

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
OCTOBER 6, 2008
COUNCIL CONVENED AT 6:11 P.M.**

1. The invocation was given by Pastor Calvin Malone, Jerusalem Baptist Missionary Church/Police Chaplain and the Pledge of Allegiance was led by Council Page Carla Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach,
Holt, Beck, McNeely -12-
Absent: Thompson-Kelly, Conness -2-
3. Alderman Mark moved to accept the Journal of Proceedings of September 29, 2008, Seconded by Alderman Wasco.

Alderman Jacobson made a motion to amend items #33 and III. #15 to reflect the amount should be \$1,300,000.00, seconded by Alderman Bell. MOTION PREVAILED (Ald. Thompson-Kelly, Conness absent).

The Journal of Proceedings for September 29, 2008 as amended was placed on passage. MOTION PREVAILED (Ald. Thompson-Kelly, Conness absent).

4. Mayor Morrissey called upon Alderman Wasco to conduct a public hearing. Alderman Wasco called the hearing to order at 6:13 pm, stating that it was being held pursuant to 65 Illinois Compiled Statutes 5/11-15.1-3, for an annexation agreement for property located at 3738 South Main Street. He asked for questions or comments from the Council members, and then from the public, and closed the public hearing at 6:14 pm.

Meeting returned to the regular Order of Business at 6:14 pm.

PETITIONS AND COMMUNICATIONS

5. Alderman Jacobson read a Memorandum from Richard M. May, Commercial Development Coordinator, regarding a Redevelopment Agreement with Rockford 1302 East State LLC Approving TIF Funding for TIF-eligible Expenses Related to the Construction of a Dialysis Center at 1302 East State Street. Referred to Planning and Development Committee.
6. Alderman Jacobson read a Memorandum from Ronald N. Schultz, City Attorney, regarding Liebovich Development Agreement Amendments. Referred to Planning and Development Committee.

7. Alderman Wasco submitted a Memorandum from Jessica Roberts, Planner II, regarding the Final Plat of Canis Major Subdivision. Referred to Code and Regulation Committee.
8. Alderman Wasco submitted a Memorandum from Mark Rose, Land Acquisition Officer, regarding a Request to sell City-owned vacant lot at 17xx Chestnut Street (11-21-285-009). Referred to Code and Regulation Committee.
9. Alderman Curran submitted a Memorandum from Andres Sammul, Finance Director, regarding the 2008 Supplemental Appropriation Ordinance. Referred to Finance and Personnel Committee.
10. Alderman Curran submitted a Memorandum from Todd Cagnoni, Deputy Director of Construction and Development Services, regarding Building Fee Adjustment. Referred to Finance and Personnel Committee.
11. Alderman Curran submitted an Emergency P.O. from Barry Fitz, Equipment/Safety Manager, regarding emergency repairs to Engine11. The repairs are being performed by WIRFS Industries in the amount of \$20,000. Placed on file.
12. Alderman Curran submitted an Emergency P.O. from Bill Keith, Street and Transportation Superintendent, regarding repairs to the 50 ton crane located inside of the steel building at the Ingersoll complex. The repairs will be performed by Northern Illinois Crane Service in the amount of \$14,000. Placed on file.
13. Alderman Johnson submitted a Request for Service at 3703 White Dove Lane. Referred to the Public Works Department.
14. Alderman Timm submitted a request from Bill Pratt, in conjunction with Wesley Willows Fall Bazaar, requesting permission to erect freestanding signs at 4052 North Rockton Avenue, 2261 West Riverside Blvd., 6855 East Riverside Blvd., 4141 North Rockton Avenue, 3699 North Main Street and 4450 North Rockton Avenue from October 13, 2008 through October 18, 2008. Alderman Timm moved to grant the Prayer of the Petitioner, seconded by Alderman Johnson. MOTION PREVAILED (Ald. Thompson-Kelly, Conness absent).
15. Alderman Sosnowski submitted a request from Mongo Management, Mongolian Grill, requesting permission to erect a freestanding sign for five (5) weeks at 7310 Walton Street. Alderman Sosnowski moved to grant the Prayer of the Petitioner, seconded by Alderman Curran. MOTION PREVAILED (Ald. Thompson-Kelly, Conness absent).
16. Alderman Mark submitted a Request for Service at 1410 Rural Street. Referred to Community Development/Code Enforcement.

