

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
OCTOBER 9, 2012
COUNCIL CONVENED AT 6:24 P.M.**

1. The invocation was given by Chaplain Lou Ness, Emmanuel Episcopal Church/Rockford Police Chaplain and the Pledge of Allegiance was led by Cub Scout Pack 299.
2. Roll Call:
Mayor Lawrence Morrissey
Aldermen: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Beach,
Elyea, Beck, McNeely, Robertson -12-
Absent: Mark, Jacobson-2-
3. Alderman Wasco moved to accept the Journal of Proceedings of October 1, 2012, seconded by Alderman Beck. MOTION PREVAILED (Ald. Mark, Jacobson absent).

PUBLIC PARTICIPATION

4. Prophet Yusef wished George Davis, Human Services Director, a happy birthday and recited scripture.
5. Roland Poska nominated all the Rockford art teachers from past centuries for a Golden Apple award.

PETITIONS AND COMMUNICATIONS

6. Alderman Thompson-Kelly submitted a letter from a constituent requesting follow-up to his concerns. Referred to the Community Development Department.
7. Alderman Durkee submitted a Memorandum from the Legal Department for a Water Annexation for 2824 Rice Avenue. Referred to Code and Regulation Committee.
8. Alderman Johnson submitted six (6) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.

Alderman Johnson apologized for leaving the city council meeting to attend her neighborhood meeting.

Alderman Johnson exited the meeting at 6: 35 pm.

NEW COMMITTEE REPORTS

9. Alderman Durkee read a Code and Regulation Committee Report recommending the approval of the proposed ordinance prohibiting the use of groundwater for the area surrounding 310 South Avon Street. LAID OVER.

10. Alderman Durkee read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the modification of existing liquor license to include the sale of packaged liquor with a night club in the name of **Chris Wachowiak d/b/a Kryptonite** in a C-4, Urban Mixed-Use Zoning District at 308 W. State Street. Approval is subject to the following conditions:
 1. Meeting all applicable liquor codes.
 2. Meeting all applicable building and fire codes.
 3. Inside window signage shall not exceed 35% of the window surface area.
 4. The sale of package liquor shall be limited to the tenant space shown as Exhibit E as the interior floor plan or the existing Kryptonite nightclub.
 5. The terms of this ordinance shall expire one year from the date of passage unless the City Council votes to extend the same by removing condition five (5).

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

11. Alderman Durkee read a Code and Regulation Committee Report recommending the approval of the attached amendments to the fee schedule. LAID OVER.
 12. Alderman Durkee read a Code and Regulation Committee Report recommending the approval of the attached amendments to the tobacco ordinance. LAID OVER.
 13. Alderman Wasco read a Finance and Personnel Committee Report recommending approval of the Application of Jose Rodriguez to purchase City owned property at 3417 Chestnut Street in the amount of \$350.00. LAID OVER.
- 2012-360CR**
14. Alderman Wasco read a Finance and Personnel Committee Report recommending a contract be awarded to Odelson, Sterk, Ltd., Attorneys at Law for the litigation matter of Cash, et al. v City of Rockford, et al. for an amount not to exceed \$42,000.00. The funding source is Risk Management Fund.

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

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach,
Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

- 2012-361CR**
15. Alderman Wasco read a Finance and Personnel Committee Report recommending a contract be awarded to Christopher B. Burke Engineering, Ltd. for expert witness services in the litigation matter of Cash, et al. v. City of Rockford, et al., for an amount not to exceed \$36,700.00. The funding source is Risk Management Fund.

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

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

2012-362CR

16. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for (2) Bucket Trucks be made to the low bidder, Lakeside International, of Milwaukee, Wisconsin for their total bid of \$320,852.40. The funding source is 2013 Street Division Capital Budget.

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

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

2012-363CR

17. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for West State Street Demolition Package C be made to the low bidder, Swinson Materials, of Rockford, Illinois for their total bid of \$116,200.00. The funding source is State Funding & Sales Tax.

