

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
MAY 11, 2009
COUNCIL CONVENED AT 6:26 P.M.**

1. The invocation was given by Pastor LD Tate, United Faith Missionary Baptist Church/ Salvation Army/Police Chaplain and the Pledge of Allegiance was led by Navy Recruits.
2. Roll Call:
Mayor Lawrence J. Morrissey
Aldermen: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, McNeely, Robertson -13-
Absent: Beck -1-
3. Alderman Mark moved to accept the Journal of Proceedings of April 27, 2009, seconded by Alderman Jacobson. MOTION PREVAILED.

PUBLIC HEARING

4. Mayor Morrissey called upon Alderman Curran to conduct a public hearing. Alderman Curran called the hearing to order at 6:31 pm, stating that it was being held pursuant to the requirements of the Tax Equity and Fiscal Responsibility Act of 1982, a public hearing must be conducted by the City Council prior to approval of any Industrial Project Revenue Bonds. Fairhaven has requested the issuance of not to exceed \$8,000,000 aggregate principal amount Revenue Bonds. The proceeds of the Bonds will be loaned to Fairhaven Christian Retirement Center, an Illinois not for profit corporation (the "Borrower") to be used, together with certain other funds, to (i) pay or reimburse the Borrower for the payment of the costs of acquiring, constructing, renovating, remodeling and equipping certain industrial projects of the Borrower of the other related corporations at the Borrower's continuing care retirement community campus consisting of existing 306 rooms, apartment or duplex units in Rockford, Illinois including but not limited to, the renovation, expansion and equipping of the kitchen facilities, the renovation or replacement of certain electrical equipment and systems, elevators and entryways and the resurfacing of certain parking areas (ii) refinance existing indebtedness of the Borrower, including certain bonds previously issued by the Issuer and certain outstanding bank loans, (iii) establish a debt service reserve fund with respect to the Bonds, if deemed necessary and desirable by the Issuer and the Borrower, (iii) pay a portion of the interest on the Bonds, if deemed necessary and desirable by the Issuer and the Borrower, (iv) provide working capital, if deemed necessary or advisable by the Issuer and the Borrower, and (v) pay certain expenses incurred in connection with the refinancing of existing indebtedness and the issuance of the Bonds.

The City of Rockford is authorized under the statutes to issue the Bonds and make the loan to provide the financing for the Project. The Bonds are not general obligation of the city of Rockford of the State of Illinois, or any political subdivision thereof, and the

principal of, and interest on, the bonds will be payable solely from amounts received pursuant to and under the terms of the financing agreements for the Project. Neither the credit nor the taxing power of the City of Rockford or of any political subdivision thereof will be pledged for the payment of the principal of, or interest on, the Bonds.

The Project is to be constructed within the City of Rockford.

Notice of this public hearing was given in the Rockford Register Star on April 27, 2009, as required by federal regulations. Such notice informed the residents of the City of Rockford that they would be given the opportunity to express their view for or against the proposal to issue the Bonds.

Alderman Curran asked for questions or comments from Council members, and then from the public and closed the public hearing at 6:34 pm.

The meeting returned to regular order of business at 6:34 pm.

PUBLIC PARTICIPATION

5. Karla Centeno, co-founder of the nCenter, thanked the Council and community for making it possible for the nCenter to open last year and urged community support to keep the center open.
6. Jake Schneider spoke supporting the nCenter and urged Council to invest in the facility and our children for tomorrow.
7. Evon Sams spoke supporting the nCenter and the positive influence it has had on his life.
8. Teranie Brown spoke supporting the nCenter and reminded Council this is a safe, positive place teens look forward to going.
9. Megan Osinski spoke in support of the nCenter and also communicated the risk of closing the doors will leave hundreds of teens with nowhere to go.

