

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
JUNE 8, 2009
COUNCIL CONVENED AT 6:18 P.M.**

1. The invocation was given by Rockford Police Officer Billy Wilson/Police Chaplain and the Pledge of Allegiance was led by City Council Page Shanice Smith.
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 -1-
3. Alderman Mark moved to accept the Journal of Proceedings of June 1, 2009, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Johnson absent).

PUBLIC PARTICIPATION

4. Nancy Gdowski suggested the City Council seek an independent financial and job audit of the Metro Centre before providing the requested funding.
5. Bruce Roberts implored the Council to find the necessary funding to hire new Police Officers.
6. Gerald Lott invited everyone to visit the nCenter and spend some time with the kids.

PETITIONS AND COMMUNICATIONS

7. Alderman Timm submitted a letter from Dave Lantz requesting repair of the "bump" in the street at the intersection of Grant and Auburn Street. Referred to the Public Works Department.
8. Alderman Wasco submitted a Memorandum from Mark Rose, Land Acquisition Officer, regarding the abatement of taxes. Referred to Finance and Personnel Committee.
9. Alderman Wasco submitted a Memorandum from Mark Rose, Land Acquisition Officer, regarding a long term lease with the University of Illinois. Referred to Finance and Personnel Committee.
10. Alderman Wasco submitted a Memorandum from Steven Ernst, RMAP Executive Director, regarding an intergovernmental agreement with IDOT for the Rockford Metropolitan Agency for Planning. Referred to Finance and Personnel Committee.

11. Alderman Wasco submitted a Memorandum from Joanne Lewis, Head Start Director, regarding an Early Head Start Grant Proposal. Referred to Finance and Personnel Committee.
12. Alderman Wasco submitted a Memorandum from Andres Sammul, Finance Director, regarding Debt Refunding. Referred to Finance and Personnel Committee.
13. Alderman Beck submitted a letter from Shawn Stacey-Choinard, thanking the Public Works Department for the recent improvements to the 1800 block of Clinton Street, replacement of curbs, gutters and sidewalks. Copy to the Public Works Department.
14. Alderman Sosnowski submitted a request from Jason Morse, in conjunction with IAFF "Fill the Boot" Fundraiser requesting permission to allow union designees access to the identified intersections for the purpose of annual fundraiser; East State & Perryville, June 13, 2009 from 10:00 am – 4:00 pm; North Main & Riverside, July 11, 2009 from 10:00 am – 4:00 pm; East State & Perryville, August 8, 2009 from 10:00 am – 4:00 pm. Alderman Sosnowski moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Johnson absent).
15. Alderman Sosnowski read a Memorandum from Ronald N. Schultz, City Attorney, regarding the Charles Street Lot. Referred to Planning and Development Committee.
16. Alderman Hervey submitted an e-mail from Sara Clark requesting a traffic control sign at the intersection of Kent Street and Court Street. Referred to Public Works Department/Traffic.
17. Alderman Mark submitted a Request for Service at 320 N. 6th Street. Referred to Community Development/Code Enforcement.

NEW COMMITTEE REPORTS

18. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink in conjunction with a sit-down restaurant with an outdoor seating area in the name of **Rick White d/b/a Bandana's Bar-B-Q** in a C-2, Limited Commercial District at 5494 East State 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 hours of operation will be limited to 11:00 am to 9:00 pm Sunday through Thursday.
 4. The hours of operation will be limited to 11:00 am to 10:00 pm Friday through Saturday.
 5. Submittal of Building Permits for Staff review and approval.
 6. Submittal of a detailed site plan for Staff's review and approval.
 7. The sale of alcohol shall be limited to the interior site and outdoor seating areas that were submitted.

