

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
MAY 18, 2009
COUNCIL CONVENED AT 6:27 P.M.**

1. The invocation was given by Alderman Frank Beach and the Pledge of Allegiance was led by City Council Clerk Karla Centeno.
2. Roll Call:
Mayor Lawrence J. Morrissey
Aldermen: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Absent: Johnson (late) -1-
3. Alderman Mark moved to accept the Journal of Proceedings of May 11, 2009, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Johnson absent).

PETITIONS AND COMMUNICATIONS

4. Alderman Thompson-Kelly submitted a letter from Rick Severson, requesting repair to a deteriorated section of curbing on Evelyn Street. Referred to the Public Works Department.
5. Alderman Thompson-Kelly submitted an e-mail from a constituent concerning criminal activity and a new "sign" posted on Yonge Street. Referred to the Police Department.
6. Alderman Jacobson submitted a Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding a Healthy Neighborhood Program Funding Recommendation for Rockford Urban Ministries. Referred to Planning and Development Committee.
7. Alderman Wasco submitted the Rockford Traffic Commission minutes from the meeting held on May 13, 2009. Referred to Code and Regulation Committee.
8. Alderman Wasco submitted a Memorandum from Marcy Leach, Engineering Operations Manager, regarding a Roadway Dedication for Glenwood Court and Overdene Avenue. Referred to Code and Regulation Committee.
9. Alderman Beach submitted eighteen (18) letters supporting the Rockford Area Arts Council. Referred to Finance and Personnel Committee and Mayor Morrissey's Office.
10. Alderman Hervey submitted a request from Pat Wilkins, in conjunction with the Black Family Reunion Parade, requesting police assistance and permission for street closures and to erect tents. The parade route will begin at Booker Washington Center to Levings Lake on Saturday, August 15, 2009 from 9:00 am to 11:00 am. Alderman Hervey

moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED.

11. Alderman Robertson submitted a request from Danny Zittle, Rockford Career College, Director of Career Services, requesting permission for an extension of a temporary banner for two (2) weeks at Rockford Career College from May 11, 2009 through May 22, 2009 at 1240 South Alpine Road. Alderman Robertson moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED.
12. Alderman Elyea submitted a request from J Bryan Latham, Director Midtown Marketplace, in conjunction with Midtown Farmer's Market, requesting permission to use city lot for weekly farmer's market and barricades to close the lot each week with tents and canopies to be erected by vendors and erect three (3) signs in the immediate area for advertising from May 15, 2009 through October 16, 2009 between 3:00 pm to 8:00 pm, east 200 block of 7th Street behind 222 7th Street. Alderman Elyea moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED.
13. Alderman Mark submitted a request from Jay Ferraro, in conjunction with the Labor Day Parade, requesting police assistance, street sweeping and barricades for street closures and detours, exclusive use of parade route, pending receipt of insurance with city listed as additional insured on September 7, 2009 beginning at 9:00 am at 7th Street to State to Wyman to Mulberry to Main Street, north of Beattie Park. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED.
14. Alderman Mark submitted a request from Steven Zimmerman, in conjunction with Head of the Rock Regatta, requesting police assistance and barricades for the event on Sunday, October 11, 2009 at the Rock River from YMCA to Martin Park. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED.

NEW COMMITTEE REPORTS

15. Alderman Curran read a Finance and Personnel Committee Report recommending an agreement between the City and the Rockford Area Arts Council be approved in the amount of \$75,000 as attached. The Mayor and Legal Director are authorized to execute such Agreement. (Source of funds: Off-track Betting). LAID OVER.
16. Alderman Curran read a Finance and Personnel Committee Report recommending the Office Lease between the City of Rockford Human Services Department and Commercial Mortgage & Finance Company be approved. The Legal Director shall prepare the appropriate ordinance.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. Alderman Sosnowski made a motion to lay the committee report over, seconded by Alderman Wasco. LAID OVER.

17. Alderman Curran read a Finance and Personnel Committee Report recommending a contract extension for Banking Services with Associated Bank for an estimated annual cost of \$173,096. The banking services contract would be for two years with three one year renewals. The funding source is Finance Department Operating Budget. LAID OVER.
18. Alderman Curran read a Finance and Personnel Committee Report recommending renewal of the Third Party Administrator for Worker's Compensation Contract with Employer's Claim Service, Inc. at a total annual cost of \$47,000 payable in quarter installments. The funding source is Worker's Compensation Fund. LAID OVER.
19. Alderman Curran read a Finance and Personnel Committee Report recommending a Change Order #2 for Curb & Gutter-2008 extending an additional \$39,833 to TCI Concrete for a total not-to-exceed cost of \$610,000 for additional repair work. The funding source is Sales Tax. LAID OVER.

Alderman Johnson joined the meeting at 6:36 pm.

2009-219CR

20. Alderman Curran read a Finance and Personnel Committee Report recommending an award be made for an Engineering Agreement: 2009 Water Distribution System Improvements for design engineering and construction observation to Homer L. Chastain & Associates for a total not-to-exceed cost of \$78,858. The funding source is WRIA Funds.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
 Nays: -0-
 Absent: -0-

2009-220CR

21. Alderman Curran read a Finance and Personnel Committee Report recommending the extension of the flood acquisition agreement with Rockford Local Development Corporation for an additional thirty days from June 1, 2009 to July 1, 2009.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
 Nays: -0-
 Absent: -0-

22. Alderman Curran read a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 18, 2009 in the amount of \$3,337,175.89. MOTION PREVAILED by a Roll Call vote of:
- Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
- Nays: -0-
- Absent: -0-
23. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Agreement to Use Right-of-Way with Kentucky Data Link. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
24. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Proposed Groundwater Ordinance for K's Cleaner's, 1601 W. State Street. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
25. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Final Plat of Humanity Subdivision. LAID OVER.
26. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the sale of 702 South 3rd Street for a minimum bid of \$1,500.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
27. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the sale of 1402 Andrews Street and 330 North Hinkley Avenue for a minimum bid of \$1,200.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
28. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the sale of 3417 Chestnut Street for a minimum bid of \$425.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
29. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the sale of 918 Elm Street for a minimum bid of \$850.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
30. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the sale of 3100 Elm Street for a minimum bid of \$2,500.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
31. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the variation to increase the maximum allowable height from eight (8) feet to eighteen (18) feet six (6) inches for a

freestanding sign and to APPROVE a variation to increase the maximum allowable height from eight (8) feet to sixteen (16) feet six (6) inches in a C-3, General Commercial District at 4404 East State Street.

Denial/Approval is based on the Findings of Fact. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

32. Alderman Wasco read a Code and Regulation Committee Report recommending the approval to vacate the alley behind 202 & 208 Shaw Street to the adjacent owners as follows:
1. Title to that part of the alley lying adjacent to the East of Lot 17 and East of the Southerly 13 feet of Lot 18 shall vest with the current owner(s) of Lot 17 and the Southerly 13 feet of Lot 18.
 2. Title to the West ½ of the alley lying adjacent to the East of Lot 16 shall vest with the current owner(s) of Lot 16.
 3. Title to the East ½ of the alley lying adjacent to the West of Lot 5 shall best with the current owner of Lot 5.

An easement must be retained for AT&T.

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

OFFICERS REPORTS

33. Mayor Morrissey recognized Linda Sandquist, CFNIL, who announced the winners of the Mayor's Choice Award "No Idle Zone" Poster contest. She presented the winner, Brier Barbeau, Maria Montessori School and honorable mention winner, Paul Umanzor, Rolling Green School with certificates to the Park District.
34. Mayor Morrissey presented a Proclamation proclaiming the week of May 18, 2009 to be "EMERGENCY MEDICAL SERVICES WEEK" in Rockford, Illinois in recognition of our firefighters who are emergency medical service providers and the vital contributions they make to the safety and well-being of our citizens.
35. Mayor Morrissey presented a Proclamation proclaiming the week of May 17, 2009 to be "NATIONAL PUBLIC WORKS WEEK" in Rockford, Illinois and called upon all citizens to recognize the contributions which public works employees make every day to our health, safety, comfort and quality of life.
36. Mayor Morrissey announced the Holiday Garbage Collection schedule will shift one (1) day next week due to the Memorial Day holiday. For the week of May 25th, the normal Monday route will be Tuesday and continue on that schedule for the remainder of the week. The Household Hazardous Waste Site at 3333 Kishwaukee Street and Used Oil and Tire Recycling Center at Halsted will be closed on May 23rd and 24th, 2009.

37. Mayor Morrissey announced the Keith Creek neighborhood will hold a meeting on Wednesday, May 20, 2009 at 6:30 pm at Redeemer Lutheran Church in the Fireside Room. Brian Eber, City of Rockford Storm Water Management Engineer, and Liz Hughes, Rockford Police Department will be speaking at the meeting and available to answer questions and concerns.
38. Mayor Morrissey announced the new City Council Committee appointments effective for the meetings beginning the week of May 25, 2009.

Code and Regulation Committee

Alderman Frank Beach (R), Chairman
Alderman Nancy Johnson (D)
Alderman Doug Mark (R)
Alderman Bill Robertson (I)
Alderman Ann Thompson-Kelly (D)

Finance and Personnel Committee

Alderman Carl Wasco (D), Chairman
Alderman Pat Curran (R)
Alderman John Beck (R)
Alderman Linda McNeely (D)
Alderman Venita Hervey (D)

Planning and Development Committee

Alderman Joe Sosnowski (R), Chairman
Alderman Karen Elyea (D)
Alderman Lenny Jacobson (D)
Alderman Bill Timm (R)

39. Mayor Morrissey advised that City Hall will be closed on Monday, May 25, 2009 in observance of the Memorial Day holiday. The next City Council meeting will be held on Tuesday, May 26, 2009.
40. Mayor Morrissey called attention to two (2) Memorandums from Andres Sammul, Finance Director, regarding land acquisition program extensions and general financial discussion. Any questions or concerns may be directed to Mayor Morrissey's Office or the Finance Department.
41. Mayor Morrissey mentioned a Memorandum from Jeremy Carter, Public Works Construction Program Traffic Engineer, explaining the bike lane marking in an effort to resolve any confusion. Any questions or concerns may be directed to Mayor Morrissey's Office or the Public Works Department.
42. Mayor Morrissey announced he will be participating in a forum in Chicago that our Sister City, Changzhou, China will be hosting.

UNFINISHED BUSINESS

2009-221CR

43. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending that the Agreement with Rockford Township and the Human Services Department be approved. The Legal Director shall prepare the appropriate ordinance.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2009-222CR

44. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending renewal of the contract with Keep Northern Illinois Beautiful in the amount of \$22,100. The funding source is Sanitation Fund. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

45. Alderman Curran moved for the re-appointment to the Fire Pension Board, Mr. Michael White Jr., to a three (3) year term which would expire April, 2012. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

46. Alderman Curran moved for the re-appointment to the Historical Preservation Commission, Ms. Maureen Flanagan, to a three (3) year term which would expire April, 2012. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2009-223CR

47. Alderman Wasco 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 an Entertainment Nightclub in a C-2, Limited

Commercial Zoning District at 6116 Mulford Drive. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of an updated interior site plan for staff review and approval. The nightclub will be limited to the approved site plan.
3. Compliance with all City of Rockford Liquor Codes.
4. Security shall be provided as submitted and there shall be a ratio of one (1) per fifty (50) patrons.
5. The nightclub shall be limited to the interior tenant space as shown.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2009-224CR

48. Alderman Wasco 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, bar and nightclub in the name of **Reynaldo Vera d/b/a Miranda's Pub and Grill** in a C-2, Limited Commercial Zoning District at 6116 Mulford Road. Approval is subject to the following conditions:

1. Meeting all applicable Liquor Codes.
2. Submittal of an updated interior site plan for staff review and approval. The nightclub will be limited to the approved site plan.
3. Security shall be provided as submitted and there shall be a ratio of one (1) per fifty (50) patrons.
4. The nightclub shall be limited to the interior tenant space as shown.

The Legal Director shall prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2009-225CR

49. Alderman Wasco 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 sports bar and grill with an outdoor garden area to include night club in the name of **Jay Gesner and Rebecca Yates d/b/a Hawks Nest** in a C-4, Urban Mixed-Use District at 310 South Church Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The nightclub will be limited to Exhibit D and Exhibit E that were submitted.

The Legal Director shall prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
 Nays: -0-
 Absent: -0-

2009-226CR

50. Alderman Wasco moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine in conjunction with a gas station in the name of **Shaher Bano d/b/a Aliz Inc.** in an R-1, Single-Family Residential District at 3307 Charles Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. The sale of liquor is limited to 6:00 am to 11:00 pm daily (Monday to Saturday) and on Sunday from 12:00 pm (noon) to 11:00 pm as presented within the business plan.

The Legal Director shall prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2009-227CR

51. Alderman Wasco 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 a Mural in a C-4, Urban Mixed-Use Zoning District at 508 East State Street. Approval is subject to the following conditions:

1. Mounting of mural panels must be according to request; any modifications to materials and/or image or mural will require a Modification of Special Use Permit.
2. A sign Permit shall be required, including illustrations of proposed paintings for Staff's review and approval.
3. The mural panels may not consist of a vinyl banner material within a frame.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2009-228CR

52. Alderman Wasco moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #032-05 to change eleven (11) six-family residential condominiums and one (1) three-family condominium to nine (9) five-family and three (3) six-family condominiums in an R-3, Multi-family Residential Zoning District and a C-1, Limited Office Zoning District at 7548-7698 Western Gales Road and 1485-1495 Bonny Bridge Lane. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Submittal of Building permits for Staff review and approval.
3. Submittal of revised elevations for Staff review and approval.
4. Site must be developed in accordance with site plan.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2009-229CR

53. Alderman Wasco moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Renewal of Special Use Permit #079-06 (2007-85-O) for a Planned Mixed-Use Development for a bus terminal center, including joint development of retail spaces and parking in a C-3, General Commercial District at 725 North Lyford Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a detailed site plan, landscaping plan and illumination plan for Staff's review and approval prior to issuance of a building permit.
3. Submittal of a building design elevation for Staff's review and approval prior to issuance of a building permit.
4. That a Tentative Plat and Final Plat is approved for the property in accordance with the City's Subdivision regulation inclusive of required improvements to Lyford Road prior to issuance of a building permit and development of site.

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

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

2009-230CR

54. Alderman Wasco moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of a Special Use Permit for a Planned Unit Development from a condominium development to fee simple lots in a R-2, Two-family Residential Zoning District at 1105, 1131 North Court Street and 1124, 1126 North Church Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Meeting all applicable Building Codes, specifically documentation from a licensed design professional (Architect), licensed in the State of Illinois indicating the current construction does not violate any building code requirements in regard to the property line being through the existing building.
3. Submittal of Building Permits for Staff review and approval.
4. Site must develop in accordance with site plan on file.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2009-231CR

55. Alderman Wasco 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 a restaurant with Drive-Thru in the C-2, Limited Commercial Zoning District at 7130 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. The property shall be replatted prior to building permitting.
3. Landscaping shall be as per Exhibit E, with final review and approval by Staff.
4. Submittal of an illumination plan for Staff review and approval.
5. Submittal of an elevation plan and final building materials for Staff review and approval.
6. That a right turn lane shall be provided along Argus Drive of the outlots shall be shifted to the south to be reviewed and approved by the City of Rockford City Engineer.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2009-232CR

56. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending the approval of the amendment to the City's weed regulation and mowing procedure.

When contract mowing properties greater than 5 acres, including multiple parcels under one ownership, the City will contract mow a 100 foot buffer adjacent the public street measured from the curb inward onto the property and a 100 foot buffer adjacent to residential uses. The balance of the property not in compliance with the weed regulations will be referred to Code Hearing for enforcement and fine, if necessary.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

2009-081-O

57. Alderman Wasco moved the adoption of an Ordinance amending Chapter 16, Section 280 of the Code of Ordinances of the City of Rockford to add "No Parking Anytime" on both sides of Walton Drive from Bell School Road to Perryville Road. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-
Nays: -0-
Absent: -0-

MOTIONS AND RESOLUTIONS

2009-058R

58. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids/proposals for the following:

Bid: Garage Door Services, funding source: Property Fund

Bid: Fire Department Powered Ambulance Cots, funding source: Foreign Fire Tax and Grant Funds

Bid: Wyman Street 2-Way 2009, funding source: Motor Fuel Tax. MOTION PREVAILED.

2009-059R

59. Alderman Wasco, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution to approve the request for a liquor permit for consumption of liquor outdoors on public property ("SP" license) for Boylan Catholic High School, in conjunction with the Boylan High School Men's Golf Outing at 1900 Reid Farm Road on June 26, 2009. MOTION PREVAILED.

2009-060R

60. Alderman Wasco, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution to approve the request for a liquor permit for consumption of liquor outdoors on public property ("SP" license) for the Regional Access Mobilization Project, in conjunction with the "Wing Ding Event" at 60 Airport Drive, Rockford, Illinois on May 24, 2009. MOTION PREVAILED (Ald. Beach voted no).
61. Alderman Johnson suggested a Resolution requesting Illinois Legislature support the pending gaming legislation to include Rockford as a host site for a gaming facility. LAID OVER.

NEW BUSINESS

62. Alderman Jacobson introduced and read an Ordinance recommending that the Proposed Amendments (2009) be made to the 2020 Plan and that the Kishwaukee Corridor Study be attached to said plan as an Appendix. LAID OVER.
63. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the addition of Section 16-223, Horseback Riding, to prohibit horseback riding on city streets. LAID OVER.
64. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the driveway and sidewalk policy for residential and commercial properties. LAID OVER.
65. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the amendment to Chapter 16, Section 16-165 of the City of Rockford Code of Ordinances regarding parking facility violations. LAID OVER.
66. Alderman Curran made a motion to go into closed session to discuss Labor Negotiations, seconded by Alderman Thompson-Kelly. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-
Nays: -0-
Absent: -0-

The meeting went into closed session at 7:13 pm.

The meeting returned to open session at 7:42 pm and found the following aldermen present:

Aldermen Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, McNeely, Robertson -13-

75. Upon motion duly made and seconded, the meeting was adjourned at 7:43 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, 2ND floor City Hall
425 E. State Street, Rockford
May 26, 2009
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

I. PUBLIC HEARING

1. Proposed Map Amendments (2009) to the 2020 Plan

- 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)

II. NEW COMMITTEE REPORTS TO BE READ IN MAY 26, 2009

A. CODE AND REGULATIONS

1. Beach – Final Plat 2 of Prather's Subdivision

- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

III. COMMITTEE REPORTS LAID OVER MAY 18, 2009

1. Curran - Finance and Personnel - Recommending an agreement between the City and the Rockford Area Arts Council be approved in the amount of \$75,000 as attached. The Mayor and Legal Director are authorized to execute such Agreement. (Source of funds: Off-track Betting).
2. Curran - Finance and Personnel - Recommending the Office Lease between the City of Rockford Human Services Department and Commercial Mortgage & Finance Company be approved. The Legal Director shall prepare the appropriate ordinance.

3. Curran - Finance and Personnel - Recommending a contract extension for Banking Services with Associated Bank for an estimated annual cost of \$173,096. The banking services contract would be for two years with three one year renewals. The funding source is Finance Department Operating Budget.
4. Curran - Finance and Personnel - Recommending renewal of the Third Party Administrator for Worker's Compensation Contract with Employer's Claim Service, Inc. at a total annual cost of \$47,000 payable in quarter installments. The funding source is Worker's Compensation Fund.
5. Curran - Finance and Personnel - Recommending a Change Order #2 for Curb & Gutter-2008 extending an additional \$39,833 to TCI Concrete for a total not-to-exceed cost of \$610,000 for additional repair work. The funding source is Sales Tax.
6. Wasco - Code and Regulation - Recommending the approval of the Agreement to Use Right-of-Way with Kentucky Data Link. The Legal Director shall prepare the appropriate ordinance.
7. Wasco - Code and Regulation - Recommending the approval of the Proposed Groundwater Ordinance for K's Cleaner's, 1601 W. State Street. The Legal Director shall prepare the appropriate ordinance.
8. Wasco - Code and Regulation - Recommending the approval of the Final Plat of Humanity Subdivision.
9. Wasco - Code and Regulation - Recommending the approval of the sale of 702 South 3rd Street for a minimum bid of \$1,500.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance.
10. Wasco - Code and Regulation - Recommending the approval of the sale of 1402 Andrews Street and 330 North Hinkley Avenue for a minimum bid of \$1,200.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance.
11. Wasco - Code and Regulation - Recommending the approval of the sale of 3417 Chestnut Street for a minimum bid of \$425.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance.
12. Wasco - Code and Regulation - Recommending the approval of the sale of 918 Elm Street for a minimum bid of \$850.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance.
13. Wasco - Code and Regulation - Recommending the approval of the sale of 3100 Elm Street for a minimum bid of \$2,500.00, which includes advertising with preference to the adjoining property owner. The Legal Director shall prepare the appropriate ordinance.
14. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the variation to increase the maximum allowable

height from eight (8) feet to eighteen (18) feet six (6) inches for a freestanding sign and to APPROVE a variation to increase the maximum allowable height from eight (8) feet to sixteen (16) feet six (6) inches in a C-3, General Commercial District at 4404 East State Street.

Denial/Approval is based on the Findings of Fact. The Legal Director shall prepare the appropriate ordinance.

15. Wasco - Code and Regulation - Recommending the approval to vacate the alley behind 202 & 208 Shaw Street to the adjacent owners as follows:
 1. Title to that part of the alley lying adjacent to the East of Lot 17 and East of the Southerly 13 feet of Lot 18 shall vest with the current owner(s) of Lot 17 and the Southerly 13 feet of Lot 18.
 2. Title to the West ½ of the alley lying adjacent to the East of Lot 16 shall vest with the current owner(s) of Lot 16.
 4. Title to the East ½ of the alley lying adjacent to the West of Lot 5 shall best with the current owner of Lot 5.

An easement must be retained for AT&T.

The Legal Director shall prepare the appropriate ordinance.

IV. ORDINANCES LAID OVER MAY 18, 2009

1. Jacobson - Ordinance - Recommending that the Proposed Amendments (2009) be made to the 2020 Plan and that the Kishwaukee Corridor Study be attached to said plan as an Appendix.
2. Wasco - Ordinance - Authorizing the Mayor and Legal Director to execute the addition of Section 16-223, Horseback Riding, to prohibit horseback riding on city streets.
3. Wasco - Ordinance - Authorizing the Mayor and Legal Director to execute the driveway and sidewalk policy for residential and commercial properties.
4. Wasco - Ordinance - Authorizing the Mayor and Legal Director to execute the amendment to Chapter 16, Section 16-165 of the City of Rockford Code of Ordinances regarding parking facility violations.

V. MOTIONS AND RESOLUTIONS LAID OVER MAY 18, 2009

1. Johnson - Resolution - Requesting Illinois Legislature supports the pending gaming legislation to include Rockford as a host site for a gaming facility.

- Motions and Resolutions

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

1. Curran – Ordinance - Recommending that the Agreement with Rockford Township and the Human Services Department be approved.
2. Wasco – Ordinance – Special Use Permit for an Entertainment Nightclub at 6116 Mulford Drive.
3. Wasco – Ordinance – The sale of liquor by the drink in conjunction with a restaurant, bar and nightclub in the name of **Reynaldo Vera d/b/a Miranda’s Pub and Grill** at 6116 Mulford Road.
4. Wasco – Ordinance - The sale of liquor by the drink in conjunction with a sports bar and grill with an outdoor garden area to include night club in the name of **Jay Gesner and Rebecca Yates d/b/a Hawks Nest** at 310 South Church Street.
5. Wasco – Ordinance - The sale of packaged beer and wine in conjunction with a gas station in the name of **Shaher Bano d/b/a Aliz Inc.** at 3307 Charles Street.
6. Wasco – Ordinance - Special Use Permit for a Mural at 508 East State Street
7. Wasco –Ordinance - Modification of Special Use Permit #032-05 at 7548-7698 Western Gales Road and 1485-1495 Bonny Bridge Lane.
8. Wasco – Ordinance - Renewal of Special Use Permit #079-06 (2007-85-O) at 725 North Lyford Road.
9. Wasco – Ordinance - Modification of a Special Use Permit at 1105, 1131 North Court Street and 1124, 1126 North Church Street.
10. Wasco – Ordinance - Special Use Permit at 7130 East State Street.

* same action taken before

- Adjournment

* * * * *

POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE

Tuesday, May 26, 2009, 5:00 p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

1. C & R 09-86 May Traffic Commission Minutes
2. C & R 09-87 Roadway Dedication for Glenwood Court & Overdene Avenue
3. C & R 09-83 Rewrite City Ordinances to allow City Council caucuses to appoint membership and chairs of committees
4. C & R 09-88 Arts & Cultural Overlay District
5. C & R 09-44 Trailer Regulations
6. C & R 09-85 Closed Session for Purposes of Pending Litigation

FINANCE AND PERSONNEL COMMITTEE

Tuesday, May 26, 2009, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: City-Wide Pavement Marking 2009 – Suspend Rules
 - B. Award of Bid: Downtown Streetscape (2) – Suspend Rules
 - C. Award of Bid: Clinton Street Reconstruction – Suspend Rules
 - D. Award of Bid: Sidewalk, Curb & Gutter & ADA Ramps – Suspend Rules
 - E. Award of Bid: Brookview, Rural & Ridge Repairs – Suspend Rules
 - F. Change Order: Water System Rehabilitation Group 1-NT – Suspend Rules
 - G. Change Order: Water System Rehabilitation Group 1-A – Suspend Rules
 - H. Resolution to take Proposals
 - I. Vouchers
2. Financial Discussion

PLANNING AND DEVELOPMENT COMMITTEE

**Tuesday, May 26, 2009, 5:15 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Victory Bell, 5th Ward Alderman, regarding a recommendation to the P&D Committee on renewing the funding for SWIFTT.
2. Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding a Healthy Neighborhood Program funding recommendation for Rockford Urban Ministries.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, June 1, 2009, 4:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Agenda Provided.