

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
OCTOBER 29, 2012
COUNCIL CONVENED AT 6:08 P.M.**

1. The invocation was given by Chaplain in Training, Pastor Krista Zimmerman assisted by Father Ron Montanye, United Lutheran Church/Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:
Mayor Lawrence Morrissey
Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Beck, McNeely -12-
Absent: Elyea, Robertson -2-
3. Alderman Mark moved to accept the Journal of Proceedings of October 22, 2012 seconded by Alderman Wasco. MOTION PREVAILED (Ald. Elyea, Robertson absent).

PUBLIC PARTICIPATION

4. Jim Buckingham explained why he will not be voting for Joe Bruscato for Winnebago County State's Attorney.
5. Roland Poska invited everyone to attend his book and paper signing at JR Kortman's on November 2nd from 5:00 pm – 9:00 pm and at Medicine Man on November 3rd from 2:00 pm – 4:00 pm and November 9th from 11:00 am – 9:00 pm to continue the world's greatest art sale to help rebuild Main Street.
6. Prophet Yusef spoke about trust in God.

PETITIONS AND COMMUNICATIONS

7. Alderman Wasco submitted a Memorandum from Jeremy Carter, City Traffic Engineer, regarding the City of Rockford entering into an inter-governmental agreement with the Winnebago County Highway Department for Traffic Signal Maintenance. Referred to Finance and Personnel Committee.
8. Alderman Wasco submitted a Memorandum from Chris Black, Finance Director, regarding the matter of the 2012 Property Tax Levy. Referred to Finance and Personnel Committee.
9. Alderman Wasco submitted a Memorandum from Chris Black, Finance Director, regarding the matter of the 2012 Supplemental Appropriation Ordinance. Referred to Finance and Personnel Committee.
10. Alderman Wasco submitted a Memorandum from Chris Black, Finance Director, regarding the matter of the 2013 Fee Schedule Adjustments. Referred to Finance and Personnel Committee.

11. Alderman Wasco submitted a Memorandum from Jennifer Cacciapaglia, City Attorney, regarding the transfer of 804 Haskell Avenue. Referred to Finance and Personnel Committee.
12. Alderman Johnson submitted two (2) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.
13. Alderman Johnson submitted an email from Michelle Gray concerning the road project on Minnesota Drive. Referred to Public Works Department.
14. Alderman Mark submitted a Memorandum from Todd Cagnoni, AICP/Deputy Director, Community and Economic Development regarding Wildlife Rehabbers – Request from Kathy and Gordon Bode for change in zoning regulations to allow wildlife rehabilitation. Referred to Code and Regulation Committee.
15. Alderman Hervey submitted a request for service in the 1100 block of Knowlton Street. Referred to Community Development/Code Enforcement.
16. Alderman Hervey asked if the City of Rockford participates in an electronic or television drive.

Tim Hanson, Director of Public Works, advised city staff has had working with our vendor to come up with a solution for our e-waste.

NEW COMMITTEE REPORTS

17. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Dehumidification Equipment for the Water Department be made to the low bidder, All Contractors Equipment, Inc., of Rockford, Illinois for their total bid of \$14,400. The funding source is Water Operating Budget. LAID OVER.
18. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of a sole source contract for Traffic Signal Equipment to Brown Traffic Products, of Davenport, Iowa for an estimated cost of \$75,000 annually. The funding source is Traffic Signal Budget. LAID OVER.
19. Alderman Wasco read a Finance and Personnel Committee Report recommending an engineering agreement for Traffic Sign and Pavement Condition Inventory be made to TransMap Corporation, for a total not-to-exceed cost of \$232,011.32. The funding source is Sales Tax. LAID OVER.

2012-390CR

20. Alderman Wasco read a Finance and Personnel Committee Report recommending an award be made to H.R. Green for an additional \$14,891.50 for a total not-to-exceed cost of \$43,004.00 for additional design services for the South Main Street Landscaping improvements relating to the Illinois Department of Transportation's IL-2 roadway reconstruction project. The funding source is Sales Tax.

