

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
DECEMBER 22, 2008
COUNCIL CONVENED AT 6:11 P.M.**

1. The invocation was given by Father Ron Montanye, St. Sebastian Orthodox Catholic Church/Police Chaplain and the Pledge of Allegiance was led by Council Page Mercedes Martinez.
2. Roll Call:
Mayor Lawrence J. Morrissey
Aldermen: Sosnowski, Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Holt, Conness -11-
Absent: Curran, Beck, McNeely -3-
3. Alderman Mark moved to accept the Journal of Proceedings of December 15, 2008, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran, Beck, McNeely absent).

PETITIONS AND COMMUNICATIONS

4. Alderman Conness submitted a Memorandum from Richard M. May, Commercial Development Coordinator, regarding 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). Referred to Planning and Development Committee.
5. Alderman Conness submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding an Affirmation of Development Agreements. Referred to Planning and Development Committee.
6. Alderman Johnson submitted two (2) Requests for Service. Referred to the Public Works Department.
7. Alderman Johnson submitted an e-mail from Stan, The Hot Rod Shop, Inc., regarding snow removal procedures on Charles Street. Referred to the Public Works Department.
8. Alderman Wasco submitted a Memorandum from Jessica Roberts, Planner II, regarding the Final Plat of Varland #2. Referred to Code and Regulation Committee.
9. Alderman Wasco submitted the Liquor Advisory Board Minutes from the meeting held on December 16, 2008. Referred to Code and Regulation Committee.
10. Alderman Wasco submitted the Zoning Board of Appeals Minutes from the meeting held on December 16, 2008. Referred to Code and Regulation Committee.

NEW COMMITTEE REPORTS

11. Alderman Johnson read a Finance and Personnel Committee Report recommending the rescission of the award previously made to Employer's Claim Service, Inc., for the Third Party Administrator for Worker's Compensation contract and asked that proposals be taken. LAID OVER.

2008-611CR

12. Alderman Johnson read a Finance and Personnel Committee Report recommending the award for Property & Evidence Tracking Software for the Police Department be made to Porter Lee Corporation, of Schaumburg, Illinois, for their estimated cost of \$67,641.20. The funding source is Police Department Operating Budget & 2006 Department of Justice-Byrne Memorial justice Grant.

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

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

13. Alderman Johnson read a Finance and Personnel Committee Report recommending the approval of a Change Order for the Timekeeping System for an additional \$65,195.00.00, a new contract total of \$86,795.00. The funding source is: IT Fund & Property Fund. LAID OVER.

2008-612CR

14. Alderman Johnson read a Finance and Personnel Committee Report recommending the approval of the Engineering Agreement Amendment on Dawson Road Water Main with Missman, Stanley & Associates for an additional \$52,800.00 for additional design engineering, making a total not-to-exceed cost of \$336,200.00. The funding source is IEPA funding and \$25 million G.O. Limited Tax Debt Certificates, Series 2008.

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

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

15. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of December 22, 2008 in the amount of \$2,039,613.99. MOTION PREVAILED by a Roll Call vote of:

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

16. Alderman Wasco read a Code and Regulation Committee Report recommending that City Council of the City of Rockford approve the release of the following closed session minutes:

February 7, 2005	April 6, 2005	May 23, 2005	July 25, 2005
August 15, 2005	September 6, 2005	November 28, 2005	February 7, 2006
April 10, 2006	December 18, 2006	May 5, 2008	May 12, 2008
May 19, 2008	June 2, 2008		

The remainder shall be kept closed as a need for confidentiality still remains, as the cases are still pending.

LAID OVER.

17. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING with modified conditions, the Zoning Board of Appeals, thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a convenience store in the names of **Gamil, Sala, and Muammar Elzofri d/b/a Eddie's Food Mart, Inc.** in a C-2, Limited Commercial District at 1203 7th Street. Approval is subject to the following conditions:

1. Window display signage be limited to no more than 30% of the window area, no more than 1/3 of the window signs (10% of the window area) shall be used to advertise the sale of alcohol products.
2. That the sale of alcohol shall be limited to the hours of 8:00 am to 10:00 pm Monday through Saturday and 11:00 am to 10:00 pm on Sunday.
3. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.
4. Compliance with all liquor codes.

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

18. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Intergovernmental Agreement for combined pipe utility easements. This agreement allows for standardized easements to be located within private roadways. The Legal Director shall prepare the necessary resolution. LAID OVER.

