

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
OCTOBER 4, 2010
COUNCIL CONVENED AT 6:21 P.M.**

1. The invocation was given by Father Ken Stachyra, St. Bernadette's Catholic Church/Police Chaplain and the Pledge of Allegiance was led by City Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Jacobson, Johnson, Timm, Beach, Elyea, Beck, Robertson -11-
Absent: Hervey, Thompson-Kelly, McNeely -3-
3. Alderman Mark moved to accept the Journal of Proceedings of September 27, 2010, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Hervey, Thompson-Kelly, McNeely absent).

PUBLIC PARTICIPATION

4. Prophet Yusef wished George Davis, Director of Human Services, a happy birthday and talked about the importance of a good education.

PETITIONS AND COMMUNICATIONS

5. Alderman Jacobson submitted a Memorandum from Wayne Dust, Planning Administrator, regarding the USEPA Brownfield Grants and Programs: Competitive Grant Process. Referred to Planning and Development Committee.
6. Alderman Jacobson submitted a Memorandum from Dwayne Collins, Grants Compliance Specialist II, regarding 2010 Healthy Neighborhoods Program Funding Recommendations. Referred to Planning and Development Committee.
7. Alderman Johnson submitted four (4) requests for service. Referred to Community Development Department/Code Enforcement and Public Works Department.
8. Alderman Beach submitted a request from Jennifer Hall, in conjunction with the 10th Annual Rock and Bowl Car Show Sponsored by Miracle Mile Rockford, Automotive Service Association and Don Carter Lanes requesting permission for temporary zoning classification change for a car show in the parking lot located at 4007 E. State Street on October 9, 2010 from 10:00 am to 4:00 pm. Alderman Beach moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Hervey, Thompson-Kelly, McNeely absent).
9. Alderman Mark submitted a Memorandum from John Giliberti, City Attorney, regarding Proposed 2010-2011 Intergovernmental Agreement for City Police Services with Rockford School District 205. Referred to Finance and Personnel Committee.

10. Alderman Beck submitted a Memorandum from Julia Valdez, Director Human Resources, regarding upcoming special events:

1. Levson Center Square Open Air Market, 5/14/11

Referred to Code and Regulation Committee.

11. Alderman Beck submitted a Memorandum from Jennifer Cacciapaglia, City Attorney, regarding the 2009 International Code Amendments. Referred to Code and Regulation Committee.

NEW COMMITTEE REPORTS

12. Alderman Mark read a Finance and Personnel Committee Report recommending the awards for the Emergency Solutions Grant Program be made to the agencies listed below:

| | |
|--------------------------------|----------|
| Prairie State Legal Services | \$15,783 |
| Salvation Army | \$22,618 |
| Children's Home & Aid | \$10,414 |
| Shelter Care Ministries | \$39,797 |
| City Administrative Allocation | \$ 3,453 |

Total of \$92,065.

The funding source is Emergency Solutions Grant. LAID OVER.

13. Alderman Mark read a Finance and Personnel Committee Report recommending approval of the Intergovernmental Agreement: Pierpont Avenue Resurfacing with Rockford Township and Neblock, Inc. The Intergovernmental Agreement specifies the cost sharing agreement for the project. LAID OVER.

2010-333CR

14. Alderman Mark read a Finance and Personnel Committee Report recommending the award for Parking Lot Resurfacing be made to the low bidder, William Charles Construction, of Loves Park, Illinois for their total bid of \$42,948.80. The funding source is Parking Fund.

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

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

2010-334CR

15. Alderman Mark read a Finance and Personnel Committee Report recommending the award for 3rd & 4th Ward Drainage Improvements be made to the low bidder, N-TRAK Group, of Rockford, Illinois for their total bid of \$31,325.30. The funding source is Sales Tax.

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

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

2010-335CR

16. Alderman Mark read a Finance and Personnel Committee Report recommending the award for 4th Ward Drainage Improvements be made to the low bidder, Stenstrom Excavation, of Rockford, Illinois for their total bid of \$90,902.50. The funding source is Sales Tax.

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

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

2010-336CR

17. Alderman Mark read a Finance and Personnel Committee Report recommending the award for 14th Ward Drainage Improvements be made to the low bidder, Stenstrom Excavation, of Rockford, Illinois for their total bid of \$29,849.40. The funding source is Sales Tax.