PETITIONS AND COMMUNICATIONS

10. Alderman Elyea submitted a request from J Bryan Latham, Director Midtown Marketplace, in conjunction with Midtown Farmer's Market, requesting permission to use city lot for weekly farmer's market and barricades to close the lot each week with tents and canopies to be erected by vendors and erect three (3) signs in the immediate area for advertising from May 15, 2009 through October 16, 2009 between 3:00 pm to 8:00 pm at 203 7th Street. Alderman Elyea moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck absent).
11. Alderman Curran submitted a Memorandum from Ronald Schultz, City Attorney, regarding Agreement for Floodway Land Acquisition. Referred to Finance and Personnel Committee.

12. Alderman Wasco submitted a Memorandum from Jessica Roberts, Planner II, regarding the Final Plat 2 of Prather's Subdivision. Referred to Code and Regulation Committee.
13. Alderman Wasco submitted a Memorandum from Jennifer Cacciapaglia, City Attorney, regarding the Special Event Permit for the 2009 Wing Ding to be held at the Chicago-Rockford International Airport on May 24, 2009. Referred to Code and Regulation Committee.
14. Alderman Wasco submitted a Memorandum from Brad Moberg, P.E. City Engineer, regarding the vacation request for the alley behind 202 and 208 Shaw Street. Referred to Code and Regulation Committee.
15. Alderman Wasco submitted a request from Todd Cagnoni, CD Zoning Supervisor, for a Zoning Text Amendment to the Arts and Creativity District section of the Ordinance. Referred to Code and Regulation Committee.
16. Alderman Wasco submitted a Memorandum from Jennifer Cacciapaglia, City Attorney, regarding a SP Liquor Permit for Boylan High School Golf Outing. Referred to Code and Regulation Committee.
17. Alderman Beach submitted a letter from Kyle Logan, County Board District 3 and John Sweeney, County Board District 14, expressing their desire to have Winnebago County Board members join the ad hoc committee formed in response to the Metro Centre's financial crisis. Referred to Mayor Morrissey's Office.
18. Alderman Hervey submitted a request from Gregg Wilson, General Director of Rockford School District Transportation Department, requesting barricades and permission to close Christina Street between 18th Ave. and Blackhawk Park Ave. on Saturday May 16, 2009 between 7:00 am and 2:00 pm. Alderman Hervey moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck absent).
19. Alderman Johnson submitted four (4) Requests for Service. Referred to the Public Works Department and Community Development/Code Enforcement Division.
20. Alderman Mark submitted a request from Jeff Schroeder, in conjunction with the Memorial Day Parade, requesting police assistance, sweeping and barricades and permission for street closures from 7th Street, north to State, west to Wyman and disband at Beattie Park; Memorial services east of the Public Library on Monday, May 25, 2009. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck absent).
21. Alderman Mark submitted a request from Cassie Swanson, Director of Marketing and Special Events, in conjunction with Rockford College Graduation, requesting permission for street closures of North Main from Jefferson Street to Park Avenue on Sunday, May 17, 2009 from 3:30 pm to 5:30 pm at the Coronado Theatre. Alderman Mark moved to

grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck absent).

22. Alderman McNeely submitted an e-mail from a constituent from the 13th Ward concerning criminal activity in her neighborhood. Referred to the Police Department and Mayor Morrissey's Office.
23. Alderman Sosnowski submitted a request from Charles Smith, in conjunction with Kennedy 5K Run/Walk for Mind, Body and Soul requesting permission for police assistance and barricades for street closures in the NIU neighborhood (Northern, Verona, Cross Plains, Blue River, University) on Saturday, July 18, 2009 between 7:30 am to 9:30 am. Alderman Sosnowski moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck absent).

NEW COMMITTEE REPORTS

24. 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 an Entertainment Nightclub in a C-2, Limited Commercial Zoning District at 6116 Mulford Drive. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Submittal of an updated interior site plan for staff review and approval. The nightclub will be limited to the approved site plan.
 3. Compliance with all City of Rockford Liquor Codes.
 4. Security shall be provided as submitted and there shall be a ratio of one (1) per fifty (50) patrons.
 5. The nightclub shall be limited to the interior tenant space as shown.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary ordinance. LAID OVER.

25. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a restaurant, bar and nightclub in the name of **Reynaldo Vera d/b/a Miranda's Pub and Grill** in a C-2, Limited Commercial Zoning District at 6116 Mulford Road. Approval is subject to the following conditions:
 1. Meeting all applicable Liquor Codes.
 2. Submittal of an updated interior site plan for staff review and approval. The nightclub will be limited to the approved site plan.
 3. Security shall be provided as submitted and there shall be a ratio of one (1) per fifty (50) patrons.
 4. The nightclub shall be limited to the interior tenant space as shown.

The Legal Director shall prepare the necessary Ordinance. LAID OVER.

26. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a sports bar and grill with an outdoor garden area to include night club in the name of **Jay Gesner and Rebecca Yates d/b/a Hawks Nest** in a C-4, Urban Mixed-Use District at 310 South Church 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 nightclub will be limited to Exhibit D and Exhibit E that were submitted.

The Legal Director shall prepare the necessary Ordinance. LAID OVER.

27. Alderman Wasco read 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 gas station in the name of **Shaher Bano d/b/a Aliz Inc.** in an R-1, Single-Family Residential District at 3307 Charles Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. The sale of liquor is limited to 6:00 am to 11:00 pm daily (Monday to Saturday) and on Sunday from 12:00 pm (noon) to 11:00 pm as presented within the business plan.

The Legal Director shall prepare the necessary Ordinance. LAID OVER.

28. 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 Mural in a C-4, Urban Mixed-Use Zoning District at 508 East State Street. Approval is subject to the following conditions:

1. Mounting of mural panels must be according to request; any modifications to materials and/or image or mural will require a Modification of Special Use Permit.
2. A sign Permit shall be required, including illustrations of proposed paintings for Staff's review and approval.
3. The mural panels may not consist of a vinyl banner material within a frame.

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

29. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #032-05 to change eleven (11) six-family residential condominiums and one (1) three-family condominium to nine (9) five-family and three (3) six-family condominiums in an R-3, Multi-family Residential Zoning District and a C-1, Limited Office Zoning District at 7548-7698 Western Gales Road and 1485-1495 Bonny Bridge Lane. 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. Submittal of revised elevations for Staff review and approval.
4. Site must be developed in accordance with site plan.

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

30. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Renewal of Special Use Permit #079-06 (2007-85-O) for a Planned Mixed-Use Development for a bus terminal center, including joint development of retail spaces and parking in a C-3, General Commercial District at 725 North Lyford Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a detailed site plan, landscaping plan and illumination plan for Staff's review and approval prior to issuance of a building permit.
3. Submittal of a building design elevation for Staff's review and approval prior to issuance of a building permit.
4. That a Tentative Plat and Final Plat is approved for the property in accordance with the City's Subdivision regulation inclusive of required improvements to Lyford Road prior to issuance of a building permit and development of site.

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

31. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit for a Planned Unit Development from a condominium development to fee simple lots in a R-2, Two-family Residential Zoning District at 1105, 1131 North Court Street and 1124, 1126 North Church Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Meeting all applicable Building Codes, specifically documentation from a licensed design professional (Architect), licensed in the State of Illinois indicating the current construction does not violate any building code requirements in regard to the property line being through the existing building.
3. Submittal of Building Permits for Staff review and approval.
4. Site must develop in accordance with site plan on file.

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

32. 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 restaurant with Drive-Thru in the C-2, Limited Commercial Zoning District at 7130 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. The property shall be replatted prior to building permitting.
3. Landscaping shall be as per Exhibit E, with final review and approval by Staff.
4. Submittal of an illumination plan for Staff review and approval.
5. Submittal of an elevation plan and final building materials for Staff review and approval.
6. That a right turn lane shall be provided along Argus Drive or the outlots shall be shifted to the south to be reviewed and approved by the City of Rockford City Engineer.

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

33. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the amendment to the City's weed regulation and mowing procedure.