2008-613CR

19. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING with modified conditions, the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Modification of Special Use Permit #066-90 for expansion of equipment storage and recycling of salvage materials area in an I-2, General Industrial District at 22xx Quaker Road, 217 Peoples Avenue. Approval is subject to the following conditions:

1. Submittal of a final fencing and landscaping plan to Staff for review and approval.
2. The outside storage are shall not be visible from the public rights-of-way.
3. Must obtain EPA approval and follow all applicable guidelines prior to expansion of use.
4. No stacking of vehicles above the berm of fence.
5. Outside storage is limited to the area shown on the modified site plan submitted and dated December 15, 2008.
6. Landscaping shall be installed by June 1, 2009 and paving shall be completed by November 1, 2009.

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 Mark. MOTION PREVAILED (Ald. Curran, Beck, McNeely absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Curran, Beck, McNeely absent).

20. Alderman Conness read a Planning and Development Committee Report recommending approval of the attached Contract for Purchase and Sale to purchase 9 vacant parcels from Seventh Street Area Development Council, Inc. for \$30,000 for the Keith Creek Greenway trail project, park use, and storm water control. The purchase price will be paid with Community Development Block Grant (CDBG) funds. LAID OVER.

OFFICERS REPORTS

21. Alderman Mark called for a "Point of Order" to allow Gary Anderson and Jeff Flemming, on behalf of the (AIA) American Institute of Architects of the State of Illinois to make a presentation to Mayor Morrissey, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran, Beck, McNeely absent). Jeff Flemming presented Mayor Morrissey with a certificate of "Excellence" for his dedication as Public Director for the AIA. Mayor Morrissey thanked them for honoring him.
22. Mayor Morrissey advised that City Hall will be closed on Wednesday, December 24th for a ½ day in observance of the Christmas Eve holiday and on December 25th in observance of the Christmas Day holiday. He thanked Staff for another year of great service to the community and the citizens for their support.
23. Jim Ryan, City Administrator, gave an update on the Rockford City Police Department employees' retro-pay.
24. Mayor Morrissey thanked the Coronado Haskell Neighborhood Association for organizing the "Caroling" event last week with the Boy & Girls Club and the Second Congregational Church.
25. Mayor Morrissey made a reminder there are several warming centers located throughout Winnebago and Boone Counties for those seeking shelter.

26. Mayor Morrissey thanked the accreditation officials for their review of the Police Department Application.
27. Mayor Morrissey made a reminder, on behalf of the Fire Department, that during the Christmas season the risk of house fires and carbon monoxide poisoning raises. He emphasized the importance of carbon monoxide alarms and basic fire safety.
28. Mayor Morrissey asked residents who have fire hydrants in their yard, for assistance in keeping them clear of snow, clearing an area approximately three (3) feet in diameter around the hydrant.
29. Mayor Morrissey rejected the thrust of the Register Star Editorial and Cartoon suggesting the Mayor should stay out of the business of education and justice systems. He stated his commitment, and encouraged the City Council to advocate for improvement in all government services and to reject the "silo" mentality that has been holding our community back for far too long.
30. Mayor Morrissey wished everyone a very Merry Christmas.
31. Alderman Thompson-Kelly thanked the Public Works Department and contractors for the tremendous job they are doing with snow removal operations.
32. Alderman Thompson-Kelly wished everyone a Merry Christmas and a Happy New Year.
33. Alderman Mark submitted an e-mail from Gail Zernia regarding the Odd/Even Parking Ordinance enforced during a Snow Emergency. Referred to Mayor Morrissey's Office, the Police Department and the Public Works Department.
34. Alderman Mark noted he has observed several vehicles parked on the street that have not been moved since the last snow fall and inquired about enforcement of that ordinance.
35. Alderman Jacobson thanked Patrick Hayes, Director of the Legal Department, for speaking at the Illinois License Beverage Association meeting this month.
36. Alderman Jacobson mentioned several mailboxes had been hit during snow removal operations and requested the Public Works Department replace/repair them. Referred to the Public Works Department.
37. Alderman Jacobson requested the Police Department add extra patrols to areas with used car lots and contact salvage yards due to reports of catalytic converter thefts from vehicles on car lots. Referred to the Police Department.
38. Alderman Holt explained the indirect taxing burden to the citizens of properties that are converted to not-for-profits properties.
39. Alderman Holt wished everyone a Merry Christmas.