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

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

2010-337CR

- 17a. Alderman Mark read a Finance and Personnel Committee Report recommending the City Council award the contract for the Network and Third Party Administration of the City of Rockford Health Plan for all employees other than PB&PA United #6 members to Blue Cross and Blue Shield of Illinois with terms consistent with the proposal for the entire group, and subject to impact bargaining with AFSCME 1058 and IAFF 413 Unions, and further authorize the Mayor and City Legal Director execute an agreement with Blue Cross and Blue Shield of Illinois, subject to the continuation of bargaining with the PB&PA Unit #6 to join the remainder of the City in the new network and administration contract.

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

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

18. Alderman Mark moved the adoption of a Finance and Personnel Committee report recommending approval of the total vouchers for the week of October 4, 2010 in the amount of \$2,431,334.95. MOTION PREVAILED by a Roll Call vote of:

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

19. Alderman Beck read a Code and Regulation Committee Report recommending that the property at 424 Buckbee be acquired for the Morgan Street Bridge project for a price of \$225,000 plus relocation costs not to exceed \$125,000 with the property to be leased back to the owner at no cost to the City for up to two years as relocation is completed. The Mayor and Legal Director are authorized to execute the documents necessary to complete the transaction on the terms agreed with the owner. LAID OVER.

20. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a gas station and mini-mart in the names of **Devendra Patel and Baijesh Patel d/b/a BP Gas Station**, in a C-3, General Commercial Zoning District at 4477 Linden Road. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcohol shall be limited to the interior of the convenience store that was submitted.
4. The hours of operation for liquor sales will be limited to 6:00 am to 2:00 am Monday through Saturday.

5. The hours of operation for liquor sales will be limited to 11:00 am to 12:00 (midnight) Sunday.
6. The sale of cigarettes shall be limited to by the package or by the carton and shall not be sold on an individual basis.
7. The sale of alcohol shall not exceed 30% of sales.
8. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.

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

21. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for sale of liquor by the drink in conjunction with a banquet hall, special events, and dance club in the name of **Nancy M. Macias d/b/a San Jose Cultural Center, LTD.**, in a C-2, Limited Commercial Zoning 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 12:00 am (midnight).
2. Security shall be provided at a minimum of 1 per 50 patrons. Servers shall be BASSETT Certified.
3. The business shall operate according to the submitted business and security plans.
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 affect the surrounding neighborhood and business or unduly burden the City of Rockford.
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.

22. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals recommending that City Council APPROVE the Renewal of Special Use Permit #054-08 for an auto salvage or recycling center in an I-2, General Industrial Zoning District at 371 Blackhawk Park Avenue. Approval is subject to the following conditions as applied to the original Special Use Permit.

1. Meeting all Building and Fire Codes.
2. Submittal of Building Permits for Staff review and approval.
3. Submittal of Engineered drawings for Staff's review and approval.

4. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
5. The site is limited to the storage of vehicles and shall not allow the dismantling of vehicles on site.
6. The fencing along Blackhawk Park Avenue (north side), Seminary Street (west side), and the first one hundred (100) feet of the south boundary should be eight (8) feet high solid wood staggered every one hundred (100) to one hundred twenty-five (125) feet as proposed by the applicant fencing.
7. The surface has to be covered in Recycled Asphalt Product (RAP) and stone as per the final approved plan by Staff.
8. All conditions must be met prior to establishment of use.
9. That the property shall conform to state and Federal EPA regulations.

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

23. Alderman Beck 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 private practice and therapy office with owner and one other therapist in an R-2, Two-family Residential District and the Arts and Cultural District Overlay at 514 Prairie Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. The use of the property is limited to therapy.
3. Signage must be in compliance with the Arts and Cultural District.
4. Approval of a building permit for a change of use.

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

24. Alderman Beck read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to maximum sign size and APPROVE the Variation to maximum sign height to permit signage in accordance with submitted design in an I-1, Light Industrial / Business Park District at 2685 Sandhutton Avenue. Approval is subject to the following conditions:

1. Must be constructed in accordance with Exhibit D.
2. The freestanding sign must be landscaped in accordance with Section 1403.5
3. The free-standing sign must meet the required setbacks.

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

OFFICERS REPORTS

25. Mayor Morrissey presented a Proclamation proclaiming the month of October, 2010 to be "DOMESTIC VIOLENCE AWARENESS MONTH" in Rockford, Illinois and encouraged all

citizens to rally support for domestic violence victims and to volunteer with organizations pledging to end this crime that plagues not only our fair City but also society at large.

