

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
NOVEMBER 29, 2010
COUNCIL CONVENED AT 6:22 P.M.**

1. The Council Clerk called the meeting to order in the absence of the Mayor and recognized Alderman Curran, who moved that Alderman Jacobson serve as Mayor Pro Tem for the meeting. Said motion was seconded by Alderman Hervey. MOTION PREVAILED (Ald. Timm, Beck, McNeely absent).
- 1a. The invocation was given by Chaplain Robert Jones, St. Luke Missionary Baptist Church/Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:

Alderman Jacobson, Mayor Pro Tem

Aldermen: Curran, Mark, Wasco, Hervey, (Jacobson), Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Absent: Timm, Beck, McNeely -3-
3. Alderman Mark moved to accept the Journal of Proceedings of November 22, 2010, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Timm, Beck, McNeely absent).

PUBLIC PARTICIPATION

4. Bruce Roberts informed council members of several serious crimes that have occurred in Rockford the past few weeks and again urged them to reconsider the proposed police department lay-offs.
5. Curly Thompson spoke about the economy's effect on crime, parolees having a difficult time finding employment and he also urged the aldermen to reconsider the proposed police department lay-offs.

PETITIONS AND COMMUNICATIONS

6. Alderman Johnson submitted a Memorandum from Mark Rose, Land Acquisition Officer, regarding the Morgan Street Bridge and Land Acquisition Use of Eminent Domain. Referred to Code and Regulation Committee.
7. Alderman Hervey submitted a Memorandum from Joanne Lewis, Head Start Director, regarding PNC Bank Award to Head Start. Referred to Finance and Personnel Committee.
8. Alderman Hervey submitted two (2) Requests for Service. Referred to Public Works Department.
9. Alderman Beach submitted a letter from Donald Hall requesting consideration for the interim appointment as Ward 1 Alderman. Referred to Mayor Morrissey's Office.

NEW COMMITTEE REPORTS

10. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of an Engineering Agreement: Chicago-Rockford International Airport Water Main Improvements be made to Crawford, Murphy & Tilly for design engineering for a total not to exceed cost of \$64,800. The funding for this project will come from WRIA funds. LAID OVER.
11. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of an Engineering Agreement: Harrison Avenue (11th St.-20th St.) Phase II Engineering be made to Fehr-Graham & Associates for Phase II design engineering for a total not to exceed cost of \$749,057.07. The funding for the project will come from Sales Tax Funds. LAID OVER.

2010-406CR

12. Alderman Hervey read a Finance and Personnel Committee Report recommending approval of an Engineering Agreement: South Main Street Water Main Improvements be made to Fehr-Graham & Associates for design engineering and construction observation for a total not-to-exceed cost of \$307,894,979. The funding for the project will come from WRIA Funds.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Nays: -0-
Absent: Timm, Beck, McNeely -3-

2010-407CR

13. Alderman Hervey read a Finance and Personnel Report to whom was referred the memo of Joanne Lewis, Head Start Director, regarding Head Start Grant Application, recommending approval of the Head Start Grant Application per the attached.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Nays: -0-
Absent: Timm, Beck, McNeely -3-

14. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of November 29, 2010 in the amount of \$1,480,069.62. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Nays: -0-
Absent: Timm, Beck, McNeely -3-

15. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the 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. Approval is subject to the following conditions:

1. That the Special Use Permit shall lapse after five years and the use shall be discontinued. The business owner may reapply for the Special Use Permit at the time.

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

16. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of liquor by the drink in conjunction with a restaurant, bar and banquet hall (venue) in the name of **Vansy Xayvandy d/b/a Aqua Vite, LLC** in a C-4, Urban Mixed-Use Zoning District at 1201 Broadway. LAID OVER.

17. Alderman Johnson 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 outdoor beer garden/seating area in the name of **Ramon Reynoso d/b/a Hacienda El Patron** in a C-2, Limited Commercial District and R-1, Single-Family Residential Zoning District at 3929 Broadway. Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Hours of operation are limited as provided on the submitted Business Plan Exhibit E.
3. There shall be no cover charge.

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

18. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow a 6' fence as previously placed in the front yard along Eastgate Parkway in an R-1, Single-family Residential Zoning District at 3445 Minnesota Drive.

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

19. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Variation to allow a second wall sign on the east elevation above the first floor on building one in a C-1, Limited Office Zoning District at 6957 Olde Creek Road.

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

2010-408CR

20. Alderman Johnson read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a tavern/bar and outdoor beer garden in the name of **Linda L. Dunn d/b/a Mulligan's of Rockford Inc.** in a C-2, Limited Commercial Zoning District at 2204 and 2212 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. There shall be no cover charge.

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

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Timm, Beck, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Beach voted no; Ald. Timm, Beck, McNeely absent).

