

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
NOVEMBER 13, 2012
COUNCIL CONVENED AT 6:31 P.M.**

1. The invocation was given by Tenth Ward Alderman Frank Beach and the Pledge of Allegiance was led by Council Page Yesenia Centeno.

2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-

Absent: Jacobson -1-

3. Alderman Mark moved to accept the Journal of Proceedings of November 5, 2012 seconded by Alderman Wasco. MOTION PREVAILED (Ald. Jacobson absent).

PUBLIC PARTICIPATION

4. Mick Manne announced the Rockford Rescue Mission Thrift Store grand opening will be held on November 16, 2012 at 10:00 am, 2710 20th Street – former Bob’s Hardware Store.

5. Mary Lou Castro is troubled by the violence that is consuming our community; shootings, gangs and drugs and urged council members to consider the impact of a new business on our community before approving it.

6. Prophet Yusef spoke about seeing Jesus in others.

PETITIONS AND COMMUNICATIONS

7. Alderman Johnson submitted four (4) requests for service. Referred to the Police and Public Works Departments.

8. Alderman Beach submitted an email from John Mecklenburg, Swedish American Foundation, expressing appreciation to the Rockford Police Department for their professionalism while working with the hospital, staff, security and visitors during the recent gang-related activity in the neighborhood. Referred to Police Department.

9. Alderman Beach submitted a letter from Kelly and Gordon Bode in support of a change in zoning regulations to allow wildlife rehabilitation. Referred to Code and Regulation Committee.

10. Alderman Beach submitted a letter from the Miracle Mile Association concerning the San Jose Nightclub. Referred to Mayor Morrissey’s Office.

11. Alderman Jacobson submitted a Memorandum from John Giliberti, City Attorney, regarding the RACVB Third Quarter Report for 2012. Referred to Planning and Development Committee.
12. Alderman Mark submitted a request from Kristina DeCoster, RACVB, requesting permission to use the upper deck of Lot T, assistance with electrical requirements and use of existing barricades for the Downtown Holiday event at 100 Water Street: Upper Deck of Lot T on Saturday, December 1, 2012 from 3:00 pm – 7:00 pm. Set-up time at 1:00 pm, tear down concluding at 8:00 pm and snow removal if needed and permission to set-up a Park District Show Mobile on Lot T from Friday, November 30th through Monday December 3rd 2012. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Timm. MOTION PREVAILED (Ald. Jacobson absent).

NEW COMMITTEE REPORTS

13. Alderman Mark read a Code and Regulation Committee Report REVERSING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of packaged liquor in conjunction with a grocery store and the sale of liquor by the drink in conjunction with a restaurant in the name of Pedro Silva d/b/a Guanajyato, Supermercado in a C-3, Commercial General Zoning District at 510 Marchesano Drive.

LAID OVER.

14. Alderman Mark read a Code and Regulation Committee Report REVERSING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a bar and grill (tavern and restaurant) and the sale of liquor by the drink in conjunction with an outdoor seating area in the name of **Konrad Kallenbach d/b/a KMARCO, Inc.** in a C-2, Limited Commercial District and R-1,, Single-Family Residential Zoning District at 3835 Broadway. Approval is subject to the following conditions:
 1. Must meet all applicable liquor codes.
 2. Must meet all applicable building and fire codes.
 3. Submittal of a site plan including landscaping frontage along Broadway and striping of parking spaces to meet current code for Staff's review and approval.
 4. Installation of landscape units along Log Cabin Avenue and Broadway to be completed by May 1, 2013.
 5. Removal of free-standing sign along Broadway to be replaced with one (1) landmark style sign.
 6. That there shall be no cover charge, DJ or live entertainment
 7. Hours are limited to Monday through Sunday 11:00 am to 2:00 am
 8. That the premises have (1) security staff for every fifty (50) customers
 9. That the property not function as a night club with a cover charge, dance floor/ stage area over 150 square feet.
 10. That the outdoor seating area to close by 10:00 pm during the weekdays and midnight on weekends.
 11. The plan for the outdoor seating area must be submitted for Staff's review and approval prior to issuance of a building permit.