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

19. Alderman Beach read 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 nightclub in the names of **James W. Funk and John M. Kennedy d/b/a Tabu Nightclub and Lounge** in a C-2, Limited Commercial District at 3780 East State Street. Approval is subject to the following conditions:

1. Hours of operation shall be limited to 8:00 pm to 2:00 am Wednesday through Saturday and Sunday 12:00 pm to Midnight.
2. Security shall be provided at a minimum of 1 per 50 patrons.
3. The business shall operate according to the submitted business and security plan.
4. The business shall maintain a parking agreement with the adjacent property for a minimum of 50 parking spaces or modification of Special Use Permit approved by City Council.
5. The property shall maintain a maximum capacity of 450 people unless reduced as determined by the Fire Department.
6. The interior layout of the business shall be consistent with the submitted site plan, Exhibit K.
7. All applicable Building and Liquor Codes shall apply.
8. The business shall operate in conformance with the submitted dress code.
9. The use of the property shall not detrimentally effect the surrounding neighborhood and business or unduly burden the City of Rockford Police Department.
10. The business shall provide parking lot patrol and security during hours of operation and until the parking lot is cleared of all patrons.

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

20. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a nightclub in a C-2, Limited Commercial District at 3780 East State Street. Approval is subject to the following conditions:

1. Hours of operation shall be limited to 8:00 pm to 2:00 am Wednesday through Saturday and Sunday 12:00 pm to Midnight.
2. Security shall be provided at a minimum of 1 per 50 patrons.
3. The business shall operate according to the submitted business and security plan.
4. The business shall maintain a parking agreement with the adjacent property for a minimum of 50 parking spaces or modification of a Special Use Permit approved by City Council.
5. The property shall maintain a maximum capacity of 450 people unless as determined by the Fire Department.
6. The interior layout of the business shall be consistent with the submitted site plan, Exhibit K.
7. All applicable Building and Fire Codes shall apply.
8. The business shall operate in conformance with the submitted dress code.
9. The use of the property shall not detrimentally effect the surrounding neighborhood and businesses or unduly burden the City of Rockford Police Department.

10. The business shall provide parking lot patrol and security during hours of operation and until the parking lot is cleared of all patrons.

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

21. Alderman Beach read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the number of allowable wall signage from four (4) to five (5) in a C-2, Commercial Community Zoning District at 6838 East State Street.

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

22. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the amendment to Section 16-131 of the City of Rockford Code of Ordinances reducing the fine from one hundred dollars (\$100.00) to fifty dollars (\$50.00) on zoning ordinance parking violations. LAID OVER.

23. Alderman Beach read a Code and Regulation Committee Report recommending that the City Council approve the amendments to Section 3-15, Chapter 3 of the City of Rockford Code of Ordinances. LAID OVER.

2009-253CR

24. Alderman Beach read 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 DENY the sale of liquor in conjunction with an outdoor seating area with Modified condition 4 in the name of **Jill Bosselman d/b/a Whiskey's Roadhouse, Inc.** in a C-2, Limited Commercial District at 3207 North Main Street. Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Compliance with all applicable Building and Fire Codes.
3. The landscaping as shown on Exhibit D needs to be maintained in a healthy condition and replaced if plantings have died.
4. Submittal of freestanding sign design for staff review and approval, the proposed sign shall be reduced in height. The roof sign shall be removed.
5. The parking lot must be restriped to meet code.
6. Hours of operation are limited as provided on the submitted Business Plan.
7. The property is limited to the entertainment as indicated in the submitted Business Plan.
8. That there shall be no cover charge.
9. There shall be no open floor area of 150 square feet or greater.

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

Alderman Beach moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Johnson absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Timm, Beach voted no).

25. Alderman Sosnowski read a Planning and Development Committee Report recommending approval of the Redevelopment Agreement with FMS Investment Corporation for a grant in the amount of \$350,000 to develop a new call center at 4021 Morsay Drive in the Miracle Mile Business district. The source of the grant is the Community Development Block Grant-Recovery (CDBG-R) Program. The Legal Director shall prepare the appropriate Ordinance. LAID OVER.

26. Alderman Sosnowski read a Planning and Development Committee Report recommending approval of the Development Agreement with Harrison Industrial, LLC to rehabilitate an existing industrial building located at 2020 Harrison Avenue. The funding source is the Kishwaukee - Harrison (KH) Tax Increment Financing (TIF) District #2 . The Legal Director shall prepare the appropriate Ordinance. LAID OVER.

2009-254CR

27. Alderman Wasco read a Finance and Personnel Committee Report recommending that an award be made for Reservoir Demolition to the lowest responsible bidder, National Salvage & Service Corporation of Clear Creek, Indiana for a total of \$884,000.

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

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

2009-255CR

28. Alderman Wasco read a Finance and Personnel Committee Report recommending that awards be made to the three lowest bidders for Garage Door & Opener Services as follows: Barcol Door Company of Loves Park, Raynor Door Authority of Loves Park, and Overhead, Incorporated of Ingleside, Illinois for hourly rates as specified.

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

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

2009-256CR

29. Alderman Wasco read a Finance and Personnel Committee Report recommending that all bids received for fire hydrant painting be rejected and new bids be taken as soon as possible.

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

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

2009-257CR

30. Alderman Wasco read a Finance and Personnel Committee Report recommending that a sole source award for Weatherization furniture be made to Mid City Office Products for a total of \$61,884.90.

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

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

31. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of vouchers for the week of June 8, 2009 in the amount of \$1,536,945.08. MOTION PREVAILED by a Roll Call vote of:

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

32. Alderman Wasco read a Finance and Personnel Committee Report, to whom was referred the memorandum of the Finance Director regarding the Keith Creek Flood Mitigation project recommends approving the following:

1. Extension of the agreement for one year with RLDC or its subsidiary corporation for acquisition and maintenance of damaged homes.
2. Conversion of the existing note with Associated Bank to a revolving line of credit in the amount of \$10 million due June 1, 2010.

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

OFFICERS REPORTS

33. Mayor Morrissey presented a Proclamation proclaiming Saturday, June 13, 2009 to be "BIKER JAM DAY" in Rockford, Illinois and urged all citizens to support and enjoy the festivities of Biker Jam Day in support of Goldie Floberg Children's Home.
34. Mayor Morrissey advised the Rockford City Police Department in conjunction with the Winnebago County Sheriff's Department will be submitting an application to the Edward Byrne Memorial Justice Assistance Grant Program. The grant is a result of consolidating Bryne Grant and local law enforcement block grants into one program it requires the City and the County to partner to receive the funds. Questions or comments may be directed to Patty Rhode, Rockford Police Department, 420 West State Street or contact her at 815/961-3214 or Chief Epperson.
35. Mayor Morrissey reported the ad hoc committee studying the Metro Centre finances is expected to have the final report next week. He thanked Jim Ryan, City Administrator, and all involved for the many hours of time spent on compiling data for the final report.
37. Mayor Morrissey announced the formation of a budget and finance advisory group made up of individuals from the community who will work with the City Council and staff to provide insight and outlook on the cities current and future budget challenges.
38. Mayor Morrissey announced the presentation of a video produced by members of the Rockford Police Department as a tribute to Rockford City Police Officer Ashley Calhoun and all the soldiers who provide an outstanding service to our Country. She has been with the department since August 2006 and is currently in active duty as part of the Security Force, 33rd Infantry Division in Kabul, Afghanistan.
- 38a. Chief Epperson thanked Officer Calhoun for her service to our Country and acknowledged her return to the Rockford Police Department after her tour of duty is complete.
- 38b. Officer Delarosa asked everyone to remember all the military in their prayers.
39. Alderman Beach expressed concern with the effectiveness of the Winnebago County emergency warning system.
40. Alderman Mark encouraged the Police Department to continue enforcing the sound amplification ordinance.
41. Alderman Mark again expressed his frustration with the insufficient repairs/resurfacing to Jefferson Street.
- 41a. Mayor Morrissey advised the City has had on-going conversation with IDOT regarding this problem.

- 42. Alderman Beck announced "Music in the Park" summer program will kick-off tomorrow night with a concert provided by The Phantom Regiment, 2008 World Champions, at the Sinnissippi Park Shell. This program provides free concerts every Tuesday and Thursday night until August. He encouraged all to attend and enjoy the free entertainment.
- 43. Alderman Thompson-Kelly thanked the Community Development/Code Enforcement officers for their efforts to keep up with the numerous requests for service and complaints filed with that department.

UNFINISHED BUSINESS

- 44. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the amendments to Rules 7, 17 and 19 and the temporary repeal of Rule 20 contained within Chapter 2, Section 2-31 of the Code of Ordinances of the City of Rockford, Rule 20 shall be immediately reinstated upon passage of the ordinance amending Rules 7, 17 and 19 of the aforementioned Code section. HELD OUT.

