

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
DECEMBER 7, 2009  
COUNCIL CONVENED AT 6:17 P.M.**

1. The invocation was given by Connie Marquis, The Salvation Army/Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:  
Mayor Lawrence J. Morrissey  
Aldermen: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Absent: -0-
3. Alderman Beck moved to accept the Journal of Proceedings of November 30, 2009 seconded by Alderman Mark. MOTION PREVAILED.

**UNFINISHED BUSINESS**

4. Alderman Wasco made a motion to permit Mr. Kevin McCanna, Speer Financial, to address council to report on the sale of bonds, seconded by Alderman Jacobson. MOTION PREVAILED.

Mr. McCanna reported that bids were received covering the \$1,700,000 Taxable General Obligation Bonds (Sales Tax Alternative Revenue Source), Series 2009D. There were four bids received. He recommended accepting the bid that was received from BMO Capital Markets, Inc. at par less a discount of \$10,574.50 plus accrued interest being at a net rate of 4.917108%.

**2009-208-O**

5. Alderman Wasco moved the adoption of an Ordinance confirming sale of an aggregate principal amount of \$1,700,000 Taxable General Obligation Bonds (Sales Taxes Alternate Revenue Source), Series 2009D.

Alderman Wasco made a motion to amend the Ordinance as follows:

"The tabulation of the bonds shall be inserted as Exhibit A and, the Successful Official Bond Bid Forms showing BMO Capital Markets, as purchaser of the Bonds, Series 2009D, shall be inserted as Exhibit B.

Said motion was seconded by Alderman Beck. MOTION PREVAILED. The Ordinance, as amended was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

Absent: -0-

**2008-209-O**

6. Alderman Wasco moved the adoption of an Ordinance authorizing and providing for the issue of \$1,700,000 Taxable General Obligation Bonds, Series 2009D, of the City of Rockford, Winnebago County, Illinois for the purpose of financing improvements within the Springfield Corners TIF District, the East River TIF District, and other related capital and infrastructure improvements, prescribing the details of said bonds and providing for the imposition of taxes to pay the same, and for the collection, segregation and application of certain sales tax receipts to pay said bonds.

Alderman Wasco made a motion to amend the Ordinance as follows:

“to add the appropriate interest rates, the amount of the tax levy and other necessary and relevant information to the successful bid per the ordinance submitted by Bond Counsel.”

Said motion was seconded by Alderman Thompson-Kelly. MOTION PREVAILED. The Ordinance, as amended, was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

**PUBLIC PARTICIPATION**

7. Jim Buckingham, Sr. recited a list of government agencies and local businesses that he believes have disrespectfully or illegally displayed the American Flag.

**PETITIONS AND COMMUNICATIONS**

8. Alderman Wasco submitted a Memorandum from Joanne Lewis, Head Start Director, regarding Head Start Grant Application. Referred to Finance and Personnel Committee.
9. Alderman Wasco submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding Intergovernmental Agreement Riverwalk – Museum Campus. Referred to Finance and Personnel Committee.
10. Alderman Robertson submitted a request from Deb Osborne, in conjunction with Alpine Lutheran Church Live Nativity, requesting permission for animals on church grounds on December 13, 2009 from approximately 10:00 am to 12:00 (noon) at Alpine Lutheran Church, 5001 Forest View Avenue. Alderman Robertson moved to grant the Prayer of the Petitioner, seconded by Alderman Hervey. MOTION PREVAILED.
11. Alderman Johnson submitted a request from residents in the 8<sup>th</sup> Ward concerning snow removal. Referred to the Public Works Department.

12. Alderman Johnson submitted a request for service for the installation of a 4-way stop sign control at the intersection of Colorado Avenue and Westgate Parkway. Referred to the Public Works Department/Traffic.
13. Alderman Sosnowski submitted a Memorandum by Ronald N. Schultz, City Attorney, regarding Second Amendment to Intergovernmental Agreement relating to Wanxiang. Referred to Planning and Development Committee.
14. Alderman Beach submitted a Memorandum from Ronald Schultz, City Attorney, regarding the Boundary Agreement with Machesney Park. Referred to Code and Regulation Committee.
15. Alderman Beach submitted a Memorandum from Ronald Schultz, City Attorney, UDL Request for Permit to Install Fiber Optic Lines. Referred to Code and Regulation Committee.

### **NEW COMMITTEE REPORTS**

16. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the side yard setback along the west and east sides to six (6) feet with a combined total of twelve (12) feet in an R-2, Two-family Residential Zoning District at 5622 & 5624 Spring Brook Road. Approval is subject to the following conditions:

1. Meeting all other required yard setbacks including not encroaching upon any recorded easement which would include decks.
2. Meeting all applicable building, fire and draining codes.

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

17. Alderman Beach 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 church and church related services in a C-4, Urban Mixed-Use Zoning District at 526 7<sup>th</sup> Street. Approval is subject to the following conditions:

1. Must obtain a change of use building permit.
2. The use of the church is limited to the first floor.

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

18. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the maximum square footage for an accessory building from 720 square feet to 728 square feet; and APPROVE the Variation to increase the maximum allowable height for an accessory building from 18 feet to 25 feet in an R-1, Single-family Residential Zoning District at 1224 Camp Avenue. Approval is subject to the following conditions:

1. Meeting applicable building and fire codes.
2. Submittal of Building permits for Staff review and approval.
3. Site and garage must develop in accordance with site plan building elevations on file.
4. Submittal of material (renderings) to be used for the garage for Staff's review and approval.
5. No living quarters allowed within the detached garage.

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

19. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for modification of the sale of liquor by the drink in conjunction with a sit-down restaurant with an outdoor seating area from beer and wine to a full license in the name of **Rick White d/b/a Bandana's Bar-B-Q** in a C-2, Limited Commercial Zoning District at 5494 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The hours of operation will be limited to 11:00 am to 9:00 pm Sunday through Thursday.
4. The hours of operation will be limited to 11:00 am to 10:00 pm Friday through Saturday.
5. The sale of alcohol shall be limited to the interior site and outdoor seating areas that were submitted as Exhibit D.

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

20. Alderman Beach read a Code and Regulation Committee Report recommending APPROVAL of the Intergovernmental Agreement with Winnebago County regarding the Jurisdictional Transfer of Culvert under Alpine Road. The Legal Director shall prepare the necessary Ordinance. LAID OVER.

21. Alderman Beach read a Code and Regulation Committee Report recommending APPROVAL to vacate the alley between 913 & 925 Cunningham Street to the adjacent property owners. Approval is subject to the following conditions:

1. The property owners shall be responsible for the \$700.00 which is the estimated value of the property.

The Legal Director shall prepare the necessary Ordinance. LAID OVER.

22. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on 11<sup>th</sup> Avenue be required to Yield prior to entering the intersection of 19<sup>th</sup> Street. LAID OVER.

23. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Bruner Street be required to Yield prior to entering the intersection of Burton Street. LAID OVER.
  24. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on 19<sup>th</sup> Street be required to stop prior to entering the intersection of Reed Avenue. LAID OVER.
  25. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on both sides of Kilburn Avenue from Bruce Street to Whitman Street/School Street. LAID OVER.
  26. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that all traffic be required to stop prior to entering the intersection of Spring Creek Road and Bell School Road. LAID OVER.
  27. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance to designate Spring Creek Road from the Rock River to the City Limits as a "Through Street". LAID OVER.
  28. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on both sides of Spring Creek Road from Perryville Road to Bell School Road. LAID OVER.
  29. Alderman Beach read a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:
    1. Request from Alderman Mark, 3<sup>rd</sup> Ward, for stop sign control at the intersection of Ellsworth Avenue and Post Avenue.
    2. Request from Patrick Anding, to repeal the "No Parking Anytime" on the west side of Kilburn Avenue from 360 feet south of Fairview Avenue to Bruce Street, thereby restoring unrestricted parking.
- LAID OVER.
30. Alderman Sosnowski read a Planning and Development Committee Report recommending approval of the Buy and Sale Agreements with Winnebago County and General Services Administration (GSA). The Legal Director shall prepare the appropriate ordinance. LAID OVER.
  31. Alderman Sosnowski read a Planning and Development Committee Report, to whom was referred a Memorandum from Jovita Donahue, Development Specialist, regarding Construction Management Training Program: Apprenticeship training and funding, hereby begs leave to report recommending that a portion of these funds be used towards the Pre-Apprenticeship Training section of the program as outlined in the attached Memorandum. LAID OVER.

32. Alderman Wasco read a Finance and Personnel Committee Report recommending that the City Council approve the collective bargaining agreement between the Rockford Public Library, City of Rockford and the American Federation of State, County, and Municipal Employees (AFSCME) Council 31, Local. LAID OVER.

**2009-506CR**

33. Alderman Wasco read a Finance and Personnel Committee Report recommending the Fire Department purchase 125 and 1xx Pierpont Ave. in the amount of \$117,015. The property is adjacent to station 6 and is part of the training academy project. The funding source is Grant money through DCEO.

Alderman Waco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2009-507CR**

34. Alderman Wasco read a Finance and Personnel Committee Report recommending the Engineering Agreement: Sandy Hollow Road Emergency Repairs from 9<sup>th</sup> St. to 20<sup>th</sup> St. be awarded to McClure Engineering Associates for a total not to exceed cost of \$128,021.90 for design engineering and construction inspection. Funding for the engineering portion of the project will come from 2010 Sales Tax funds.

Alderman Waco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

35. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of vouchers for the week of December 7, 2009 in the amount of \$3,548,718.58. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

## OFFICERS REPORTS

36. Mayor Morrissey presented a Proclamation proclaiming the week of December 7, 2009 to be "ROCKFORD JUNIOR CHARIOTS WEEK" in Rockford, Illinois and urged all citizens to support wheelchair basketball and the young athletes representing our community.
37. Mayor Morrissey presented a Proclamation proclaiming November 25, 2009 through December 10, 2009 to be "SIXTEEN DAYS OF ACTIVISM AGAINST GENDER VIOLENCE" in Rockford, Illinois and urged all citizens to support the Zonta Club of Rockford who stands in solidarity with more than 2,800 organizations worldwide to take part or have taken part in his campaign and the organizations worldwide who desire change for a better, more equal and more just world.
38. Mayor Morrissey presented a Proclamation proclaiming the month of December, 2009 to be "NATIONAL DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH" in Rockford, Illinois and called upon the Rockford community to promote awareness of the impaired driving problem, to support programs and policies to reduce the incidence of impaired driving, and to promote safer and healthier behaviors regarding the use of alcohol and other drugs this December holiday season and throughout the year.
39. Mayor Morrissey recognized today, December 7, 2009, is Pearl Harbor Remembrance Day in the United States and recalled childhood conversations with his father about the significance of that event which set into motion World War II. He commended and recognized the veterans for their victory.
40. Mayor Morrissey offered condolences to Venita Rehfeldt, former receptionist in the Mayor's Office, for the passing of her husband Dave who fought bravely but lost his battle with brain cancer on Friday.
41. Mayor Morrissey announced the re-appointment to the Historical Preservation Commission; Mr. David Hagney to a three (3) year term ending December 2012; Mr. Mark McInnis to a three (3) year term ending December, 2012. LAID OVER.  
  
Mayor Morrissey announced the appointment to the Fair Housing Board; Ms. Cynthia Hall, to serve out Lori Gustafson's term which will expire May, 2011; Mr. Bob Campbell, to serve out Sylvia Ramos' term which will expire May, 2011. LAID OVER.
42. Mayor Morrissey mentioned the Salvation Army will be providing red scarves to those participating in their bell ringing campaign this holiday season.
43. Alderman Thompson-Kelly also offered condolences to Venita Rehfeldt for the loss of her husband Dave.
44. Alderman Thompson-Kelly thanked Patrick Zuroske, Public Works Department, for coordinating the West State Street Corridor meeting which was well attended and very informative.

45. Alderman Thompson-Kelly thanked Senator Syverson, Representatives Jefferson and Winters for attending the Legislative Lobbying Committee meeting today.
46. Alderman Mark mentioned during the past year, the Rockford community has lost the last two remaining Pearl Harbor veterans and called upon the citizens to keep the memory of the veterans and those who made the ultimate sacrifice that day alive.
47. Alderman Robertson announced the 14<sup>th</sup> Ward quarterly meeting will be held on Thursday, December 10, 2009 at 7:00 pm at Heartland Church.
48. Alderman Robertson acknowledged the opening of Stone Eagle Tavern located at the intersection of East State Street and South Trainer Road.
49. Alderman Robertson congratulated all the finalists and the winner of the Excalibur Award, Richard Rundquist.
50. Alderman Johnson, on behalf of Carol Jambor-Smith, former 3<sup>rd</sup> Ward Alderman, offered season's greetings and best wishes to everyone.
51. Alderman Johnson mentioned this past Saturday she attended two Swedish Lucia Festivals, a Christmas celebration with music, food and costumes, at Zion Lutheran Church and First Lutheran Church
52. Alderman Johnson announced on Wednesday, December 9<sup>th</sup> she will officially become a member of the Board of Directors for the Swedish Historical Society.
53. Alderman Johnson commended the Rockford Fire Department for their quick response to a house fire and exceptional care provided to the 84 -year old victim. She wished the victim, as well as the two firefighters, injured in the house fire a full recovery.
54. Mayor Morrissey announced the Employee Awards Ceremony and Christmas Open House will be held Friday, December 11<sup>th</sup> at 3:00 pm, at City Hall.
55. Mayor Morrissey encouraged citizens and news media to attend RockStat meetings and mentioned an announcement will be made later this week of the new location for the meeting on Thursday.
- 55a. Mayor Morrissey mentioned on Wednesday he will be taking a day trip to Nashville, Tennessee. His agenda will include touring Alignment Nashville Charter School and discussion on Rockford's Charter School initiative.

## **UNFINISHED BUSINESS**

### **2009-508CR**

56. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the amendment to the third paragraph of Vacation Ordinance 1999-163-O for vacation of a North-South alley in Block 1, Martin's Subdivision of Log Cabin Park, to state:

"Title to the property vacated herein shall vest in the Petitioner, who is the owner of the abutting property to the east."

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

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2009-210-O**

57. Alderman Beach moved the adoption of an Ordinance for the annexation of property commonly known as 3411 New England Drive. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2009-509CR**

58. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report regarding the compensation ordinance and retirement benefits for non-union personnel recommends that the City Council approve the amendments to the Compensation Ordinance to recognize changes to the insurance program and 2010 early retirement program. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED.

59. Alderman Wasco moved the adoption of an Ordinance authorizing and providing for a \$15,000,000 Taxable Promissory Note for the purpose of paying ordinary and necessary expenses of the City, authorizing a related Line of Credit Agreement, prescribing the details of the Agreement and Note, and providing for the security for and means of payment of the Note. HELD OUT.

**MOTIONS AND RESOLUTIONS**

**2009-122R**

60. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids/proposals for the following:
- A. RFP: Parking Ticket Hearing Code Officer, funding source: Finance Dept. Operating Budget
  - B. Bid: Guardrail Services, funding source: Equipment Operating Budget

- C. Bid: Automotive Parts, funding source: Equipment Operating Budget
- D: Bid: HVAC Repairs for Coronado Theatre, funding source: Property Operating Budget

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
 Nays: -0-  
 Absent: -0-

**2009-123R**

- 61. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the issuance of Capital improvement revenue bonds, Series 2009 (Trinity Learning Center, Inc. Project), of the City of Rockford, Winnebago County, Illinois; authorizing the issuance of the bonds; providing for the pledge of revenues for the payment of the bonds; authorizing a loan agreement, a tax regulatory agreement and a disbursement agreement appropriate for the protection and disposition of such revenues and to further secure the bonds; and authorizing other actions in connection with the issuance of the bonds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
 Nays: -0-  
 Absent: -0-

**NEW BUSINESS**

- 62. Alderman Beach introduced and read an Ordinance for the annexation of property commonly known as 2066 New Milford School Road. LAID OVER.
- 63. Alderman Beach introduced and read an Ordinance amending Chapter 26, Article X of the Banner Ordinance as provided in attachment A. LAID OVER.
- 64. Alderman Sosnowski introduced and read an Ordinance approving the attached Development Agreement between the City of Rockford and James Diesing and Shirley Jean Dunkin to extend public sewer and water at the City's expense to a tract of land owned or under contract by the developer located within the Southeast Affordable Housing Redevelopment Area particularly described in Exhibit A. In consideration of the City's commitment the developer will remove a modular home located on North Second Street, described in Exhibit B and owned by the developer, and convey the North Second Street property to the City. LAID OVER.

**2009-211-O**

- 65. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Fiber Optic Purchase Agreement with MFS.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. McNeely voted no). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

66. Alderman Wasco introduced and read an Ordinance confirming sale of an aggregate principal amount of \$13,585,000 General Obligation Bonds, Series 2009EFG, of the City of Rockford, Winnebago County, Illinois, consisting of \$7,930,000 General Obligation Refunding Bonds, Series 2009E, \$4,325,000 General Obligation Refunding Bonds (Waterworks System Alternate Revenue Source), Series 2009F, and \$1,330,000 General Obligation Refunding Bonds (Sales Tax Alternate Revenue Source), Series 2009G. LAID OVER.
67. Alderman Wasco introduced and read an Ordinance providing for the issuance of \$7,930,000 General Obligation Refunding Bonds, Series 2009E, of the City of Rockford, Winnebago County, Illinois and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds. LAID OVER.
68. Alderman Wasco introduced and read an Ordinance authorizing and providing for the issue of \$4,325,000 General Obligation Refunding Bonds (Waterworks System Alternate Revenue Source), Series 2009F, of the City of Rockford, Winnebago County, Illinois, for the purpose of refunding certain previously issued general obligation bonds of said City payable from such revenue source, prescribing the details of said bonds and providing for the imposition of taxes to pay the same, and for the collection, segregation and application of the waterworks system revenues to pay said Bonds. LAID OVER.
69. Alderman Wasco introduced and read an Ordinance authorizing and providing for the issue of \$1,330,000 General Obligation Refunding Bonds (Sales Tax Alternate Revenue Source), Series 2009G, of the City of Rockford, Winnebago County, Illinois, for the purpose of refunding certain previously issued and outstanding general obligation bonds of the City, prescribing the details of said bonds, providing for the imposition of taxes to pay the same, and for the collection, segregation and application of certain sales tax receipts to pay said bonds, and further providing for the execution of an escrow agreement in connection with such issuance. LAID OVER.
70. Upon motion duly made and seconded, the meeting was adjourned at 7:17 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, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**December 14, 2009**  
**6:00 P.M.**  
**AGENDA**

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

**I. NEW COMMITTEE REPORTS TO BE READ IN DECEMBER 14, 2009**

**A. CODE AND REGULATIONS**

1. Beach – LAB – Mis Dos Patrias Grocery located at 811 Broadway.
2. Beach – Vacation of 10<sup>th</sup> Street (Rockford Drop Forge)

- Officers Reports
- Unfinished Business of previous meeting

**UNFINISHED BUSINESS**

**II. COMMITTEE REPORTS LAID OVER DECEMBER 7, 2009**

1. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the side yard setback along the west and east sides to six (6) feet with a combined total of twelve (12) feet in an R-2, Two-family Residential Zoning District at 5622 & 5624 Spring Brook Road. Approval is subject to the following conditions:
  1. Meeting all other required yard setbacks including not encroaching upon any recorded easement which would include decks.
  2. Meeting all applicable building, fire and draining codes.

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

2. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a church and church related services in a C-4, Urban Mixed-Use Zoning District at 526 7<sup>th</sup> Street. Approval is subject to the following conditions:

1. Must obtain a change of use building permit.
2. The use of the church is limited to the first floor.

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

3. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the maximum square footage for an accessory building from 720 square feet to 728 square feet; and APPROVE the Variation to increase the maximum allowable height for an accessory building from 18 feet to 25 feet in an R-1, Single-family Residential Zoning District at 1224 Camp Avenue. Approval is subject to the following conditions:

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2. Submittal of Building permits for Staff review and approval.
3. Site and garage must develop in accordance with site plan building elevations on file.
4. Submittal of material (renderings) to be used for the garage for Staff's review and approval.
5. No living quarters allowed within the detached garage.

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

4. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for modification of the sale of liquor by the drink in conjunction with a sit-down restaurant with an outdoor seating area from beer and wine to a full license in the name of **RICK WHITE d/b/a Bandana's Bar-B-Q** in a C-2, Limited Commercial Zoning District at 5494 East State Street. Approval is subject to the following conditions:

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2. Compliance with all City of Rockford Liquor Codes.
3. The hours of operation will be limited to 11:00 am to 9:00 pm Sunday through Thursday.
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5. The sale of alcohol shall be limited to the interior site and outdoor seating areas that were submitted as Exhibit D.

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

5. Beach - Code and Regulation - Recommending APPROVAL of the Intergovernmental Agreement with Winnebago County regarding the Jurisdictional Transfer of Culvert under Alpine Road. The Legal Director shall prepare the necessary Ordinance.
6. Beach - Code and Regulation - Recommending APPROVAL to vacate the alley between 913 & 925 Cunningham Street to the adjacent property owners. Approval is subject to the following conditions:
  1. The property owners shall be responsible for the \$700.00 which is the estimated value of the property.

The Legal Director shall prepare the necessary Ordinance.

7. Beach - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on 11<sup>th</sup> Avenue be required to Yield prior to entering the intersection of 19<sup>th</sup> Street.
8. Beach - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on Bruner Street be required to Yield prior to entering the intersection of Burton Street.
9. Beach - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on 19<sup>th</sup> Street be required to stop prior to entering the intersection of Reed Avenue.
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14. Beach - Code and Regulation - Recommending that "No Action" be taken on the following items:
  1. Request from Alderman Mark, 3<sup>rd</sup> Ward, for stop sign control at the intersection of Ellsworth Avenue and Post Avenue.
  2. Request from Patrick Anding, to repeal the "No Parking Anytime" on the west side

of Kilburn Avenue from 360 feet south of Fairview Avenue to Bruce Street, thereby restoring unrestricted parking.

15. Sosnowski – Planning and Development - Recommending approval of the Buy and Sale Agreements with Winnebago County and General Services Administration (GSA). The Legal Director shall prepare the appropriate ordinance.
16. Sosnowski - Planning and Development - To whom was referred a Memorandum from Jovita Donahue, Development Specialist, regarding Construction Management Training Program: Apprenticeship training and funding, hereby begs leave to report recommending that a portion of these funds be used towards the Pre-Apprenticeship Training section of the program as outlined in the attached Memorandum.
17. Wasco - Finance and Personnel - Recommending that the City Council approve the collective bargaining agreement between the Rockford Public Library, City of Rockford and the American Federation of State, County, and Municipal Employees (AFSCME) Council 31, Local.

### **III. ORDINANCES**

#### **A. LAID OVER DECEMBER 7, 2009**

1. Beach - Ordinance - Annexation of property commonly known as 2066 New Milford School Road.
2. Beach - Ordinance - Amending Chapter 26, Article X of the Banner Ordinance as provided in attachment A.
3. Sosnowski - Ordinance - Approving the attached Development Agreement between the City of Rockford and James Diesing and Shirley Jean Dunkin to extend public sewer and water at the City's expense to a tract of land owned or under contract by the developer located within the Southeast Affordable Housing Redevelopment Area particularly described in Exhibit A. In consideration of the City's commitment the developer will remove a modular home located on North Second Street, described in Exhibit B and owned by the developer, and convey the North Second Street property to the City.
4. Wasco - Ordinance - Confirming sale of an aggregate principal amount of \$13,585,000 General Obligation Bonds, Series 2009EFG, of the City of Rockford, Winnebago County, Illinois, consisting of \$7,930,000 General Obligation Refunding Bonds, Series 2009E, \$4,325,000 General Obligation Refunding Bonds (Waterworks System Alternate Revenue Source), Series 2009F, and \$1,330,000 General Obligation Refunding Bonds (Sales Tax Alternate Revenue Source), Series 2009G.
5. Wasco - Ordinance - Providing for the issuance of \$7,930,000 General Obligation Refunding Bonds, Series 2009E, of the City of Rockford, Winnebago County, Illinois and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds.

6. Wasco - Ordinance - Authorizing and providing for the issue of \$4,325,000 General Obligation Refunding Bonds (Waterworks System Alternate Revenue Source), Series 2009F, of the City of Rockford, Winnebago County, Illinois, for the purpose of refunding certain previously issued general obligation bonds of said City payable from such revenue source, prescribing the details of said bonds and providing for the imposition of taxes to pay the same, and for the collection, segregation and application of the waterworks system revenues to pay said Bonds.
7. Wasco - Ordinance - Authorizing and providing for the issue of \$1,330,000 General Obligation Refunding Bonds (Sales Tax Alternate Revenue Source), Series 2009G, of the City of Rockford, Winnebago County, Illinois, for the purpose of refunding certain previously issued and outstanding general obligation bonds of the City, prescribing the details of said bonds, providing for the imposition of taxes to pay the same, and for the collection, segregation and application of certain sales tax receipts to pay said bonds, and further providing for the execution of an escrow agreement in connection with such issuance.

**B. HELD OUT DECEMBER 7, 2009**

1. Wasco - Ordinance - Authorizing and providing for a \$15,000,000 Taxable Promissory Note for the purpose of paying ordinary and necessary expenses of the City, authorizing a related Line of Credit Agreement, prescribing the details of the Agreement and Note, and providing for the security for and means of payment of the Note.

**IV. MISCELLANEOUS LAID OVER DECEMBER 7, 2009**

1. Mayor Morrissey - Re-appointment - Historical Preservation Commission; Mr. David Hagney to a three (3) year term ending December 2012. (Pursuant to Rule 18 the appointment will be placed on passage January 11, 2009).
2. Mayor Morrissey – Re-appointment – Historical Preservation Commission; Mr. Mark McInnis to a three (3) year term ending December 2012. (Pursuant to Rule 18 the appointment will be placed on passage January 11, 2009).
3. Mayor Morrissey - Appointment - Fair Housing Board; Ms. Cynthia Hall, to serve out Lori Gustafson's term which will expire May 2011. (Pursuant to Rule 18 the appointment will be placed on passage January 11, 2009).
4. Mayor Morrissey – Appointment - Mr. Bob Campbell, to serve out Sylvia Ramos' term which will expire May 2011. (Pursuant to Rule 18 the appointment will be placed on passage January 11, 2009).

- 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. Wasco – Ordinance - Regarding the compensation ordinance and retirement benefits for non-union personnel recommends that the City Council approve the amendments to the Compensation Ordinance to recognize changes to the insurance program and 2010 early retirement program.
2. Beach – Ordinance - Recommending the approval of the amendment to the third paragraph of Vacation Ordinance 1999-163-O for vacation of a North-South alley in Block 1, Martin’s Subdivision of Log Cabin Park, to state:

“Title to the property vacated herein shall vest in the Petitioner, who is the owner of the abutting property to the east.”

- \* 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, December 14, 2009, 5:15 p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

1. C & R 09- Boundary Agreement with Machesney Park
2. C & R 09- UDL Request for Permit to Install fiber Optic Lines

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, December 14, 2009, 5:00 p.m.  
Conference Room B, City Hall 2<sup>nd</sup> floor (south room)  
AGENDA**

1. 2010 Budget
2. Purchasing and Vouchers
  - A. Award of Bid: Painting Services – Suspend rules

- B. Sole Source Contract: Hines Contract Renewal
- C. Engineering Agreement: Water System Rehabilitation Project – Task Order 21 – Suspend rules
- D. Engineering Agreement: Water System Rehabilitation Project – Task Order 31 – Suspend rules
- E. Engineering Agreement: Alpine, West State, and Central (ARRA) – Suspend rules
- F. Engineering Agreement: Longwood Street (ARRA) – Suspend rules
- G. Engineering Agreement: Bridge Program Management – Task Order #14
- H. Resolution for Improvement under the Illinois Highway Code: S. Main & Clifton
- I. Change Order: Day Avenue – Info only

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, December 14, 2009, 5:45 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor**

**AGENDA**

1. Memorandum from Ronald N. Schultz, City Attorney, regarding the Second Amendment to Intergovernmental Agreement relating to Wanxiang.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, December 21, 2009, 4:00 p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**

**AGENDA**

No Agenda Provided.