

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
DECEMBER 21, 2009
COUNCIL CONVENED AT 6:23 P.M.**

1. The invocation was given by, Chaplain Elzie Marks, Ebenezer Missionary Baptist Church/ Police Chaplain and the Pledge of Allegiance was led by Legal Department Senior Administrative Assistant Luanne Pfeifer.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Absent: Thompson-Kelly -1-
3. Alderman Mark moved to accept the Journal of Proceedings of December 14, 2009 seconded by Alderman Jacobson.

Alderman Beach made a motion to amend the Journal of Proceedings of December 14, 2009 by amending item #16 and Unfinished Business item II 1. of the Journal of Proceedings, revising condition #4 to read as follows:

4. The sale of liquor shall be limited to Monday through Saturday, 8:00 am to 8:00 pm and Sunday from 11:00 am to 8:00 pm as indicated within the revised Business Plan labeled Exhibit F for the business located at 811 Broadway.

seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent). The Journal of Proceedings as amended was placed up for passage. MOTION PREVAILED (Ald. Thompson-Kelly absent).

PUBLIC PARTICIPATION

4. Dyanna Chandler reported on activities in the Ellis Heights Weed-n-Seed area.

PETITIONS AND COMMUNICATIONS

5. Alderman Wasco submitted a Memorandum from Patrick Hayes, Legal Director, regarding Compensation of Outside Legal Counsel. Referred to Finance and Personnel Committee.
6. Alderman Wasco submitted a Memorandum from William Keith, Street & Transportation Superintendent, regarding Emergency Request for Repairs to the High Voltage Electrical System at Ingersoll. The repairs will cost \$30,000. Placed on file.

7. Alderman Wasco submitted a Memorandum from Barry Fitz, Equipment Safety Manager, regarding Emergency repairs to Quint 5 1260 in the amount of \$11,801.16. Placed on file.
8. Alderman Sosnowski submitted a Memorandum from Rob Lamb, Industrial Development Manager, regarding a Development Agreement to assist a Rockford Manufacturing Company expand its business through the acquisition of another manufacturer. Referred to Planning and Development Committee.
9. Alderman Beach submitted a Memorandum from Ronald Schultz, City Attorney, regarding the Plat of Garden Estates. Referred to Code and Regulation Committee.
10. Alderman Beach submitted the Liquor Advisory Board minutes from the meeting held on December 15, 2009. Referred to Code and Regulation Committee.
11. Alderman Beach submitted the Zoning Board of Appeals minutes from the meeting held on December 15, 2009. Referred to Code and Regulation Committee.
12. Alderman Beach submitted a Memorandum from Kerry Partridge, City Attorney, regarding Freedom of Information Officers for the 2010 Freedom of Information Act. Referred to Code and Regulation Committee.
13. Alderman Beach submitted a Memorandum from Kerry Partridge, City Attorney, regarding the Policy for Implementation of the 2010 Freedom of Information Act. Referred to Code and Regulation Committee.

NEW COMMITTEE REPORTS

14. Alderman Beach read a Code and Regulation Committee Report recommending the vacation request for right-of-way of 10th Street from 18th Avenue to 20th Avenue to Rockford Drop Forge. The Legal Director shall prepare the necessary Ordinance. LAID OVER.

2009-534CR

15. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the agreement between the City of Rockford and UDL Laboratories to install fiber optic lines in the right-of-way.

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

16. Alderman Sosnowski read a Planning and Development Committee Report recommending approval of the Amendment to the Agreement with Financial Management Systems (FMS). The Legal Director shall prepare the appropriate ordinance. LAID OVER.

17. Alderman Sosnowski read a Planning and Development Committee Report recommending approval of a Grant Agreement between the City and Kemra Hunt/Ms. Earma's BBQ and Southern Cuisine in the amount of \$14,200 from Community Development Block Grant (CDBG) funds to create 11 full-time equivalent jobs with a minimum of 6 jobs being held by low-income residents. LAID OVER.
18. Alderman Wasco read a Finance and Personnel Committee Report recommending the bid for Painting Services from Ladd Companies be rejected and be awarded to the next lowest bidder, Rockwell Group, of Freeport, Illinois at a rate of \$74.00 per hour. LAID OVER.
19. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Parking Ticket Hearing Code Officer be made to the sole proposer, Joseph Kosek, Attorney at Law, of Rockford, Illinois for his fixed fee of \$100.00/hour. The funding source is Finance Operating Budget. LAID OVER.
20. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Guardrail Installation & Repair Services be made to both bidders, Northern Contracting, of Sycamore, Illinois and GFS Fence, of Huntley, Illinois for their prices shown on tabulation. The funding source is Equipment Operating Budget. LAID OVER.