2009-258CR

- 45. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the City Council of the City of Rockford REJECT the Roadway Dedication of portions of Glenwood Court and Overdene Avenue. MOTION PREVAILED by a Roll Call vote of:

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

2009-259CR

- 46. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval to vacate the Alley behind 202 and 208 Shaw Street to the adjacent property owner 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. MOTION PREVAILED by a Roll Call vote of:

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

2009-260CR

47. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:

1. Request from Alderman Sosnowski, 1st Ward, for yield sign control at the intersection of Gale Lane and Sandringham Lane/Shelford Lane.
2. Request from Alderman Johnson, 8th Ward, for yield or stop sign control at the intersection of 16th Avenue and Log Cabin Avenue.
3. Request from John Davis, to repeal the existing 2-way stop sign control and replace with 4-way stop sign control at the intersection of South 2nd Street and Grove Street.
4. Request from Leora Turner, to repeal the existing "No Parking Anytime" on the north side of W. Pearl Avenue from Ridge Avenue to 430 feet east of Ridge Avenue to the east line of the playground.
5. Request from Kurt Richardson, for "One Hour" parking restriction from 8:00 am to 5:00 pm Monday – Friday on the west side of N. 1st Street from Layfayette Avenue to Jefferson Street.
6. Request from Alderman Sosnowski, 1st Ward, for yield or stop sign control at the intersection of Hedge Cliff Drive and Stone Cottage Road. (BACK TO COMMITTEE)

Alderman Beach made a motion to refer item #6 back to committee, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Johnson absent). The amendment to the committee report was placed on passage. MOTION PREVAILED (Ald. Johnson absent, Ald. McNeely voted no).

The Committee Report as amended was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

2009-096-O

48. Alderman Beach moved the adoption of an Ordinance for the sale of City owned vacant lot located at **1402 Andrews Street & 330 North Hinkley Avenue** at a minimum bid of \$1,200.00 with preference to the adjoining property owner. MOTION PREVAILED by a Roll Call vote of:

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

49. Alderman Beach moved the adoption of an Ordinance for the sale of City owned vacant lot located at **702 South 3rd Street** at a minimum bid of \$1,500.00 with preference to the adjoining property owner. HELD OUT

2009-097-O

50. Alderman Beach moved the adoption of an Ordinance for the sale of City owned vacant lot located at **3417 Chestnut Street** at a minimum bid of \$425.00 with preference to the adjoining property owner. MOTION PREVAILED by a Roll Call vote of:

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

2009-098-O

51. Alderman Beach moved the adoption of an Ordinance for the sale of City owned vacant lot located at **1918 Elm Street** at a minimum bid of \$850.00 with preference to the adjoining property owner. MOTION PREVAILED by a Roll Call vote of:

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

2009-099-O

52. Alderman Beach moved the adoption of an Ordinance for the sale of three City owned vacant lots located at **3100 Elm Street** at a minimum bid of \$2,500.00 with preference to the adjoining property owner, Jerusalem Baptist Church. MOTION PREVAILED by a Roll Call vote of:

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

2009-100-O

53. Alderman Beach moved the adoption of an Ordinance prohibiting the Use of Groundwater as a Potable Water Supply within the subject area, 1601 West State Street and certain properties around the site in the City of Rockford. MOTION PREVAILED by a Roll Call vote of:

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

2009-101-O

54. Alderman Beach moved the adoption of an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum allowable height from 8' to 16'6" for a freestanding sign in a C-3, General Commercial District at 4404 East State Street.

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

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

2009-261CR

55. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending that a sole source contract be entered into with Loving Guidance, Inc., of Oviedo, Florida, for conscious discipline training for approximately (40) Head Start staff members in the amount of \$10,000. MOTION PREVAILED by a Roll Call vote of:

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

56. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for City-Wide Sidewalk, Curb and Gutter and ADA Ramps-2009 be awarded to the low bidder, A.A. Construction Company, of Rockford, Illinois, for their total bid of \$166,530.50. Funding source is Sales Tax. HELD OUT.

2009-262CR

57. Alderman Wasco moved the adoption of 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.

Alderman Wasco made a motion to amend the committee report to read: Alderman Wasco moved the adoption of 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 a one year contract with four, one year renewals, each subject to Council approval.** The funding source is Finance Department Operating Budget, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Johnson absent).

The amendment to the committee report was placed on passage. MOTION PREVAILED (Ald. Johnson absent; Ald. McNeely voted no).

The Committee Report as amended was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2009-062R

58. Alderman Wasco, 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:

Bid: Demolition of (14) Residential Properties, funding source: 2008 Neighborhood Stabilization Funds.

Bid: (1) Backhoe and Hydraulic Hammer, funding source: Water Division Capital Outlay Budget.

MOTION PREVAILED (Ald. Johnson absent; Ald. McNeely voted no).

2009-063R

59. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution ascertaining the prevailing wages for laborers, mechanics and workers employed by the City.

MOTION PREVAILED (Ald. Johnson absent).

2009-064R

60. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution instructing the Legal Director to file an application for a zoning text amendment and a zoning map amendment regarding the **creation of an arts and culture overlay district**. The Legal Director shall include a redlined copy of the proposed amendment regarding the **creation of an arts and culture overlay district** with the text amendment and zoning map amendment application.

MOTION PREVAILED (Ald. Johnson absent).

2009-065R

61. Alderman Sosnowski, on behalf of the Planning and Development Committee, moved the adoption of a Resolution to submit a Grant Application to the United States Department of Housing and Urban Development (HUD) under the Brownfields Economic Development Initiative (BEDI) Program for a project at the Brewery on Madison Street.

MOTION PREVAILED (Ald. Johnson absent).

NEW BUSINESS

62. Alderman Wasco introduced and read an Ordinance approving the Office Lease between the City of Rockford Human Services Department and Commercial Mortgage and Finance Company. LAID OVER.
63. Alderman Wasco introduced and read an Ordinance approving the Agreement with Rockford Township and the Human Services Department for emergency assistance in the amount of \$10,000.00. LAID OVER.

2009-102-O

64. Alderman Beach introduced and read an Ordinance for the vacation of the property commonly known as the alley behind 202 and 208 Shaw Street.

Alderman Beach moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED (Ald. Johnson absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

Nays: Sosnowski -1-

Absent: Johnson -1-

2009-103-O

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

Jill Bosselman d/b/a Whiskey's Roadhouse, Inc. located at 3207 North Main Street. Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Compliance with all applicable Building and Fire Codes.
3. The landscaping as shown on Exhibit D needs to be maintained in a healthy condition and replaced if plantings have died.
4. Submittal of freestanding sign design for staff review and approval, the proposed sign shall be reduced in height. The roof sign shall be removed.
5. The parking lot must be restriped to meet code.
6. Hours of operation are limited as provided on the submitted Business Plan.
7. The property is limited to the entertainment as indicated in the submitted Business Plan.
8. That there shall be no cover charge.
9. There shall be no open floor area of 150 square feet or greater.

Alderman Beach moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED (Ald. Johnson absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

66. Alderman Jacobson submitted a letter from Brad Fosberg. Placed on File.
67. Upon motion duly made and seconded, the meeting was adjourned at 7:31 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

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

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
June 15, 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
- 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)
- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

I. COMMITTEE REPORTS

A. LAID OVER JUNE 8, 2009

1. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink in conjunction with a sit-down restaurant with an outdoor seating area in the name of **Rick White d/b/a Bandana's Bar-B-Q** in a C-2, Limited Commercial District at 5494 East State 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 hours of operation will be limited to 11:00 am to 9:00 pm Sunday through Thursday.
4. The hours of operation will be limited to 11:00 am to 10:00 pm Friday through Saturday.
5. Submittal of Building Permits for Staff review and approval.
6. Submittal of a detailed site plan for Staff's review and approval.
7. The sale of alcohol shall be limited to the interior site and outdoor seating areas that were submitted.

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

2. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a nightclub in the names of **James W. Funk and John M. Kennedy d/b/a Tabu Nightclub and Lounge** in a C-2, Limited Commercial District at 3780 East State Street. Approval is subject to the following conditions:
 1. Hours of operation shall be limited to 8:00 pm to 2:00 am Wednesday through Saturday and Sunday 12:00 pm to Midnight.
 2. Security shall be provided at a minimum of 1 per 50 patrons.
 3. The business shall operate according to the submitted business and security plan.
 4. The business shall maintain a parking agreement with the adjacent property for a minimum of 50 parking spaces or modification of Special Use Permit approved by City Council.
 5. The property shall maintain a maximum capacity of 450 people unless reduced as determined by the Fire Department.
 6. The interior layout of the business shall be consistent with the submitted site plan, Exhibit K.
 7. All applicable Building and Liquor Codes shall apply.
 8. The business shall operate in conformance with the submitted dress code.
 9. The use of the property shall not detrimentally effect the surrounding neighborhood and business or unduly burden the City of Rockford Police Department.
 10. The business shall provide parking lot patrol and security during hours of operation and until the parking lot is cleared of all patrons.

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

3. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a nightclub in a C-2, Limited Commercial District at 3780 East State Street. Approval is subject to the following conditions:
 1. Hours of operation shall be limited to 8:00 pm to 2:00 am Wednesday through Saturday and Sunday 12:00 pm to Midnight.
 2. Security shall be provided at a minimum of 1 per 50 patrons.
 3. The business shall operate according to the submitted business and security plan.
 4. The business shall maintain a parking agreement with the adjacent property for a minimum of 50 parking spaces or modification of a Special Use Permit approved by City Council.
 5. The property shall maintain a maximum capacity of 450 people unless as determined by the Fire Department.
 6. The interior layout of the business shall be consistent with the submitted site plan, Exhibit K.
 7. All applicable Building and Fire Codes shall apply.
 8. The business shall operate in conformance with the submitted dress code.
 9. The use of the property shall not detrimentally effect the surrounding neighborhood and businesses or unduly burden the City of Rockford Police Department.
 10. The business shall provide parking lot patrol and security during hours of operation and until the parking lot is cleared of all patrons.

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

4. Beach - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the number of allowable wall signage from four (4) to five (5) in a C-2, Commercial Community Zoning District at 6838 East State Street.

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

5. Beach - Code and Regulation - Recommending the approval of the amendment to Section 16-131 of the City of Rockford Code of Ordinances reducing the fine from one hundred dollars (\$100.00) to fifty dollars (\$50.00) on zoning ordinance parking violations.
6. Beach - Code and Regulation - Recommending that the City Council approve the amendments to Section 3-15, Chapter 3 of the City of Rockford Code of Ordinances.
7. Sosnowski - Planning and Development - Recommending approval of the Redevelopment Agreement with FMS Investment Corporation for a grant in the amount of \$350,000 to develop a new call center at 4021 Morsay Drive in the Miracle Mile Business district. The source of the grant is the Community Development Block Grant-Recovery (CDBG-R) Program. The Legal Director shall prepare the appropriate Ordinance.
8. Sosnowski - Planning and Development - Recommending approval of the Development Agreement with Harrison Industrial, LLC to rehabilitate an existing industrial building located at 2020 Harrison Avenue. The funding source is the Kishwaukee - Harrison (KH) Tax Increment Financing (TIF) District #2 . The Legal Director shall prepare the appropriate Ordinance.
9. Wasco - Finance and Personnel - Regarding the Keith Creek Flood Mitigation project recommends approving the following:
 1. Extension of the agreement for one year with RLDC or its subsidiary corporation for acquisition and maintenance of damaged homes.
 2. Conversion of the existing note with Associated Bank to a revolving line of credit in the amount of \$10 million due June 1, 2010.

The Legal Director shall prepare the appropriate Ordinance.

B. HELD OUT JUNE 8, 2009

1. Beach - Code and Regulation - Recommending the approval of the amendments to Rules 7, 17 and 19 and the temporary repeal of Rule 20 contained within Chapter 2, Section 2-31 of the Code of Ordinances of the City of Rockford, Rule 20 shall be immediately reinstated upon passage of the ordinance amending Rules 7, 17 and 19 of the aforementioned Code section.

2. Wasco - Finance and Personnel - Recommending the award for City-Wide Sidewalk, Curb and Gutter and ADA Ramps-2009 be awarded to the low bidder, A.A. Construction Company, of Rockford, Illinois, for their total bid of \$166,530.50. Funding source is Sales Tax.

II. ORDINANCES

A. LAID OVER JUNE 8, 2009

1. Wasco - Ordinance - Approving the Office Lease between the City of Rockford Human Services Department and Commercial Mortgage and Finance Company.
2. Wasco - Ordinance - Approving the Agreement with Rockford Township and the Human Services Department for emergency assistance in the amount of \$10,000.00.

B. HELD OUT JUNE 8, 2009

1. Beach - Ordinance - For the sale of City owned vacant lot located at 702 South 3rd Street at a minimum bid of \$1,500.00 with preference to the adjoining property owner.

III. MISCELLANEOUS HELD OUT JUNE 8, 2009

1. Mayor Morrissey - Re-appointment - Library Board, Mr. Jeffrey Glass to a three (3) year term ending June 2012. (Pursuant to Rule 18 this appointment is up for passage on July 6, 2009).
2. Mayor Morrissey – Re-appointment – Library Board, Mr. John Brien to a three (3) year term ending June 2010. (Pursuant to Rule 18 this appointment is up for passage on July 6, 2009).
3. Mayor Morrissey – Re-appointment – Library Board, Mr. Paul Logli to a three (3) year term ending June 2010. (Pursuant to Rule 18 this appointment is up for passage on July 6, 2009).
4. Mayor Morrissey – Appointment - Library Board, Mr. Don Thayer to a three (3) year term ending June 2012. (Pursuant to Rule 18 this appointment is up for passage on July 6, 2009).
5. Mayor Morrissey – Appointment – Library Board, Mr. Ovester Armstrong to a three (3) year term ending June 2010. (Pursuant to Rule 18 this appointment is up for passage on July 6, 2009).
6. Mayor Morrissey - Appointment - Zoning Board of Appeals, Mr. Marvin Brown, Sr. to a five (5) year term ending June 2014. Mr. Brown is replacing Ms. Alice Howard who resigned in July 2008. (Pursuant to Rule 18 this appointment is up for passage on July 6, 2009).

7. Mayor Morrissey - Appointment - Fair Housing Board, Ms. Bevlyn Weston to a three (3) year term ending May 2012. (Pursuant to Rule 18 this appointment is up for passage on July 6, 2009).
8. Mayor Morrissey - Appointment - Rockford Housing Authority, Ms. Alice Jenkins to a five (5) year term ending July 2013. (Pursuant to Rule 18 this appointment is up for passage on July 6, 2009).
- 9.* Mayor Morrissey - Re-appointment - Fair Housing Board; Monica DeLeon, to a three year term ending May 2012. (Pursuant to Rule 18 this appointment is up for passage on June 29, 2009).

- Motions and Resolutions
- Adjournment

* same action taken before

* * * * *

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, June 15, 2009, p.m.

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

AGENDA

No Meeting Scheduled.

FINANCE AND PERSONNEL COMMITTEE

Monday, June 15, 2009, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of RFP: Energy Efficiency Project – Suspend Rules
 - B. Award of Bid: Five Water Division Vehicles – Suspend Rules
 - C. Award of Bid: Powered Ambulance Cots
 - D. Engineering Agreement: Searles Avenue Bridge, Construction Inspection

- E. Rejection of Bid: Wyman Street 2-Way
- F. Resolution to take Bids
- G. Vouchers
- 2. Tax Abatement on Demolition & Foreclosure Property
- 3. Lease with University of Illinois
- 4. Intergovernmental Agreement with IDOT for the Rockford Metropolitan Agency for Planning
- 5. Early Head Start Grant Proposal
- 6. Debt Refunding
- 7. Metro Centre
- 8. City-State Agreement: West State Street Corridor Land Acquisition (Pierpont Avenue – Kilburn Avenue)

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, June 15, 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. Presentation of the Proposed Work Plan and Annual Budget for the Mayor's Arts and Lifestyle Network now known as The Element.
- 3. Memorandum from Ronald N. Schultz, City Attorney, regarding the Charles Street Lot.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, June 15, 2009, 4:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

- 1. RMAP Information
- 2. Information from Lobbyist
- 3. New Committee Appointments

4. Rail Initiative – Steve Ernst/RMAP
5. New Business