40. Alderman Johnson exited the meeting 6:45 pm

UNFINISHED BUSINESS

2008-614CR

42. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending the award for Rental of Cherry Valley Farm and Compost Site for Agricultural Use (2009 Season), be made to Carlson Farms, of Cherry Valley, Illinois for their total bid of \$17,000.00. Funding source N/A. MOTION PREVAILED by a Roll Call vote of:

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

2008-615CR

43. Alderman Mark moved the adoption of a Finance and Personnel Committee Report recommending a need for confidentiality still exists for the following closed session minutes, as the cases and matters are still pending:

10/24/05	10/31/05	11/14/05	12/5/05
12/12/05	4/10/06	5/1/06	5/15/06
5/22/06	6/5/06	6/12/06	6/19/06
7/3/06	11/5/07	11/13/07	1/14/07
4/28/08	10/20/08		

But that the minutes for session on the following dates be open to the Public:

1/20/04	5/24/04	2/7/05	2/28/05	8/8/05
2/6/06	8/21/06	8/28/06	9/25/06	10/23/06
2/5/07	2/26/07	3/5/07	4/9/07	8/6/07

MOTION PREVAILED by a Roll Call vote of:

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

2008-616CR

44. Alderman Wasco moved the adoption of a Code and Regulation Committee Report SUSTAINING with modified conditions, the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a restaurant with bar in the name of Sunil Puri/First Rockford Restaurant, LLC d/b/a 205, in a C-4, Urban Mixed District at 205 West State Street. Approval is subject to the following conditions:

1. No open dance floor area is permitted.
2. Meeting all applicable liquor codes.
3. That there shall be no cover charge to enter the premises.
4. That live entertainment or DJ shall only be allowed in conjunction with private event not open to the general public.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2008-244-O

45. Alderman Wasco moved the adoption of an Ordinance amending Chapter 16, Section 284, of the Code of Ordinances of the City of Rockford to add the following:

“One Hour Parking” on the east side of North Main Street from 160 feet to 180 feet north of Jefferson Street, thus repealing the existing “Passenger Loading Zone” restriction.

MOTION PREVAILED by a Roll Call vote of:

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

2008-245-O

46. Alderman Wasco moved the adoption of an Ordinance amending Chapter 16, Section 280, of the Code of Ordinances of the City of Rockford to add the following:

“No Parking Anytime” on the west side of South Church Street from Chestnut Street to Cedar Street, thus repealing the existing “Two Hour Parking” restriction.

“No Parking Anytime” on the south side of Chestnut Street from Court Street to South Main Street, thus repealing the existing “Two Hour Parking” restriction.

MOTION PREVAILED by a Roll Call vote of:

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

2008-246-O

47. Alderman Wasco moved the adoption of an Ordinance amending Chapter 16, Schedule Section 291, of the Code of Ordinances of the City of Rockford to add the following:

That traffic on Hecker Avenue be required to Stop prior to entering the intersection of Brown Avenue.

That traffic on Alliance Avenue be required to Stop prior to entering the intersection of Sherman Avenue.

That traffic on Taylor Street be required to Stop prior to entering the intersection of North Avon Street.

MOTION PREVAILED by a Roll Call vote of:

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

NEW BUSINESS

48. Alderman Wasco introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for the modification of Special Use Permit #066-90 for expansion of equipment storage and recycling of salvage materials area in an I-2, General Industrial District at 2xx Quaker Road, Peoples Avenue. Approval is subject to the following conditions:

1. Submittal of a final fencing and landscaping plan for Staff review and approval.
2. The outside storage area shall not be visible from the public right-of-ways.
3. Must obtain EPA approval and follow all applicable guidelines prior to expansion of use.
4. No stacking of vehicles above the berm or fence.
5. Outside storage is limited to the area shown on the modified site plan submitted and dated December 15, 2008.
6. Landscaping shall be installed by June 1, 2009 and paving shall be completed by November 1, 2009.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION FAILED by a Roll Call vote of:

Ayes: Sosnowski, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, Conness -9-
Nays: Thompson-Kelly -1-
Absent: Curran, Johnson, Beck, McNeely -4-

LAID OVER.

2008-247-O

49. Alderman Conness introduced and read an Ordinance recommending that the attached Rockford Global TradePark (GTP) Tax Increment Financing District #3 Redevelopment Plan and Project be approved.

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

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

2008-248-O

50. Alderman Conness introduced and read an Ordinance recommending that the area attached as Exhibit A be designated the Rockford Global TradePark (GTP) Tax Increment Financing District #3.