2010-409CR

21. Alderman Johnson 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 outdoor seating in the name of **Vikica Bilich d/b/a Murphy's Pub and Grill** in a C-2, Limited Commercial Zoning District at 510 South Perryville Road. 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. A detailed site plan from a licensed design professional (Engineer) licensed in the State of Illinois indicating that the new drainage patterns will not violate any storm water runoff requirements.
4. The hours of operation will be limited to 11:00 am to 2:00 am Monday through Saturday.
5. The hours of operation will be limited to 11:00 am to 12:00 (midnight) on Sunday.
6. The sale of alcohol shall be limited to the interior of the restaurant and outdoor seating area that were submitted.
7. There shall be no cover charge.

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

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Timm, Beck, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Beach voted no; Ald. Timm, Beck, McNeely absent).

2010-410CR

22. Alderman Johnson 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 night club in a C-2, Limited Commercial Zoning District at 510 South Perryville Road. 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 2:00 am Monday through Saturday.
4. The hours of operation will be limited to 11:00 am to 12:00 (midnight) on Sunday.
5. The sale of alcohol shall be limited to the interior of the restaurant and outdoor seating area that were submitted.
6. Security shall be provided at a minimum of 1 per 50 patrons

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

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Timm, Beck, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED (Ald. Beach voted no; Ald. Timm, Beck, McNeely absent).

OFFICERS REPORTS

23. Alderman Jacobson, on behalf of Mayor Morrissey, presented a Proclamation proclaiming Saturday, December 4, 2010 to be "DOWNTOWN HOLIDAY FESTIVAL DAY" in Rockford, Illinois and encouraged our citizens to experience this magical holiday activity.
24. Alderman Elyea thanked the police and fire departments for their quick response and the community and public officials for their support after she and her daughter were attacked by pit bulls in her store on Broadway.
25. Alderman Mark invited everyone to attend the first Downtown Holiday Festival this coming Saturday.
26. Alderman Mark congratulated the Boylan Catholic High School football team for winning the Class 6A championship in Champaign this past Saturday.
27. Alderman Jacobson also congratulated the Boylan football team and the Stillman Valley High School football team on their second place finish in the Class 3A championship.

UNFINISHED BUSINESS

2010-411CR

28. Alderman Johnson moved the adoption of a Code and Regulation Committee Report recommending that NO ACTION be taken on the Special Use Permit for a Planned Unit Development for a Multi-Family Residential Development consisting of 48 units in a C-2, Limited Commercial District at 6640, 6660 and 6730 Fincham Drive. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Nays: -0-
Absent: Timm, Beck, McNeely -3-

29. Alderman Johnson moved the adoption of a Code and Regulation Committee Report recommending the approval of the sale of City owned property located near the intersection of Concord and West State Street for a minimum bid of \$35,000 and that proposals for terms of payment will be received. The Legal Director shall prepare the necessary ordinance. HELD OUT.

2010-412CR

30. Alderman Johnson moved the adoption of a Code and Regulation Committee Report recommending the renewal of the cable TV franchise agreement with Comcast of Illinois, Indiana and Ohio, LLC. The Legal Director shall prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Nays: -0-
Absent: Timm, Beck, McNeely -3-

2010-413CR

31. Alderman Johnson moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Southworth Street be required to stop prior to entering the intersection of Johnson Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Nays: -0-
Absent: Timm, Beck, McNeely -3-

2010-414CR

32. Alderman Johnson moved the adoption of a Code and Regulation Committee Report recommending that NO ACTION be taken on the following items:

1. Request from Alderman Jacobson to repeal existing stop control on Southworth Street stopping for Johnson Avenue and replace with stop control of Johnson Avenue stopping for Southworth Street.
2. Request from Chris Holstein to repeal existing traffic control of Regan Street yielding for Jackson Street and replace with all way stop sign control of Regan Street and Jackson Street.
3. Request from Chris Holstein for all way stop control at the intersection of Summit Street and Benton Street.
4. Request from Chris Holstein for all way stop control at the intersection of Summit Street and Greenwood Avenue.
5. Request from Carla Cruse for a Mid-Block Pedestrian Crossing approximately 185 feet north of Creek Bend.
6. Request from RMTD for "No Parking Anytime" on north side of Mulberry Street from 130 feet east of Winnebago Street to 150 feet east of Winnebago Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
 Nays: -0-
 Absent: Timm, Beck, McNeely -3-

33. Alderman Johnson moved the adoption of an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford, Illinois for a variation to allow an eight foot privacy fence along the back of petitioner's properties within the front yard along Spring Creek Road, in an R-1, Single-Family Residential District at 6336, 6358, 6382, 6394 Brigantine Lane. Approval is subject to the following conditions:

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

HELD OUT.

2010-415CR

34. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the Amendment to Professional Services Contract with Fehr-Graham & Associates to include up to \$125,000 of Environmental Site Assessment work. The funding source is USEPA Grant. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
 Nays: -0-
 Absent: Timm, Beck, McNeely -3-

2010-416CR

35. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending that the 2011 Proposed Budget be amended as outlined in the attached memo from City Administrator Jim Ryan, dated November 22, 2010. The Proposed

Budget shall remain in committee until a balanced budget is prepared; however, staff is directed to begin implementation of the budget reduction items listed in the memo immediately. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Nays: -0-
Absent: Timm, Beck, McNeely -3-

2010-139-O

36. Alderman Hervey moved the adoption of an Ordinance recommending the Extension of the Shumway Building Lease between the City of Rockford and the Rockford Area Arts Council be approved and the Mayor and Legal Director be authorized to execute the same. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Nays: -0-
Absent: Timm, Beck, McNeely -3-

MOTIONS AND RESOLUTIONS

2010-159R

37. Alderman Thompson-Kelly, on behalf of the Legislative Lobbying Committee, moved the adoption of a Resolution for the City Council of the City of Rockford herby BE IT RESOLVED that the City Council of the City of Rockford hereby formally requests the Illinois Legislature support the pension reform legislation that includes adjustment of the amortization period but excludes any municipal revenue intercept provisions. MOTION PREVAILED (Ald. Timm, Beck, McNeely absent).

2010-160R

38. Alderman Thompson-Kelly, on behalf of the Legislative Lobbying Committee, moved the adoption of a Resolution for the City Council of the City of Rockford herby, BE IT RESOLVED that the City Council of the City of Rockford hereby formally requests the Illinois Legislature support the pending gaming legislation to include Rockford as a host site for a gaming facility. MOTION PREVAILED (Ald. Curran, Beach voted no; Ald. Timm, Beck, McNeely absent).

2010-161R

39. Alderman Hervey, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution that City Council approve an Agreement between the City of Rockford and the State of Illinois, Department of Transportation for construction of the Rockford Riverwalk, Section 06-00543-00-BT in the City of Rockford, Winnebago County, Illinois MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea -9-
Nays: Robertson -1-

Absent: Timm, Beck, McNeely -3-

NEW BUSINESS

2010-140-O

40. Alderman Johnson introduced and read an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a night club in a C-2, Limited Commercial Zoning District at 510 South Perryville Road. 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 2:00 am Monday through Saturday.
4. The hours of operation will be limited to 11:00 am to 12:00 (midnight) on Sunday.
5. The sale of alcohol shall be limited to the interior of the restaurant and outdoor seating area that were submitted.
6. Security shall be provided at a minimum of 1 per 50 patrons

Approval is based on the Findings of Fact.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Elyea, Robertson -9-
Nays: Beach -1-
Absent: Timm, Beck, McNeely -3-

2010-141-O

41. Alderman Johnson 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:

Vikica Bilich d/b/a Murphy's Pub and Grill the sale of liquor by the drink in conjunction with a restaurant and outdoor seating in a C-2, Limited Commercial Zoning District at 510 South Perryville Road. 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. A detailed site plan from a licensed design professional (Engineer) licensed in the State of Illinois indicating that the new drainage patterns will not violate any storm water runoff requirements.
4. The hours of operation will be limited to 11:00 am to 2:00 am Monday through Saturday.
5. The hours of operation will be limited to 11:00 am to 12:00 (midnight) on Sunday.

6. The sale of alcohol shall be limited to the interior of the restaurant and outdoor seating area that were submitted.
7. There shall be no cover charge.
Alderman Johnson moved to suspend Rule 11, seconded by Alderman Wasco.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Elyea, Robertson -9-
Nays: Beach -1-
Absent: Timm, Beck, McNeely -3-

2010-142-O

42. Alderman Beck introduced and read an Ordinance approving the Franchise Agreement by and between the City of Rockford and Comcast of Illinois, Indiana and Ohio, LLC.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Elyea, Robertson -9-
Nays: Beach -1-
Absent: Timm, Beck, McNeely -3-

2010-143-O

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

Linda L. Dunn d/b/a Mulligan's of Rockford Inc. for the sale of liquor by the drink in conjunction with a tavern/bar and outdoor beer garden in a C-2, Limited Commercial Zoning District at 2204 and 2212 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. There shall be no cover charge.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Elyea, Robertson -9-

Nays: Beach -1-
Absent: Timm, Beck, McNeely -3-

2010-144-O

44. Alderman Hervey introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached 2011 License and fee Schedule.

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

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach, Elyea, Robertson -10-
Nays: -0-
Absent: Timm, Beck, McNeely -3-

45. Upon motion duly made and seconded, the meeting was adjourned at 7:18 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
December 6, 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

I. PUBLIC HEARING

1. 2011 Budget and Appropriation Ordinance

- 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 DECEMBER 6, 2010

A. CODE AND REGULATIONS

1. Beck – Traffic – No Action to repeal the existing “No Parking Anytime” on the east side of 10th Street from 30’ north of Broadway to 340’ north of Broadway.
 2. Beck – Morgan Street Land Acquisition
- Officers Reports
 - Unfinished Business of previous meeting

UNFINISHED BUSINESS

III. COMMITTEE REPORTS

A. LAID OVER NOVEMBER 29, 2010

1. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the 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. Approval is subject to the following conditions:

1. That the Special Use Permit shall lapse after five years and the use shall be discontinued. The business owner may reapply for the Special Use Permit at the time.

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

2. Beck - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of liquor by the drink in conjunction with a restaurant, bar and banquet hall (venue) in the name of **Vansy Xayvandy d/b/a Aqua Vite, LLC** in a C-4, Urban Mixed-Use Zoning District at 1201 Broadway.
3. Beck - 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 restaurant and outdoor beer garden/seating area in the name of **Ramon Reynoso d/b/a Hacienda El Patron** in a C-2, Limited Commercial District and R-1, Single-Family Residential Zoning District at 3929 Broadway. Approval is subject to the following conditions:
 1. Compliance with the Liquor Ordinance.
 2. Hours of operation are limited as provided on the submitted Business Plan Exhibit E.
 3. There shall be no cover charge.

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

4. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow a 6' fence as previously placed in the front yard along Eastgate Parkway in an R-1, Single-family Residential Zoning District at 3445 Minnesota Drive.

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

5. Beck - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Variation to allow a second wall sign on the east elevation above the first floor on building one in a C-1, Limited Office Zoning District at 6957 Olde Creek Road.

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

6. Hervey - Finance and Personnel - Recommending approval of an Engineering Agreement: Chicago-Rockford International Airport Water Main Improvements be made to Crawford, Murphy & Tilly for design engineering for a total not to exceed cost of \$64,800. The funding for this project will come from WRIA funds.

7. Hervey - Finance and Personnel - Recommending approval of an Engineering Agreement: Harrison Avenue (11th St.-20th St.) Phase II Engineering be made to Fehr-Graham & Associates for Phase II design engineering for a total not to exceed cost of \$749,057.07. The funding for the project will come from Sales Tax Funds.

B. HELD OUT NOVEMBER 29, 2010

1. Beck - Code and Regulation - Recommending the approval of the sale of City owned property located near the intersection of Concord and West State Street for a minimum bid of \$35,000 and that proposals for terms of payment will be received. The Legal Director shall prepare the necessary ordinance.

IV. ORDINANCES HELD OUT NOVEMBER 29, 2010

1. Beck - Ordinance - Amending Article 64, of the Zoning Ordinance of the City of Rockford, Illinois for a variation to allow an eight foot privacy fence along the back of petitioner's properties within the front yard along Spring Creek Road, in an R-1, Single-Family Residential District at 6336, 6358, 6382, 6394 Brigantine Lane. Approval is subject to the following conditions:

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

- Motions and Resolutions

V. 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 - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on Southworth Street be required to stop prior to entering the intersection of Johnson Street.

2. Hervey – Ordinance – 2011 Appropriation Ordinance

* same action taken before

- Adjournment

* * * * *

POSSIBLE ADDITIONAL ITEMS:

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

CODE AND REGULATION COMMITTEE

Monday, December 6, 2010, 5:15 p.m.

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

AGENDA

1. C & R 10-175 November Traffic Commission Minutes/Item No. 2
Request in the 11th Ward from Kevin Rilott for assigned parking spaces on
10th Street
2. C & R 10-176 ZBA#034-10 Variation for a 16' by 16' turn-around extension to
a driveway in the required front yard
Variation to increase the Maximum Impervious
Surface Ratio from 50% to 54% in an R-1, Single-
family Residential Zoning District at 3447
Broadway
3. C & R 10-180 Closed Session for Purposes of Pending Litigation and/or Land
Acquisition or Sale of Property

FINANCE AND PERSONNEL COMMITTEE

Monday, December 6, 2010, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Change Order: Outsourcing Consultant
 - B. Vouchers
2. PNC Grant Award to Head Start – Suspend rules
3. 2011 Animal Services Contract Renewal – Laid over 11/29
4. Tax Exempt Industrial Revenue Bond for Olson Aluminum Castings, Ltd - Laid over 11/29

PLANNING AND DEVELOPMENT COMMITTEE

Monday, December 6, 2010, _____ p.m.

CD Conference Room, City Hall 2nd floor

AGENDA

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

Monday, December 6, 2010, _____ p.m.

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

AGENDA

No Meeting Scheduled.