

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
APRIL 6, 2009
COUNCIL CONVENED AT 6:24 P.M.**

1. The invocation was given by Colonel Tom Lewis, Salvation Army/Police Chaplain and the Pledge of Allegiance was led by Council Page Carla Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -12-
Absent: Thompson-Kelly, Johnson (late) -2-
3. Alderman Mark moved to accept the Journal of Proceedings of March 30, 2009, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Thompson-Kelly, Johnson absent).

PETITIONS AND COMMUNICATIONS

4. Alderman Curran submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding an Intergovernmental Agreement: Kishwaukee Street Bridge. Referred to Finance and Personnel Committee.
5. Alderman Wasco submitted a Memorandum from Ronald Schultz, City Attorney, regarding an Amendment to the Groundwater Protection Ordinance. Referred to Code and Regulation Committee.

Alderman Johnson joined the meeting at 6:27 pm.

6. Alderman Bell submitted a request from Marcy Leach, in conjunction with Arbor Day, requesting permission for barricades for street closures of a portion of Clifton from 7:00 am to 2:00 pm on April 24, 2009 near Klehm Arboretum. Alderman Bell moved to grant the Prayer of the Petitioner, seconded by Alderman McNeely. MOTION PREVAILED (Ald. Thompson-Kelly absent).
7. Alderman Conness requested City Staff consider holding another public hearing regarding the East River District TIF. Referred to Planning and Development Committee.
8. Alderman Conness submitted a Memorandum from Richard M. May, Commercial Development Coordinator, regarding a Redevelopment Agreement Approving TIF Funding for the Renovation of Lantow Lofts and Katie's Cup Coffee Shop by Zion Development Corporation at 502 Seventh Street. Referred to Planning and Development
9. Alderman Conness submitted a Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding Healthy Neighborhoods Program funding

recommendation to fund Rock River Training Corporation (RRTC) to continue the Ellis Heights Weed and Seed Employment Training Program. Referred to Planning and Development.

10. Alderman Mark submitted two (2) Requests for Service. Referred to Community Development/Code Enforcement.
11. Alderman Mark submitted a Request for Service for alley patching behind in the 400 block of North 2nd Street. Referred to Public Works Department.
12. Alderman Mark submitted a request to post a stop sign control at the intersection of South 2nd and Grove Street. Referred to Public Works Department/Traffic.
13. Alderman Mark submitted a note from Jeanette Fowlks requesting information regarding the East River TIF District. Referred to Community Development/Rick May.
14. Alderman Mark submitted a request from Sue Stevens, in conjunction with the Rockford Public Library Summer Reading Club Kick-Off Party, requesting permission for barricades to close Lot C and place tents, a climbing wall, inflatables, crafts, food and entertainment in the lot on June 6, 2009 from 11:00 am – 2:00 pm (set up at 7:30 am) in Parking Lot C. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).
15. Alderman Mark submitted a request from Alberto Altamore, in conjunction with the Magnolia Festival, requesting police assistance and barricades at City Lot G and the 1400 block of Latham Place for festival, including tents on city property and to hang signage in City Lot G from April 27, 2009 to May 4, 2009. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).
16. Alderman Johnson submitted four (4) Requests for Service. Referred to the Public Works Department.
17. Alderman Johnson submitted a Request for Service to review stop sign control on 16th Avenue. Referred to the Public Works Department/Traffic.

NEW COMMITTEE REPORTS

18. Alderman Conness read a Planning and Development Committee Report recommending approval of the attached agreement for \$30,200 in grant assistance to the Regional Access Mobilization Project (RAMP) via the Healthy Neighborhoods Grant Program. The funding recommendation will enable RAMP to continue its successful ramp building program for low-income City residents whom experience mobility problems entering and exiting their homes. LAID OVER
19. Alderman Conness read a Planning and Development Committee Report recommending approval of the attached agreement for \$33,200 in grant assistance to The Literacy Council to provide English as a Second Language (ESL) instruction via the Healthy

Neighborhoods Grant Program. The funding recommendation will enable The Literacy Council to serve approximately 100 low-income residents. LAID OVER