When contract mowing properties greater than 5 acres, including multiple parcels under one ownership, the City will contract mow a 100 foot buffer adjacent the public street measured from the curb inward onto the property and a 100 foot buffer adjacent to residential uses. The balance of the property not in compliance with the weed regulations will be referred to Code Hearing for enforcement and fine, if necessary.

LAID OVER.

2009-210CR

34. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Identity Theft Prevention Policy.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Beck absent; Ald. McNeely voted no).

35. Alderman Curran read a Finance and Personnel Committee Report recommending that the Agreement with Rockford Township and the Human Services Department be approved. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
36. Alderman Curran read a Finance and Personnel Committee Report recommending renewal of the contract with Keep Northern Illinois Beautiful in the amount of \$22,100. The funding source is Sanitation Fund. LAID OVER.

2009-211CR

37. Alderman Curran read a Finance and Personnel Committee Report recommending that the Finance Director be authorized to disburse \$270,000 from the \$600,000 loan approved by the City on April 27, 2009 for the Metro Centre.

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

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

2009-212CR

38. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Paint supplies & Materials be made to the low bidder, Sherwin-Williams, of Rockford, Illinois for their estimated total of \$53,043.61. The funding source is Property Fund.

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

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

2009-213CR

39. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Summer Food Program be made to the sole bidder, Open Kitchens, of Chicago, Illinois for their total bid of \$333,077.50. The funding source is Human Services Operating Budget.

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

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

2009-214CR

40. Alderman Curran read a Finance and Personnel Committee Report recommending Engineering Agreement: 20th Street Water Main be made to Municipal Design and Environmental Services for a total not to exceed cost of \$62,660.00 for design engineering and construction observation. The funding for this project will come from Sales Tax funds and WRIA Funds.

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

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

41. Alderman Curran read a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 11, 2009 in the amount of \$3,041,231.51. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

42. Mayor Morrissey presented a Proclamation proclaiming Monday, May 11, 2009 to be "NAVY CLUB OF ROCKFORD, USS ROCKFORD (PF-48) DAY" in Rockford, Illinois and encouraged all citizens to recognize this piece of Rockford history.
43. Mayor Morrissey presented a Proclamation proclaiming May 14, 2009 to be "KELLER WILLIAMS REALTY RED DAY" in Rockford, Illinois and encouraged all citizens to support Keller Williams Realty's RED day's mission to beautify the Rockford community.
44. Mayor Morrissey presented a Proclamation proclaiming the week of May 11, 2009 to be "NATIONAL POLICE WEEK" in Rockford, Illinois and urged its citizens to honor and show our sincere appreciation for the police officers of our community by deed, remark and attitude.
45. Katy Langenfeld, on behalf of Representative Chuck Jefferson, presented a plaque to our Rockford Police Department for Police Week.
46. Mayor Morrissey presented a Proclamation proclaiming the week of May 11, 2009 to be "SALVATION ARMY WEEK" in Rockford, Illinois and urged citizens to recognize and appreciate the dedication and commitment the Salvation Army provides to our community's needs.
47. Mayor Morrissey presented a Proclamation proclaiming the week of May 10, 2009 to be "TOURISM AND TRAVEL WEEK" in Rockford, Illinois in recognition of the positive impact tourism has on the community.
48. Mayor Morrissey presented a Proclamation proclaiming the week of May 11, 2009 to be "AMERICORPS WEEK" in Rockford, Illinois and urged all citizens to participate in any way possible in the scheduled activities to make our community a better place to live.

49. Mayor Morrissey presented a Proclamation proclaiming the week of May 17, 2009 to be "NATIONAL SAFE BOATING WEEK" in Rockford, Illinois and urged all boaters and boating organizations to consider this occasion as a special opportunity to renew their determination to use courtesy and common sense while afloat at all times.
50. Mayor Morrissey called attention to the Memorandum regarding committee assignments for the upcoming year. Any questions may be directed to Mayor Morrissey or Jim Ryan, City Administrator. Completed forms need to be returned to Chris Washington/Mayor's Office.
51. Mike Bacon, Winnebago County Health Department, gave a presentation concerning the Pandemic Flu and distributed a handout with pictures and statistics.