12. That the sale of alcohol shall not exceed sixty-five percent (65%) of the total sales.

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

15. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for City-Wide Vehicles be made to the lowest bidder meeting specifications, Anderson Rock River Ford, of Rockford, Illinois for their total bid of \$1,183,787.14. The funding source is Public Works, Fire, Police & CD 2013 Capital Budgets. LAID OVER.
16. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for (4) Ambulances be made to the lowest bidder meeting specifications, Fire Service (Wheeled Coach), of St. John, Indiana for their total bid of \$982,928.42. The funding source is 2014 Fire Dept. Capital Budget. LAID OVER.
17. Alderman Wasco read a Finance and Personnel Committee Report having been referred the matter of the Agreement between City of Rockford Human Services Dept. Head Start and Circles of Learning Child Care Centers recommends the agreement be approved. LAID OVER.
18. Alderman Wasco read a Finance and Personnel Committee Report recommending the matter of Continued Funding of the Head Start/Early Head Start program for the budget period 4/1/2013 through 6/30/2013 be approved. The application is due by January 1, 2013. LAID OVER.
19. Alderman Wasco read a Finance and Personnel Committee Report recommending that the 2012 Tax Levy Ordinance be prepared by the Finance Department in accordance with the memorandum from the Finance Director on November 13, 2012, and accepted in the amount of \$52,512,619 for the levies in the General, Sanitation, Tuberculosis Sanitarium, Library, Library Maintenance, Illinois Municipal Retirement, Unemployment Compensation, Worker's Compensation, and Auditing Funds. LAID OVER.
20. Alderman Wasco read a Finance and Personnel Committee Report to recommend increasing the 2012 tax levy for street and bridge purposes from .06% of the value as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford to .10% of the value, as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford, hereby recommends:
- That the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Dept. of Revenue for street and bridge purposes and that the Finance Dept. shall prepare the appropriate ordinance. LAID OVER.
21. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of an Intergovernmental Agreement between the City of Rockford and the Rockford Park District for the Prairie Street Parking Facility, providing for the maintenance of the parking facility if future events require, as set forth in the agreement. LAID OVER.

2012-406CR

22. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Liability Claims Administration be made to PMA Companies, of Schaumburg, Illinois for their fee of \$32,000 for year one and optional renewals at 2% increases for an additional four years. The funding source is Risk Management Fund.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Mark . MOTION PREVAILED (Ald. Wasco, 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, Elyea, Beck, Robertson -12-
Nays: McNeely -1-
Absent: Jacobson -1-

2012-407CR

23. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Signal Replacement – East State St. & 1st St. be made to the low bidder, Engel Electric Co., of Sterling, Illinois for their total bid of \$127,066.53. The funding source is Sales Tax.

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

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

2012-408CR

24. Alderman Wasco read a Finance and Personnel Committee Report recommending the award of a Sole Source Contract for Rental of (2) Dump Trucks be made to Hertz Equipment Rental, of Oak Creek, Wisconsin for an estimated total of \$19,194.00. The funding source is Street & Water Division Operating Budgets.

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

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

2012-409CR

25. Alderman Wasco read a Finance and Personnel Committee Report having considered a budget for expert witness services in the litigation matter of Cash, et al. v. City of

Rockford, et al., recommends a contract be awarded to AccuWeather Forensics, for an amount not to exceed \$10,000. The funding source is Risk Management Fund.

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

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

26. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of November 13, 2012 in the amount of \$2,455,506.97. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

27. Mayor Morrissey presented a Proclamation proclaiming the week of November 12, 2012 to be "NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK" in Rockford, Illinois and encouraged all residents to recognize that many people do not have housing and need support from citizens, and private/public non-profit service entities.
28. Mayor Morrissey presented a Proclamation proclaiming the week of November 11, 2012 to be "VIETNAM VETERANS OF AMERICA, CHAPTER 984 APPRECIATION WEEK" in Rockford, Illinois and called upon all citizens to thank the members of Vietnam Veterans of America, Chapter 984 for their service to our local veterans.
29. Mayor Morrissey reported the passing of WREX news anchor Jeannie Hayes, 29 years old. He mentioned attending the visitation and speaking with her parents, who extended a thank you to the community for their love and support during this difficult time. He offered thoughts and prayers to Jeannie's family.
30. Mayor Morrissey announced tomorrow will be the hearing for the San Jose Nightclub at 2:00 pm in Council Chambers. Any questions may be directed to Jennifer Cacciapaglia, City Attorney.
31. Mayor Morrissey also reported the passing of Jim Ryan's father-in-law and extended condolences, thoughts and prayers to his family.
32. Mayor Morrissey reminded citizens of the change in service to garbage collection, household and yard waste collection due to the Thanksgiving Day holiday.

