

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
MAY 13, 2013  
COUNCIL CONVENED AT 6:20 P.M.**

1. The invocation was given by Retired Chaplain William Gerber, Christ the Rock Lutheran Church, and the Pledge of Allegiance was led by the City Council Page Yesenia Centeno.

2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly,  
Oddo, Newburg, Beach, Elyea, McNeely, Beck, Chiarelli -14-

Absent: -0-

**OFFICERS REPORTS**

3. Mayor Morrissey presented a Proclamation proclaiming the week of May 12, 2013 to be "NATIONAL POLICE WEEK" in Rockford, Illinois and urged all citizens to honor and show our sincere appreciation for the police officers of our community by deed, remark and attitude.

4. Alderman Beck moved to accept the Journal of Proceedings of May 6, 2013 seconded by Alderman Hervey.

Alderman Thompson-Kelly made a motion to amend item #54 of the Journal of Proceedings to include re-elected Alderman Ann Thompson-Kelly as receiving the oath of office. MOTION PREVAILED.

Alderman Beck made a motion to amend item #46 to change the date from July 30, 2013 to July 30, 2014. MOTION PREVAILED.

The Journal of Proceedings as amended was placed up for passage. MOTION PREVAILED.

**PUBLIC PARTICIPATION**

5. Prophet Yusef listed several reasons why he believes Rockford if a goldmine.

6. Tyler Voorhees advocated for a business he is proposing on the west side of Rockford.

7. Lloyd Johnston, President of the Rockford Branch NAACP, recognized National Police Week, commended the men and women who serve and protect their communities and honored those who paid the ultimate sacrifice. He announced the Rockford Branch is preparing to launch the National NAACP National Justice Smart and Save Initiative.

8. Pastor Melvin Brown congratulated Mayor Morrissey, re-elected and newly elected aldermen on winning the election. He mentioned the *Rockford Register Star* article about

Aldermen McNeely and encouraged the elected officials to stand up for what is right and move Rockford forward.

9. John Brantley mentioned attending a CompStat meeting and announced a community coalition has been formed in and around Fairground Housing area to help with the crime problem.

### **PETITIONS AND COMMUNICATIONS**

10. Alderman Thompson-Kelly submitted two (2) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.
11. Alderman Hervey Rockford submitted a Memorandum from Patrick Hayes, Legal Director regarding Public Library Collective Bargaining Agreement. Referred to Finance and Personnel Committee.
12. Alderman Durkee submitted a Memorandum from Jovita Donahue, Development Specialist, regarding the extension of Enterprise Zone pursuant to Public Act 97-905 Notice of Emergency Amendments. Referred to Planning and Development Committee.
13. Alderman Beck submitted a Memorandum from Marcy Leach, Engineering Operations Manager, regarding Watermain Easement Dedication – Block 25 of Grant Park Subdivision. Referred to Code and Regulation Committee.
14. Alderman Beck submitted the Rockford Traffic Commission minutes from the meeting held on May 8, 2013. Referred to Code and Regulation Committee.
15. Alderman Beck submitted a Memorandum from Julia Scott-Valdez, regarding upcoming special events:
  1. Same Wind Riders Motorcycle Club Pig Roast – 6/7/13 - 6/8/13Referred to Code and Regulation Committee.
16. Alderman McNamara submitted a letter from the Rock River Development and Partnership in support of the two-way conversion of the downtown streets. Referred to Public Works Department.

### **NEW COMMITTEE REPORTS**

17. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a video gaming and bar sales in the name of **Clifford L. Sterling d/b/a Betties Place** in a C-3, Commercial General Zoning District at 3818 West Riverside Boulevard, Suite 115. Approval is subject to the following conditions:
  1. Meeting all applicable building and fire codes
  2. Compliance with all City of Rockford Liquor and Tobacco Codes

3. Submittal of Building Permit for Staff review and approval
4. The sale of beer and wine shall be limited to the interior site plan that was submitted as Exhibit E
5. Window display signage is limited to 30% of window area
6. The business shall not have a cover charge
7. The business shall not have a dance floor
8. The business shall not have any DJs
9. The business shall not have any live entertainment
10. The business shall not operate as a night club
11. If the business plan is modified submittal of a security plan for Staff review and approval is required.