Alderman Beach asked if the City's water supply could be affected. Mike Bacon advised there is no specific test for viruses but assured him the City water supply is exceptional and well maintained.
52. Mayor Morrissey commented he was in Springfield last week along with several aldermen for continued discussion with State leaders to invest in Rockford.
53. Mayor Morrissey reported today he, local leaders and two Amtrak top officials participated in a hearing held in Chicago urging State leaders to support restoring Amtrak service through Rockford and stressed the importance of increased federal funding and the stimulus package to make passenger rail service here possible.
54. Alderman Johnson mentioned the Swan Hillman School "Come and Read Week" event held a few weeks ago.
55. Alderman Johnson reported the Rolling Green School third graders won a contest sponsored by the Park District each receiving a pine tree.
56. Alderman Johnson announced construction began today on the new playground at Whitehead School and a dedication ceremony will be held on Friday, May 15, 2009 at 10:00 at the completed playground.
57. Alderman Johnson wished Alderman Curran and Alderman Mark a happy birthday.
58. Mayor Morrissey wished Alderman Curran and Alderman Mark a happy birthday.
59. Alderman Thompson-Kelly thanked everyone for the cards, e-mails, and calls offering condolences for the passing of her uncle.
60. Alderman Thompson-Kelly mentioned she was unable to attend the breakfast and trip to Chicago today for the hearing on Amtrak.

61. Alderman Thompson-Kelly announced a Town Hall meeting will be held on May 19, 2009 at 6:30 pm at the Northwest Community Center, 1325 North Johnston Avenue. She thanked Georgeanne Duckett for coordinating this meeting.

PETITIONS AND COMMUNICATIONS

62. Alderman Sosnowski submitted a Memorandum recommending a review of the Ordinance regarding City Council Committee Chair Selection and Committee Appointments. Referred to Code and Regulation Committee.

UNFINISHED BUSINESS

2009-215CR

63. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending the approval of the addition of the ordinance to prohibit horseback riding on city streets. The Legal Director shall prepare the appropriate Ordinance. MOTION PREVAILED (Ald. Beck absent).

2009-216CR

64. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending the approval of the Driveway & Sidewalk Policy for residential and commercial properties. The Legal Director shall prepare the appropriate Ordinance. MOTION PREVAILED (Ald. Beck absent).

2009-217CR

65. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending the approval of the amendment to Chapter 16, Section 16-165 of the City of Rockford Code of Ordinances regarding parking facility violations. The Legal Director shall prepare the appropriate Ordinance. MOTION PREVAILED (Ald. Beck absent).

2009-218CR

66. Alderman Jacobson moved the adoption of a Planning and Development Committee Report recommending that the attached Proposed Map Amendments (2009) be made to the 2020 Plan and that the Kishwaukee Corridor Study be attached to said plan as an Appendix. The Legal Director shall prepare the appropriate Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2009-077-O

67. Alderman Jacobson moved the adoption of an Ordinance approving of the East River Redevelopment Plan and Project. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Robertson -12-
Nays: McNeely -1-
Absent: Beck -1-

2009-078-O

68. Alderman Jacobson moved the adoption of an Ordinance approving the East River Redevelopment Project Area. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Robertson -12-
Nays: McNeely -1-
Absent: Beck -1-

2009-079-O

69. Alderman Jacobson moved the adoption of an Ordinance approving the adoption of the Tax Increment Financing for the East River Redevelopment Project Area. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Robertson -12-
Nays: McNeely -1-
Absent: Beck -1-

2009-054R

70. Alderman Curran, 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:

RFP: EMS Resource Hospital Agreement, funding source: Fire Department Operating Budget.