2009-131CR

20. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Dexter/Welworth Reconstruction 2009 be made to the low bidder, Northern Illinois Service, of Rockford, Illinois for their total bid of \$312,101.25. The funding source is Sales Tax.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2009-132CR

21. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Russell/Taylor Reconstruction be made to the low bidder, Stenstrom Excavation & Blacktop Group, of Rockford, Illinois for their total bid of \$309,834.45. The funding source is Sales Tax.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2009-133CR

22. Alderman Curran read a Finance and Personnel Committee Report recommending the award for City-Wide Spring Cracksealing 2009 be made to Behm Pavement Maintenance, of Crystal Lake, Illinois for their bid of 110,295 pounds of material for a contract not to exceed cost of \$150,000. The bid was based on poundage. The funding source is Sales Tax.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2009-134CR

23. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Auburn Street Resurfacing 2009 be made to the low bidder, William Charles Construction, of Loves Park, Illinois for their total bid of \$606,021.49. The funding source is Sales Tax.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2009-135CR

24. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Alley Reconstruction, Phase 2, 2009 be made to the low bidder, Fischer Excavating, of Freeport, Illinois for their total bid of \$323,120.49. The funding source is Sales Tax & Water Fund.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2009-136CR

25. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Ridge/Whitman Reconstruction 2009 be made to Schlichting & Sons, of Rockford, Illinois for their total bid of \$720,830.95. The funding source is Sales Tax & WRIA.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2009-137CR

26. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Water Treatment Improvements Group 3 to Scandroli Construction, of Rockford, Illinois in an amount not to exceed cost of \$6,948,890. Funding for the contract will come from IEPA funding and \$25 million G.O. Limited tax Debt Certificates, Series 2008.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2009-138CR

27. Alderman Curran read a Finance and Personnel Committee Report recommending approval of Task Order #20 with Strand Associates, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$471,620. The task order will be completed under a Master Agreement with Strand Associates, Inc. Funding for the project will come from IEPA funding and \$25 million G.O. Limited Tax Debt Certificates, Series 2008.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2009-139CR

28. Alderman Curran read a Finance and Personnel Committee Report recommending approval of the Intergovernmental Agreement: Dawson Avenue Water Main with Rock River Water Reclamation District. No funding is required for this agreement.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

2009-140CR

29. Alderman Curran read a Finance and Personnel Committee Report recommending approval of the Intergovernmental Agreement: Colorado Avenue – Service Rehabilitation with Rock River Water Reclamation District. No funding is required for this Agreement.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Beach. 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, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

30. Alderman Curran read a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 6, 2009 in the amount of \$2,557,760.53. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

31. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Final Plat of Winnebago County Justice Center. 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 an auto transmission shop in a C-2, Limited Commercial Zoning District at 1200 Auburn Street and 1439 North Main Street and to MODIFY conditions of approval to five (5) conditions. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Detailed site plan shall be submitted showing striped parking that must be approved by Staff.
3. That there is no outdoor storage of vehicle parts at any time.
4. Disposal and storage of hazardous materials must follow the Illinois Environmental Protection Agency guidelines.
5. There shall be a ten (10) foot wide perimeter landscape buffer along the west property line of the lot.

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

33. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from C-3, General Commercial District to I-1, Light Industrial/Business Park District at 588 Simpson Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a tentative and final plat prior to development of the site.
3. Submittal of a landscaping and illumination plan prior to issuance of a building permit.
4. No outside storage of boats, unlicensed vehicles, mobile homes and trailers.

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

34. 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 Crematory in a C-4, Urban Mixed-Use Zoning District at 1001 2nd Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a Building permit including building elevations for Staff review and approval.
3. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
4. All conditions must be met prior to establishment of use.
5. That the property shall conform to State and Federal EPA Regulations.

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

35. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the required six (6) foot side yard setback to zero (0) feet along the east property line along Parcel B and along the west property line along Parcel A in a C-1, Limited Office Zoning District at 4873-4875 Manhattan Drive. Approval is subject to the following conditions:

1. 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.
2. Meeting all applicable Fire Codes.
3. Access easement be recorded between the two lots.