2009-535CR

21. Alderman Wasco read a Finance and Personnel Committee Report having opened bids on October 8, 2009 for Snow Removal, but the award of bid having been enjoined by Order of the 17th Judicial Circuit Court of Illinois Case Number 09 MR 909, hereby begs leave to report recommending all bids be rejected and new bids taken as soon as possible.

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

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

2009-536CR

22. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Renewal of Excess Coverage for Worker's Compensation be made to Safety National for two years beginning December 31, 2009 through December 31, 2011 at a premium rate of \$.1350 per \$100 payroll. The estimated annual premium is \$79,701 per year. The funding source is Worker's Compensation Fund.

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

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

2009-537CR

23. Alderman Wasco read a Finance and Personnel Committee Report recommending the contract for Stop Loss Coverage for the Health Insurance Plan be made to ING for one year beginning January 1, 2010 through December 31, 2010 at a premium rate of \$13.79 per single employee coverage and \$40.99 per family employee coverage. The estimated annual premium and administrative costs are \$527,073.12. The funding source is Health Insurance Fund.

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

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

2009-538CR

24. Alderman Wasco read a Finance and Personnel Committee report recommending approval of Task Order #12 with MWH, Inc. for Hydraulic Analysis – 2010 CIP Water Main Improvements in an amount not to exceed \$29,800. The task order will be completed under a Master Agreement with MWH, Inc. Funding for the project will come from the Water Replacement and Improvements Account (WRIA).

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

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

2008-539CR

25. Alderman Wasco read a Finance and Personnel Committee report recommending approval of the Intergovernmental Agreement Providing for the Payment of Taxable Promissory Notes by and between the City of Rockford and the Rockford Metropolitan Exposition, Auditorium and Office Building Authority.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Mark abstained; Ald. McNeely voted no; Thompson-Kelly absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

26. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of vouchers for the week of December 21, 2009 in the amount of \$3,493,641.85. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

27. Mayor Morrissey advised the State of Illinois will be holding a public hearing tomorrow at 2:00 pm at Sterling High School, Sterling, Illinois regarding the Federal Government purchasing the Thomson Correctional Facility. He announced the City of Rockford will be making a presentation and giving testimony in support of the purchase.
28. Mayor Morrissey also advised Warren Ribley, State Director of Commerce and Economic Opportunities, will be holding a press conference at 8:00 am at the Rockford International Airport discussing the State of Illinois' long term commitment, investing over 100 million dollars over the next two years to help UPS retain approximately 3000 jobs in Rockford and throughout the State of Illinois, providing tax credits and investing in each facility. He thanked the Governor and DCEO for supporting the Rockford community.

Alderman Johnson exited the meeting at 6:43 pm.

29. Mayor Morrissey reported the FBI Crime Report for January through June, 2009 indicates a significant drop in crime.
30. Mayor Morrissey thanked the Salvation Army and Council members for supporting the "Ring the Bell" campaign and thanked Alderman Hervey for sharing her hand warmers.
31. Mayor Morrissey called attention to a Memorandum from Todd Cagnoni, Deputy Director Construction and Development Services, regarding the UL300 system upgrade.
32. Mayor Morrissey announced the re-appointment to the Personnel Appeals Board; Ms. Shurice Hunter, to a one-year term, which would expire June 2010. LAID OVER.
33. Mayor Morrissey announced the re-appointment to the Zoning Board of Appeals; Ms. Alicia DiBenedetto, to a five-year term, which would expire January 2014. LAID OVER.