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

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

2012-364CR

18. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Golden Prairie Water main be made to the low bidder, Stenstrom Excavation and Blacktop Group, of Rockford, Illinois for their total bid of \$48,376.25. The funding source is WRIA.

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

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

19. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of October 9, 2012 in the amount of \$2,526,924.35. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

OFFICERS REPORTS

20. Mayor Morrissey presented a Proclamation proclaiming the month of October 2012 to be "HEAD START AWARENESS MONTH" in Rockford, Illinois and urged all citizens to support Head Start and its commitment to creating a quality program that truly provides young children with a "head start" in life.
21. Mayor Morrissey presented a Proclamation proclaiming the month of October 2012 to be "DOMESTIC VIOLENCE AWARENESS MONTH" in Rockford, Illinois and encouraged all citizens to rally support for domestic violence victims and to volunteer with organizations pledging to end this crime that plagues not only our fair city but also society at large.
22. Mayor Morrissey advised Chris Black, Finance Director, will be issuing an update to council members on the projected date our citizens will see a savings on their electric bill as a result of the electrical aggregation program.
23. Alderman Thompson-Kelly announced on Saturday she attended the swearing in ceremony of her nephew to the Byron Fire Department.
24. Alderman Thompson-Kelly thanked public works staff for their quick response and diligent efforts to repair the water main break.
25. Alderman Thompson-Kelly reported that effective today, West State Street will be closed from Kilburn to Stewart for work to begin on the water and sewer main reroute. The project is expected to be completed by December 1, 2012.
26. Alderman Thompson-Kelly thanked council members and city staff for their generous donations to Alzheimer's research, announcing her team reached their goal of \$1,000.00.
27. Alderman Beach reported this past Sunday he attended a Pumpkin Festival on South Main Street sponsored by the EDEEN Network.

28. Alderman Beck announced this weekend is the "Head of the Rock Regatta" on the Rock River with approximately 1800 rowers from 65 different rowing clubs and schools participating in the event. He encouraged everyone to attend.
29. Mayor Morrissey apologized to all citizens calling city hall yesterday advising the phones were inadvertently transferred to a calling center instead of receiving the recording that city hall was closed for the Columbus Day holiday.
30. Alderman Hervey also thanked the public works staff for their quick response to the water main break and she thanked her constituents for taking care of their elderly neighbors in the area affected by the break and boil order.

UNFINISHED BUSINESS

2012-365CR

31. Alderman Durkee moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for outdoor storage, recycling of salvaged materials and outdoor storage area for salvaged materials in an I-2, General Industrial Zoning District at 2xx Quaker Road and 217 Peoples Avenue. Approval is subject to the following conditions:
 1. That the property conform with all building and fire codes.
 2. That the property conform within all State and Federal Regulations
 3. That the entrance drive be improved with concrete for a distance of 100 feet from Quaker Road (including apron in right-of-way) into the site and for employee and customer parking.
 4. That a subdivision plat is submitted for City Council review and approval and recordation by the applicant.
 5. Prior to establishment of use, the property shall be in conformance with site plan dated August 20, 2012, including construction and obtaining occupancy of "future building" (this will require connection to public sewer and water) and that the two existing buildings on the site be raised or brought into conformance with building codes.
 6. That the special use permit shall lapse after a period of five (5) years from the approval date.

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

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach,
Elyea, Beck, McNeely, Robertson -11-

Nays: -0-

Absent: Mark, Jacobson, Johnson -3-

2012-366CR

32. Alderman Durkee moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Variation to increase maximum height for a free-standing sign from eight

(8) feet to twenty-eight (28) feet; APPROVE the Variation to increase maximum allowable square footage for a free-standing sign from sixty-four (64) feet to sixty-nine (69) feet; and APPROVE the Variation to allow a free-standing pylon sign when a free-standing landmark style sign is required at 6551 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building permit for staff review and approval.
3. The free-standing sign must be in accordance with Exhibits D and E.
4. The three (3) existing free-standing signs will need to be removed.