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

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

21. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of October 29, 2012 in the amount of \$2,379,473.47. MOTION PREVAILED by a Roll Call vote of:

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

22. Alderman Mark read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5011 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable fire codes.
2. Meeting all applicable building codes, specifically construction documentation from a licensed design professional (i.e. Architect), licensed in the State of Illinois indicating how the proposed use will meet all appropriate building codes for the "Change of Use" and any construction to take place.
3. Submittal of a revised civil plan to include the new parking layout, sidewalk and dumpster enclosure area.
4. Submittal of a revised landscape plan to include revised landscape strip along East State Street that is a minimum of five (5) feet in width, existing mature landscaping to be preserved that surrounds the other parking lots, and plant species for Staff's review and approval.
5. Must develop site in accordance with new civil and landscaping plans approved by Staff.
6. Submittal of a revised sign elevation for staff review and approval for the East State sign and removal of freestanding sign adjacent to building.
7. Must obtain separate permits for signage and signs must be constructed to match building.
8. All conditions must be met prior to establishment of use.

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

23. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for a payday loan store (90-003-Y) in a C-3, Limited Commercial Zoning District at 1010 East State Street.

Denial is based on the finding of fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

24. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of a Special Use Permit #006-10 for passenger vehicle sales in conjunction with tire installation/sales and an auto repair shop to include a new storage garage which is greater than ten percent (10%) of the existing building in a C-3, General Commercial Zoning District at 3505 and 3509 Auburn Street. Approval is subject to the following conditions:
1. Meeting all applicable building and fire codes.
 2. Submittal of building permits for Staff review and approval.
 3. Submittal of revised detailed landscape plan to include the type of species and sizes of the existing landscaping on the north lot.
 4. The three (3) existing taxing parcels as shown on Exhibit D will need to be combined into one (1) taxing parcel with the submittal of a Real Estate Combination Request Form.
 5. That there shall be no overnight outdoor storage of any vehicles or vehicle parts.

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

2012-391CR

25. Alderman Mark read a Code and Regulation Committee Report recommending that City Council APPROVE settlement in Van Ostran v. City of Rockford, et al. in the amount of \$55,000.00 with a release to be obtained.

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

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

2012-392CR

26. Alderman Mark 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 non-accessory residential parking lot in an R-2, Two-family Residential Zoning District at 804 Haskell Avenue. Approval is subject to the following conditions:
1. Submittal of a parking lot permit for Staff's review and approval.
 2. Submittal of a landscape plan to include species and sizes for Staff's review and approval.

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

Alderman Mark moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED (Ald. McNeely voted no; Ald. Elyea, Robertson absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

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

27. Alderman Jacobson read a Planning and Development Committee Report recommending approving the attached 2013 Draft Action Plan for the allocation of funds for the Community Development Block Grant, HOME Investment Partnership Grant and Emergency Shelter Grant programs. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

OFFICERS REPORTS

28. Mayor Morrissey reported the passing of former county board member Chris A. Johnson after a yearlong battle with cancer. He offered his condolences to the Johnson family.
29. Mayor Morrissey reported meeting with State of Illinois Secretary of Transportation Ann Schneider to discuss the progress of the high speed rail project and potential opportunities and options working with the Illinois Tollway Authority.
30. Mayor Morrissey recognized his wife Stacy and family in the audience at tonight's meeting.
31. Alderman Thompson-Kelly reminded everyone Wednesday is Halloween and asked staff to provide the trick-or-treat time.
- Mayor Morrissey advised the City of Rockford trick-or-treat time is 5:30 pm – 7:30 pm.
32. Alderman Thompson-Kelly announced the new Secretary of State facility will be located at 3214 Auburn Street. She thanked Mayor Morrissey and several local and state leaders for their continued efforts and commitment to the residents of Rockford to keep this vital service on the city's west side.
33. Alderman Jacobson also thanked former Aldermen Victory Bell for his efforts to bring the new Secretary of State facility to Rockford's west side.
34. Alderman Beach mentioned on Saturday he attended a workshop sponsored by TEDx (Technology, Entertainment and Design) at the Sullivan Center. The audience viewed locally made films, TEDtalk videos and heard several speakers sharing ideas and promoting discussion about innovate ways to building a sustainable community.
35. Alderman Johnson mentioned last Wednesday she hosted a table for the Keep Northern Illinois Beautiful fall breakfast fundraiser at Mauh-Nah-Tee-See Country Club. She thanked everyone for attending and supporting recycling efforts.

36. Alderman Wasco mentioned tonight's closed session is postponed. Legal Director Patrick Hayes will be available for any questions concerning labor negotiations.