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

18. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the Final Plat #2 of E.W. Brown's Subdivision. LAID OVER.
19. Alderman Mark moved the adoption of a Code and Regulation Committee Report amending Chapter 3, Article II, Section 3-58, adding Subparagraph (o), (1), (2), (3) and (4) of the City of Rockford Code of Ordinances as follows:
  - (o) The following ZVG licenses are hereby established:
    - (1) A class ZVG license shall constitute a special license and shall be designated as a class ZVG license. This license shall authorize the retail sale on the premises specified of alcoholic liquor for consumption on the premises where the licensee intends to apply for a Video Gaming License from the State of Illinois. No Class ZVG liquor license shall issue for a premises where the sale of alcohol is comprised of 100% packaged liquor sales.
    - (2) Prior to the issuance of class ZVG license, the applicant shall deposit \$12,000 with the finance department of the city. Said deposit shall be placed in the general fund of the city and is nonrefundable.
    - (3) No class ZVG license shall be issued unless the applicant is in full and total compliance with the city zoning ordinances, the ordinances in this chapter and all other ordinances of the city.
    - (4) A liquor licensed establishment which at the date of passage of this Ordinance is also an establishment to which the State of Illinois has issued a Video Gaming License shall be issued a ZVG license upon renewal of their City of Rockford liquor license with no additional deposit, provided their liquor license is eligible for renewal.

The Legal Director shall prepare the appropriate ordinance. LAID OVER.

20. Alderman Hervey made a motion to convene into closed session to discuss the retention of outside counsel, seconded by Alderman Beach. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

The meeting went into closed session at 6:53 p.m.

The meeting returned to open session at 7:43 p.m. and found the following aldermen present:

Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli.

21. Alderman Hervey read a Finance and Personnel Committee Report recommending the Award of a Sole Source Contract for Water Treatment Equipment and Supplies be made to Smith Ecological Systems (SES), of Rockford, Illinois for an estimated annual total of \$70,000.00. The funding source is Water Division Operating Budget. LAID OVER.
22. Alderman Hervey read a Finance and Personnel Committee Report recommending the Award of a Sole Source Contract for Police Ammunition be made to Kiesler Police Supply, Inc. of Jeffersonville, Indiana for the 2013 budget year at a cost of \$44,933.85. The funding source is Police Dept. Operating Budget. LAID OVER.
23. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for City-Wide Sidewalk & ADA Repairs – Package E be made to the low bidder, Stenstrom Excavation and Blacktop Group, of Rockford, Illinois for their total bid of \$35,255.75. The funding source is Sales Tax. LAID OVER.
24. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Railroad Avenue Bridge Reconstruction be made to H.R. Green Co., Inc. for a total not-to-exceed cost of \$150,749.03 to perform the design and construction engineering for the project. The funding for this project will come from Sales Tax funds under the Local Bridge Program category. LAID OVER.
25. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: City-Wide Sidewalk Inspection 2013 be made to Rosario S. Tarara Land Surveying, Inc./Carroll Engineering and Associates for a total not-to-exceed cost of \$15,000.00 to perform construction inspection services. The funding for this project will come from Sales Tax funds. LAID OVER.
- 2013-187CR**
26. Alderman Hervey read a Finance and Personnel Committee Report having considered the matter of retainer agreement with Beveridge and Diamond for Legal Services recommends the City Council authorize the Mayor and City Legal Director to enter into a

retainer agreement providing for fees at 90 percent of the firm's regular hourly rate for municipal clients. The funding source shall be the department operating budgets. The Legal Director shall prepare the appropriate ordinance.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. McNeely voted no). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -13-  
Nays: McNeely -1-  
Absent: -0-

27. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 13, 2013 in the amount of \$1,260,941.26. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

#### **OFFICERS REPORTS**

28. Mayor Morrissey presented a Proclamation proclaiming the week of May 5, 2013 to be "DRINKING WATER WEEK" in Rockford, Illinois and encouraged all citizens to join together in recognizing the vital role water plays in our daily lives.
29. Mayor Morrissey presented a Proclamation proclaiming May 2013 to be "COMMUNITY ACTION MONTH" in Rockford, Illinois in recognition of the hard work and dedication of the City's Community Action Agency.
30. Mayor Morrissey referred to a Memorandum from Jeremy Carter, City Traffic Engineer, regarding Downtown Parking and Parking Deck Equipment Installation. The new system will be installed within the next month and will be automated. He mentioned a parking committee will be formed and asked for volunteers from the council to assist staff.
31. Mayor Morrissey mentioned a Memorandum from Chris Black, Finance Director, regarding property taxes.
32. Mayor Morrissey welcomed forward James Patterson, Community Foundation of Northern Illinois, to present Police Chief Epperson with a grant in the amount of \$7,750.00 for the City of Rockford Youth Police Academy.