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

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-

Nays: -0-

Absent: Mark, Jacobson, Johnson -3-

2012-367CR

33. Alderman Durkee moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 1201 East State Street.

Denial is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Elyea, Beck, McNeely, Robertson -10-

Nays: Beach -1-

Absent: Mark, Jacobson, Johnson -3-

2012-368CR

34. Alderman Durkee moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 3929 North Mulford Road.

Denial is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Elyea, Beck, McNeely, Robertson -10-

Nays: Beach -1-

Absent: Mark, Jacobson, Johnson -3-

2012-369CR

35. Alderman Durkee moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 3336 11th Street.

Denial is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

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

2012-370CR

36. Alderman Durkee moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for change of defective message sign with new message sign forty (40) square feet in a C-2, Limited Commercial Zoning District at 1145 North Alpine Road.

Denial is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

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

2012-371CR

37. Alderman Durkee moved the adoption of a Code and Regulation Committee Report REVERSING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of packaged beer and wine in conjunction with a gas station in the name of **Narendra Patel d/b/a Lions Quick Mart** in an R-1, Single-family Residential District at 3307 Charles Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, Robertson -9-
Nays: Curran, McNeely -2-
Absent: Mark, Jacobson, Johnson -3-

2012-372CR

38. Alderman Durkee moved the adoption of a Code and Regulation Committee Report recommending the sale of the attached list of vacant Community Development lots for a minimum bid of \$350.00 each property and must follow the requirements listed on the Notice of Sale of City Owned Property. The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-

Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

2012-160-O

39. Alderman Durkee moved the adoption of an Ordinance approving the Groundwater Ordinance for 2410 South Alpine Road. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

2012-161-O

40. Alderman Durkee moved the adoption of an Ordinance approving a Two Hour Parking Restriction on the south side of 3rd Avenue from 160 feet west of 7th Street to 7th Street, thus restoring unrestricted parking. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

2012-162-O

41. Alderman Durkee moved the adoption of an Ordinance approving a Handicapped Parking stall on the east side of South Church Street from 35 feet north of Green Street to 60 feet north of Green Street, thus repealing the existing 2 Hour parking restriction. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

2012-373CR

42. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the purchase of the Munis GoDocs module software in order to implement an electronic distribution process to enable email delivery of paystubs for a total cost of \$11,000. The funding source is Information Technology Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

2012-374CR

43. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for SCADA Support Services be made to Baxter Woodman CSI

for a total not to exceed cost of \$60,000. The funding for this project will come from the Water Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-

Nays: -0-

Absent: Mark, Jacobson, Johnson -3-

2012-375CR

44. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Airport Infrastructure/EDA Grant Administration Services be made to the sole proposer, Ellen Burgeson, Inc., of Rockford, Illinois for a fee of \$75.00 per hour with a not to exceed total of \$55,000. The funding source is EDA funds, City Sales Tax funds and Airport funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-

Nays: -0-

Absent: Mark, Jacobson, Johnson -3-

MOTIONS AND RESOLUTIONS

2012-153R

45. Alderman Durkee, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for Shelter Care Ministries Soup-R-Fest Event requesting a special event and liquor permit for consumption of liquor on private property ("S" license) on Saturday, October 13, 2012 from 12:00 (noon) – 6:00 pm at 412 North Church Street. MOTION PREVAILED (Ald. Mark, Jacobson, Johnson absent).

2012-154R

46. Alderman Durkee, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution to direct staff to file a text amendment to the Zoning Ordinance to reflect the attached amendments. MOTION PREVAILED (Ald. Mark, Jacobson, Johnson absent).

2012-155R

- 46a. Alderman Durkee, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for the Stand Up for Religious Freedom Rally requesting permission to utilize public right of way and amplified sound on Saturday, October 20, 2012 from 12:00 (noon) – 1:00 pm at 327 South Church Street. MOTION PREVAILED (Ald. Mark, Jacobson, Johnson absent).