UNFINISHED BUSINESS

37. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval to vacate the right-of-way adjacent to 3330 11th Street, subject to the following conditions:

1. The existing watermain present within portion of the right-of-way shall be maintained in an easement with the language:

"Easement reserved City of Rockford Water and their successors and assigns the right to operate, maintain, construct, replace and renew underground cables and pipes and associated equipment for the distribution of services under, over and along the vacated right-of-way along with the right of ingress and egress access to the same and the right, from time to time to trim or remove trees, bushes and saplings and to clear all obstructions from the surface and subsurface as many be required.

The Legal Director shall prepare the necessary ordinance.

Alderman Mark made a motion to lay the committee report over, seconded by Alderman Jacobson. LAID OVER.

2012-393CR

38. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the street name change for Easy Street south of Airport Drive to Samuelson Road to be named Logistics Parkway. MOTION PREVAILED by a Roll Call vote of:

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

2012-394CR

39. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approving the request for an acquisition through litigation for the following properties located within the West State Street Corridor (Phase I):

1904 West State Street	115 South Central Avenue
118 North Avon	114 North Independence

The Legal Director shall prepare the necessary ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-

Absent: Elyea, Robertson -2-

2012-395CR

40. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:

1. Request from 12th Ward to remove the existing traffic "Right Turn No Stop" sign at the intersection of Landstrom Road and Bradley Road and replace with all-way stop at the intersection of Bradley Road and Landstrom Road.
2. Request from 6th Ward to repeal the existing yield control of Hoover Avenue and replace with 4-way traffic control at the intersection of Taft Road and Hoover Avenue.
3. Request from 6th Ward to repeal the existing stop control of Lyran Avenue stopping for Southworth Street and replace with stop control of Southworth Street stopping for Lyran Avenue at the intersection of Lyran Avenue and Southworth Street.
4. Request from 3rd Ward from St. James Catholic Church to establish a Mid-block Pedestrian Crossing on Prairie Street approximately 149 feet east of North 1st Street.

MOTION PREVAILED by a Roll Call vote of:

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

2012-170-O

41. Alderman Mark moved the adoption of an Ordinance for the annexation of property commonly known as 2824 Rice Avenue; PIN No. 11-10-151-015. MOTION PREVAILED by a Roll Call vote of:

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

2012-396CR

42. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending an award for Traffic Signal Electric Services be made to the two lowest bidders meeting specifications, Ballard Electric of Rockford, Illinois and Engel Electric of Sterling, Illinois for an estimated annual total of \$120,745.00. The funding source is Traffic Division budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Beck, McNeely -12-
Nays: -0-

Absent: Elyea, Robertson -2-

2012-397CR

43. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending a change order for West State Street Corridor Water and Sewer/Fire Station #6 for \$50,000.00. The funding source is Property Fund Capital Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-

Absent: Elyea, Robertson -2-

2012-398CR

44. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending an award of sole source contract for Anti-Icing Material be made to SNI Solutions, of Geneseo, Illinois for an estimated value of \$23,500.00. The funding source is Street Division Capital Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, McNeely -12-

Nays: -0-

Absent: Elyea, Robertson -2-

2012-171-O

45. Alderman Wasco moved the adoption of an Ordinance amending Chapter 2, Administration, Article III, Mayor, Section 2-57, Salary and expense allotment, of the Code of Ordinances of the City of Rockford, Illinois.

Alderman Wasco moved to amend Paragraph C, Article III, Mayor, Section 2-57 of the Code of Ordinances to read:

- (c) "The Mayor shall be entitled to participate on any employer sponsored health, dental, death benefit and any other plan options made available to full time employees on terms no more than favorable than any full time employee," seconded by Alderman Beck. MOTION PREVAILED (Ald. McNeely voted no; Ald. Elyea, Robertson absent).

The Ordinance as amended was placed up for passage by a Roll Call vote of. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Hervey, Jacobson, Thompson-Kelly, Timm, Beach, Beck -8-

Nays: Mark, Wasco, Johnson, McNeely -4-

Absent: Elyea, Robertson -2-

46. Alderman Wasco moved the adoption of an Ordinance amending Chapter 2, Administration, Article II, City Council, Section 2-26, Salary, of the Code of Ordinances of the City of Rockford, Illinois.