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

36. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the sale of vacant lot at 2623 Mulberry Street. LAID OVER.
37. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the sale of vacant lot at 1209 South Court Street. LAID OVER.

38. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Street Vacations depicted on the Final Plat of the Winnebago County Justice Center. LAID OVER.
39. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Proposed Groundwater Ordinance for ACME Solvents, 15th Street at 20th Avenue. LAID OVER.
40. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the First Addendum to Intergovernmental Agreement with Winnebago County Justice Center Real Estate Issues. LAID OVER.
41. Alderman Wasco read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on both sides of Calgary Court from Florida Drive to fifty (50) feet south of Florida Drive. LAID OVER.
42. Alderman Wasco read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for "Handicapped Parking" on the west side of North Church Street from forty (40) feet to one hundred (100) feet north of Elm Street, thus repealing the "30 Minute" parking restriction. LAID OVER.
43. Alderman Wasco read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for repealing the "Handicapped Parking" on the east side of Latham Street from sixty (60) feet to eighty-five (85) feet north of Auburn Street. LAID OVER.
44. Alderman Wasco read a Code and Regulation Committee Report recommending that "No Action" be taken on the following item:
 1. Request from Fire Station #11, 2117 Calgary Court for "No Parking Anytime" on the south side of Eastmoreland Avenue from two hundred ten (210) feet to three hundred seventy-five (375) feet west of Alpine Road. LAID OVER.

OFFICERS REPORTS

45. Mayor Morrissey presented a Proclamation proclaiming the month of April, 2009 to be "FAIR HOUSING MONTH" in Rockford, Illinois and urged all citizens to join in reaffirming the obligation and commitment to fair housing opportunities for all people.
46. Mayor Morrissey presented a Proclamation proclaiming the week of April 6, 2009 to be "WORLD TRADE WEEK" in Rockford, Illinois and urged all citizens to observe "World Trade Week" by promoting continuing awareness of the importance of world trade to our economy and our relations with other nations.
47. Mayor Morrissey announced the City of Rockford has received for the twentieth straight year the recognition of "Tree City USA Destination" and mentioned April 24, 2009 is Arbor Day.

48. Mayor Morrissey announced due to the Easter Holiday, the Household Hazardous Waste Site at 3333 Kishwaukee Street and Used Tire/Oil Site at Rockton and Halsted will be closed on April 11th and 12th. Both sites will resume regular schedules on April 18th and 19th. Garbage pick up will not change.
49. Mayor Morrissey mentioned the Police Department will be hosting the First Police Academy for citizens. A series of sessions will begin this Wednesday, April 8th from 1:00 pm to 3:00 pm at the Public Safety Building, 420 W. State Street and will continue for eight (8) consecutive weeks.
50. Mayor Morrissey reported the first quarter crime statistics for 2009 indicate a decline in violent crimes.
51. Mayor Morrissey commented today he presented information, on behalf of the City of Rockford, at a forum hosted by State Representative Chuck Jefferson and joined by State Representative John Bradley to hear testimony from individuals all over the region about the need to pass a capital improvement program. He provided a handout of the comments he made at the forum to Council members.
52. Mayor Morrissey affirmed the City's commitment to the nCenter and is hopeful to find new partnerships to support the center.
53. Alderman Jacobson reported last Saturday he volunteered with members from the SM&SF Club and Lion's Club to deliver roses and thanked Greg Shelton, Area Erectors, for providing breakfast, lunch and the use of his facility.
54. Alderman Jacobson also mentioned this Saturday the SM&SF Club will be hosting its 2nd Annual cancer benefit. He encouraged all to attend.
55. Alderman Beach thanked City staff for providing excellent service to the citizens of Rockford.

UNFINISHED BUSINESS

2009-141CR

56. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending the approval of the Final Plat of Washington Park Plat #7. MOTION PREVAILED (Ald. Thompson-Kelly absent).

2009-142CR

57. Alderman Conness moved the adoption of a Planning and Development Committee Report recommending approval of the attached Redevelopment Agreement approving TIF Funding for the Renovation of a Storefront in Stewart Square, 115 South Main Street for the new Roly Poly Restaurant. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,
Beach, Beck, McNeely, Conness -12-

Nays: -0-
Abstain: Holt -1-
Absent: Thompson-Kelly -1-

58. Alderman Conness moved the adoption of an Ordinance recommending removal of certain parcels of real estate from the Eastside Tax Increment Financing Redevelopment Project Area within the City of Rockford, Winnebago County, Illinois. HELD OUT.
59. Alderman Curran made a motion to go into closed session to discuss potential litigation regarding the bids for City-Wide Arterial and Residential Resurfacing 2009, seconded by Alderman Jacobson. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: -0-
Absent: Thompson-Kelly -1-

The meeting went into closed session at 6:56 pm.

The meeting returned to open session at 7:28 pm and found the following aldermen present:

Aldermen Sosnowski, Mark, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-

2009-143CR

60. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for City-Wide Residential Resurfacing 2009 be made to the low bidder, Rock Road Companies, of Janesville, Wisconsin for their total bid of \$1,316,227.17. The funding source is Sales Tax.

Alderman Holt made a motion to amend the committee report to read as follows: "The award for City-Wide Residential Resurfacing 2009 be made to William Charles Construction of Loves Park, Illinois for a total bid of \$1,319,491.69.", motion failed for lack of a second.

The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: Holt -1-
Absent: Thompson-Kelly -1-

2009-144CR

61. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for Arterial Resurfacing 2009 be made to the low bidder, Rock

Road Companies, of Janesville, Wisconsin for their total bid of \$550,422.05. The funding source is Sales Tax.

Alderman Holt made a motion to amend the committee report to read as follows: "The award for Arterial Resurfacing 2009 be made to the low bidder, Gary Rabine & Sons, Inc. of Richmond, Illinois for their total bid of \$578,490.36, motion failed for lack of a second.

The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
Nays: Holt -1-
Absent: Thompson-Kelly -1-

MOTIONS AND RESOLUTIONS

2009-037R

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

Bid: Demolition of 1130 Andrews, funding source: CDBG

Bid: Demolition of 1112 West Street, funding source: CDBG

Bid: Paint Supplies, funding source: Property Fund

Bid: Church & Chestnut Street Sidewalk, funding source: Motor Fuel Tax

MOTION PREVAILED (Ald. Thompson-Kelly absent).

2009-038R

63. Alderman Wasco, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for approval of a liquor permit for consumption of liquor outdoors on public property ("SP" License) in conjunction with the Magnolia Fest on May 2-3, 2009, subject to insurance and fee requirements. MOTION PREVAILED (Ald. Thompson-Kelly absent).

NEW BUSINESS

Alderman McNeely exited the meeting at 7:32 pm.

64. Alderman Wasco introduced and read an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a banquet facility/nightclub in a C-4, Urban Mixed-Use Zoning District at 301 South Main Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a detailed interior plan for Staff review and approval before a Certificate of Occupancy is issued.

3. The banquet facility/nightclub will be limited to the interior site plan submitted and labeled as Phase I.
4. The hours of operation will be limited to 7:30 am to midnight Tuesday through Sunday.
5. There shall be no consumption or sale of alcohol unless a liquor license is approved.
6. That live entertainment or DJ shall be allowed in conjunction with private events not open to the general public.
7. There shall be no ticket sales or cover charges.
8. Prior to the establishment of Phase II a Modification of Special Use Permit shall be approved by City Council or a Liquor License shall be approved by City Council.
9. Should, in the opinion of the Zoning Officer, additional security be required or warranted, it shall be provide by the operator.

LAID OVER.

2009-047-O

65. Alderman Curran introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Intergovernmental Agreement, Dawson Avenue Water Main by and between the City of Rockford, a municipal corporation, and Rock River Water Reclamation District.

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

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

2009-048-O

66. Alderman Curran introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Intergovernmental Agreement, Colorado Avenue Reconstruction by and between the City of Rockford, a municipal corporation, and Rock River Water Reclamation District.

