

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
JANUARY 10, 2011
COUNCIL CONVENED AT 6:28 P.M.**

1. The Council Clerk called the meeting to order in the absence of the Mayor and recognized Alderman Curran, who moved that Alderman Johnson serve as Mayor Pro Tem for the meeting. Said motion was seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Durkee absent).
2. The invocation was given by Pastor Kenneth Dismuke, New Jerusalem Church and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
3. Roll Call:
Alderman Johnson, Mayor Pro Tem
Aldermen: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, (Johnson),
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Absent: Durkee -1-
4. Alderman Mark moved to accept the Journal of Proceedings of January 3, 2011 seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Durkee absent).

PUBLIC PARTICIPATION

5. Michael Weldon explained the benefits of the needle exchange program and asked the aldermen to support the organization that provides that service.
6. Marjorie Veitch asked the aldermen to place the continuation of the 1% sales tax referendum on the ballot this spring.
7. JBryan Latham implored the aldermen to support the 7th Street location for the organization that provides the needle exchange program.
8. Roland Poska invited everyone to attend another signing of the Declaration to End Prejudice an achieve respect for all and to end violence on January 15, 2011 from 7:00 pm – 9:30 pm at the Sullivan Center and on July 4th at State and Main.

PETITIONS AND COMMUNICATIONS

9. Alderman Hervey submitted a Memorandum from Andres Sammul, Finance Director, regarding Extension of the Line of Credit. Referred to Finance and Personnel Committee.
10. Alderman Hervey submitted two (2) requests for service. Referred to Public Works Department.

NEW COMMITTEE REPORTS

11. Alderman Hervey read a Finance and Personnel Committee Report recommending the Award of Contract with Harn Construction Co, of Freeport, Illinois for Well U10 Sidewalk addition in an amount not to exceed \$29,500. Funding for the project will come from the Water Division Operating Budget. LAID OVER.
12. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of Task Order #16 with MWH Americas, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$168,790. The task order will be completed under a Master Agreement with MWH Americas, Inc. Funding for the project will come from IEPA funding and \$25 million G.O. Limited Tax Debt Certificates, Series 2008. LAID OVER.
13. Alderman Hervey read a Finance and Personnel Committee Report recommending that the tax levied under the Bond issues referred to on the attached sheet be abated in the amounts indicated. LAID OVER.

2011-005CR

14. Alderman Hervey read a Finance and Personnel Committee Report recommending the original contract for Demolition of 419 Whitman St. be rescinded and awarded to N-Trak, of Rockford, Illinois for a total cost of \$13,943. The funding source is CDBG.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-006CR

15. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Broadway Improvements be made to the low bidder, Campos Construction Co., of Rockford, Illinois for their total bid of \$91,999.00. The funding source is Sales Tax.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-007CR

16. Alderman Hervey read a Finance and Personnel Committee Report recommending the Award of Sole Source Contract: Kishwaukee Street Lighting be made to Commonwealth Edison at a total not to exceed cost of \$27,484.07 for the service connection of street lighting along Kishwaukee St. & Harrison Ave. The funding for this project will come from Sales Tax.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-008CR

17. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of the Human Services Contract with Rock River Water Reclamation District.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-009CR

18. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of the proposed collective bargaining agreement between the City of Rockford and the American Federation of State, County and Municipal Employees (AFSCME), Local 1058 C, to be effective January 1, 2011 to December 31, 2011.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

19. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of January 10, 2011 in the amount of \$3,421,056.94. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-010CR

20. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the settlement of the claim of James Vandiver in the amount of \$2,841.00 with a release to be obtained.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-011CR

21. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the purchase of real property for a total of \$48,244.00 for 175 and 181 Morgan Street and \$2,000.00 for a part of 1129 River Street.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

OFFICERS REPORTS

22. Alderman Johnson reported Mayor Morrissey is in Springfield for the final days of the veto session as well as the inauguration of Governor Quinn and swearing in ceremony for new State Representative Joe Sosnowski.
23. Alderman Johnson announced the Rockford Chamber of Commerce Annual Dinner will be held on January 19, 2011 at Giovanni's Restaurant. She encouraged the aldermen to attend.
24. Alderman Johnson announced Julia Valdez and Cpt. Bud Turner, Wellness Committee members, will be presenting future plans for the wellness program at both caucus meetings next week.
25. Alderman Johnson reminded her constituents the Rolling Green Neighborhood Association quarterly meeting will be held tomorrow at the Broadway Covenant Church,

1325 Broadway, at 6:30 pm. The 1% sales tax, CIP and the flood mitigation project will be discussed and Betty Caldwell will give a presentation on identity theft.