Alderman Wasco moved to amend the fourth paragraph of Article II, City Council, Section 2-26 of the Code of Ordinances to read:

The City Council shall be entitled to participate on any employer sponsored health, dental, death benefit and any other plan options made available to full time employees on terms no more than favorable than any full time employee," seconded by Alderman Beck. MOTION PREVAILED (Ald. Elyea, Robertson absent).

The Ordinance as amended was placed up for passage by a Roll Call vote of:

Ayes: Jacobson, Thompson-Kelly, Johnson, Timm, Beck, McNeely, Mayor Morrissey -7-
Nays: Durkee, Curran, Mark, Wasco, Hervey, Beach -6-
Absent: Elyea, Robertson -2-

An Ordinance requires eight (8) yes votes to pass, MOTION FAILED.

Alderman Hervey made a motion to reconsider the Ordinance, seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely voted no; Ald. Elyea, Robertson absent).

Alderman Hervey made a motion to amend the Ordinance to add:

-Aldermanic Business and Travel Expenses will be managed as defined by Section 10 of the City of Rockford Rules and Regulations; and

-The City Council shall be entitled to participate on any employer sponsored health, dental, death benefit and any other plan options made available to full time employees on terms no more favorable than any full time employees", seconded by Mark.

The amendment was placed up for passage by a Roll Call vote of: MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach -8-
Nays: Durkee, Thompson-Kelly, Beck, McNeely -4-
Absent: Elyea, Robertson -2-

Alderman Jacobson made a motion to amend the Ordinance to include the original proposed salary increase for city council, seconded by Alderman Beck. MOTION FAILED by a Roll Call vote of:

Ayes: Jacobson, Thompson-Kelly, Johnson, Timm, Beck, McNeely -6-
Nays: Durkee, Curran, Mark, Wasco, Hervey, Beach -6-
Absent: Elyea, Robertson -2-

2012-172-O

The Ordinance as amended was placed up for passage by a Roll Call vote of: MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Hervey, Jacobson, Johnson, Timm, Beach -8-

Nays: Durkee, Thompson-Kelly, Beck, McNeely -4-
Absent: Elyea, Robertson -2-

MOTIONS AND RESOLUTIONS

2012-158R

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

- A. RFP: False Alarm, funding source: Departmental Operating Budgets
- B. RFP: Operational Data Management System, funding source: Water Operating Budget
- C. Bid: Salt Bags, funding source: Property Operating Budget
- D. Bid: City-Wide Bituminous Patching, funding source: Divisional Operating Budgets

MOTION PREVAILED (Ald. Elyea, Robertson absent).

NEW BUSINESS

48. Alderman Mark introduced and read an Ordinance authorizing eminent domain to acquire real property located at 1904 West State Street, 115 South Central Avenue, 118 North Avon and 114 North Independence for the West State Street Corridor Project. LAID OVER.

2012-173-O

49. 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 a non-accessory residential parking lot in an R-2, Two-Family Residential Zoning District at 804 Haskell Avenue. Approval is subject to the following conditions:

1. Submittal of a parking lot permit for Staff's review and approval.
2. Submittal of a landscape plan to include species and sizes for Staff's review and approval.

Approval is based on the findings of fact.

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

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

50. Upon motion duly made and seconded, the meeting was adjourned at 7:26 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
November 5, 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 29, 2012

1. Jacobson - Planning and Development - Recommending approving the attached 2013 Draft Action Plan for the allocation of funds for the Community Development Block Grant, HOME Investment Partnership Grant and Emergency Shelter Grant programs. The Legal Director shall prepare the appropriate ordinance.
2. Wasco - Finance and Personnel – Recommending award for Dehumidification Equipment for the Water Department be made to the low bidder, All Contractors Equipment, Inc., of Rockford, Illinois for their total bid of \$14,400. The funding source is Water Operating Budget.
3. Wasco - Finance and Personnel – Recommending approval of a sole source contract for Traffic Signal Equipment to Brown Traffic Products, of Davenport, Iowa for an estimated cost of \$75,000 annually. The funding source is Traffic Signal Budget.
4. Wasco - Finance and Personnel - Recommending an engineering agreement for Traffic Sign and Pavement Condition Inventory be made to TransMap Corporation, for a total not-to-exceed cost of \$232,011.32. The funding source is Sales Tax.
5. Mark - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5011 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable fire codes.
2. Meeting all applicable building codes, specifically construction documentation from a licensed design professional (i.e. Architect), licensed in the State of Illinois indicating how the proposed use will meet all appropriate building codes for the "Change of Use" and any construction to take place.
3. Submittal of a revised civil plan to include the new parking layout, sidewalk and dumpster enclosure area.
4. Submittal of a revised landscape plan to include revised landscape strip along East State Street that is a minimum of five (5) feet in width, existing mature landscaping to be preserved that surrounds the other parking lots, and plant species for Staff's review and approval.
5. Must develop site in accordance with new civil and landscaping plans approved by Staff.
6. Submittal of a revised sign elevation for staff review and approval for the East State sign and removal of freestanding sign adjacent to building.
7. Must obtain separate permits for signage and signs must be constructed to match building.
8. All conditions must be met prior to establishment of use.