NEW BUSINESS

47. Alderman Mark introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for outdoor storage, recycling of salvaged materials and outdoor storage area for salvaged materials in an I-2, General

Industrial Zoning District at 2xx Quaker Road and 217 Peoples Avenue. Approval is subject to the following conditions:

1. That the property conform with all building and fire codes.
2. That the property conform within all State and Federal Regulations
3. That the entrance drive be improved with concrete for a distance of 100 feet from Quaker Road (including apron in right-of-way) into the site and for employee and customer parking.
4. That a subdivision plat is submitted for City Council review and approval and recordation by the applicant.
5. Prior to establishment of use, the property shall be in conformance with site plan dated August 20, 2012, including construction and obtaining occupancy of "future building" (this will require connection to public sewer and water) and that the two existing buildings on the site be raised or brought into conformance with building codes.
6. That the special use permit shall lapse after a period of five (5) years from the approval date.

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

48. Alderman Mark introduced and read an Ordinance that the City Council recommending approving the sale of the City owned properties listed:

724 7 th Avenue – 11-26-401-003	824 Lee Street – 11-22-205-004
713 Locust Street– 11-22-234-012	616 Newport Ave. – 11-20-454-006
1329 School St – 11-15-380-038	430 Concord Ave. – 11-20-426-007
430 Knowlton St. – 11-27-405-001	636 Hartford Ave – 11-20-477-013
1006 Kishwaukee St. – 11-26-408-009	1027 Woodlawn Ave – 11-14-352-007
3915 Delaware – 11-20-402-014	520 Hartford Ave– 11-20-429-012
806 Lee Street – 11-22-205-008	316 Lexington Ave– 11-20-282-004
1130 Andrews St. – 11-22-131-010	521 College Ave – 11-26-179-005
309-11 N. Horsman St. - 11-22-280-004	1326 Chestnut St. – 11-22-326-004
903 Acorn St. – 11-22-229-022	218 S. Independence Ave. – 11-21-285-004
715 7 th Avenue – 11-26-404-006	

LAID OVER.

2012-163-O

49. Alderman Mark introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for the Variation to increase maximum height for a free-standing sign from eight (8) feet to twenty-eight (28) feet; APPROVE the Variation to increase maximum allowable square footage for a free-standing sign from sixty-four (64) feet to sixty-nine (69) feet; and APPROVE the Variation to allow a free-standing pylon sign when a free-standing landmark style sign is required at 6551 East State Street. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of a building permit for staff review and approval.

3. The free-standing sign must be in accordance with Exhibits D and E.
4. The three (3) existing free-standing signs will need to be removed.

Approval is based on the Findings of Fact.

Alderman Durkee moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Mark, Jacobson, Johnson absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Thompson-Kelly, Timm, Beach,
Elyea, Beck, McNeely, Robertson -11-
Nays: -0-
Absent: Mark, Jacobson, Johnson -3-

50. Upon motion duly made and seconded, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
October 15, 2012
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
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER OCTOBER 10, 2012

1. Mark - Code and Regulation - Recommending the approval of the proposed ordinance prohibiting the use of groundwater for the area surrounding 310 South Avon Street.
2. Mark - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the modification of existing liquor license to include the sale of packaged liquor with a night club in the name of **Chris Wachowiak d/b/a Kryptonite** in a C-4, Urban Mixed-Use Zoning District at 308 W. State Street. Approval is subject to the following conditions:
 1. Meeting all applicable liquor codes.
 2. Meeting all applicable building and fire codes.
 3. Inside window signage shall not exceed 35% of the window surface area.
 4. The sale of package liquor shall be limited to the tenant space shown as Exhibit E as the interior floor plan or the existing Kryptonite nightclub.
 5. The terms of this ordinance shall expire one year from the date of passage unless the City Council votes to extend the same by removing condition five (5).

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

3. Mark - Code and Regulation - Recommending the approval of the attached amendments to the fee schedule.

4. Mark - Code and Regulation - Recommending the approval of the attached amendments to the tobacco ordinance.
5. Wasco - Finance and Personnel - Recommending approval of the Application of Jose Rodriguez to purchase City owned property at 3417 Chestnut Street in the amount of \$350.00.