Chief Epperson thanked the Community Foundation of Northern Illinois for their continued support of this program.

33. Alderman McNamara thanked the public works department and police department for answering the various questions he had concerning the round-about construction and thanked the citizens for their patience.
34. Alderman McNeely announced the OSF Medical Training Center, 3501 West State Street, will be hosting a Survivor Event on May 23, 2013 at 6:00 pm. She invited the community to attend.
35. Alderman Hervey announced Alderman Jamie Getchius is a new father.
36. Alderman Durkee announced Rock House Kids Ministry will be having a flower sale and pancake breakfast fundraiser at Applebee's Restaurant, 6845 East State Street, on Saturday, May 18, 2013 from 8:00 am – 10:00 am.
37. Alderman Chiarelli thanked the department heads and their staff for helping him this past week and thanked Fire Chief Bergsten and 911 staff for their assistance and passed on the information to his constituents.

### **UNFINISHED BUSINESS**

#### **2013-188CR**

38. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the Sale of Property at 6750 Porter Rd. to the sole bidders, Wendi Garringer and Pepper Partin of Rockford, Illinois for their bid of \$500. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -13-  
 Nays: McNeely -1-  
 Absent: -0-

#### **2013-189CR**

39. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Gregory Street Storm Sewer Extension be made to the low bidder, Stenstrom Excavation and Blacktop Group, of Rockford, Illinois for their total bid of \$72,000. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
 Nays: -0-  
 Absent: -0-

#### **2013-190CR**

40. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Summer Food Program be made to the low bidder, Community Kitchen, of Rockford, Illinois for their estimated total of \$371,640.50. The funding source is USDA/ISBE Summer Food Service Program. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-191CR**

41. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the award for Engineering Agreement: West State Streetscape be made to McClure Engineering Associates, Inc. for a total not-to-exceed cost of \$62,350.69 for engineering and design services for the West State Streetscape project. The funding for this project is River Edge Redevelopment Zone (RERZ) Grant funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-192CR**

42. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the Engineering Agreement Amendment: Well 37 VOC Treatment with Strand Associates, Inc. for an additional \$62,000 for a total not-to-exceed cost of \$315,000. Funding for the project is the Water Replacement and Improvement Account (WRIA). MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-193CR**

43. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of tobacco products with a gas station, jewelry, convenience store in the name of **Tanvir Virk d/b/a A-33 Milestone Gas and Food Inc. #2**, in a C-3, Commercial General Zoning District at 2627 Auburn Street. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and liquor codes.
2. Hours are limited to Monday–Wednesday 7:00 am -11:00 pm; Thursday-Saturday 7:00 am-12:00 am (midnight); and Sunday 8:00 am – 10:00 pm.
3. Inside signage cannot exceed more than 35% of the window surface and any temporary signs in violation must be removed.
4. That the facility shall not operate as a second hand store and the purchase of metals including gold is prohibited.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

44. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board thereby recommending that City Council DENY the sale of liquor by the drink in conjunction with a bar in the name of **Tyler Voorhees d/b/a Lucky Lee's** in a C-2, Limited Commercial Zoning District at 1090 West Riverside Boulevard.

Alderman McNeely made a motion to lay the committee report over, seconded by Alderman Hervey. The committee report was LAID OVER.

45. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that "NO ACTION" be taken on the sale of beer and wine by the drink in the name of **Donald Cuppini d/b/a Slots of Fun** in conjunction with a bar at 2233 Charles Street.

Alderman Getchius made a motion to amend the committee report to read as follows:

Code and Regulation Committee Report REVERSING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink in the name of **Donald Cuppini d/b/a Slots of Fun** in conjunction with a bar at 2233 Charles 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. Submittal of Building Permit for Staff review and approval
4. The sale of beer and wine shall be limited to the interior site plan that was submitted as Exhibit E
5. Window display signage is limited to 30% of window area
6. The business shall not have a cover charge
7. The business shall not have a dance floor
8. The business shall not have any DJs
9. The business shall not have any live entertainment
10. The business shall not operate as a night club
11. If the business plan is modified submittal of a security plan for Staff review and approval is required.

seconded by Alderman Chiarelli. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Elyea, Beck, McNeely, Chiarelli -13-  
Nays: Beach -1-  
Absent: -0-

Alderman Beach made a motion to lay the committee report over, seconded by Alderman Newburg. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Newburg, Beach, Elyea, McNeely -10-  
Nays: Thompson-Kelly, Oddo, Beck, Chiarelli -4-  
Absent: -0-

The committee report was LAID OVER.

**2013-062-O**

46. Alderman Beck moved the adoption of an Ordinance amending Article 62, and Article 21-001-C of the Zoning Ordinance of the City of Rockford for a Zoning Map Amendment from R-1, Single-Family Residential and C-1, Limited Office Zoning District to C-2, Limited Commercial Zoning District at 3402 North Main Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-063-O**

47. Alderman Beck moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit to allow residential on the ground floor in a C-2, Limited Commercial Zoning District at 1801 Charles Street. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Residential is limited to one dwelling unit and one family as defined in the Zoning Ordinance.
3. No outside storage of boats including recreational vehicles and inoperable vehicle is prohibited.
4. A revised landscape plan including revisions to the indicated parking area on the south side of the property shall be submitted for Staff's review and approval.

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
Nays: -0-  
Absent: -0-

**2013-064-O**

48. Alderman Beck moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for operation of an animal clinic in a C-1, Limited Office Zoning District at 3444 North Main Street. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Must obtain a change of use permit and evaluation by a design professional
3. Stripe all parking spaces and reconfigure the layout so that it does not back out onto the alley.
4. That there shall be no outside kennel services.
5. A landscaping plan shall be submitted for Staff review and approval

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

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, McNeely, Chiarelli -14-  
 Nays: -0-  
 Absent: -0-

### **MOTIONS AND RESOLUTIONS**

#### **2013-062R**

49. Alderman Hervey, 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: City-Wide Street Repairs Group 4 -2013, funding source: Sales Tax
- B. Bid: Bell School Road & Walton Water Main Extension, funding source: Water Replacement & Improvement Account (WRIA)

MOTION PREVAILED.

### **NEW BUSINESS**

#### **2013-065-O**

50. Alderman Hervey introduced and read an Ordinance authorizing the Mayor and Legal Director to execute a retainer agreement with the Law Firm of Beveridge and Diamond at the rate of 90 percent of their regular municipal rate, for legal services.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Thompson-Kelly. MOTION PREVAILED. The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Hilton, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -13-  
 Nays: McNeely -1-  
 Absent: -0-

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

**Tanvir S. Virk d/b/a A-33 Milestone Gas and Food, Inc.** for the sale of tobacco products with a gas station, jewelry, convenience store in a C-3, Commercial General Zoning District at 2627 Auburn Street. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and liquor codes.
2. Hours are limited to Monday–Wednesday 7:00 am -11:00 pm; Thursday-Saturday 7:00 am-12:00 am (midnight); and Sunday 8:00 am – 10:00 pm.
3. Inside signage cannot exceed more than 35% of the window surface and any temporary signs in violation must be removed.
4. That the facility shall not operate as a second hand store and the purchase of metals including gold is prohibited.

LAID OVER.

#### **OFFICERS REPORTS**

52. Mayor Morrissey complimented the new aldermen on making it through their first council meeting and appreciates their efforts.
53. Upon motion duly made and seconded, the meeting was adjourned at 8:43 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**  
**May 20, 2013**  
**6:00 P.M.**  
**AGENDA**

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Petitions and Communications
- Committee Reports
- Officers Reports

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS LAID OVER MAY 13, 2013**

1. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink with a video gaming and bar sales in the name of **Clifford L. Sterling d/b/a Betties Place** in a C-3, Commercial General Zoning District at 3818 West Riverside Boulevard, Suite 115. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes
2. Compliance with all City of Rockford Liquor and Tobacco Codes
3. Submittal of Building Permit for Staff review and approval
4. The sale of beer and wine shall be limited to the interior site plan that was submitted as Exhibit E
5. Window display signage is limited to 30% if window area
6. The business shall not have a cover charge
7. The business shall not have a dance floor
8. The business shall not have any DJs
9. The business shall not have any live entertainment
10. The business shall not operate as a night club
11. If the business plan is modified submittal of a security plan for Staff review and approval is required.