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

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

OFFICERS REPORTS

67. Alderman Jacobson encouraged all to vote tomorrow.

68. Upon motion duly made and seconded, the meeting was adjourned at 7:36 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
April 13, 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 APRIL 13, 2009

A. CODE AND REGULATIONS

1. Wasco – Right-of-Way Agreement for Fiber Optics with U.S. Signal
2. Wasco – Well 5/5A Expansion Sanitary Sewer Easement to Rock River Water Reclamation District.

- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER APRIL 6, 2009

1. Conness - Planning and Development - Recommending approval of the attached agreement for \$30,200 in grant assistance to the Regional Access Mobilization Project (RAMP) via the Healthy Neighborhoods Grant Program. The funding recommendation will enable RAMP to continue its successful ramp building program for low-income City residents whom experience mobility problems entering and exiting their homes.
2. Conness - Planning and Development - Recommending approval of the attached agreement for \$33,200 in grant assistance to The Literacy Council to provide English as a Second Language (ESL) instruction via the Healthy Neighborhoods Grant Program. The funding recommendation will enable The Literacy Council to serve approximately 100 low-income residents.

3. Wasco - Code and Regulation - Recommending the approval of the Final Plat of Winnebago County Justice Center.
4. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for an auto transmission shop in a C-2, Limited Commercial Zoning District at 1200 Auburn Street and 1439 North Main Street and to MODIFY conditions of approval to five (5) conditions. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Detailed site plan shall be submitted showing striped parking that must be approved by Staff.
 3. That there is no outdoor storage of vehicle parts at any time.
 4. Disposal and storage of hazardous materials must follow the Illinois Environmental Protection Agency guidelines.
 5. There shall be a ten (10) foot wide perimeter landscape buffer along the west property line of the lot.

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

5. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from C-3, General Commercial District to I-1, Light Industrial/Business Park District at 588 Simpson Road.
 1. Meeting all applicable Building and Fire Codes.
 2. Submittal of a tentative and final plat prior to development of the site.
 3. Submittal of a landscaping and illumination plan prior to issuance of a building permit.
 4. No outside storage of boats, unlicensed vehicles, mobile homes and trailers.

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

6. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Crematory in a C-4, Urban Mixed-Use Zoning District at 1001 2nd Avenue. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Submittal of a Building permit including building elevations for Staff review and approval.
 3. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
 4. All conditions must be met prior to establishment of use.
 5. That the property shall conform to State and Federal EPA Regulations.

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

7. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the required six (6) foot side yard setback to zero (0) feet along the east property line along Parcel B and along the west property line along Parcel A in a C-1, Limited Office Zoning District at 4873-4875 Manhattan Drive. Approval is subject to the following conditions:
 1. 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.
 2. Meeting all applicable Fire Codes.
 3. Access easement be recorded between the two lots.

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

8. Wasco - Code and Regulation - Recommending the approval of the sale of vacant lot at 2623 Mulberry Street.
9. Wasco - Code and Regulation - Recommending the approval of the sale of vacant lot at 1209 South Court Street.
10. Wasco - Code and Regulation - Recommending the approval of the Street Vacations depicted on the Final Plat of the Winnebago County Justice Center.
11. Wasco - Code and Regulation - Recommending the approval of the Proposed Groundwater Ordinance for ACME Solvents, 15th Street at 20th Avenue.
12. Wasco - Code and Regulation - Recommending the approval of the First Addendum to Intergovernmental Agreement with Winnebago County Justice Center Real Estate Issues.
13. Wasco - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on both sides of Calgary Court from Florida Drive to fifty (50) feet south of Florida Drive.
14. Wasco - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance for "Handicapped Parking" on the west side of North Church Street from forty (40) feet to one hundred (100) feet north of Elm Street, thus repealing the "30 Minute" parking restriction.
15. Wasco - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance for repealing the "Handicapped Parking" on the east side of Latham Street from sixty (60) feet to eighty-five (85) feet north of Auburn Street.

16. Wasco - Code and Regulation - Recommending that "No Action" be taken on the following item:
 1. Request from Fire Station #11, 2117 Calgary Court for "No Parking Anytime" on the south side of Eastmoreland Avenue from two hundred ten (210) feet to three hundred seventy-five (75) feet west of Alpine Road.

III. ORDINANCES

A. LAID OVER APRIL 6, 2009

1. Wasco - Ordinance - Amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a banquet facility/nightclub in a C-4, Urban Mixed-Use Zoning District at 301 South Main Street. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Submittal of a detailed interior plan for Staff review and approval before a Certificate of Occupancy is issued.
 3. The banquet facility/nightclub will be limited to the interior site plan submitted and labeled as Phase I.
 4. The hours of operation will be limited to 7:30 am to midnight Tuesday through Sunday.
 5. There shall be no consumption or sale of alcohol unless a liquor license is approved.
 6. That live entertainment or DJ shall be allowed in conjunction with private events not open to the general public.
 7. There shall be no ticket sales or cover charges.
 8. Prior to the establishment of Phase II a Modification of Special Use Permit shall be approved by City Council or a Liquor License shall be approved by City Council.
 9. Should, in the opinion of the Zoning Officer, additional security be required or warranted, it shall be provide by the operator.

B. HELD OUT APRIL 6, 2009

1. Conness - Ordinance - Recommending removal of certain parcels of real estate from the Eastside Tax Increment Financing Redevelopment Project Area within the City of Rockford, Winnebago County, Illinois.

- 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. Conness – Ordinance - Recommending approval of the attached Redevelopment Agreement approving TIF Funding for the Renovation of a Storefront in Stewart Square, 115 South Main Street for the new Roly Poly Restaurant.

- * 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, April 13, 2009, 5:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

1. C & R 09-54 Amended Groundwater Protection Ordinance
2. C & R 09-44 Weed Regulations & Trailer Regulations

FINANCE AND PERSONNEL COMMITTEE

**Monday, April 13, 2009, 5:15 p.m.
City Council Chambers, City Hall 2nd floor
AGENDA**

1. Purchasing and Vouchers
 - A. Award of Bid: Applewood Sidewalks, Phase 2, 2009 – Suspend rules
 - B. Award of Bid: City-Wide Pavement Marking 2009 – Suspend rules
 - C. Award of Bid: City-Wide Inlet Repair 2009 – Suspend rules
 - D. Award of Bid: Reed/Roosevelt Reconstruction 2009 – Suspend rules
 - E. Award of Bid: Collection & Packaging of Household Hazardous Waste
 - F. Award of Bid: Downtown Streetscape – Suspend rules
 - G. Award of RFP: Harrison Avenue Relocation Plan – Suspend rules
 - H. Engineering Agreement: Water System Rehabilitation Project, Task Order 25 – Suspend rules
 - I. Engineering Agreement: Water System Rehabilitation Project, Task Order 26 – Suspend rules

- J. Engineering Agreement: Water System Rehabilitation Project, Task Order 27 – Suspend rules
- K. Vouchers
- 2. Intergovernmental Agreement: Kishwaukee Street Bridge – Suspend rules
- 3. Intergovernmental Agreement: Rock River Water Reclamation District
- 4. First Quarter Investment Report

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, April 13, 2009, 5:15 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

- 1. East River Redevelopment Project Area.
- 2. Memorandum from Richard M. May, Commercial Development Coordinator, regarding the Designation of the Broadway Redevelopment Project Area (TIF District).
- 3. Memorandum from Dwayne A. Collins, Grants Compliance Specialist II regarding Healthy Neighborhoods Program Funding recommendation to fund the Rock River Training Corporation.
- 4. Memorandum from Richard M. May, Commercial Development Coordinator, regarding a Redevelopment Agreement approving TIF funding for the renovation of Lantow Lofts and Katie's Cup Coffee Shop by Zion Development Corporation at 502 7th Street.

LEGISLATIVE LOBBYING COMMITTEE

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

No Meeting Scheduled.