26. Alderman Jacobson mentioned Betty Caldwell has made several informative presentations regarding identity theft to community and neighborhood groups in his ward.
27. Alderman Beach thanked Greg Lindmark, Deputy Chief Rockford Police Department, Tim Hanson and Patrick Zuroske, Public Works Department, and Jennifer Hall, The Miracle Mile, for making presentations at the Calvin Park Association meeting this past Saturday.
28. Alderman Robertson mentioned the tragic shootings in Tucson, Arizona and requested a moment of silence in memory of the victims.
- 28a. Alderman Johnson reminded everyone to be aware of their surroundings at all times.
29. Alderman Jacobson asked if the City would be flying their flags at half mast in respect for the victims of the senseless shootings in Tucson, Arizona.

Jim Ryan, City Administration, advised they are currently at half mast.

UNFINISHED BUSINESS

2011-012CR

30. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Variation for a 16' by 16' turn-around extension to a driveway in the required front yard; and to DENY a Variation to increase the Maximum Impervious Surface Ratio from 50% to 54% in an R-1, Single-family Residential Zoning District that the action of the Zoning Board of Appeals be REVERSED to DENY a Variation to using grass crete or alternative material as allowed by Staff for a 16 x 16 turnaround extension to the driveway in the required front yard in an R-1, Single-family Residential Zoning District at 3447 Broadway.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Beach, Elyea, Beck, McNeely, Robertson -12-
Nays: Timm -1-
Absent: Durkee -1-

2011-013CR

31. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow an eight foot (8') privacy fence along the back of petitioner's properties within the front yard along Spring Creek Road in an R-1, Single-Family Residential District at 6336, 6358, 6382, 6394 Brigantine Lane. Approval is subject to the following conditions:

1. The applicant shall work with the Traffic Engineer to ensure that the fence will not be located within a sight triangle prior to issuance of a fence permit

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-014CR

32. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for sales and service of cycle engines, snowmobiles etc. in a C-2, Limited Commercial District at 4800 Auburn Street. Approval is subject to the following conditions:

1. The special Use Permit is limited to sales and service of cycle engine, snowmobiles, etc. indoors with no outdoor storage or sales.
2. Installation of two (2) shade trees along Auburn Street by May 1, 2011.
3. All noise or repair inside building
4. Hours of operation Monday – Saturday 8:00 a.m. – 6:00 p.m.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-015CR

33. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the required four feet and six inch side yard setback to three feet and six inches along the west property line and APPROVE the Variation to reduce the required thirty feet rear yard setback to two feet and eight inches along the south property line in a R-2, Two-family Residential Zoning District at 623 16th Avenue. Approval is subject to the following conditions:

1. Meeting all applicable fire and building codes.
2. Submittal of a building permit for Staff review and approval.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-

Nays: -0-
Absent: Durkee -1-

2011-016CR

34. Alderman Beck moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for needle exchange services in a C-4, Urban Mixed-Use District at 218 7th Street.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-
Nays: McNeely -1-
Absent: Durkee -1-

2011-017CR

35. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for sales of heavy and medium duty trucks in an I-1, Light Industrial Zoning District at 3510 Merchandise Drive. Approval is subject to the following conditions:

1. Submittal of landscape plan for staff review and approval conforming to street frontage shade tree requirements

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-018CR

36. Alderman Beck moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a restaurant and outdoor patio in the name of **Abigail L. Shepp d/b/a Perry Rock** in a C-1, Limited Office Zoning District at 6957 Olde Creek Road, Suite 100. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcoholic beverages shall be in conjunction with a restaurant.
4. The hours of operation will be limited to 11:00 A.M. to 2:00 A.M. Monday through Saturday.
5. The hours of operation will be limited to 11:00 A.M. to 12:00 A.M. on Sunday.