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

2. Beck - Code and Regulation - Recommending the approval of the Final Plat #2 of E.W. Brown's Subdivision.

3. Beck - Code and Regulation - Amending Chapter 3, Article II, Section 3-58, adding Subparagraph (o), (1), (2), (3) and (4) of the City of Rockford Code of Ordinances as follows:

(o) The following ZVG licenses are hereby established:

- (1) A class ZVG license shall constitute a special license and shall be designated as a class ZVG license. This license shall authorize the retail sale on the premises specified of alcoholic liquor for consumption on the premises where the licensee intends to apply for a Video Gaming License from the State of Illinois. No Class ZVG liquor license shall issue for a premises where the sale of alcohol is comprised of 100% packaged liquor sales.
- (2) Prior to the issuance of class ZVG license, the applicant shall deposit \$12,000 with the finance department of the city. Said deposit shall be placed in the general fund of the city and is nonrefundable.
- (3) No class ZVG license shall be issued unless the applicant is in full and total compliance with the city zoning ordinances, the ordinances in this chapter and all other ordinances of the city.
- (4) A liquor licensed establishment which at the date of passage of this Ordinance is also an establishment to which the State of Illinois has issued a Video Gaming License shall be issued a ZVG license upon renewal of their City of Rockford liquor license with no additional deposit, provided their liquor license is eligible for renewal.

The Legal Director shall prepare the appropriate ordinance.

4. Beck - Code and Regulation – REVERSING the Liquor and Tobacco Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink in the name of **Donald Cuppini d/b/a Slots of Fun** in conjunction with a bar at 2233 Charles 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
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11. If the business plan is modified submittal of a security plan for Staff review and approval is required.

Approval is based on the Findings of Fact.

5. Beck - Code and Regulation - SUSTAINING the Liquor and Tobacco Advisory Board thereby recommending that City Council **DENY** the sale of liquor by the drink in conjunction with a bar in the name of **Tyler Voorhees d/b/a Lucky Lee's** in a C-2, Limited Commercial Zoning District at 1090 West Riverside Boulevard.
6. Hervey - Finance and Personnel - Recommending the Award of a Sole Source Contract for Water Treatment Equipment and Supplies be made to Smith Ecological Systems (SES), of Rockford, Illinois for an estimated annual total of \$70,000.00. The funding source is Water Division Operating Budget.
7. Hervey - Finance and Personnel - Recommending the Award of a Sole Source Contract for Police Ammunition be made to Kiesler Police Supply, Inc. of Jeffersonville, Indiana for the 2013 budget year at a cost of \$44,933.85. The funding source is Police Dept. Operating Budget.
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9. Hervey - Finance and Personnel - Recommending the award for Engineering Agreement: Railroad Avenue Bridge Reconstruction be made to H.R. Green Co., Inc. for a total not-to-exceed cost of \$150,749.03 to perform the design and construction engineering for the project. The funding for this project will come from Sales Tax funds under the Local Bridge Program category.
10. Hervey - Finance and Personnel - Recommending the award for Engineering Agreement: City-Wide Sidewalk Inspection 2013 be made to Rosario S. Tarara Land Surveying, Inc./Carroll Engineering and Associates for a total not-to-exceed cost of \$15,000.00 to perform construction inspection services. The funding for this project will come from Sales Tax funds.

## **II. ORDINANCES LAID OVER MAY 13, 2013**

1. Beck - Ordinance - Amending Chapter 3, Section 3-56, of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

**Tanvir S. Virk d/b/a A-33 Milestone Gas and Food, Inc.** for the sale of tobacco products with a gas station, jewelry, convenience store in a C-3, Commercial General Zoning District at 2627 Auburn Street. Approval is subject to the following conditions:

1. Must meet all applicable building, fire and liquor codes.

2. Hours are limited to Monday–Wednesday 7:00 am -11:00 pm; Thursday-Saturday 7:00 am-12:00 am (midnight); and Sunday 8:00 am – 10:00 pm.
3. Inside signage cannot exceed more than 35% of the window surface and any temporary signs in violation must be removed.
4. That the facility shall not operate as a second hand store and the purchase of metals including gold is prohibited.