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

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

2008-249-O

51. Alderman Conness introduced and read an Ordinance recommending that Tax Increment Financing be adopted for the Rockford Global TradePark (GTP) Tax Increment Financing District #3.

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

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

2008-250-O

52. Alderman Conness introduced and read an Ordinance recommending approval of the attached Redevelopment Agreement between the City of Rockford and GT Partners LLC approving TIF funding for the rehabilitation of 2 residential condominium units and two commercial/retail storefronts at 221 East State Street.

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

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

Alderman Sosnowski exited the meeting at 6:51 pm.

UNFINISHED BUSINESS

2008-251-O

53. Alderman Conness moved the adoption of an Ordinance recommending that the attached River District North Redevelopment Plan and Project be approved. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Timm, Beach, Holt, Conness -9-
Nays: -0-
Absent: Sosnowski, Curran, Johnson, Beck, McNeely -5-

2008-252-O

54. Alderman Conness moved the adoption of an Ordinance recommending that the River District North Redevelopment Project Planning Area be approved. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Timm, Beach, Holt, Conness -9-
Nays: -0-
Absent: Sosnowski, Curran, Johnson, Beck, McNeely -5-

2008-253-O

55. Alderman Conness moved the adoption of an Ordinance recommending that the County Clerk be instructed to implement Tax Increment Financing per statute within the River District North Redevelopment Area. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Timm, Beach, Holt, Conness -9-
Nays: -0-
Absent: Sosnowski, Curran, Johnson, Beck, McNeely -5-

MOTIONS AND RESOLUTIONS

2008-118R

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

Bid: Demolition of 2818 Arthur Avenue, 2820 Arthur Avenue, and
1052 N. Rockton Avenue

MOTION PREVAILED (Ald. Sosnowski, Curran, Johnson, Beck, McNeely absent).

NEW BUSINESS

57. Alderman Wasco 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:

1. **Joseph DeSerto d/b/a Maciano's Pizza and Pastaria** located at 5801 Columbia Parkway #101. Approval is subject to the following conditions:
 - a. Meeting all applicable Building and Fire Codes.
 - b. Compliance with all City of Rockford Liquor Codes.
 - c. The hours of operation will be limited to 11:00 am to 10:00 pm Sunday through Thursday.
 - d. The hours of operation will be limited to 11:00 am to 11:00 pm Friday and Saturday.
 - e. The sale of alcohol shall be limited to the interior site and outdoor seating area that were submitted.
 - f. The outdoor seating areas must be enclosed by a fence of at least five (5) feet in height and approved by Staff.

LAID OVER.

58. Alderman Wasco introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to reduce the required parking from 247 parking spaces to 173 parking spaces in a C-2, Limited Commercial Zoning District at 5051 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. Submittal of detailed landscape plan to include the type of species to be planted to Staff's review and approval.

LAID OVER.

59. Alderman Wasco introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum allowable wall signs above the ground floor from two to three in a C-2, Limited Commercial District at 2902 McFarland Road. Approval is subject to the following conditions:

1. Compliance with all Building and Fire Codes.
2. Each sign above the ground level shall be limited to one side elevation of the building.
3. Additional wall signage shall be subject to the City of Rockford sign regulations.
4. The sign of Rockford Spinal Center shall not exceed the width of five (5) windows from outer edge to outer edge of the building and shall be scaled in height proportionately per Staff approval.

LAID OVER.

60. Alderman Wasco introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase the sign height from the maximum allowable height of twenty (20) feet to twenty-five (25) feet within a shopping center in a C-3, General Commercial District at 1601 North Alpine Road. Approval is subject to the following conditions:
1. Submittal of a permanent sign permit and to be in accordance with Exhibit E.
 2. The spaces between sign may not have additional signage.

LAID OVER.

61. Alderman Wasco introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase the allowable number of business identification wall signs from two (2) to three (3) in a C-3, General Commercial District at 7310 Walton Street. Approval is subject to the condition that the sign on the western exposure shall be limited to thirty (30) inches in height.

LAID OVER.

62. Winnebago County Board Chairman Scott Christiansen and John Holmstrom made a presentation and answered questions regarding the Freedom Field project.
63. Upon motion duly made and seconded, the meeting was adjourned at 7:16 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 29, 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 DECEMBER 29, 2008

A. CODE AND REGULATIONS

1. Wasco – Vacation of Lewis Street and a portion of South 3rd Street.
2. Wasco – Amending the Ordinance for Outdoor Sales of Liquor

- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER DECEMBER 22, 2008

1. Johnson - Finance and Personnel - Recommending the rescindion of the award previously made to Employer’s Claim Service, Inc., for the Third Party Administrator for Worker’s Compensation contract and asked that proposals be taken.
2. Johnson - Finance and Personnel - Recommending the approval of a Change Order for the Timekeeping System for an additional \$65,195.00.00, a new contract total of \$86,795.00. The funding source is: IT Fund & Property Fund.
3. Wasco - Code and Regulation - Recommending that City council of the City of Rockford approve the release of the following closed session minutes:

February 7, 2005 April 6, 2005 May 23, 2005 July 25, 2005

August 15, 2005	September 6, 2005	November 28, 2005	February 7, 2006
April 10, 2006	December 18, 2006	May 5, 2008	May 12, 2008
May 19, 2008	June 2, 2008		

The remainder shall be kept closed as a need for confidentiality still remains, as the cases are still pending.

4. Wasco - Code and Regulation - SUSTAINING with modified conditions, the Zoning Board of Appeals, thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a convenience store in the names of **Gamil, Sala, and Muammar Elzofri d/b/a Eddie's Food Mart, Inc.** in a C-2, Limited Commercial District at 1203 7th Street. Approval is subject to the following conditions:
 1. Window display signage be limited to no more than 30% of the window area, no more than 1/3 of the window signs (10% of the window area) shall be used to advertise the sale of alcohol products.
 2. That the sale of alcohol shall be limited to the hours of 8:00 am to 10:00 pm Monday through Saturday and 11:00 am to 10:00 pm on Sunday.
 3. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.
 4. Compliance with all liquor codes.

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

5. Wasco - Code and Regulation - Recommending the approval of the Intergovernmental Agreement for combined pipe utility easements. This agreement allows for standardized easements to be located within private roadways. The Legal Director shall prepare the necessary resolution.
6. Conness - Planning and Development - Recommending approval of the attached Contract for Purchase and Sale to purchase 9 vacant parcels from Seventh Street Area Development Council, Inc. for \$30,000 for the Keith Creek Greenway trail project, park use, and storm water control. The purchase price will be paid with Community Development Block Grant (CDBG) funds.

III. ORDINANCES LAID OVER DECEMBER 22, 2008

1. Wasco - 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:
 1. **Joseph DeSerto d/b/a Maciano's Pizza and Pastaria** located at 5801 Columbia Parkway #101. Approval is subject to the following conditions:
 - a. Meeting all applicable Building and Fire Codes.
 - b. Compliance with all City of Rockford Liquor Codes.

- c. The hours of operation will be limited to 11:00 am to 10:00 pm Sunday through Thursday.
 - d. The hours of operation will be limited to 11:00 am to 11:00 pm Friday and Saturday.
 - e. The sale of alcohol shall be limited to the interior site and outdoor seating area that were submitted.
 - f. The outdoor seating areas must be enclosed by a fence of at least five (5) feet in height and approved by Staff.
2. Wasco - Ordinance - Amending Article 64, of the City of Zoning Ordinance of the City of Rockford for a Variation to reduce the required parking from 247 parking spaces to 173 parking spaces in a C-2, Limited Commercial Zoning District at 5051 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. Submittal of detailed landscape plan to include the type of species to be planted to Staff's review and approval.
3. Wasco - Ordinance - Amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum allowable wall signs above the ground floor from two to three in a C-2, Limited Commercial District at 2902 McFarland Road. Approval is subject to the following conditions:
- 1. Compliance with all Building and Fire Codes.
 - 2. Each sign above the ground level shall be limited to one side elevation of the building.
 - 3. Additional wall signage shall be subject to the City of Rockford sign regulations.
 - 4. The sign of Rockford Spinal Center shall not exceed the width of five (5) windows from outer edge to outer edge of the building and shall be scaled in height proportionately per Staff approval.
4. Wasco - Ordinance - Amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase the sign height from the maximum allowable height of twenty (20) feet to twenty-five (25) feet within a shopping center in a C-3, General Commercial District at 1601 North Alpine Road. Approval is subject to the following conditions:
- 1. Submittal of a permanent sign permit and to be in accordance with Exhibit E.
 - 2. The spaces between sign may not have additional signage.
5. Wasco - Ordinance - Amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase the allowable number of business identification wall signs from two (2) to three (3) in a C-3, General Commercial District at 7310 Walton Street. Approval is subject to the condition that the sign on the western exposure shall be limited to thirty (30) inches in height.
6. Wasco - Ordinance - Amending Article 63 of the Zoning Ordinance of the City of Rockford for the modification of Special Use Permit #066-90 for expansion of equipment storage and

recycling of salvage materials area in an I-2, General Industrial District at 2xx Quaker Road, Peoples Avenue. Approval is subject to the following conditions:

1. Submittal of a final fencing and landscaping plan for Staff review and approval.
2. The outside storage are shall not be visible from the public right-of-ways.
3. Must obtain EPA approval and follow all applicable guidelines prior to expansion of use.
4. No stacking of vehicles above the berm or fence.
5. Outside storage is limited to the area shown on the modified site plan submitted and dated December 15, 2008.
6. Landscaping shall be installed by June 1, 2009 and paving shall be completed by November 1, 2009.

IV. MISCELLANEOUS

A. HELD OUT APPOINTMENTS DECEMBER 22, 2008

- 1.* Mayor Morrissey - Re-appointment - Personnel Appeals Board, Ms. Susan Salvi Buckwalter, to a one (1) year term, which would expire December, 2009. (Pursuant to Rule 18 this re-ointment is up for passage on January 12, 2009).
- 2.* Mayor Morrissey - Re-appointment - CCA Human Services Board, Ms. Betty Cleary, to a three (3) year term, which would expire August 2011. (Pursuant to Rule 18 this re-appointment is up for passage on January 12, 2009).
- 3.* Mayor Morrissey - Appointment -CCA Human Services Board, Ms. Shirley Mondesir, to a one (1) year term, which would expire December 2009. (Pursuant to Rule 18 this appointment is up for passage on January 12, 2009).
- 4.* Mayor Morrissey - Appointment - Rockford Area Arts Council, Alderman Frank Beach to a term ending June 2009. (Pursuant to Rule 18 this appointment is up for passage on January 5, 2009).
- 5.* Mayor Morrissey - Appointment - Library Board, Ms. Lisa Frost to replace Frank Witt whose term expired June 2008. Ms. Frost's appointment is a 3-year term and would expire in June 2011. (Pursuant to Rule 18 this appointment is up for passage on December 29, 2008).
- 6.* Mayor Morrissey - Re-appointment - Library Board, Mr. Brad Long, term to expire June 2011. (Pursuant to Rule 18 this re-appointment is up for passage on December 29, 2008).

B. REVIEW OF CITY COUNCIL CLOSED SESSIONS MINUTES.

- 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. Wasco – Ordinance - SUSTAINING with modified conditions, the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a restaurant with bar in the name of Sunil Puri/First Rockford Restaurant, LLC d/b/a 205, in a C-4, Urban Mixed District at 205 West State Street. Approval is subject to the following conditions:

1. No open dance floor area is permitted.
2. Meeting all applicable liquor codes.
3. That there shall be no cover charge to enter the premises.
4. That live entertainment or DJ shall only be allowed in conjunction with private event not open to the general public.

* same action taken before

• 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

Monday, December 29, 2008, 4:30 p.m.

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

AGENDA

1. C & R 08-242 Final Plat of Varland #2
2. C & R 08-243 ZBA#054-08 Special Use Permit for an auto salvage or junk yard in an I-2, General Industrial Zoning District at 371 Blackhawk Park Avenue
3. C & R 08-244 ZBA#060-08 Variation to increase the maximum allowable height from 18 feet to 29 feet for a tree house in an R-1, single-family residential district at 1589 Shiloh Road
4. C & R 08-245 ZBA#061-08 Special Use Permit for an auto detailing shop in an R-2, Two-family Zoning District at 1515 Broadway

5. C & R 08-246 ZBA#062-08 Variation to reduce the side yard setback from the required six feet to three feet for a two-car garage addition in an R-1, Single-family Residential District at 1234 National Avenue
6. C & R 08-249 08-LAB-035 Request for the sale of alcohol by the package in conjunction with a grocery store in an R-1, Single-Family Zoning District at 1321 South Main Street (Applicant: Abdulhakim Alshamam)

FINANCE AND PERSONNEL COMMITTEE

**Monday, December 29, 2008, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Engineering Agreement Amendment: Downtown Streetscape
 - B. Vouchers
 - ✓ Training/Travel request for Community Development
2. Resolution for Improvement under the Illinois Highway Code – College Avenue Demolition

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, December 29, 2008, p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

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

No Meeting Scheduled.