III. ORDINANCES LAID OVER OCTOBER 10, 2012

1. Mark - Ordinance - Amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for outdoor storage, recycling of salvaged materials and outdoor storage area for salvaged materials in an I-2, General Industrial Zoning District at 2xx Quaker Road and 217 Peoples Avenue. Approval is subject to the following conditions:
 1. That the property conform with all building and fire codes.
 2. That the property conform within all State and Federal Regulations
 3. That the entrance drive be improved with concrete for a distance of 100 feet from Quaker Road (including apron in right-of-way) into the site and for employee and customer parking.
 4. That a subdivision plat is submitted for City Council review and approval and recordation by the applicant.
 5. Prior to establishment of use, the property shall be in conformance with site plan dated August 20, 2012, including construction and obtaining occupancy of "future building" (this will require connection to public sewer and water) and that the two existing buildings on the site be raised or brought into conformance with building codes.
 6. That the special use permit shall lapse after a period of five (5) years from the approval date.

Approval is based on the Findings of Fact.

2. Mark - Ordinance – City Council recommending approving the sale of the City owned properties listed:

724 7 th Avenue – 11-26-401-003	824 Lee Street – 11-22-205-004
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1329 School St – 11-15-380-038	430 Concord Ave. – 11-20-426-007
430 Knowlton St. – 11-27-405-001	636 Hartford Ave – 11-20-477-013
1006 Kishwaukee St. – 11-26-408-009	1027 Woodlawn Ave – 11-14-352-007
3915 Delaware – 11-20-402-014	520 Hartford Ave– 11-20-429-012
806 Lee Street – 11-22-205-008	316 Lexington Ave– 11-20-282-004
1130 Andrews St. – 11-22-131-010	521 College Ave – 11-26-179-005
309-11 N. Horsman St.- 11-22-280-004	1326 Chestnut St. – 11-22-326-004
903 Acorn St. – 11-22-229-022	218 S. Independence Ave. – 11-21-285-004
715 7 th Avenue – 11-26-404-006	

- 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. Mark – Ordinance - Approval of the proposed ordinance prohibiting the use of groundwater for the area surrounding 310 South Avon Street.
 2. Mark – Ordinance – Approval of the modification of existing liquor license to include the sale of packaged liquor with a night club in the name of **Chris Wachowiak d/b/a Kryptonite** in a C-4, Urban Mixed-Use Zoning District at 308 W. State Street. Approval is subject to the following conditions:
 1. Meeting all applicable liquor codes.
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 3. Inside window signage shall not exceed 35% of the window surface area.
 4. The sale of package liquor shall be limited to the tenant space shown as Exhibit E as the interior floor plan or the existing Kryptonite nightclub.
 5. The terms of this ordinance shall expire one year from the date of passage unless the City Council votes to extend the same by removing condition five (5).
 3. Mark – Ordinance - Approval of the attached amendments to the fee schedule.
 4. Mark – Ordinance - Approval of the attached amendments to the tobacco ordinance.
 5. Wasco – Ordinance - Approval of the Application of Jose Rodriguez to purchase City owned property at 3417 Chestnut Street in the amount of \$350.00.
- * same action taken before
- Adjournment

* * * * *

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, October 15, 2012, 5:15 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

1. C & R 12-173 Annexation of 2824 Rice Avenue (Water Annexation)

2. C & R 12-174 Closed Session for Purposes of Pending and/or Threatened Litigation

FINANCE AND PERSONNEL COMMITTEE

**Monday, October 15, 2012, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Award of Bid: (2) Clam Loaders – Suspend rules
 - B. Award of Bid: (1) Backhoe – Suspend rules
 - C. Award of Bid: City-Wide Sidewalk & ADA, Package J – Suspend rules
 - D. Resolution to take Bids
 - E. Vouchers
 - ✓ Training/Travel for Public Works Department

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, October 15, 2012, ____ p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, October 15, 2012, ____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled.