



**CITY COUNCIL, CITY OF LOVES PARK, ILLINOIS**  
Journal of Proceedings  
Regular Meeting, Monday, June 15, 2009  
Loves Park City Hall

Mayor Darryl Lindberg called the meeting to order at 6:30 p.m.

Community Development/Public Works Director Dan Jacobson opened the meeting with an invocation, followed by the Pledge of Allegiance.

Present: Mayor Darryl Lindberg

Aldermen A. Marie Holmes, Richard Brinker, Jan Novak, Mike Owens, John Jacobson, Greg Jury, Clint Little, John Pruitt, Tom Laughlin, Mark Peterson

Also Present: City Clerk Robert Burden  
City Attorney Phil Nicolosi

1. Approve Minutes 6/8/09 The Journal of Proceedings for the regular meeting of June 8, 2009 was approved as per typewritten copies submitted by the city clerk on a motion by Alderman Little. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
2. Illinois Commerce Commission Hearing For ComEd Received a notice from the Illinois Commerce Commission of a status hearing regarding an Advanced Metering Infrastructure Pilot Program for Commonwealth Edison, to be held June 23, 2009, in the offices of the Commission, Chicago, IL. Placed on file.
3. SEP/Family Reunion Received a Special Event Permit request from Robert Schlensker to hold a family reunion with a band at 4620 Arlington Street, to be held Sunday, July 26, 2009, from 1:00 p.m. to 6:00 p.m. Referred to Alderman Owens of the Codes and Regulations Committee.
4. SEP/Family Reunion Approved Alderman Owens of the Codes and Regulations Committee moved to approve the Special Event Permit request submitted by Robert Schlensker, to hold a family reunion with a band at 4620 Arlington Street, on Sunday, July 26, 2009, from 1:00 p.m. to 6:00 p.m. Second by Alderman Pruitt. Motion carried by voice vote.
5. Block Party Request Received a block party request from Keri Solverson, to be held in Kings Acres, on Saturday, June 27, 2009, from 3:00 p.m. to 11:00 p.m. Referred to Alderman Owens of the Codes and Regulations Committee.
6. Block Party Request Approved Alderman Owens of the Codes and Regulations Committee moved to approve the block party request submitted by Keri Solverson, to be held in Kings Acres, on Saturday, June 27, 2009, from 3:00 p.m. to 11:00 p.m. Second by Alderman Pruitt. Motion carried by voice vote.
7. Hope & Anchor Pub Request Mayor Lindberg received a request for outdoor seating at the Hope & Anchor Pub. Referred to Alderman Owens of the Codes and Regulations Committee.
8. Ordinance Rescinded Mayor Lindberg reported that the ordinance to be presented for second reading regarding outdoor seating for Northwoods Bar & Grill has been rescinded by the applicant.

9. Water Dept.  
6/8/09 Alderman Brinker presented the Water Department bills dated June 8, 2009, in the amount of \$8,734.59, and moved that they be paid. Second by Alderman Jury. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
10. General Fund  
6/8/09 Alderman Brinker presented the General Fund and all other bills dated June 8, 2009, in the amount of \$99,586.66, and moved that they be paid. Second by Alderman Jury. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
11. Public Safety  
Report Alderman Little presented the Weekly Activity Report for the Fire Department dated June 14, 2009; presented the Police Department Report dated June 15, 2009, to be placed on file.
12. Public Works  
Report Alderman Jacobson presented the Street Department Activity Report dated June 15, 2009; presented the Water Department Activity Report dated June 15, 2009, to be placed on file.
13. Finance & Admin  
Committee Alderman Brinker of the Finance and Administration Committee presented the General Fund and all other bills dated June 15, 2009 in the amount of \$558,668.73, for consideration at next week's city council meeting; presented the minutes from the committee meeting held June 8, 2009, to be placed on file.
14. Public Works  
Committee Alderman Jacobson of the Public Works Committee presented the Water Department list of bills dated June 15, 2009 in the amount of \$8,446.31, for consideration at next week's city council meeting; presented the minutes from the committee meeting held on June 8, 2009, to be placed on file.
15. Codes & Regs.  
Committee Alderman Owens of the Codes and Regulations Committee presented the minutes from the committee meeting held on June 8, 2009, to be placed on file.
16. Community  
Development Alderman Pruitt of the Community Development Committee announced that the Zoning Board of Appeals will meet on Thursday, June 18, 2009 at 6:00 p.m.
17. Liquor  
Commission Mayor Lindberg presented the names of Darryl Lindberg, Alderman John Jacobson, Alderman Richard Brinker, and Alderman Greg Jury for appointment to the Loves Park Liquor Commission, to be effective immediately.
18. STC Two LLC  
Cell Tower Lease Alderman Jury presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution approving and authorizing the City of Loves Park to enter into a third amendment to the Cell Tower Lease with STC TWO LLC, extending the current Cell Tower Lease and a first amendment to memorandum of agreement regarding the same, **WHEREAS**, the City of Loves Park, Illinois ("City") is currently leasing space located at the City Police Station to STC Two LLC ("STC") for a cellular tower pursuant to a lease dated October 30, 1998, with subsequent amendments (collectively referred to herein as the "Lease"); and **WHEREAS**, the City entered into a Memorandum of Agreement on July 28, 2006 ("Memorandum") which set forth the general terms of the Lease for recording purposes and the Memorandum was recorded with the Winnebago County Recorder's Office; and **WHEREAS**, the City and STC entered into a Letter Agreement on April 6, 2009 setting forth the base terms and conditions of the extension ("Letter Agreement"); and **WHEREAS**, upon approval and execution of the Letter Agreement, the City and STC proceeded to negotiate the terms and conditions of a formal amendment to the Lease ("Third Lease Amendment") which incorporated the terms and conditions set forth in the Letter Agreement; and **WHEREAS**, the City and STC have agreed upon the form of a first amendment to the Memorandum which reflects the extension of the term of the Lease for recording purposes ("First Amendment to Memorandum"); and

19. STC Two LLC  
Cell Tower Lease  
(Cont)
- WHEREAS**, the City now desires to formally approve and execute the Third Lease Amendment and the First Amendment to Memorandum; and **WHEREAS**, a copy of the Third Lease Amendment is attached hereto as Exhibit A and incorporated herein; and **WHEREAS**, a copy of the First Amendment to Memorandum is attached hereto as Exhibit B and incorporated herein; and **WHEREAS**, the City has determined it is in the best interest of the City and its citizens to enter into the Third Lease Amendment and the First Amendment to Memorandum. **NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Loves Park, Winnebago County, Illinois as follows:
1. The foregoing recitals are incorporated herein by reference.
  2. The City of Loves Park hereby approves the Third Lease Amendment attached hereto as Exhibit A and incorporated herein.
  3. The City of Loves Park hereby approves the First Amendment to Memorandum attached hereto as Exhibit B and incorporated herein and authorizes the recording of the same with the Winnebago County Recorder's Office.
  4. The Mayor, or his authorized personnel, is hereby authorized to execute the Third Lease Amendment and the First Amendment to Memorandum.

Second by Alderman Brinker. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)

**Resolution No. 09-62**

20. Evergreen  
Irrigation To  
Extend System
- Alderman Jury presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that the Mayor is authorized to contract with Evergreen Irrigation, Inc. per the attached negotiated bid of \$2,300.00 to extend the current irrigation system to accommodate the new plantings on the north side of City Hall. The cost of this installation shall be taken from Account No. 01-07-6530 (Buildings and Grounds/Improvements). Second by Alderman Brinker. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
- Resolution No. 09-63**

21. Accept Bid From  
William Charles  
Construction Co.  
For 2009 MFT  
Road  
Maintenance  
Program
- Alderman Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that upon satisfactory completion of the required bidding process and, as recommended by R. K. Johnson & Associates, Consulting Engineers, a contract is hereby awarded to William Charles Construction Company, 5490 Nimitz Rd., Loves Park, IL 61111, lowest responsible bidder, for the 2009 MFT Road Maintenance Program (IDOT Section No. 09-00000-00-GM). Total cost of the contract shall be Seventy-One Thousand Thirty-Six dollars and Three cents (\$71,036.03). Funds shall be drawn from Account No. 05-00-5000 (Expenditures Motor Fuel Tax) for the expense. Second by Alderman Novak. Motion carried. 9 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Little, Pruitt, Laughlin, Peterson) 1 Abstain (Alderman Jury)
- Resolution No. 09-64**

22. Permanent  
Easement Grant  
For Alley Right-  
Of-Way At 123  
Sheridan Drive
- Alderman Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that Mayor Darryl F. Lindberg is authorized to sign, as Grantee, a Permanent Easement Grant for Alley Right-of-Way on behalf of the City of Loves Park. Said Easement is for the purpose of widening an existing alley adjacent to the property located at 123 Sheridan Drive. Upon execution of the Easement, the City Clerk shall submit the document for public recording at the Winnebago County Recorder's Office. A copy of the Easement is attached and made a part of this Resolution. Second by Alderman Novak. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
- Resolution No. 09-65**

23. Temporary Liquor License & Fee Waiver For Ski Broncs Championships  
Alderman Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that a temporary Liquor License together with a waiver of the related fee, be granted to the Ski Broncs to sell alcohol at the Division I National Show Ski Championships on August 8-9, 2009 at Shorewood Park in Loves Park per the attached request. Further, this request to sell alcohol shall be granted from 12:00 noon until 10:00 p.m. on Saturday, August 8, and from 12:00 noon until 6:00 p.m. on Sunday, August 9, 2009. Further, this request for a temporary Liquor License will be subject to the condition that security will be provided by the Rockford Park District police and further subject, to applicant supplying a certificate of liquor liability adding the City of Loves Park as additionally insured prior to the issuance of this temporary Liquor License by the Liquor Commissioner for this event. Second by Alderman Novak. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)  
**Resolution No. 09-66**
24. ORD 3539-09  
Prevailing Rate Of Wages  
Alderman Jury presented for second reading an ordinance ascertaining the prevailing rate of wages for construction of public works, and moved for passage of the ordinance. Second by Alderman Brinker. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)  
**ORDINANCE NO. 3539-09**
25. ORD 3540-09  
SUP For 5040 North Second Street  
Alderman Pruitt presented for second reading an ordinance providing for a Special Use Permit for a specialty beer garden for the property commonly known as 5040 North Second Street, and moved for passage of the ordinance as all aldermen have been provided copies. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)  
**ORDINANCE NO. 3540-09**
26. ORD 3541-09  
Setback Variance For 5040 North Second Street  
Alderman Pruitt presented for second reading an ordinance providing for a Variance in front yard setback for an accessory structure for the property commonly known as 5040 North Second Street, and moved for passage of the ordinance. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)  
**ORDINANCE NO. 3541-09**
27. ORD 3542-09  
Variance For 5040 North Second Street  
Alderman Pruitt presented for second reading an ordinance providing for a Variance in distance between structures for the property commonly known as 5040 North Second Street, and moved for passage of the ordinance. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)  
**ORDINANCE NO. 3542-09**
28. ORD 3543-09  
SUP For 5204 Glenwood Drive  
Alderman Pruitt presented for second reading an ordinance providing for a Special Use Permit renewal for a Planned Unit Development for the property commonly known as 5204 Glenwood Drive, and moved for passage of the ordinance. Second by Alderman Owens. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)  
**ORDINANCE NO. 3543-09**
29. 1<sup>st</sup> Reading  
Liquor License For 1824 E. Riverside Blvd.  
Alderman Owens presented for first reading an ordinance providing for a Liquor License for the property commonly known as 1824 E. Riverside Blvd, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Pruitt. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson) Laid Over

30. Suspend Rules Alderman Owens moved to suspend any and all rules to bring the above ordinance in for second reading. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)
31. ORD 3544-09  
Liquor License For 1824 E. Riverside Blvd Alderman Owens presented for second reading an ordinance providing for a Liquor License for the property commonly known as 1824 E. Riverside Blvd, and moved for passage of the ordinance. Second by Alderman Pruitt. Motion carried. 10 Ayes (Aldermen Holmes, Brinker, Novak, Owens, Jacobson, Jury, Little, Pruitt, Laughlin, Peterson)  
**ORDINANCE NO. 3544-09**
32. Mayor Lindberg Mayor Lindberg announced that he became a grandfather this morning for the 6<sup>th</sup> time as daughter Karissa and husband Ryan welcomed a baby girl to the family.
33. Adjourn Alderman Brinker moved that the meeting be adjourned. Second by Alderman Peterson. Motion carried by voice vote. The meeting was adjourned at 6:50 p.m.

**APPROVED:**

Robert J. Burden, City Clerk

**COMMITTEE MEETINGS:**

Zoning Board of Appeals: Thursday, June 18, 2009

**STANDING COMMITTEE MEETINGS:**

Finance & Administration: Prior to Council Meeting  
5:45 p.m.

Public Works: Prior to Council Meeting  
5:30 p.m.

Codes and Regulations: Following City Council  
2<sup>nd</sup> and 4<sup>th</sup> Mondays