26. Mayor Morrissey presented a Proclamation proclaiming the month of October, 2010 to be "ROCKFORD ARTS AND HUMANITIES MONTH" in Rockford, Illinois and urged all citizens to celebrate and promote the arts and culture in our state and encourage all citizens to participate in taking action for the arts and humanities.
27. Mayor Morrissey presented a Proclamation proclaiming Sunday, October 10, 2010 to be "SILVER ANNIVERSARY – 25TH ANNUAL BAIRD HEAD OF THE ROCK REGATTA" in Rockford, Illinois and invited all citizens to come out and enjoy the scenic Rock River by supporting the participants and regaling in the festivities.
28. Mayor Morrissey announced a delegation from Rockford will be traveling to Daytona Beach, Florida this coming weekend to support Rockford's efforts to bring Embry Riddle to our community and asked for representatives from council to make the trip. He also mentioned rescheduling the budget meeting that had been set for this Saturday.
29. Mayor Morrissey mentioned a Memorandum from Tim Holdeman, Water Superintendent, has been distributed regarding water rates and privatization per the request of Alderman McNeely at last week's council meeting.
30. Mayor Morrissey thanked council members and all involved for their efforts to move forward the change of the health care network.
31. Mayor Morrissey commended Julia Valdez for her admiral performance in the "Dancing with the Stars" fundraising event for Family Counseling Services.
32. Mayor Morrissey announced this is Fire Prevention Week and he encouraged the aldermen to inform the Fire Department of areas of concern in their wards relating to fire safety issues.
34. Alderman Jacobson thanked City staff for coordinating with the Shriners' a feasible parade route for the parade last weekend. He requested Julia Valdez, Director of Human Resources, comment on the parade.

Julia commented it was a wonderful parade and reported a follow-up meeting will be held this Thursday with the Shriners', CVB, police, public works. She also thanked the YMCA for partnering with the Shriners' to host a wellness event before the parade.
35. Alderman Johnson mentioned last Thursday evening she attended the reception honoring the "Forty Leaders under Forty" and noted her nominee, Kimberly Nelson, was chosen as one of the forty recipients of that distinction.
36. Alderman Johnson announced Wednesday, October 13th is the Annual Legislative Reception at the Kaney Aerospace facility.

37. Alderman Beach thanked Tim Holdeman, Water Superintendent, for providing the information regarding water rates and privatization he requested and urged staff to explore and create opportunities for large-scale consolidation of services. He also mentioned speaking with the Chief of Staff of Indianapolis over the past few weeks regarding this issue and outsourcing departments.
38. Alderman Sosnowski called attention to a Memorandum from Carrie Eklund, Central Services Manager, regarding a review of the Human Resources Department by Sikich per Alderman Sosnowski's request. Any questions or concerns can be directed to Alderman Sosnowski.

UNFINISHED BUSINESS

2010-338CR

39. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending the award for Sale of Property at 2405 Rose Ave. be made to the sole bidder, Prince Hearn, of Rockford, Illinois for his total bid of \$5,600.00. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Jacobson, Johnson, Timm,
Beach, Elyea, Beck, Robertson -11-

Nays: -0-

Absent: Hervey, Thompson-Kelly, McNeely -3-

2010-339CR

40. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending the Award of Contract with Layne-Western of Aurora, Illinois for Base Bid #1 Well Site Decommissioning & Demolition in an amount not to exceed \$87,364 and with Northern Illinois Service Company, of Rockford, Illinois for Base Bid #2 Well Site Decommissioning & Demolition in an amount not to exceed \$259,808. Funding for the contract will come from Illinois IEPA Low Interest Loans and \$25 million G.O. Limited Tax Debt Certificates, Series 2008. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Jacobson, Johnson, Timm,
Beach, Elyea, Beck, Robertson -11-

Nays: -0-

Absent: Hervey, Thompson-Kelly, McNeely -3-

2010-105-O

41. Alderman Mark moved the adoption of an Ordinance amending Ordinance 2010-037-O, License and Fee Schedule for Public Works Fees (fee schedule pages 14 and 15) (water rates). MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Jacobson, Johnson, Timm,
Beach, Elyea, Beck, Robertson -11-

Nays: -0-

Absent: Hervey, Thompson-Kelly, McNeely -3-

2010-106-O

42. Alderman Mark moved the adoption of an Ordinance for the Intergovernmental Agreement – Sanitary Sewer Adjustments for Section 99-00493-00-BR Morgan St. Bridge Replacement, FAU Route 5077 be approved and the Mayor and Legal Director be authorized to execute the same. MOTION PREVAILED by a Roll Call vote of:

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

2010-107-O

43. Alderman Mark moved the adoption of an Ordinance for the Intergovernmental Agreement US Bus. Rt. 20, FAP TR 303 (W. State St.) – Sunset Ave. to Kent Creek Water and Sewer Main Re-route Project be approved and the Mayor and Legal Director be authorized to execute the same. MOTION PREVAILED by a Roll Call vote of:

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

2010-340CR

44. Alderman Beck moved the adoption of a Code and Regulation Committee Report recommending that the City Council approve the amendments to the Nuisance Ordinance, Chapter 17, Article 2 of the City of Rockford Code of Ordinances. MOTION PREVAILED (Ald. Hervey, Thompson-Kelly, McNeely absent).

MOTIONS AND RESOLUTIONS

2010-149R

45. Alderman Beck, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a Special Event Permit for the Holiday Festival of Lights to be held from November 28, 2010 through January 2, 2011 at Sinnissippi Park located at 1401 North Second Street, Rockford, Illinois. MOTION PREVAILED (Ald. Hervey, Thompson-Kelly, McNeely absent).

NEW BUSINESS

2010-108-O

46. Alderman Beck introduced and read an Ordinance approving the KDL Agreement for use of Right-of-Way.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Jacobson, Johnson, Timm,

Beach, Elyea, Beck, Robertson -11-
Nays: -0-
Absent: Hervey, Thompson-Kelly, McNeely -3-

47. Upon motion duly made and seconded, the meeting was adjourned at 7:05 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
October 12, 2010
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 OCTOBER 12, 2010

A. CODE AND REGULATIONS

1. Beck - 2009 International Code Amendments
 2. Beck - Special Use Permit for the operation of a sexually-oriented bookstore business in a C-3, General Commercial Zoning District at 280 North Phelps Avenue, Unit E.
- Officers Reports
 - Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER OCTOBER 4, 2010

1. Hervey - Finance and Personnel - Recommending the awards for the Emergency Solutions Grant Program be made to the agencies listed below:

| | |
|--------------------------------|----------|
| Prairie State Legal Services | \$15,783 |
| Salvation Army | \$22,618 |
| Children's Home & Aid | \$10,414 |
| Shelter Care Ministries | \$39,797 |
| City Administrative Allocation | \$ 3,453 |

Total of \$92,065.

The funding source is Emergency Solutions Grant.

2. Hervey - Finance and Personnel - Recommending approval of the Intergovernmental Agreement: Pierpont Avenue Resurfacing with Rockford Township and Neblock, Inc. The Intergovernmental Agreement specifies the cost sharing agreement for the project.
3. Beck - Code and Regulation - Recommending that the property at 424 Buckbee be acquired for the Morgan Street Bridge project for a price of \$225,000 plus relocation costs not to exceed \$125,000 with the property to be leased back to the owner at no cost to the City for up to two years as relocation is completed. The Mayor and Legal Director are authorized to execute the documents necessary to complete the transaction on the terms agreed with the owner.
4. Beck - Code and Regulation - SUSTAINING the Liquor Advisory Board thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a gas station and mini-mart in the names of **Devendra Patel and Bajesh Patel d/b/a BP Gas Station**, in a C-3, General Commercial Zoning District at 4477 Linden Road. Approval is subject to the following conditions:
 1. Meet all applicable Building and Fire Codes.
 2. Compliance with all City of Rockford Liquor Codes.
 3. The sale of alcohol shall be limited to the interior of the convenience store that was submitted.
 4. The hours of operation for liquor sales will be limited to 6:00 am to 2:00 am Monday through Saturday.
 5. The hours of operation for liquor sales will be limited to 11:00 am to 12:00 (midnight) Sunday.
 6. The sale of cigarettes shall be limited to by the package or by the carton and shall not be sold on an individual basis.
 7. The sale of alcohol shall not exceed 30% of sales.
 8. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.

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

5. Beck - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for sale of liquor by the drink in conjunction with a banquet hall, special events, and dance club in the name of **Nancy M. Macias d/b/a San Jose Cultural Center, LTD.**, in a C-2, Limited Commercial Zoning 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 12:00 am (midnight).
 2. Security shall be provided at a minimum of 1 per 50 patrons. Servers shall be BASSETT Certified.
 3. The business shall operate according to the submitted business and security plans.