NEW COMMITTEE REPORTS

17. Alderman Jacobson read a Planning and Development Committee Report recommending approval of a Redevelopment Agreement between the City of Rockford and Valencia Developers, LLC. approving TIF Funding for the Rehabilitation of the Valencia

Apartments, 500-518 Fisher Avenue by Duke Property Management, LLC and MGB Realty LLC. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

18. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Keith Creek Stabilization project be made to the low bidder A.A. Construction, of Rockford, Illinois for their total bid of \$37,321.90. The funding source is Sales Tax. LAID OVER.

2008-468CR

19. Alderman Curran read a Finance and Personnel Committee Report recommending the award for the Time Clock System be made to the low bidder, Longley Systems, of Moline, Illinois for their total bid of \$21,600.00. The funding source is Property Fund.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,
Beach, Holt, Beck, McNeely -12-
Nays: -0-
Absent: Thompson-Kelly, Conness -2-

2008-469CR

20. Alderman Curran read a Finance and Personnel Committee Report recommending the Engineering Agreement: Ollie/Toft Drainage Improvement be made to Missman, Stanley & Associates at a not to exceed cost of \$29,420.00 for design engineering and construction observation. The funding for this project will come from CIP Drainage funds.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,
Beach, Holt, Beck, McNeely -12-
Nays: -0-
Absent: Thompson-Kelly, Conness -2-

2008-470CR

21. Alderman Curran read a Finance and Personnel Committee Report recommending the Engineering Agreement: Spring Creek/Camella Court Drainage Improvement be made to Missman, Stanley & Associates at a not to exceed cost of \$95,080.00 for design engineering and construction observation. The funding for this project will come from CIP Drainage funds.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,
Beach, Holt, Beck, McNeely-12-
Nays: -0-
Absent: Thompson-Kelly, Conness -2-

2008-471CR

22. Alderman Curran read a Finance and Personnel Committee Report recommending the Engineering Agreement Amendment: for the design engineering and construction observation required for Wyman Street 2-Way be made to McClure Engineering Associates, Inc. at a not to exceed cost of \$124,442.00 for design engineering and construction inspection. The funding for this project will come from Sales Tax funds.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,
Beach, Holt, Beck-11-
Nays: McNeely -1-
Absent: Thompson-Kelly, Conness -2-

2008-472CR

23. Alderman Curran read a Finance and Personnel Committee Report recommending approval of the Coventry Health Plan Agreement. The Legal Director shall prepare the appropriate ordinance.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,
Beach, Holt, Beck, McNeely-12-
Nays: -0-
Absent: Thompson-Kelly, Conness -2-

24. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of October 6, 2008 in the amount of \$2,011,465.13. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,
Beach, Holt, Beck, McNeely-12-
Nays: -0-
Absent: Thompson-Kelly, Conness -2-

25. Alderman Wasco 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 drive-up/pick up window; and APPROVE the Variation to reduce the required

eight (8) stacking spaces for four (4) stacking spaces in a C-2, Limited Commercial District at 3702-3748 North Main Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes for the interior and exterior remodeling of the building.
2. The site plan layout must be reviewed with Public Works and Fire Department prior to issuance of a building permit.
3. Landscaping units will need to be incorporated into the new median and the re-stripe corner would need to be a landscape island as shown on Exhibit E.
4. If the use of a carryout pizza restaurant is discontinued, the new proposal must be evaluated prior to establishing the new use and may require modification of the Special Use Permit.
5. Site plan submitted to be modified to include an expansion of the landscape island between the barrier curb and drive through aisle.