34. Mayor Morrissey announced the garbage collection schedule for the week of December 21-25, 2009 and December 28-January 1, 2010 will remain the same. The Household Hazardous Waste Site at Rock River Water Reclamation facility at 3333 Kishwaukee Street will be closed both weekends and will reopen on January 9, 2010.
- 34a. Mayor Morrissey congratulated all the Public Works Department staff, contractors and engineers on the re-opening of the Main Street Mall area. He announced another grand opening will be forthcoming.
35. Alderman Jacobson thanked Todd Cagnoni and Kevin Ciabatti, Community Development Department, for their efforts to clarify the requirements for compliance of the UL-300 system upgrade.

Todd Cagnoni summarized the information he provided in the Memorandum distributed at Council tonight.

Alderman Mark thanked all that attended the meeting to collectively review the requirements for UL-300 compliance for existing fire extinguishing systems and enforcement of those requirements.

36. Alderman Jacobson again, thanked all involved in addressing the UL-300 issue.
37. Alderman Jacobson reported Rear Admiral Tony Gianni and Commander Crew Chief Ali Nelson will be visiting Rockford on January 28, 2010 in search of a "Sailor of the Year".

UNFINISHED BUSINESS

2009-540CR

37. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of a sole source contract with Hines & Associates, Inc. for Utilization Review at an annual cost of approximately \$21,780 and other fees (case management, physician reviews, nurse consultations, etc.) are charged on an hourly basis when utilized; \$57,000 is projected for 2009. The total anticipated expenditure for 2009 is around \$79,000. The funding source is Health Insurance Fund. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck, McNeely, Robertson -12-
 Nays: -0-
 Absent: Johnson, Thompson-Kelly -2-

2009-541CR

38. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Bridge Program Management: Task Order #14 be made to SEC, Inc. at a not to exceed cost of \$20,183.25 for Scour Assessments for several bridges. The funding for this project will come from Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck, McNeely, Robertson -12-
Nays: -0-
Absent: Johnson, Thompson-Kelly -2-

2009-542CR

39. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report regarding the Intergovernmental Agreement: Riverwalk-Museum Campus recommends the City create and execute an ordinance that approves the Intergovernmental Agreement with the Rockford Park District for a total not to exceed \$455,000.00. Funding for this Agreement will come from the General Fund. MOTION PREVAILED by a Roll Call vote of:

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

2009-223-O

40. Alderman Wasco moved the adoption of an Ordinance authorizing and providing for a \$15,000,000 Taxable Promissory Note for the purpose of paying ordinary and necessary expenses of the City, authorizing a related Line of Credit Agreement, prescribing the details of the Agreement and Note, and providing for the security for and means of payment of the Note.

Alderman Wasco made a motion to amend the Ordinance to change the amount to \$15,500,000, and add other necessary and relevant information per the revised ordinance submitted by bond counsel, seconded by Alderman Beck. MOTION PREVAILED (Ald. Mark abstained; Ald. McNeely voted no; Ald. Thompson-Kelly, Johnson absent). The Ordinance as amended was placed up for passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: McNeely -1-
Abstain: Mark -1-
Absent: Johnson, Thompson-Kelly -2-

2009-224-O

41. Alderman Wasco moved the adoption of an Ordinance authorizing and providing for a \$2,000,000 Taxable Promissory Note, Series 2009B (First Authority Funding Note) for the purpose of paying ordinary and necessary expenses of the Rockford Metropolitan Exposition, Auditorium and Office Building Authority, and providing for the security for and means of payment of the Note.

Alderman Wasco made a motion to amend the Ordinance to reflect the City as sole borrower and add other necessary and relevant information per the revised ordinance submitted by bond counsel, seconded by Alderman Beck. MOTION PREVAILED (Ald.

Mark abstained, Ald. McNeely voted no; Ald. Thompson-Kelly, Johnson absent). The Ordinance was amended as placed up for passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: McNeely -1-
Abstain: Mark -1-
Absent: Johnson, Thompson-Kelly -2-

42. Alderman Wasco moved the adoption of an Ordinance authorizing and providing for a \$500,000 Taxable Promissory Note for the purpose of paying ordinary and necessary expenses of the Metro Authority as co-borrowers with the Metro Authority authorizing a related line of Credit Agreement, prescribing the details of the Agreement and note, and providing for the security for and means of payment of the Note. REFERRED BACK TO COMMITTEE.