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 affect the surrounding neighborhood and business or unduly burden the City of Rockford.
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.

6. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals recommending that City Council APPROVE the Renewal of Special Use Permit #054-08 for an auto salvage or recycling center in an I-2, General Industrial Zoning District at 371 Blackhawk Park Avenue. Approval is subject to the following conditions as applied to the original Special Use Permit.
 1. Meeting all Building and Fire Codes.
 2. Submittal of Building Permits for Staff review and approval.
 3. Submittal of Engineered drawings for Staff's review and approval.
 4. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
 5. The site is limited to the storage of vehicles and shall not allow the dismantling of vehicles on site.
 6. The fencing along Blackhawk Park Avenue (north side), Seminary Street (west side), and the first one hundred (100) feet of the south boundary should be eight (8) feet high solid wood staggered every one hundred (100) to one hundred twenty-five (125) feet as proposed by the applicant fencing.
 7. The surface has to be covered in Recycled Asphalt Product (RAP) and stone as per the final approved plan by Staff.
 8. All conditions must be met prior to establishment of use.
 9. That the property shall conform to state and Federal EPA regulations.

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

7. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a private practice and therapy office with owner and one other therapist in an R-2, Two-family Residential District and the Arts and Cultural District Overlay at 514 Prairie Street. Approval is subject to the following conditions:
 1. Meeting all applicable building and fire codes.

2. The use of the property is limited to therapy.
3. Signage must be in compliance with the Arts and Cultural District.
4. Approval of a building permit for a change of use.

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

8. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to maximum sign size and APPROVE the Variation to maximum sign height to permit signage in accordance with submitted design in an I-1, Light Industrial / Business Park District at 2685 Sandhutton Avenue. Approval is subject to the following conditions:

1. Must be constructed in accordance with Exhibit D.
2. The freestanding sign must be landscaped in accordance with Section 1403.5
3. The free-standing sign must meet the required setbacks.

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

- Motions and Resolutions

III. MOTION AND RESOLUTIONS READ IN OCTOBER 12, 2010

1. Beck - Levson Center Square Open Air Market, 5/14/11

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

1. Beck – Ordinance - Approve the amendments to the Nuisance Ordinance, Chapter 17, Article 2 of the City of Rockford Code of Ordinances.

* 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, October 12, 2010, 5:15 p.m.

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

AGENDA

1. C & R 10-155 Special Event: Levson Center Square Open Air Market
2. C & R 10-139 2009 International Code Amendments
3. C & R 10-68 ZBA012-10 Special Use Permit for the operation of a sexually-oriented bookstore business in a C-3, General Commercial Zoning District at 280 North Phelps Avenue, Unit E
4. C & R 10-157 Closed Session for Purposes of Pending Litigation and/or Land Acquisition

FINANCE AND PERSONNEL COMMITTEE

Tuesday, October 12, 2010, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Demolition of 227 Stewart Avenue, 216 N. Henrietta, 2111 Mulberry, 1439 W. Jefferson, and 933 S. 5th Street – Suspend rules
 - B. Award of Bid: Bituminous Patching Material Supply – Suspend rules
 - C. Award of Bid: City-Wide Street Repair #5 – Suspend rules
 - D. Award of Bid: Pierpont Pavement Grinding – Suspend rules
 - E. Informational Memo: Vehicle Repair Contract
 - F. Vouchers
 - √ Training/Travel for Human Services Department
2. Proposed 2010-2011 Intergovernmental Agreement for City Police Services with Rockford School District 205

PLANNING AND DEVELOPMENT COMMITTEE

Tuesday, October 12, 2010, 5:15 p.m.

CD Conference Room, City Hall 2nd floor

AGENDA

1. Memorandum from Wayne Dust, Planning Administrator, regarding USEPA Brownfield Grants and Programs: Competitive Grant Process.

2. Memorandum from Vicki Manson, Neighborhood Development Administrator, regarding Tax Incentive Program – Adding Residential Tax Increment Financing Districts.
3. Memorandum from Dwayne Collins, Grants Compliance Specialist II, regarding 2010 Healthy Neighborhoods Program Funding Recommendations.
4. Memorandum from Alderman Thompson-Kelly regarding the contract with the Coronado.
5. Memorandum from Alderman Thompson-Kelly regarding Redevelopment Fund for Revenue and Expense.

LEGISLATIVE LOBBYING COMMITTEE

Tuesday, October 12, 2010, _____ p.m.

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

AGENDA

No Meeting Scheduled.