- The week of Thanksgiving, regular service will continue Monday, November 19th through Wednesday, November 21st. Pick up on Thursday, Thanksgiving Day, will be delayed one day until Friday, November 23rd.
 - Household Hazardous Waste Site, 3333 Kishwaukee will be closed the weekend of November 24th and 25th.
 - The 2012 season Citywide Yard Waste collection will conclude the week of November 26th ending on November 29th.
33. Alderman Beach mentioned attending the first annual day of patriotism at West Middle School on Thursday. The program included musical performances, speaker Colonel John Gessner, and a presentation by the Rockford Vietnam Veterans of America of dozens of American flags for each classroom and office in the building.
 34. Alderman Thompson-Kelly mentioned she also attended the patriotism program at West Middle School and reported Alderman Beach and former Alderman Bell received awards. She was also happy to learn from the principal that test scores are going up.
 35. Alderman Thompson-Kelly requested a copy of the RACVB Quarterly Report.
 36. Alderman Thompson-Kelly reported some constituents have informed her there is static in the audio portion of the broadcast making it difficult to understand the meeting.
 37. Alderman Thompson-Kelly reminded the aldermen to report to Klehm Arboretum tomorrow at 11:00 am sharp for the Human Services Senior Luncheon and thanked the aldermen that have signed up to help serve.
 38. Alderman Johnson thanked Mick Manne for announcing the Rescue Mission Thrift Store grand opening will be on Friday, November 16th at 10:00 am, 2710 20th Street.
 39. Alderman Johnson appreciates the patience of all her constituents during road construction on Broadway and announced the project is now complete.
 40. Legal Director Patrick Hayes thanked the community and city staff for their support of the City's United Way events last week; a chili-shoot-out, bake sale, 50/50 raffle and dunk tank. He announced the winners of the chili-shoot-out and reported as winner of the department head challenge, his experience in the dunk tank was both exhilarating and refreshing. All events combined raised over \$1,000 for United Way.

Alderman Beach exited the meeting at 7:03 pm.

UNFINISHED BUSINESS

2012-410CR

41. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that City Council APPROVE the settlement in *Rilott, et al. v. City of Rockford* in the amount of \$8,605.00 and additional non-monetary concerns per the

attached settlement agreement with a release shall be obtained. MOTION PREVAILED by a Roll Call vote of:

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

42. 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. HELD OUT.

2012-177-O

43. Alderman Mark moved the adoption of an Ordinance for the name change of 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, Elyea, Beck, McNeely, Robertson -12-
Nays: -0-
Absent: Jacobson, Beach -2-

2012- 178-O

44. Alderman Mark moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for modification of Special Use Permit #006-10 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, PINS: 11-15-156-016, 11-15-156-021 & 11-15-156-022. 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. MOTION PREVAILED by a Roll Call vote of:

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

2012-179-O

45. Alderman Mark moved the adoption of an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5011 East State Street, PIN: 12-29-277-007. 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. MOTION PREVAILED by a Roll Call vote of:

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

2012-411CR

46. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Public Works Materials be made to the low bidder for each item as summarized: William Charles Construction, of Loves Park, Illinois; Rockford Cement Products, of Rockford, Illinois; Northern Illinois Service, of Rockford, Illinois; and

Rock Road Companies, of Janesville, Wisconsin. The funding source is Divisional Operating Budgets. MOTION PREVAILED by a Roll Call vote of:

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

2012-412CR

47. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report approving the 2012 year supplemental appropriations recommending that the 2012 Budget be amended and a supplemental appropriation ordinance be prepared by the Budget Officer in accordance with the schedule. MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2012-160R

48. Alderman Wasco moved the adoption of a Resolution authorizing the Central Services Manager to take bids for the following:

A. Bid: Labor and Materials for Weatherization Architectural and Mechanical Services, funding source: Federal funds from HHS and DOE through the Illinois Department of Commerce and Economic Opportunity

MOTION PREVAILED by a Roll Call vote of:

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

2012-161R

49. Alderman Wasco moved the adoption of a Resolution requiring Council authorization for use of Motor Fuel Tax funds for Chicago Central & Pacific Railroad Company in the amount of \$250,000.00. MOTION PREVAILED by a Roll Call vote of:

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

2012-162R

50. Alderman Jacobson, on behalf of the Planning and Development Committee, moved the adoption of a Resolution authorizing applications for USEPA Brownfield Grants and a local match for a USEPA Cleanup Grant for Federal Fiscal year 2013. MOTION PREVAILED by a Roll Call vote of:

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

NEW BUSINESS

51. Alderman Wasco introduced and read an Ordinance making supplemental appropriations for the City of Rockford, a municipal corporation, to finance those functions pertaining to its government and affairs including the General Fund, Water Fund, Parking Fund, Sanitation Fund, South Rockford Tax Increment Financing District Fund, Seventh Street Tax Increment Financing District Fund, East River Tax Increment Financing District Fund, East Side Tax Increment Financing District Fund, West Side #1 Tax Increment Financing District Fund, Redevelopment Fund, Tourism Fund, CIP Fund, Information Technology Fund, Community Development Block Grant Fund, and Human Services Fund, for the fiscal year 2012. LAID OVER.
52. Upon motion duly made and seconded, the meeting was adjourned at 7:24 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 19, 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

A. LAID OVER NOVEMBER 13, 2012

1. Wasco - Finance and Personnel – Recommending the award for City-Wide Vehicles be made to the lowest bidder meeting specifications, Anderson Rock River Ford, of Rockford, Illinois for their total bid of \$1,183,787.14. The funding source is Public Works, Fire, Police & CD 2013 Capital Budgets.
2. Wasco - Finance and Personnel - Recommending the award for (4) Ambulances be made to the lowest bidder meeting specifications, Fire Service (Wheeled Coach), of St. John, Indiana for their total bid of \$982,928.42. The funding source is 2014 Fire Dept. Capital Budget.
3. Wasco - Finance and Personnel - Agreement between City of Rockford Human Services Dept. Head Start and Circles of Learning Child Care Centers recommends the agreement be approved.
4. Wasco - Finance and Personnel - Recommending the matter of Continued Funding of the Head Start/Early Head Start program for the budget period 4/1/2013 through 6/30/2013 be approved. The application is due by January 1, 2013.
5. Wasco - Finance and Personnel - Recommending that the 2012 Tax Levy Ordinance be prepared by the Finance Department in accordance with the memorandum from the Finance Director on November 13, 2012, and accepted in the amount of \$52,512,619 for

the levies in the General, Sanitation, Tuberculosis Sanitarium, Library, Library Maintenance, Illinois Municipal Retirement, Unemployment Compensation, Worker's Compensation, and Auditing Funds.

6. Wasco - Finance and Personnel - Recommend increasing the 2012 tax levy for street and bridge purposes from .06% of the value as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford to .10% of the value, as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford, hereby recommends:

That the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Dept. of Revenue for street and bridge purposes and that the Finance Dept. shall prepare the appropriate ordinance.

7. Wasco - Finance and Personnel - Recommending the approval of an Intergovernmental Agreement between the City of Rockford and the Rockford Park District for the Prairie Street Parking Facility, providing for the maintenance of the parking facility if future events require, as set forth in the agreement.
8. Mark - Code and Regulation - REVERSING the Liquor Advisory Board, thereby recommending that City Council DENY the sale of packaged liquor in conjunction with a grocery store and the sale of liquor by the drink in conjunction with a restaurant in the name of Pedro Silva d/b/a Guanajyato, Supermercado in a C-3, Commercial General Zoning District at 510 Marchesano Drive.
9. Alderman Mark read a Code and Regulation Committee Report REVERSING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a bar and grill (tavern and restaurant) and the sale of liquor by the drink in conjunction with an outdoor seating area in the name of **Konrad Kallenbach d/b/a KMARCO, Inc.** in a C-2, Limited Commercial District and R-1,, Single-Family Residential Zoning District at 3835 Broadway. Approval is subject to the following conditions:
 1. Must meet all applicable liquor codes.
 2. Must meet all applicable building and fire codes.
 3. Submittal of a site plan including landscaping frontage along Broadway and striping of parking spaces to meet current code for Staff's review and approval.
 4. Installation of landscape units along Log Cabin Avenue and Broadway to be completed by May 1, 2013.
 5. Removal of free-standing sign along Broadway to be replaced with one (1) landmark style sign.
 6. That there shall be no cover charge, DJ or live entertainment
 7. Hours are limited to Monday through Sunday 11:00 am to 2:00 am
 8. That the premises have (1) security staff for every fifty (50) customers
 9. That the property not function as a night club with a cover charge, dance floor/ stage area over 150 square feet.
 10. That the outdoor seating area to close by 10:00 pm during the weekdays and midnight on weekends.

11. The plan for the outdoor seating area must be submitted for Staff's review and approval prior to issuance of a building permit.
12. That the sale of alcohol shall not exceed sixty-five percent (65%) of the total sales.

The Legal Director shall prepare the necessary Ordinance.

B. HELD OUT NOVEMBER 13, 2012

1. 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.

II. ORDINANCES LAID OVER NOVEMBER 13, 2012

1. Wasco - Ordinance - Making supplemental appropriations for the City of Rockford, a municipal corporation, to finance those functions pertaining to its government and affairs including the General Fund, Water Fund, Parking Fund, Sanitation Fund, South Rockford Tax Increment Financing District Fund, Seventh Street Tax Increment Financing District Fund, East River Tax Increment Financing District Fund, East Side Tax Increment Financing District Fund, West Side #1 Tax Increment Financing District Fund, Redevelopment Fund, Tourism Fund, CIP Fund, Information Technology Fund, Community Development Block Grant Fund, and Human Services Fund, for the fiscal year 2012.

- 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. Wasco - Ordinance - Authorizing the Mayor and Legal Director to execute and attest the attached Agreement between City of Rockford Human Services Department Head Start and Circles of Learning Child Care Centers.
2. Wasco - Ordinance - Intergovernmental Agreement between the City of Rockford and the Rockford Park District for the Prairie Street Parking Facility, providing for the

maintenance of the parking facility if future events require, as set forth in the agreement.

3. Mark – Ordinance – For the sale of liquor by the drink in conjunction with a bar and grill (tavern and restaurant) and the sale of liquor by the drink in conjunction with an outdoor seating area in the name of **Konrad Kallenbach d/b/a KMARCO, Inc.** in a C-2, Limited Commercial District and R-1,, Single-Family Residential Zoning District at 3835 Broadway. Approval is subject to the following conditions:

1. Must meet all applicable liquor codes.
2. Must meet all applicable building and fire codes.
3. Submittal of a site plan including landscaping frontage along Broadway and striping of parking spaces to meet current code for Staff’s review and approval.
4. Installation of landscape units along Log Cabin Avenue and Broadway to be completed by May 1, 2013.
5. Removal of free-standing sign along Broadway to be replaced with one (1) landmark style sign.
6. That there shall be no cover charge, DJ or live entertainment
7. Hours are limited to Monday through Sunday 11:00 am to 2:00 am
8. That the premises have (1) security staff for every fifty (50) customers
9. That the property not function as a night club with a cover charge, dance floor/ stage area over 150 square feet.
10. That the outdoor seating area to close by 10:00 pm during the weekdays and midnight on weekends.
11. The plan for the outdoor seating area must be submitted for Staff’s review and approval prior to issuance of a building permit.
12. That the sale of alcohol shall not exceed sixty-five percent (65%) of the total sales.

* 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 19, 2012, ___ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

No Meeting Scheduled.

FINANCE AND PERSONNEL COMMITTEE
Monday, November 19, 2012, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Bituminous Patching – Suspend rules
 - B. Engineering Agreement: Water Treatment Plant Residuals Management
 - C. Change Order: City-Wide Sidewalk & ADA Package I – **Info only**
 - D. Vouchers
2. Resolution & Declaration of Official Intent to Lease Heavy Equipment
3. IGA Park District Indoor Sports Facility (Laid over 11/13)

PLANNING AND DEVELOPMENT COMMITTEE
Monday, November 19, 2012, ___ p.m.
CD Conference Room, City Hall 2nd floor
AGENDA

No Meeting Scheduled.

LEGISLATIVE LOBBYING COMMITTEE
Monday, November 19, 2012, ___ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

No Meeting Scheduled.