Alderman Sosnowski made a motion to amend the Resolution to direct Staff to negotiate a Resource Hospital Agreement contract with EMS Resource Hospital Agreement with OSF Saint Anthony Medical Center for a duration of five (5) years, for fees and costs not to exceed \$10,000 and with other terms similar to the existing agreement. The resulting Resource Hospital Agreement shall be presented to the Finance and Personnel Committee of the City Council for consideration within ninety (90) days of this resolution, seconded by Alderman Thompson-Kelly. MOTION FAILED by a Roll Call Vote of:

Ayes: Sosnowski, Wasco, Thompson-Kelly -3-
Nays: Curran, Mark, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, McNeely, Robertson -10-
Absent: Beck -1-

The Resolution was placed on passage. MOTION PREVAILED by a Roll Call Vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, McNeely, Robertson -12-
Nays: Sosnowski -1-
Absent: Beck -1-

MOTIONS AND RESOLUTIONS

2009-055R

71. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the use of Motor Fuel Tax funds for Harrison Avenue Corridor Improvements in the amount of \$250,000.00. MOTION PREVAILED by a Roll Call Vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Robertson -12-
Nays: McNeely -1-
Absent: Beck -1-

2009-056R

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

Bid: SUV's and Service Trucks for Water Division, funding source: Water Division Capital Outlay Budget

Bid: Fire Hydrant Painting, funding source: Water Division Operating Budget

RFP: West State Street Relocation Plan, funding source: CIP

MOTION PREVAILED by a Roll Call Vote of:

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

2009-057R

73. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution providing for the issuance of Revenue Bonds, Series 2009 in an aggregate principal amount of not to exceed \$8,000,000 of the City of Rockford, Winnebago County, Illinois approving the execution of a Financing Agreement and Schedule providing for the issuance of the Series 2009 Bonds, the sale of the Series 2009 Bonds to Alpine Bank of Illinois and the loan of the proceeds of the Series 2009 Bonds to Fairhaven Christian Retirement Center. MOTION PREVAILED by a Roll Call Vote of:

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

NEW BUSINESS

74. Alderman Wasco introduced and read an Ordinance amending Chapter 16, Section 280 of the Code of Ordinances of the City of Rockford to add "No Parking Anytime" on both sides of Walton Drive from Bell School Road to Perryville Road. LAID OVER.

2009-080-O

75. Alderman Wasco introduced and read an Ordinance approving the Identity Theft Prevention Policy.

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

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

OFFICERS REPORTS

76. Alderman Jacobson acknowledged Bob O'Brien, Director of the Chicago-Rockford International Airport, in the audience.
77. Upon motion duly made and seconded, the meeting was adjourned at 8:54 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
May 18, 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 MAY 18, 2009

A. CODE AND REGULATIONS

1. Wasco – Kentucky Data Link Agreement to Use Right-of-Way (Elm Street south to Wyman Street)
2. Wasco – Groundwater Ordinance for K’s Cleaners Site, 1601 West State Street
3. Wasco – Final Plat of Humanity Subdivision
4. Wasco – Proposed Sale of City Owned Vacant Lot at 702 South 3rd Street
5. Wasco – Proposed Sale of City Owned Vacant Lot at 1402 Andrews Street and 330 North Hinkley Avenue
6. Wasco – Proposed Sale of City Owned Vacant Lot at 3417 Chestnut Street
7. Wasco – Proposed Sale of City Owned Vacant Lot at 1918 Elm Street
8. Wasco – Proposed Sale of City Owned Vacant Lots at 3100 Elm Street
9. Wasco – Zoning – For a variation to increase the maximum allowable height for a freestanding sign at 4404 East State Street.
10. Wasco – Vacation of any alley behind 202 & 208 Shaw Street.

- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER MAY 11, 2009

1. Curran - Finance and Personnel - Recommending that the Agreement with Rockford Township and the Human Services Department be approved. The Legal Director shall prepare the appropriate ordinance.
2. Curran - Finance and Personnel - Recommending renewal of the contract with Keep Northern Illinois Beautiful in the amount of \$22,100. The funding source is Sanitation Fund.
3. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for an Entertainment Nightclub in a C-2, Limited Commercial Zoning District at 6116 Mulford Drive. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Submittal of an updated interior site plan for staff review and approval. The nightclub will be limited to the approved site plan.
 3. Compliance with all City of Rockford Liquor Codes.
 4. Security shall be provided as submitted and there shall be a ratio of one (1) per fifty (50) patrons.
 5. The nightclub shall be limited to the interior tenant space as shown.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary ordinance.