### **III. MOTION/RESOLUTIONS READ IN MAY 20, 2013**

1. Beck - Special Event - Same Wind Riders Motorcycle Club Pig Roast – 6/7/13 - 6/8/13

### **IV. 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. Beck – Ordinance - Approve the sale of liquor by the drink with a video gaming and bar sales in the name of **Clifford L. Sterling d/b/a Betties Place** in a C-3, Commercial General Zoning District at 3818 West Riverside Boulevard, Suite 115. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes
2. Compliance with all City of Rockford Liquor and Tobacco Codes
3. Submittal of Building Permit for Staff review and approval
4. The sale of beer and wine shall be limited to the interior site plan that was submitted as Exhibit E
5. Window display signage is limited to 30% if window area
6. The business shall not have a cover charge
7. The business shall not have a dance floor
8. The business shall not have any DJs
9. The business shall not have any live entertainment
10. The business shall not operate as a night club
11. If the business plan is modified submittal of a security plan for Staff review and approval is required.

Approval is based on the Findings of Fact.

2. Beck – Ordinance - Amending Chapter 3, Article II, Section 3-58, adding Subparagraph (o), (1), (2), (3) and (4) of the City of Rockford Code of Ordinances as follows:

(o) The following ZVG licenses are hereby established:

- (1) A class ZVG license shall constitute a special license and shall be designated as a class ZVG license. This license shall authorize the retail sale on the premises specified of alcoholic liquor for consumption on the premises where the licensee intends to apply for a Video Gaming License from the State of Illinois. No Class ZVG liquor license shall issue for a premises where the sale of alcohol is comprised of 100% packaged liquor sales.

- (2) Prior to the issuance of class ZVG license, the applicant shall deposit \$12,000 with the finance department of the city. Said deposit shall be placed in the general fund of the city and is nonrefundable.
  - (3) No class ZVG license shall be issued unless the applicant is in full and total compliance with the city zoning ordinances, the ordinances in this chapter and all other ordinances of the city.
  - (4) A liquor licensed establishment which at the date of passage of this Ordinance is also an establishment to which the State of Illinois has issued a Video Gaming License shall be issued a ZVG license upon renewal of their City of Rockford liquor license with no additional deposit, provided their liquor license is eligible for renewal.
3. Beck – Ordinance – Approve the sale of beer and wine by the drink in the name of **Donald Cuppini d/b/a Slots of Fun** in conjunction with a bar at 2233 Charles 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. Submittal of Building Permit for Staff review and approval
  4. The sale of beer and wine shall be limited to the interior site plan that was submitted as Exhibit E
  5. Window display signage is limited to 30% if window area
  6. The business shall not have a cover charge
  7. The business shall not have a dance floor
  8. The business shall not have any DJs
  9. The business shall not have any live entertainment
  10. The business shall not operate as a night club
  11. If the business plan is modified submittal of a security plan for Staff review and approval is required.

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, May 20, 2013, 5:15 p.m.**

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

**AGENDA**

1. C & R 13-73 Same Wind Riders Motorcycle Club Pig Roast June 7<sup>h</sup> & 8<sup>th</sup>
2. C & R 13-74 May Traffic Commission Minutes
3. C & R 13-75 Watermain Easement Dedication – Block 25 of Grant Park Subdivision
4. C & R 13-76 Closed Session for Purposes of Pending and/or Threatened Litigation

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, May 20, 2013, 5:15 p.m.**

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

**AGENDA**

1. Purchasing and Vouchers
  - A. Award of Bid: City-Wide Street Repairs Group 3, 2013 – Suspend rules
  - B. Award of Bid: (4) Demolitions: 612 Union Street, 128 Albert Avenue, 606 Oakley Avenue, & 402 N. Central (garage only) – Suspend rules
  - C. Award of Bid: Fire Department Laundry Service
  - D. Award of Bid: Pothole Patcher Truck
  - E. Award of Bid: Dump Trucks
  - F. Award of Contract: NetRMS System Enhancements – Suspend rules
  - G. Resolution for Improvement under the Illinois Highway Code for RMAP Funding
  - H. Resolution to take Bids
  - I. Change Order: Portland Cement Concrete Patching 2012
  - J. Vouchers
2. Workforce Investment Board Fiscal Agent Agreement
3. Rockford Public Library Collective Bargaining Agreement

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, May 20, 2013, 5:30 p.m.**  
**CD Conference Room, City Hall 2<sup>nd</sup> floor**  
**AGENDA**

1. Memorandum from Jovita Donahue, Development Specialist/ Community & Economic Department regarding the proposed Extension of Enterprise Zone pursuant to Public Act 97-905 Notice of Emergency Amendments.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, May 20, 2013, \_\_\_\_\_ p.m.**  
**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**  
**AGENDA**

No Meeting Scheduled.