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

26. Alderman Wasco read a Code and Regulation Committee Report recommending approval to vacate South Bend Road and Camp Elmwood Road and that the City of Rockford retains utility easements in the vacated portion. Approval is subject to repair of the bridges on Baxter and Beltline Roads before the vacation is recorded. The Legal Director shall prepare the appropriate Ordinance. LAID OVER.
27. Alderman Wasco read a Code and Regulation Committee Report REVERSING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of alcoholic liquor by the drink in conjunction with a tavern in the name of **JOHN EDWARD HELLAND** d/b/a Foxy's in a C-3, Commercial General District at 2338 Charles Street. LAID OVER.
28. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of alcohol by the drink in conjunction with a bar/tavern and within an outdoor seating area in the name of **PAUL G. GLENDENNING** d/b/a Captain's Pub, in a C-3, General Commercial Zoning District at 5801 Columbia Parkway. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Compliance with all City of Rockford Liquor Codes.
 3. The sale of alcohol shall be limited to the interior site plan and outdoor seating area that was submitted.
 4. The outdoor seating area must be enclosed by a fence of at least five (5) feet in height and approved by Staff.
 5. There shall be no cover charge.
 6. No disc jockey, live entertainment, or use as a night club.
 7. House of operation to be consistent with the hours allowed under the liquor code.

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

2008-473CR

29. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the number of allowable free-standing signs from the allowable one to two in a C-2, Limited Commercial Zoning District at 4431 East State Street. Approval is subject to the following conditions:
1. Meeting all Building and Fire Codes.
 2. Submittal of Building Permit for Staff review and approval.
 3. That the second freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance and shall be installed within a landscape island in accordance to Exhibit 1.
 4. The existing Mary's Market signage on the freestanding sign must be removed before the second freestanding sign can be constructed.
 5. The entry/exit way must be clearly marked with turn in and turn out arrows.

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

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. Thompson-Kelly, Conness absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Thompson-Kelly, Conness absent).

OFFICERS REPORTS

30. Mayor Morrissey presented a Proclamation proclaiming the week of October 6, 2008 to be "FIRE PREVENTION WEEK" in Rockford, Illinois and urged all citizens to lend support to the fire services and share in the responsibility for maintaining fire safety conditions wherever they may play, work and live.

Mayor Morrissey congratulated Sophie Riley/Rockford Christian 3rd Grader for winning the Poster Contest this year.

Alderman McNeely exited the meeting at 6:29 pm.

31. Mayor Morrissey presented a Proclamation proclaiming the month of October, 2008 to be "ILLINOIS AH! MONTH" in Rockford, Illinois and called upon all citizens to celebrate and promote the arts and culture in each individual cities in the State of Illinois.
32. Mayor Morrissey presented a Proclamation proclaiming the month of October, 2008 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.
33. Mayor Morrissey announced the Fall Leaf collection has begun and reminded everyone use the proper containers either 30-40 gallon biodegradable 2-ply paper bags or standard garbage cans with the bold "X" on the side facing the street.

34. Mayor Morrissey announced City Hall will be closed on Monday, October 13, 2008 in observance of the Columbus Day holiday. The next City Council meeting will be held on Tuesday, October 14, 2008 at 6:00 pm in Council Chambers, City Hall 2nd floor.
35. Mayor Morrissey commented tomorrow is the last day to register to vote before the November elections and listed the various locations to register.
36. Mayor Morrissey reported the United Way has elected to eliminate five (5) jobs involved in the Truancy partnership due to budget constraints, prompting the City to look into alternative methods to keep the program moving forward. He thanked the Rockford Police Officers assigned to the schools for their continued efforts to cite truant students and curfew violators, this school year-to-date 293 truants and 29 curfew ordinance violators.
37. Alderman Jacobson announced next Tuesday the Planning and Development Committee will meet at 4:00 pm in Conf. Rm. B. to discuss the CIP with the regular meeting to follow at 5:15 pm in the CD Conf. Rm.
38. Alderman Jacobson announced today is his 30th Wedding Anniversary with wife Penny.
39. Alderman Jacobson announced last week his daughter Linda passed the bar exam.

PETITIONS AND COMMUNICATIONS

40. Alderman Beach submitted a request from Jon Shervey, in conjunction with Lyran's Haunted Hayride, requesting permission to erect a banner on side of the building at 2605 Charles Street, Kegel Bicycle from October 1, 2008 through November 1, 2008. Alderman Beach moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Thompson-Kelly, McNeely, Conness absent).
41. Alderman Beach submitted an e-mail from Dale Dobroth/River Tower Venture, commending City staff for going the extra distance to treat its constituents with care and respect and he looks forward to working with staff on the River Tower TIF refurbishment. Referred to Mayor Morrissey's Office.