2009-543CR

43. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine in conjunction with a grocery store in the name of Ericka Sanchez d/b/a Mis Dos Patrias a C-4, Urban Mixed Use District at 811 Broadway. Approval is subject to the following conditions:
1. Must meet all applicable Building, Fire and Liquor Codes.
 2. Improvements to site must be in accordance with the revised Exhibit D by July 1, 2010, inclusive of the removal of asphalt area in the right-of-way west of the building.
 3. The sale of packaged liquor of beer and wine shall be limited to the hatched area shown on Exhibit E.
 4. The sale of liquor shall be limited to Monday through Saturday, 8:00 am to 8:00 pm and Sunday from 11:00 am to 8:00 pm as indicated within the revised Business Plan labeled Exhibit F. and no liquor sales on Sunday as indicated within Business Plan labeled Exhibit F.
 5. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.
 6. Signs displayed in windows, whether temporary or permanent shall cover no more than 35% of the square footage of the window surface inclusive of advertisement of alcohol products.
 7. Packaged beer shall not be sold on an individual basis but sold as six (6), twelve (12), twenty-four (24) pack or greater.
 8. Wine shall not be sold in containers less than 750 ml.
 9. The parking area and perimeter of building shall remain free of garbage and debris.
 10. The existing payphone in the parking lot shall be removed prior to issuance of a liquor license.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED (Ald. Johnson, Thompson-Kelly absent).

2009-544CR

44. Alderman Sosnowski moved the adoption of a Planning and Development Committee Report recommending approval of the Second Amendment to Intergovernmental Agreement (relating to Wanxiang America Corporation) by and between the City of Rockford and Greater Rockford Airport Authority. MOTION PREVAILED (Ald. Johnson, Thompson-Kelly absent).

MOTIONS AND RESOLUTIONS

2009-126R

45. Alderman Curran suggested a Resolution that the City of Rockford opt out of video gambling pursuant to Section 27 of the Video Gaming Act. Referred to Code and Regulation Committee.

2009-127R

46. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution that Kerry F. Partridge, City Attorney and Angela L. Hammer, Assistant City Attorney, are hereby appointed Freedom of Information Officers for the City of Rockford as mandated by the 2010 Illinois Freedom of Information Act. MOTION PREVAILED (Ald. Johnson, Thompson-Kelly absent).

2009-128R

47. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution that the Mayor and Legal Director are authorized to execute the Policy for Implementation of the 2010 Freedom of Information Act. MOTION PREVAILED (Ald. Johnson, Thompson-Kelly absent).

NEW BUSINESS

48. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached collective bargaining agreement between the Rockford Public Library, City of Rockford and the American Federation of State, County, and Municipal Employees (AFSCME) Council 31, Local 3350, effective January 1, 2010 to December 31, 2010. LAID OVER.

2009-225-O

49. Alderman Wasco introduced and read an Ordinance, authorizing the Mayor and Legal Director to execute and attest the attached Intergovernmental Agreement for City Police Services by and between CITY OF ROCKFORD POLICE DEPARTMENT and Rockford School District No. 205.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck, McNeely, Robertson -12-
Nays: -0-
Absent: Johnson, Thompson-Kelly -2-

2009-226-O

50. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Intergovernmental Cooperation Agreement between the City of Rockford and the Rockford Park District; for the Construction of Improvements for the Riverwalk-Museum Campus.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. McNeely voted no; Ald. Johnson, Thompson-Kelly absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

2009-227-O

51. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Intergovernmental Agreement Providing for the Payment of Taxable Promissory Note by and between the City of Rockford, Winnebago County, Illinois, a municipality and unit of local government of the State of Illinois and the Rockford Metropolitan Exposition, Auditorium and Office Building Authority, Winnebago County, Illinois.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Mark abstained; Ald. McNeely voted no; Ald. Johnson, Thompson-Kelly absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck, Robertson -10-
Nays: McNeely -1-
Abstain: Mark -1-
Absent: Johnson, Thompson-Kelly -2-

Alderman Jacobson exited the meeting at 7:05 pm.