4. Wasco - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a restaurant, bar and nightclub in the name of **Reynaldo Vera d/b/a Miranda's Pub and Grill** in a C-2, Limited Commercial Zoning District at 6116 Mulford Road. Approval is subject to the following conditions:
 1. Meeting all applicable Liquor Codes.
 2. Submittal of an updated interior site plan for staff review and approval. The nightclub will be limited to the approved site plan.
 3. Security shall be provided as submitted and there shall be a ratio of one (1) per fifty (50) patrons.
 4. The nightclub shall be limited to the interior tenant space as shown.

The Legal Director shall prepare the necessary Ordinance.

5. Wasco - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction

with a sports bar and grill with an outdoor garden area to include night club in the name of **Jay Gesner and Rebecca Yates d/b/a Hawks Nest** in a C-4, Urban Mixed-Use District at 310 South Church 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 nightclub will be limited to Exhibit D and Exhibit E that were submitted.

The Legal Director shall prepare the necessary Ordinance.

6. Wasco - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine in conjunction with a gas station in the name of **Shaher Bano d/b/a Aliz Inc.** in an R-1, Single-Family Residential District at 3307 Charles Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. The sale of liquor is limited to 6:00 am to 11:00 pm daily (Monday to Saturday) and on Sunday from 12:00 pm (noon) to 11:00 pm as presented within the business plan.

The Legal Director shall prepare the necessary Ordinance.

7. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Mural in a C-4, Urban Mixed-Use Zoning District at 508 East State Street. Approval is subject to the following conditions:

1. Mounting of mural panels must be according to request; any modifications to materials and/or image or mural will require a Modification of Special Use Permit.
2. A sign Permit shall be required, including illustrations of proposed paintings for Staff's review and approval.
3. The mural panels may not consist of a vinyl banner material within a frame.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary Ordinance.

8. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #032-05 to change eleven (11) six-family residential condominiums and one (1) three-family condominium to nine (9) five-family and three (3) six-family condominiums in an R-3, Multi-family Residential Zoning District and a C-1, Limited Office Zoning District at 7548-7698 Western Gailes Road and 1485-1495 Bonny Bridge Lane. 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. Submittal of revised elevations for Staff review and approval.

4. Site must be developed in accordance with site plan.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary Ordinance.

9. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Renewal of Special Use Permit #079-06 (2007-85-O) for a Planned Mixed-Use Development for a bus terminal center, including joint development of retail spaces and parking in a C-3, General Commercial District at 725 North Lyford Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a detailed site plan, landscaping plan and illumination plan for Staff's review and approval prior to issuance of a building permit.
3. Submittal of a building design elevation for Staff's review and approval prior to issuance of a building permit.
4. That a Tentative Plat and Final Plat is approved for the property in accordance with the City's Subdivision regulation inclusive of required improvements to Lyford Road prior to issuance of a building permit and development of site.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary Ordinance.

10. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit for a Planned Unit Development from a condominium development to fee simple lots in a R-2, Two-family Residential Zoning District at 1105, 1131 North Court Street and 1124, 1126 North Church Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Meeting all applicable Building Codes, specifically documentation from a licensed design professional (Architect), licensed in the State of Illinois indicating the current construction does not violate any building code requirements in regard to the property line being through the existing building.
3. Submittal of Building Permits for Staff review and approval.
4. Site must develop in accordance with site plan on file.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary Ordinance.

11. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a restaurant with Drive-Thru in the C-2, Limited Commercial Zoning District at 7130 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. The property shall be replatted prior to building permitting.
3. Landscaping shall be as per Exhibit E, with final review and approval by Staff.

4. Submittal of an illumination plan for Staff review and approval.
5. Submittal of an elevation plan and final building materials for Staff review and approval.
6. That a right turn lane shall be provided along Argus Drive of the outlots shall be shifted to the south to be reviewed and approved by the City of Rockford City Engineer.

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary Ordinance.

12. Wasco - Code and Regulation - Recommending the approval of the amendment to the City's weed regulation and mowing procedure.

When contract mowing properties greater than 5 acres, including multiple parcels under one ownership, the City will contract mow a 100 foot buffer adjacent the public street measured from the curb inward onto the property and a 100 foot buffer adjacent to residential uses. The balance of the property not in compliance with the weed regulations will be referred to Code Hearing for enforcement and fine, if necessary.

III. ORDINANCES LAID OVER MAY 11, 2009

1. Wasco - Ordinance - Amending Chapter 16, Section 280 of the Code of Ordinances of the City of Rockford to add "No Parking Anytime" on both sides of Walton Drive from Bell School Road to Perryville Road.

IV. MISCELLANEOUS HELD OUT MAY 11, 2009

- 1.* Mayor Morrissey - Re-appointment - Fire Pension Board, Mr. Michael White Jr., to a three (3) year term which would expire April, 2012. (Pursuant to Rule 18 this appointment is up for passage on May 18, 2009).
- 2.* Mayor Morrissey - Re-appointment - Historical Preservation Commission, Ms. Maureen Flanagan, to a three (3) year term which would expire April, 2012. (Pursuant to Rule 18 this appointment is up for passage on May 18, 2009).

- 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 – No horseback riding on City streets
2. Wasco – Ordinance – Driveway and Sidewalk Policy for Residential & Commercial
3. Wasco – Ordinance – Amendment to Chapter 16, Section 16-165 ; Concourse Parking Violations.

- 4. Jacobson – Ordinance – Approving the attached Proposed Map Amendments (2009) be made to the 2020 Plan and that the Kishwaukee Corridor Study be attached to said plan as an Appendix.
- * 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, May 18, 2009, 5:00 p.m.

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

AGENDA

- 1. C & R 09-79 Final Plat 2 of Prather's Subdivision
- 2. C & R 09-82 SP Permit for Boylan High School Golf Outing
- 3. C & R 09-80 Special Event Permit for the 2009 Wing Ding Event
- 4. C & R 09-68 Amendment to Section 3-15, Chapter Three of the City of Rockford Code of Ordinances
- 5. C & R 09-78 Amendment to the Code of Ordinance relating to apiaries in the City of Rockford
- 6. C & R 09-75 Human Services Department Lease
- 7. C & R 09-81 Alley behind 202 & 208 Shaw Street
- 8. C & R 09-83 Rockford Better Governance Proposal
- 9. C & R 09-85 Closed Session for Purposes of Pending Litigation

FINANCE AND PERSONNEL COMMITTEE

Monday, May 18, 2009, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of RFP: Worker's Compensation
 - B. Contract Extension: Banking Services
 - C. Award of Bid: Downtown Streetscape – Suspend rules
 - D. Change Order: City-Wide 2008 Curb & Gutter – Suspend rules
 - E. Engineering Agreement: 2009 Water Distribution Improvement – Suspend rules (Laid over 5/11)
 - F. Resolution to take Bids
 - G. Vouchers
2. Rockford Area Arts Council Funding
3. Agreement for Floodway Land Acquisition
4. Human Services Department Lease – Suspend rules
5. Financial Discussion

PLANNING AND DEVELOPMENT COMMITTEE

Monday, May 18, 2009, 5:15 p.m.

CD Conference Room, City Hall 2nd floor

AGENDA

1. Memorandum from Victory Bell, 5th Ward Alderman, regarding a recommendation to the P&D Committee on renewing the funding for SWIFTT.
2. Memorandum from Regina Farrar, Administrative Assistant, regarding the RACVB 3rd Quarter 2009 Report.

LEGISLATIVE LOBBYING COMMITTEE

Monday, May 18, 2009, 4:00 p.m.

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

AGENDA

1. Lobbyist Contract
2. Project List for Lobbyist – Patrick Zuroske
3. Chairman of Legislative Lobbying Committee
4. New Business
5. Old Business