6. The restaurant shall be limited to 40% liquor sales as indicated in Business Plan Exhibit G.
7. The restaurant shall not have a cover charge.
8. The restaurant shall not have a dance floor greater than 150 square feet.
9. The restaurant shall not have any DJ outdoors.
10. The restaurant shall not have any live entertainment outdoors.
11. The sale of liquor is limited to Suite 100 and adjacent east side patio; any future expansion will require a modification of the liquor license.
12. The operation of the business will follow the local noise ordinance.
13. No additional signage shall be placed on the property; new signage shall replace the existing only.

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

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

2011-019CR

37. Alderman Beck moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for body art services consisting of piercing, tattooing, and body art in a C-3, General Commercial Zoning District at 4728 East State Street.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach,
Elyea, Beck, McNeely, Robertson -12-
Nays: Thompson-Kelly -1-
Absent: Durkee -1-

2011-020CR

38. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the contract for Repair and Maintenance of Dump Trucks be made to Monroe Truck & Equipment, of Monroe, Wisconsin for an hourly labor rate of \$85.00 per hour. The contract is for 3 years. The funding source is Central Garage Fund. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

MOTIONS AND RESOLUTIONS

2011-003R

39. 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: Refrigerators for the Human Services Program, funding source: Grant Funding.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-004R

40. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution requesting that the City approve an Agreement between the City of Rockford and the State of Illinois, Department of Transportation for improvements to the Stoneridge Bridge over Spring Creek in the City of Rockford, Winnebago County, Illinois. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

2011-005R

41. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution providing for and requiring the submission of the proposition to fund road and infrastructure improvements with Sales Taxes instead of higher property taxes via a 1% non-home rule municipal retailer's occupation tax and service occupation tax, by the City of Rockford, Winnebago County Illinois at the general consolidated election to be held on April 5, 2011. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Beck, Robertson -12-
Nays: McNeely -1-
Absent: Durkee -1-

NEW BUSINESS

2011-004-O

42. Alderman Beck introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for sales and service of cycle engines, snowmobiles, etc., in a C-2, Limited Commercial District at 4800 Auburn Street. Approval is subject to the following conditions:

1. The special use permit is limited to sales and service of cycles engines, snowmobiles, etc., indoors with no outdoor storage or sales.

2. Installation of two (2) shade trees along Auburn Street by May 1, 2011.
3. All noise or repair inside building.
4. Hours of operation Monday-Saturday 8:00 am – 6:00 pm.

Approval is based on the Findings of Fact.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
 Nays: -0-
 Absent: Durkee -1-

2011-005-O

43. Alderman Beck introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the Agreement for Use of Right-of-Way for Rockford Health Physicians.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
 Nays: -0-
 Absent: Durkee -1-

2011-006-O

44. Alderman Beck introduced and read an Ordinance authorizing the Mayor and Legal Director to execute agreements providing for the purchase of 175 and 181 Morgan Street for \$48,244 and for a portion of 1129 River Street for \$2,000.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
 Nays: -0-
 Absent: Durkee -1-

2011-007-O

45. Alderman Hervey introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Collective Bargaining Agreement by and between the City of Rockford and the American Federation of State, County and Municipal Employees (AFSCME), Local 1058 C, to be effective January 1, 2011 to December 31, 2011.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Beach, Timm, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: Durkee -1-

46. Upon motion duly made and seconded, the meeting was adjourned at 7:13 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

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

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
January 18, 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 JANUARY 18, 2011

A. CODE AND REGULATIONS

1. Beck - Authorization for City Employees Involved in Snow Removal to Issue Parking Tickets During Snow Emergencies
2. Beck - City/State Agreement: Jurisdictional Transfer of N.W. Frontage Rd. at the US 20/IL25 Interchange

- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER JANUARY 10, 2011

1. Hervey - Finance and Personnel - Recommending the Award of Contract with Harn Construction Co, of Freeport, Illinois for Well U10 Sidewalk addition in an amount not to exceed \$29,500. Funding for the project will come from the Water Division Operating Budget.
2. Hervey - Finance and Personnel - Recommending approval of Task Order #16 with MWH Americas, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$168,790. The task order will be completed under a Master Agreement with MWH Americas, Inc. Funding for the project will come from IEPA funding and \$25 million G.O. Limited Tax Debt Certificates, Series 2008.

3. Hervey - Finance and Personnel - Recommending that the tax levied under the Bond issues referred to on the attached sheet be abated in the amounts indicated.

- Motions and Resolutions

III. 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 – Variation to allow an eight foot (8') privacy fence along the back of petitioner's properties within the front yard along Spring Creek Road in an R-1, Single-Family Residential District at 6336, 6358, 6382, 6394 Brigantine Lane. Approval is subject to the following conditions:

1. The applicant shall work with the Traffic Engineer to ensure that the fence will not be located within a sight triangle prior to issuance of a fence permit

Approval is based on the Findings of Fact.

2. Beck - Special Use Permit for sales and service of cycle engines, snowmobiles etc. in a C-2, Limited Commercial District at 4800 Auburn Street. Approval is subject to the following conditions:

1. The special Use Permit is limited to sales and service of cycle engine, snowmobiles, etc. indoors with no outdoor storage or sales.
2. Installation of two (2) shade trees along Auburn Street by May 1, 2011.
3. All noise or repair inside building
4. Hours of operation Monday – Saturday 8:00 a.m. – 6:00 p.m.

Approval is based on the Findings of Fact.

3. Beck - Variation to reduce the required four feet and six inch side yard setback to three feet and six inches along the west property line and APPROVE the Variation to reduce the required thirty feet rear yard setback to two feet and eight inches along the south property line in a R-2, Two-family Residential Zoning District at 623 16th Avenue. Approval is subject to the following conditions:

1. Meeting all applicable fire and building codes.
2. Submittal of a building permit for Staff review and approval.

Approval is based on the Findings of Fact.

4. Beck - Special Use Permit for sales of heavy and medium duty trucks in an I-1, Light Industrial Zoning District at 3510 Merchandise Drive. Approval is subject to the following conditions:

1. Submittal of landscape plan for staff review and approval conforming to street frontage shade tree requirements

Approval is based on the Findings of Fact.

5. Beck - Sale of liquor by the drink in conjunction with a restaurant and outdoor patio in the name of **Abigail L. Shepp d/b/a Perry Rock** in a C-1, Limited Office Zoning District at 6957 Olde Creek Road, Suite 100. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcoholic beverages shall be in conjunction with a restaurant.
4. The hours of operation will be limited to 11:00 A.M. to 2:00 A.M. Monday through Saturday.
5. The hours of operation will be limited to 11:00 A.M. to 12:00 A.M. on Sunday.
6. The restaurant shall be limited to 40% liquor sales as indicated in Business Plan Exhibit G.
7. The restaurant shall not have a cover charge.
8. The restaurant shall not have a dance floor greater than 150 square feet.
9. The restaurant shall not have any DJ outdoors.
10. The restaurant shall not have any live entertainment outdoors.
11. The sale of liquor is limited to Suite 100 and adjacent east side patio; any future expansion will require a modification of the liquor license.
12. The operation of the business will follow the local noise ordinance.
13. No additional signage shall be placed on the property; new signage shall replace the existing only.

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

- * 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

**Tuesday, January 18, 2011, 5:15 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

1. C & R 11-02 Authorization for City Employees Involved in Snow Removal to Issue Parking Tickets During Snow Emergencies
2. C & R 11-03 City/State Agreement: Jurisdictional Transfer of N.W. Frontage Rd. at the US 20/IL25 Interchange
3. C & R 11-04 Closed Session for Purposes of Pending or Threatening Litigation and/or Land Acquisition

FINANCE AND PERSONNEL COMMITTEE

**Tuesday, January 18, 2011, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Award of State Contract: Glass Beads – Suspend rules
 - B. Award of Sale of Property: 1411 Charles Street
 - C. Award of Bid: Fire Department Station Wear
 - D. Vouchers
2. Extension of the Line of Credit
3. 2011-2015 Capital Improvement Program

PLANNING AND DEVELOPMENT COMMITTEE

**Tuesday, January 18, 2011, _____ p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

**Tuesday, January 18, 2011, ____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.