52. Alderman Beach introduced and read an Ordinance amending Article 63, of the Zoning Ordinances of the City of Rockford for a Special Use Permit for a church and church related services in a C-4, Urban Mixed-Use Zoning District at 526 7th Street. Approval is subject to the following conditions:

1. Must obtain a change of use building permit.
2. The use of the church is limited to the first floor.

Approval is based on the Findings of Fact. LAID OVER.

53. Alderman Beach introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum square footage for an accessory building from 720 square feet to 728 square feet; and a Variation to increase the maximum allowable height for an accessory building from 18 feet to 25 feet in an R-1, Single-Family Residential Zoning District at 1224 Camp Avenue. Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Submittal of Building permits for Staff review and approval.
3. Site and garage must develop in accordance with site plan building elevations on file.
4. Submittal of material (renderings) to be used for the garage for Staff's review and approval.
5. No living quarters allowed within the detached garage.

Approval is based on the Findings of Fact. LAID OVER.

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

Modification of the sale of liquor by the drink in conjunction with a sit-down restaurant with an outdoor seating area from beer and wine to a full liquor license in the name of **Rick White d/b/a Bandana's Bar-B-Q** located at 5404 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The hours of operation will be limited to 11:00 am to 9:00 pm Sunday through Thursday.
4. The hours of operation will be limited to 11:00 am to 10:00 pm Friday through Saturday.
5. The sale of alcohol shall be limited to the interior site and outdoor seating areas that were submitted in Exhibit D.

LAID OVER.

55. Alderman Beach introduced and read an Ordinance approving the vacation of the Alley between 913 and 925 Cunningham Street to the adjacent property owners and closed inasmuch as the property is no longer required for public use and public interest. LAID OVER.

56. Alderman Beach introduced and read an Ordinance that the Mayor and Legal Director are hereby authorized to execute the Intergovernmental Agreement with Winnebago County regarding the Jurisdictional Transfer of Culvert under Alpine Road. LAID OVER.
57. Alderman Beach introduced and read 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 both sides of Spring Creek Road from Perryville Road to Bell School Road.
- “No Parking Anytime” on both sides of Kilburn Avenue from Bruce Street to Whitman Street/School Street.
- LAID OVER.
58. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 292, of the Code of Ordinances of the City of Rockford to add the following:
- That all traffic be required to Stop prior to entering the intersection of Spring Creek Road and Bell School Road.
- LAID OVER.
59. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 290, of the Code of Ordinances of the City of Rockford to add the following:
- That Spring Creek Road from the Rock River to the City Limits is designated as a “Through Street.”
- LAID OVER.
60. Alderman Beach introduced and read 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 19th Street be required to Stop prior to entering the intersection of Reed Avenue.
- LAID OVER.
61. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 293, of the Code of Ordinances of the City of Rockford to add the following:
- That traffic on 11th Avenue be required to Yield prior to entering the intersection of 19th Street.
- That traffic on Bruner Street be required to Yield prior to entering the intersection of Burton Street.

LAID OVER.

2009-228-O

62. Alderman Beach introduced and read an Ordinance that the Mayor and Legal Director are hereby authorized to execute the Agreement with UDL Laboratories.

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

Ayes: Sosnowski, Curran, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-

Nays: -0-

Absent: Jacobson, Johnson, Thompson-Kelly -3-

63. Upon motion duly made and seconded, the meeting was adjourned at 7:09 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 28, 2009
6:00 P.M.
AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

I. NEW COMMITTEE REPORTS TO BE READ IN DECEMBER 28, 2009

A. CODE AND REGULATIONS

1. Beach – Sale of vacant lots 416 & 420 Avon.
2. Beach – Agreement with KDL for use of right-of-way
3. Beach – LAB – Mizu Sushi located at 3801 North Perryville Road.
4. Beach – LAB – Hacienda Real located at 1201 Sandy Hollow Road.

- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER DECEMBER 21, 2009

1. Beach – Code and Regulation - Recommending the vacation request for right-of-way of 10th Street from 18th Avenue to 20th Avenue to Rockford Drop Forge. The Legal Director shall prepare the necessary Ordinance.
2. Sosnowski - Planning and Development - Recommending approval of the Amendment to the Agreement with Financial Management Systems (FMS). The Legal Director shall prepare the appropriate ordinance.

3. Sosnowski - Planning and Development - Recommending approval of a Grant Agreement between the City and Kemra Hunt/Ms. Earma's BBQ and Southern Cuisine in the amount of \$14,200 from Community Development Block Grant (CDBG) funds to create 11 full-time equivalent jobs with a minimum of 6 jobs being held by low-income residents.
4. Wasco - Finance and Personnel - Recommending the bid for Painting Services from Ladd Companies be rejected and be awarded to the next lowest bidder, Rockwell Group, of Freeport, Illinois at a rate of \$74.00 per hour.
5. Wasco - Finance and Personnel - Recommending the award for Parking Ticket Hearing Code Officer be made to the sole proposer, Joseph Kosek, Attorney at Law, of Rockford, Illinois for his fixed fee of \$100.00/hour. The funding source is Finance Operating Budget.
6. Wasco - Finance and Personnel - Recommending the award for Guardrail Installation & Repair Services be made to both bidders, Northern Contracting, of Sycamore, Illinois and GFS Fence, of Huntley, Illinois for their prices shown on tabulation. The funding source is Equipment Operating Budget.

III. ORDINANCES LAID OVER DECEMBER 21, 2009

1. Wasco - Ordinance - Authorizing the Mayor and Legal Director to execute and attest the attached collective bargaining agreement between the Rockford Public Library, City of Rockford and the American Federation of State, County, and Municipal Employees (AFSCME) Council 31, Local 3350, effective January 1, 2010 to December 31, 2010.
2. Beach - Ordinance - Amending Article 63, of the Zoning Ordinances of the City of Rockford for a Special Use Permit for a church and church related services in a C-4, Urban Mixed-Use Zoning District at 526 7th Street. Approval is subject to the following conditions:
 1. Must obtain a change of use building permit.
 2. The use of the church is limited to the first floor.

Approval is based on the Findings of Fact.

3. Beach - Ordinance - Amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum square footage for an accessory building from 720 square feet to 728 square feet; and a Variation to increase the maximum allowable height for an accessory building from 18 feet to 25 feet in an R-1, Single-Family Residential Zoning District at 1224 Camp Avenue. Approval is subject to the following conditions:
 1. Must meet all applicable building and fire codes.
 2. Submittal of Building permits for Staff review and approval.
 3. Site and garage must develop in accordance with site plan building elevations on file.

4. Submittal of material (renderings) to be used for the garage for Staff's review and approval.
5. No living quarters allowed within the detached garage.

Approval is based on the Findings of Fact.

4. Beach - 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, this ordinance shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following establishment:

Modification of the sale of liquor by the drink in conjunction with a sit-down restaurant with an outdoor seating area from beer and wine to a full liquor license in the name of **Rick White d/b/a Bandana's Bar-B-Q** located at 5404 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
 2. Compliance with all City of Rockford Liquor Codes.
 3. The hours of operation will be limited to 11:00 am to 9:00 pm Sunday through Thursday.
 4. The hours of operation will be limited to 11:00 am to 10:00 pm Friday through Saturday.
 5. The sale of alcohol shall be limited to the interior site and outdoor seating areas that were submitted in Exhibit D.
5. Beach - Ordinance - Approving the vacation of the Alley between 913 and 925 Cunningham Street to the adjacent property owners and closed inasmuch as the property is no longer required for public use and public interest.
 6. Beach - Ordinance – That the Mayor and Legal Director are hereby authorized to execute the Intergovernmental Agreement with Winnebago County regarding the Jurisdictional Transfer of Culvert under Alpine Road.
 7. Beach - Ordinance - Amending Chapter 16, Section 280 of the Code of Ordinances of the City of Rockford to add the following:

“No Parking Anytime” on both sides of Spring Creek Road from Perryville Road to Bell School Road.

“No Parking Anytime” on both sides of Kilburn Avenue from Bruce Street to Whitman Street/School Street.
 8. Beach - Ordinance - Amending Chapter 16, Schedule Section 292, of the Code of Ordinances of the City of Rockford to add the following:

That all traffic be required to Stop prior to entering the intersection of Spring Creek Road and Bell School Road.

9. Beach - Ordinance - Amending Chapter 16, Schedule Section 290, of the Code of Ordinances of the City of Rockford to add the following:

That Spring Creek Road from the Rock River to the City Limits is designated as a "Through Street."

10. Beach - Ordinance - Amending Chapter 16, Schedule Section 291, of the Code of Ordinances of the City of Rockford to add the following:

That traffic on 19th Street be required to Stop prior to entering the intersection of Reed Avenue.

11. Beach - Ordinance - Amending Chapter 16, Schedule Section 293, of the Code of Ordinances of the City of Rockford to add the following:

That traffic on 11th Avenue be required to Yield prior to entering the intersection of 19th Street.

That traffic on Bruner Street be required to Yield prior to entering the intersection of Burton Street.

- Motions and Resolutions

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. Beach – LAB – Mis Dos Patrias Grocery located at 811 Broadway
2. Beach – LAB – Mizu Sushi located at 3801 North Perryville Road.
3. Beach – LAB – Hacienda Real located at 1201 Sandy Hollow Road
4. Sosnowski – Second Amendment to IGA with Greater Rockford Airport Authority (Wanxiang America Corporation).

* 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 28, 2009, 4:30 p.m.

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

AGENDA

1. C & R 09-203 Plat of Garden Estates
2. C & R 09-204 Opting Out of Video Gambling Act
3. C & R 09-197 ZBA#051-09 Variation to increase the front yard fence height from maximum allowed 4 feet to 5 feet 10 inches along 20th Street in an R-1, Single-Family Zoning District at 2341 17th Avenue
4. C & R 09-198 ZBA#052-09 Zoning Map Amendment from R-2, Two-Family Residential District to C-1, Limited Office District
Variation to reduce required parking from 140 parking spaces to 26 parking spaces in a C-1, Limited Office Zoning District at 758 North 2nd Street
5. C & R 09-199 ZBA#053-09 Special Use Permit for a church and church related services
Variation to reduce minimum required rear yard setback from 30 feet to 12 feet 8 inches
Variation to increase the Maximum Impervious Surface Ratio from 40% to 60% in an R-1, Single-Family Residential Zoning District at 5xx-702 Cambridge Avenue
6. C & R 09-153 ZBA#046-09 Special Use Permit for a Bed and Breakfast in a C-1, Limited Office Zoning District at 716 North Church Street
7. C & R 09-200 09-LAB-016 Request for the Sale of beer & wine by the drink in conjunction with a sit-down restaurant in a C-2, Limited Commercial Zoning District at 3801 North Perryville Road, #110 (Applicant: Can Lin/Mizu Shushi Thai Restaurant)
8. C & R 09-201 09-LAB-017 Request for the Sale of alcohol by the drink in conjunction with a Sports Bar & Grill in a C-2, Limited Commercial District at 908 West Riverside Boulevard (Applicant: Daniel Callahan dba Callahan Holding Corp)
9. C & R 09-202 09-LAB-018 Request for the Sale of alcohol by the drink in conjunction with a restaurant in a C-3, General Commercial District at 1201 Sandy Hollow Road (Applicant: Salvador Hernandez dba Hacienda Real)

FINANCE AND PERSONNEL COMMITTEE

**Monday, December 28, 2009, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Award of Bid: Snow Plowing Equipment & Operators – Suspend rules
 - B. Award of Bid: Refrigerators
 - C. Sole Source Contract Award: Fire Extinguisher Simulator
 - D. Sole Source Contract Award: Training Costume and Props for Fire Prevention
 - E. Vouchers
2. Compensation of Outside Legal Counsel
3. Financial Discussion – Info only

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, December 28, 2009, 5:30 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Rob Lamb, Industrial Development Manager, regarding a Development Agreement to assist a Rockford Manufacturing Company expand its business through the acquisition of another manufacturer. (Referred 12/14/09CC#8)

LEGISLATIVE LOBBYING COMMITTEE

**Monday, December 28, 2009, 4:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

1. 2010 Lobbyist Contract
2. New Business