREVAILED by a Roll Call vote of:

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

**2012-445CR**

43. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Weatherization Contracts for Mechanical Material be made to Total Plumbing, of Machesney Park, Illinois. The total program includes Architectural Labor, Architectural Material, Mechanical Labor, and Mechanical Material and is for a maximum of eighty-five homes and is not to exceed \$375,000. The funding source is Illinois Department of Commerce and Economic Opportunity Office of Energy Assistance from the Federal Department of Energy and Health and Human Services. MOTION PREVAILED by a Roll Call vote of:

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

**2012-446CR**

44. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Text Amendment to amend Section 21-002, Section 22-002, Section 23-002, Section 90-003-O, Section 90-003-P, Section 90-003-Y and Article 91 of the Zoning Ordinance of the City of Rockford as submitted regarding financial services, flea markets and payday loan stores. MOTION PREVAILED by a Roll Call vote of:

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

**2012-447CR**

45. Alderman Mark moved the adoption of a Code and Regulation - Recommending the approval of the annexation of 1710 Hillcrest Road; PIN #12-32-233-006. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Beach, Beck, McNeely -1-  
Nays: -0-  
Absent: Jacobson, Timm, Elyea, Robertson -4-

**2012-189-O**

46. Alderman Mark moved the adoption of an Ordinance amending Chapter 16, Schedule Section 280 of the Code of Ordinances of the City of Rockford to add the following, to-wit:

“No Parking Anytime” on both sides of Linden Court from Linden Road north to cul-de-sac.

“No Parking Anytime” on both sides of South Trainer Road from Sandalwood Close to Laurelwood Drive

“No Parking Anytime” on the north side of Van Wie Avenue between Latham Street and Fremont Street from 10 (ten) feet west to the alley to twenty (2) feet east of the alley.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Beach, Beck, McNeely -1-

Nays: -0-

Absent: Jacobson, Timm, Elyea, Robertson -4-

**2012-190-O**

47. Alderman Mark moved the adoption of an Ordinance amending Chapter 16, Schedule Section 293 of the Code of Ordinances of the City of Rockford to add the following, to-wit:

That traffic on Quincy Street yield to North Court Street prior to entering the intersection of North Court Street and Quincy Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Beach, Beck, McNeely -1-

Nays: -0-

Absent: Jacobson, Timm, Elyea, Robertson -4-

**MOTIONS AND RESOLUTIONS**

**2012-167R**

48. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution that the City Council of the City of Rockford will not hold a meeting the week of December 24<sup>th</sup>, 2012. MOTION PREVAILED (Ald. Jacobson, Timm, Elyea, Robertson absent).

**2012-168R**

49. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take requests for qualifications for the following:

A. Bid: Garage Commercial Labor, funding source: Garage Operating Budget

B. Bid: Garage Commercial Labor – Heavy Equipment, funding source: Garage Operating Budget

MOTION PREVAILED (Ald. McNeely voted no; Ald. Jacobson, Timm, Elyea, Robertson absent).

### **NEW BUSINESS**

50. Alderman Mark introduced and read an Ordinance for the Annexation of property commonly known at 1710 Hillcrest Road. LAID OVER.
51. Alderman Mark introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached Zoning Text Amendment to amend Section 21-002, Section 22-022, Section 23-002, Section 90-003-O, Section 90-003-P, Section 90-003-Y and Article 91 of the Zoning Ordinance of the City of Rockford regarding financial services, flea markets and payday loan stores. LAID OVER.

#### **2012-191-O**

52. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the Memorandum of Understanding between the City of Rockford and Human Services Department and the Winnebago County Health Department regarding the "We Choose Health" Grant providing the City of Rockford with \$10,000 for expansion of the community gardens project into targeted schools.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. Jacobson, Timm, Elyea, Robertson absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

#### **2012-192-O**

53. Alderman Wasco introduced and read 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 attached.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. Jacobson, Timm, Elyea, Robertson absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

54. Upon motion duly made and seconded, the meeting was adjourned at 7:24 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 17, 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

**I. BUDGET HEARING**

- Public Participation
- Petitions and Communications
- Committee Reports
- Officers Reports

**UNFINISHED BUSINESS**

**II. COMMITTEE REPORTS LAID OVER DECEMBER 10, 2012**

1. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a modification of a Special Use Permit for a Planned Unit Development for redevelopment in an R-4, Multifamily Residential District and C-2, Limited Commercial District to amend the conditions of approval to allow market rate housing and amend the timing of future Madison Street right-of-way dedication at 502 Seminary Street, 422 College Avenue, 539, 533, 517 & 505 3<sup>rd</sup> Street and 423 & 417 Division Street. (previously 502, 505, 515 Seminary and 326, 360 College Avenue. Approval is subject to the following conditions:

Phase I

1. Submittal of a final plat for Staff's review and approval.
2. Construction of proposed residential buildings must be in conformance with submittal of Exhibit I and according to the site layout in Exhibit F
3. Landscaping units shall be installed in accordance with Exhibit G & H including the northwest corner reserved for future market rate units as part of Phase II of the development.
4. Covenants and restrictions shall be submitted for Staff review and approval and recorded on the property in perpetuity limiting the housing to terms and conditions as restricted in the regulatory and operating agreement for the

duration of the compliance period, and any deviation from the operating agreement must be approved by City Council.

5. The portion of Madison Street indicated in Phase II shall be dedicated as ROW or deeded on the City of Rockford for future roadway purpose no later than December 31, 2014.
6. The continuance and full development of the proposed Tentative Planned Unit Development.

### Phase II

7. Submittal of a Final Planned Unit Development prior to development.
8. Submittal of a final plat for Staff's review and approval.
9. Construction of proposed buildings must be in conformance with submittal of Exhibit I.
10. Site layout shall be in conformance with the submittal plans indicated as Exhibit D.
11. The portion indicated as housing on the north side of Madison shall be removed and planned as future open space.
12. Detailed landscaping plans shall be submitted as part of the final planned unit development for Phase II of the project as well as tree preservation and removal plan.
13. Covenants and restrictions shall be submitted for Staff review and approval and recorded on the property in perpetuity limiting the housing to terms and conditions as restricted in the regulatory and operating agreement for the duration of the compliance period, and any deviation from the operating agreement must be approved by City Council.

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

2. Wasco - Finance and Personnel - Recommending the reduction of collateral requirement from 110% to 105%.
3. Wasco - Finance and Personnel - Recommending award for Parking System Management be made to ABM Parking Services/Ampco System Parking for management of the municipal parking system. For costs as referred to in the memo dated December 10, 2012. The funding source is the City Parking fund.

### **III. ORDINANCES LAID OVER DECEMBER 10, 2012**

1. Mark - Ordinance - For the Annexation of property commonly known at 1710 Hillcrest Road.
2. Mark - Ordinance - Authorizing the Mayor and Legal Director to execute the attached Zoning Text Amendment to amend Section 21-002, Section 22-022, Section 23-002, Section 90-003-O, Section 90-003-P, Section 90-003-Y and Article 91 of the Zoning Ordinance of the City of Rockford regarding financial services, flea markets and payday loan stores.

#### **IV. APPOINTMENTS HELD OUT DECEMBER 10, 2012**

1. Mayor Morrissey - Appointment - Community Action Advisory Board, Ms. Martha Moore, for a three year term ending January 2015. (Pursuant to Rule 18, this item is up for passage on January 7, 2013)

- Motions and Resolutions

- #### **V. NEW BUSINESS** (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

1. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a modification of a Special Use Permit for a Planned Unit Development for redevelopment in an R-4, Multifamily Residential District and C-2, Limited Commercial District to amend the conditions of approval to allow market rate housing and amend the timing of future Madison Street right-of-way dedication at 502 Seminary Street, 422 College Avenue, 539, 533, 517 & 505 3<sup>rd</sup> Street and 423 & 417 Division Street. (previously 502, 505, 515 Seminary and 326, 360 College Avenue. Approval is subject to the following conditions:

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13. Covenants and restrictions shall be submitted for Staff review and approval and recorded on the property in perpetuity limiting the housing to terms and conditions as restricted in the regulatory and operating agreement for the duration of the compliance period, and any deviation from the operating agreement must be approved by City Council.

Approval is based on the Findings of Fact.

- \* 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 17, 2012, 5:15 p.m.**  
**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**  
**AGENDA**

1. C & R 12-196      Multi-Family Registration & Chronic Nuisance Ordinance
2. C & R 12-211      Amendment to Expiration Date of Tobacco Licenses

**FINANCE AND PERSONNEL COMMITTEE**  
**Monday, December 17, 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 Bid: Printing – Laid over 12/10
  - B. Award of Contract: Stop Loss Coverage
  - C. Award of Sale of Real Estate: 903 Acorn Street

- D. Award of Contract: Portable Radios for the Fire Department
  - E. Award of Contract: Toughbook Computers for the Fire Department
  - F. Award of RFP: Tax-Exempt Lease U.S. Bancorp - City-Wide Vehicles – Suspend rules
  - G. Change Order: City-Wide Street Repair Group #5 – Suspend rules
  - H. Change Order: City-Wide Street Repair Group #6 – Suspend rules
  - I. Change Order #2: US Business Rt. 20 Sunset Avenue to Kent Creek Water & Sewer Main Reroute Project – **Info only**
  - J. Emergency P.O. Yale Drive Creek Stabilization – **Info only**
  - K. Resolution to take Bids
  - L. Vouchers
2. City-State Agreement: Morgan Street Railroad Crossing Improvements
  3. Extension of Line of Credit PNC to City of Rockford – Laid over 12/10
  4. Amendment to Levy Ordinance (Ogle County)
  5. 2013 Fee Schedule
  6. 2013 Budget
  7. 2013-2017 Capital Improvement Program

**PLANNING AND DEVELOPMENT COMMITTEE**  
**Monday, December 17, 2012, 5:30 p.m.**  
**CD Conference Room, City Hall 2<sup>nd</sup> floor**  
**AGENDA**

1. Memorandum from John Giliberti, City Attorney, regarding the Rockford Area Convention and Visitors Bureau Third Quarter Report for 2012.
2. Memorandum from Robert Lamb, Industrial Development Manager, regarding a Development Agreement with First Rockford Group for the development of a new Dollar Tree Strip Mall located at 526 W. Jefferson Street.

**LEGISLATIVE LOBBYING COMMITTEE**  
**Monday, December 17, 2012, \_\_\_ p.m.**  
**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**  
**AGENDA**

No Meeting Scheduled.