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

6. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of a Special Use Permit #006-10 for passenger vehicle sales in conjunction with tire installation/sales and an auto repair shop to include a new storage garage which is greater than ten percent (10%) of the existing building in a C-3, General Commercial Zoning District at 3505 and 3509 Auburn Street. Approval is subject to the following conditions:
 1. Meeting all applicable building and fire codes.
 2. Submittal of building permits for Staff review and approval.
 3. Submittal of revised detailed landscape plan to include the type of species and sizes of the existing landscaping on the north lot.
 4. The three (3) existing taxing parcels as shown on Exhibit D will need to be combined into one (1) taxing parcel with the submittal of a Real Estate Combination Request Form.
 5. That there shall be no overnight outdoor storage of any vehicles or vehicle parts.

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

7. Mark - Code and Regulation - Recommending the approval to vacate the right-of-way adjacent to 3330 11th Street, subject to the following conditions:
 1. The existing watermain present within portion of the right-of-way shall be maintained in an easement with the language:

"Easement reserved City of Rockford Water and their successors and assigns the right to operate, maintain, construct, replace and renew underground cables and pipes and associated equipment for the distribution of services under, over and along the vacated right-of-way along with the right of ingress and egress access to the same and the right, from time to time to trim or remove trees, bushes and saplings and to clear all obstructions from the surface and subsurface as many be required.

The Legal Director shall prepare the necessary ordinance.

8. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for a payday loan store (90-003-Y) in a C-3, Limited Commercial Zoning District at 1010 East State Street. (Applicant requested to withdrew the application).

II. ORDINANCES LAID OVER OCTOBER 29, 2012

1. Mark - Ordinance - Authorizing eminent domain to acquire real property located at 1904 West State Street, 115 South Central Avenue, 118 North Avon and 114 North Independence for the West State Street Corridor Project.

- Motions and Resolutions

III. 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 – For the Special Use Permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5011 East State Street.
2. Mark – Ordinance - For the Modification of a Special Use Permit #006-10 for passenger vehicle sales in conjunction with tire installation/sales and an auto repair shop to include a new storage garage which is greater than ten percent (10%) of the existing building in a C-3, General Commercial Zoning District at 3505 and 3509 Auburn Street.
3. Mark – Ordinance - Street name change for Easy Street south of Airport Drive to Samuelson Road to be named Logistics Parkway.
4. Wasco – Ordinance – For the Intergovernmental Agreement with the Union Pacific Railroad Company for South Main Street Lighting and Fiber Optic – Wireline Crossing.

* 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, November 5, 2012, 5:15 p.m.

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

AGENDA

1. C & R 12-187 Wildlife Rehabbers – Request from Kelly and Gordon Bode for change in zoning regulations to allow wildlife rehabilitation
2. C & R 12-188 Closed Session for Purposes of Pending and/or Threatened Litigation/*Lisa Ruschill/Rilott, et.al., v. City of Rockford*

FINANCE AND PERSONNEL COMMITTEE

Monday, November 5, 2012, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: City Fueling System – Suspend rules
 - B. Award of Bid: Public Works Materials
 - C. Resolution to take Bids
 - D. Vouchers
2. 2012 Supplemental Appropriation Ordinance
3. Transfer of Ownership of 804 Haskell Avenue

PLANNING AND DEVELOPMENT COMMITTEE

Monday, November 5, 2012, _____ p.m.

CD Conference Room, City Hall 2nd floor

AGENDA

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE

Monday, November 5, 2012, _____ p.m.

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

AGENDA

No Meeting Scheduled.