OFFICERS REPORTS

42. Alderman Beach made a reminder that tomorrow night will be a neighborhood meeting at 6:00 pm at the Prairie Area Library, 4021 Morsay Drive, for the neighbors and business owners of the Miracle Mile Association to discuss its vision and concepts for improving the neighborhood. He encouraged all to attend.
43. Alderman Johnson mentioned the "lighted pen" on the aldermen's desk is a gift from Alderman Thompson-Kelly which she received from the IML Conference.
44. Alderman Johnson announced the Rolling Green Association Quarterly meeting will be held next Tuesday, October 14, 2008 at 6:30 pm at Broadway Covenant Church, 3525 Broadway.

45. Alderman Wasco announced the Democratic Caucus for tonight has been cancelled.
46. Alderman Mark reported on the success of the 21st Annual ArtScene event this past weekend, which offered over thirty-five (35) locations displaying the talents of local artists.
47. Alderman Mark mentioned this coming Saturday the Rockford Dance Company will celebrate its 35th season at the New American Theatre and the Red Ball event will take place at Cliffbreakers.
48. Alderman Mark requested Todd Cagnoni look into establishing guidelines for those businesses that have 24-hour drive-up windows in residential neighborhoods. Referred to Community Development/Todd Cagnoni.

Alderman Johnson exited the meeting at 6:52

UNFINISHED BUSINESS

2008-474CR

50. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending the approval of the Proposed Groundwater Ordinance for the area surrounding property located at 2439 South Main Street. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Beck -10-
 Nays: -0-
 Absent: Thompson-Kelly, Johnson, McNeely, Conness -4-

2008-475CR

51. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance restricting parking to "Handicapped Parking" on the east side of Huffman Boulevard from 584 to 644 feet south of Halsted Road. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Beck -10-
 Nays: -0-
 Absent: Thompson-Kelly, Johnson, McNeely, Conness -4-

2008-476CR

52. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on the east side of South Winnebago Street from Elm Street to 200 feet south of Elm Street, thus repealing the existing 2-hour restriction. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Beck -10-
Nays: -0-
Absent: Thompson-Kelly, Johnson, McNeely, Conness -4-

2008-477CR

53. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on the west side of South Winnebago Street from West State Street to Chestnut Street, thus repealing the existing 2-hour restriction. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Beck -10-
Nays: -0-
Absent: Thompson-Kelly, Johnson, McNeely, Conness -4-

2008-478CR

54. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Miriam Avenue be required to Stop prior to entering the intersection of Sherman Avenue, thus repealing the existing Yield sign control. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Beck -10-
Nays: -0-
Absent: Thompson-Kelly, Johnson, McNeely, Conness -4-

2008-479CR

55. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Albert Avenue be required to Stop prior to entering the intersection of Sherman Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Beck -10-
Nays: -0-
Absent: Thompson-Kelly, Johnson, McNeely, Conness -4-

2008-480CR

56. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance restricting parking to "Handicapped Parking" on the east side of South Winnebago Street from 144 to 166 feet north of Elm Street, thus repealing the existing 2-hour restriction. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Beck -10-
Nays: -0-
Absent: Thompson-Kelly, Johnson, McNeely, Conness -4-

2008-481CR

57. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending "No Action" be taken on the following item:

1. Request from Rockford Public School District 205, due to the reconstruction of Washington School, 1421 West Street, 61102, to repeal the existing "One-Way Stop" sign control at the intersection of Linden Avenue and West Street and replace with "All-Way Stop" sign control.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Beck -10-
Nays: -0-
Absent: Thompson-Kelly, Johnson, McNeely, Conness -4-

2008-188-O

58. Alderman Wasco moved the adoption of an Ordinance for the vacation of property commonly known as part of Chapman Road south of Brooke Road to Rock River Water Reclamation District subject to retaining utility easements described and delineated upon the plat and closed inasmuch as the property is no longer required for public use and public interest will be best served by such vacation. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Beck -10-
Nays: -0-
Absent: Thompson-Kelly, Johnson, McNeely, Conness -4-

Alderman Johnson re-entered the meeting at 6:55 pm.

2008-482CR

59. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending the North Main/Whitman Redevelopment Plan and Project be approved. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck -11-
Nays: -0-
Absent: Thompson-Kelly, McNeely, Conness -3-

2007-483CR

60. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending the North Main/Whitman Planning Area be approved. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck -11-

Nays: -0-

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

2008-484CR

61. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending that the County Clerk be instructed to implement Tax Increment Financing per statute within the North Main/Whitman Redevelopment Area. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck -11-

Nays: -0-

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

2008-485CR

62. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending approval of the attached Fourth Quarter 2008 and Calendar Year 2009 Annual Fee for Service Contract between the City of Rockford and Miracle Mile Rockford. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck -11-

Nays: -0-

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

2008-486CR

63. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending approval of a Development Agreement with River Tower Venture providing for TIF assistance in the amount of \$1,300,000.00. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck -11-

Nays: -0-

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

2008-487CR

64. Alderman Curran moved the adoption of a Finance and Personnel Committee Report referred the request of Fairhaven Christian Retirement Center, for industrial revenue

bond financing in an amount not to exceed \$30.0 million, hereby begs leave to recommend:

- a. That the request for issuance be approved.
- b. That by adoption of this committee report that the attached form of Resolution authorizing the issuance of Bonds is recommended for approval after the required hearing.
- c. That the Mayor and Legal Director are hereby authorized to execute all necessary documents to confirm this approval.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck -11-
Nays: -0-
Absent: Thompson-Kelly, McNeely, Conness -3-

2008-488CR

65. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending that the Lease Agreement for Orton Keyes Head Start site with Rockford Housing Authority and the City of Rockford on behalf of the Human Services Dept. be approved. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck -11-
Nays: -0-
Absent: Thompson-Kelly, McNeely, Conness -3-

MOTIONS AND RESOLUTIONS

2008-093R

66. Alderman Wasco, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution authorizing the Mayor and Legal Director to execute the Pre-Annexation Agreement in exchange for City water services at 3738 South Main Street by and between Blackhawk Fire Department (Lawrence Rite, Trustee), and the City of Rockford, an Illinois Municipal Corporation. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck -11-
Nays: -0-
Absent: Thompson-Kelly, McNeely, Conness -3-

2008-094R

67. Alderman Wasco, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution authorizing the Mayor and Legal Director to execute the Agreement by and between Kentucky Data Link and the City of Rockford, a municipal corporation. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck -11-
Nays: -0-
Absent: Thompson-Kelly, McNeely, Conness -3-

68. Alderman Jacobson, on behalf of the Planning and Development Committee, moved the adoption of a Resolution calling a Public Hearing and Convening a Joint Review Board Meeting for the designation of the River District North Redevelopment Project Area (TIF District). LAID OVER.

2008-095R

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

Bid: Water Operations Center Control Room Remodeling, funding source: Water Fund
RFP: Mental Health Services, funding source: Head Start Funds
RFP: Family Support Services, funding source: Head Start Funds
RFP: Office of Professional Standards Software, funding source: Police Department Asset Forfeiture Funds

MOTION PREVAILED (Ald. Thompson-Kelly, McNeely, Conness absent).

NEW BUSINESS

70. Alderman Jacobson introduced and read an Ordinance recommending approval of the attached Amended Development Agreement between Oliver Emerson Development, LLC. and the City of Rockford for TIF funding for construction of a Family Dollar Store and medical clinic on South Main Street in front of the Barber-Colman property. LAID OVER.
71. Alderman Wasco introduced and read an Ordinance prohibiting the use of Groundwater as a potable water supply at the property located at 2439 South Main Street, Rockford, Illinois. LAID OVER.

2008-189-O

72. Alderman Wasco introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford, Illinois for a Variation to increase the number of allowable freestanding signs from the allowable one (1) to two (2) in a C-2, Limited Commercial Zoning District at 4431 East State Street. Approval is subject to the following conditions:
1. Meeting all Building and Fire Codes.
 2. Submittal of Building Permit for Staff review and approval.
 3. That the second freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance and shall be installed within a landscape island in accordance to Exhibit 1.
 4. The existing Mary's Market signage on the freestanding sign must be removed before the second freestanding sign can be constructed.

5. The entry/exit way must be clearly marked with turn in and turn out arrows.

The approval is based on the Findings of Fact.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Thompson-Kelly, McNeely, Conness absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,
Beach, Holt, Beck-11-
Nays: -0-
Absent: Thompson-Kelly, McNeely, Conness -3-

2008-190-O

73. Alderman Curran read an Ordinance recommending approval of the Coventry Health Plan Agreement.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Bell. MOTION PREVAILED (Ald. Thompson-Kelly, McNeely, Conness absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,
Beach, Holt, Beck-11-
Nays: -0-
Absent: Thompson-Kelly, McNeely, Conness -3-

74. 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 14, 2008
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 14, 2008

A. CODE AND REGULATION

1. Wasco – Final Plat of Liebovich Brothers
2. Wasco – Groundwater Protection Ordinance/200 South Independence/City Yards

- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER OCTOBER 6, 2008

1. Jacobson - Planning and Development - Recommending approval of a Redevelopment Agreement between the City of Rockford and Valencia Developers, LLC. approving TIF Funding for the Rehabilitation of the Valencia Apartments, 500-518 Fisher Avenue by Duke Property Management, LLC and MGB Realty LLC. The Legal Director shall prepare the appropriate ordinance.
2. Curran - Finance and Personnel - Recommending the award for Keith Creek Stabilization project be made to the low bidder A.A. Construction, of Rockford, Illinois for their total bid of \$37,321.90. The funding source is Sales Tax.
3. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a drive-up/pick up

window; and APPROVE the Variation to reduce the required eight (8) stacking spaces for four (4) stacking spaces in a C-2, Limited Commercial District at 3702-3748 North Main Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes for the interior and exterior remodeling of the building.
2. The site plan layout must be reviewed with Public Works and Fire Department prior to issuance of a building permit.
3. Landscaping units will need to be incorporated into the new median and the re-stripe corner would need to be a landscape island as shown on Exhibit E.
4. If the use of a carryout pizza restaurant is discontinued, the new proposal must be evaluated prior to establishing the new use and may require modification of the Special Use Permit.
5. Site plan submitted to be modified to include an expansion of the landscape island between the barrier curb and drive through aisle.

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

4. Wasco - Code and Regulation - Recommending approval to vacate South Bend Road and Camp Elmwood Road and that the City of Rockford retains utility easements in the vacated portion. Approval is subject to repair of the bridges on Baxter and Beltline Roads before the vacation is recorded. The Legal Director shall prepare the appropriate Ordinance.
5. Wasco - Code and Regulation - REVERSING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of alcoholic liquor by the drink in conjunction with a tavern in the name of **JOHN EDWARD HELLAND** d/b/a Foxy's in a C-3, Commercial General District at 2338 Charles Street.
6. Wasco - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of alcohol by the drink in conjunction with a bar/tavern and within an outdoor seating area in the name of **PAUL G. GLENNING** d/b/a Captain's Pub, in a C-3, General Commercial Zoning District at 5801 Columbia Parkway. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Compliance with all City of Rockford Liquor Codes.
 3. The sale of alcohol shall be limited to the interior site plan and outdoor seating area that was submitted.
 4. The outdoor seating area must be enclosed by a fence of at least five (5) feet in height and approved by Staff.
 5. There shall be no cover charge.
 6. No disc jockey, live entertainment, or use as a night club.
 7. House of operation to be consistent with the hours allowed under the liquor code.

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

III. ORDINANCES LAID OVER OCTOBER 6, 2008

1. Jacobson - Ordinance - Recommending approval of the attached Amended Development Agreement between Oliver Emerson Development, LLC. and the City of Rockford for TIF funding for construction of a Family Dollar Store and medical clinic on South Main Street in front of the Barber-Colman property.
2. Wasco - Ordinance - Prohibiting the use of Groundwater as a potable water supply within the subject area of the City of Rockford, Illinois.

IV. RESOLUTIONS LAID OVER OCTOBER 6, 2008

1. Jacobson - Planning and Development Committee - Resolution calling a Public Hearing and Convening a Joint Review Board Meeting for the designation of the River District North Redevelopment Project Area (TIF District).

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. Wasco – Ordinance - Recommending that the Legal Director be instructed to draw an Ordinance restricting parking to “Handicapped Parking” on the east side of Huffman Boulevard from 584 to 644 feet south of Halsted Road.
2. Wasco – Ordinance - Recommending that the Legal Director be instructed to draw an Ordinance for “No Parking Anytime” on the east side of South Winnebago Street from Elm Street to 200 feet south of Elm Street, thus repealing the existing 2-hour restriction.
3. Wasco – Ordinance - Recommending that the Legal Director be instructed to draw an Ordinance for “No Parking Anytime” on the west side of South Winnebago Street from West State Street to Chestnut Street, thus repealing the existing 2-hour restriction.
4. Wasco – Ordinance - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on Miriam Avenue be required to Stop prior to entering the intersection of Sherman Avenue, thus repealing the existing Yield sign control.
5. Wasco – Ordinance - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on Albert Avenue be required to Stop prior to entering the intersection of Sherman Avenue.
6. Wasco – Ordinance - Recommending that the Legal Director be instructed to draw an Ordinance restricting parking to “Handicapped Parking” on the east side of South Winnebago Street from 144 to 166 feet north of Elm Street, thus repealing the existing 2-hour restriction.
7. Jacobson – Ordinance – Recommending the North Main/Whitman Redevelopment Plan and Project be approved.

8. Jacobson – Ordinance - Recommending the North Main/Whitman Planning Area be approved.
 9. Jacobson – Ordinance - Recommending that the County Clerk be instructed to implement Tax Increment Financing per statute within the North Main/Whitman Redevelopment Area.
 10. Jacobson – Ordinance – Recommending the Development Agreement with River Tower Venture providing for TIF assistance in the amount of \$1,300,000.00.
- Adjournment

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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 14, 2008, 5:15 p.m.

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

AGENDA

1. C & R 08-203 Final Plat of Canis Major Subdivision
2. C & R 08-210 Request to sell City-owned vacant lot at 17xx Chestnut Street (11-21-285-009)
3. C & R 08-209 Resolution from Ald. Sosnowski re: the written notification process to surrounding properties for zoning application hearings and liquor license application hearings
4. C & R 08-198 ZBA#047-08 (A) Variation to increase the allowed height from 8 feet to 20 feet for a pylon pole freestanding sign
(B) Variation to increase the allowed square footage from 64 to 98 square feet for a pylon pole freestanding sign in a C-2, Limited Commercial District at 2583 McFarland Road
5. C & R 08-167 Chapter 24 Solicitors & Peddlers Ordinance

FINANCE AND PERSONNEL COMMITTEE

**Tuesday, October 14, 2008, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Award of Bid: Snow Removal – Municipal Parking Lots – Suspend rules
 - B. Change of Award: Plow Blade Repair Parts – Suspend rules
 - C. Award of contract: Financial Advisory Services
 - D. Engineering Agreement: Bridge Management Program – Suspend rules
 - E. Engineering Agreement Amendment: Eckburg/American Rd./35th St. – Suspend rules
 - F. Engineering Agreement Amendment: City-Wide Residential 10th, 12th, Hill & Dexter – Suspend rules
 - G. Engineering Agreement Amendment: Brookview Road Water Main – Suspend rules
 - H. Resolution for Improvement Under the Illinois Highway Code for Kishwaukee Street Demolitions
 - I. Resolution to take Bids
 - J. Change Order: Kishwaukee Water Main Electrical Conduit
 - K. Vouchers
 - √ Training/Travel for Police Department
2. Building Fee Adjustment

PLANNING AND DEVELOPMENT COMMITTEE

**Tuesday, October 14, 2008, 4:00 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Patrick M. Zuroske, Capital Program Manager, regarding a 2009-2013 Capital Improvement Program.
2. Memorandum from Richard M. May, Commercial Development Coordinator, regarding a Redevelopment Agreement with Rockford 1302 East State LLC Approving TIF Funding for TIF-eligible Expenses Related to the Construction of a Dialysis Center at 1302 East State Street.

3. Memorandum from Ronald N. Schultz, City Attorney, regarding Liebovich Development Agreement Amendments.

LEGISLATIVE LOBBYING COMMITTEE

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

No Meeting Scheduled.