

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
MAY 8, 2006
COUNCIL CONVENED AT 6:35 P.M.**

1. The invocation was given by Jerry Demond, Halsted Baptist Church/Police Chaplain and the Pledge of Allegiance was led by Page Ana Naccarato.

2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Mark, Curran, Wasco, Bell, Jacobson, Thompson, Johnson,
Timm, Beach, Holt, Beck, Conness -13-

Absent: McNeely -1-

3. Alderman Mark moved to accept the Journal of Proceedings of May 1, 2006, seconded by Alderman Jacobson.

Alderman McNeely joined the meeting at 6:36 pm.

PUBLIC PARTICIPATION

4. David Dykstram spoke regarding the safety of our streets in Rockford.

OFFICERS REPORTS

5. Mayor Morrissey recognized State Representative Chuck Jefferson at Council and thanked him for his diligent efforts in getting Rockford included in the River Edge Redevelopment Program.

PETITIONS AND COMMUNICATIONS

6. Alderman Timm submitted a letter from John Mangan suggesting the streetlights in the 9th Ward be changed from white lights to yellow amber colored lights. Referred to Public Works Department/Traffic Division.

7. Alderman Beach read a Memorandum from Ronald N. Schultz, City Attorney, regarding a Pre-Annexation Agreement on Edson Road. Referred to Code and Regulation Committee.

8. Alderman Beach read a Memorandum from Elizabeth Kinsinger, Planner II, regarding the Final Plat of Fanara Subdivision, being a Replat of Lot 10 and the South ½ of Lot 11 of Martin Hawkinson Company's Mulford Heights Little Farms. Referred to Code and Regulation Committee.

8a. Alderman Beach read a Memorandum from Ronald N. Schultz, City Attorney, regarding Rockford Health System Petition for Annexation. Referred to Code and Regulation Committee.

9. Alderman Beach submitted a letter from Wayne Erickson, regarding an informal meeting to be held by the Erickson Group on May 10, 2006 at 7:00 pm at Christ United Methodist Church located 4509 Highcrest Road regarding the proposed development at Alpine and Guilford. Placed on File.
10. Alderman Johnson submitted four (4) Requests for Service. Referred to Neighborhood Standards, the Police Department and the Public Works Department.
11. Alderman Johnson submitted a Memorandum from Steve Ernst, City Traffic Engineer regarding Mobile License Plate Reading Technology. Referred to Finance and Personnel Committee.
12. Alderman Johnson submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding South Main & Clifton Agreement with IDOT. Referred to Finance and Personnel Committee.
13. Alderman Jacobson submitted a Request for Service at 3604 Lookout Drive. Referred the Building Department.

NEW COMMITTEE REPORTS

14. Alderman Johnson read a Finance and Personnel Committee Report recommending the award for the Summer Food Program be made to the sole bidder Open Kitchens, of Chicago, IL for their total bid of \$240,944.00. Funding source Human Services Operating Budget. LAID OVER.
15. Alderman Johnson read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Harrison Ave. Water Main be made to Missman, Stanley & Associates at a not-to-exceed cost of \$28,004 for design. The funding for this project will come from 2006 Water Utility Revenue Bonds (WURB). LAID OVER.
16. Alderman Johnson read a Finance and Personnel Committee Report recommending entering into City-State Agreements: Harrison Ave. Reconstruction (Mulford to Ohio), for a preliminary estimate amount of \$8,100,000 with a City share of \$1,229,000. The funding for this project will come from Motor Fuel Taxes. LAID OVER.

2006-143CR

17. Alderman Johnson read a Finance and Personnel Committee Report recommending the award for Sidewalk, Curb & Gutter & ADA Ramps be made to the low bidder A.A. Construction, of Rockford, Illinois for their total bid of \$193,065.00. The funding source is 2006 Capital Improvement Program.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson,
 Timm, Beach, Holt, Beck, McNeely -13-

Nays: -0-
Absent: Conness -1-

2006-144CR

18. Alderman Johnson read a Finance and Personnel Committee Report recommending the award for Pressure Zone Boundary, Phase I be made to the low bidder, Stenstrom Excavation, of Rockford, Illinois for their total bid of \$99,610.00. Funding source Water Utility Revenue Bonds (WURB).

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-
Nays: -0-
Absent: -0-

19. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 8, 2006 in the amount of \$2,457,755.13. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-
Nays: -0-
Absent: -0-

2006-145CR

20. Alderman Mark read a Planning and Development Committee Report recommending that the City Council approve the UPS Request for Development Agreement Amendment.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED.

2006-27R

21. Alderman Johnson moved the adoption of a Resolution that the sale of land at Clifton and South Main St. for \$42,380, plus reimbursement of \$71,827 in relocation costs, as described in the document is hereby approved. The Mayor and Legal Director are hereby directed to execute the attached IDOT form resolution.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Wasco. MOTION PREVAILED. The Resolution was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-
Nays: -0-
Absent: -0-

22. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Zoning Map Amendment from C-3, Commercial General District and R-1, Single-Family Residential to C-3, Commercial General District; and a Special Use Permit for a Planned Mixed-Use Development consisting of a fast food restaurant with drive-thru and a coffee kiosk with double drive-thrus in a C-3, Commercial General District; and a Variation to reduce the required stacking spaces from eight (8) per window to three (3) in a C-3, Commercial General District at 3221 & 3225 11th Street. Approval is subject to the following conditions:

1. Combination of all lots prior to any building permit.
2. Submittal of a site and landscaping plan to staff for their review and approval prior to the issuance of any permit for the property.
3. Compliance with all Building and Fire codes.
4. If development pressures warrant the need for additional stacking spaces, the development shall be modified to accommodate the necessary stacking spaces.
5. The Variation in stacking spaces applies to the coffee kiosk building only.
6. That the proposed parking lot be reduced to twelve (12) parking spaces and the access to Lapey Street be removed. Berming and landscaping is installed to eliminate access to Lapey.
7. The existing Entrance and Exit signs for Quizno's shall be relocated per staff approval so that the signs are out of the line of sight for vehicles entering and exiting.
8. That fencing plan be submitted for Staff review and approval to allow sight-obscuring fencing along all sides of the property adjacent to residential. Said fencing to be installed per approved plan.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #024-06). LAID OVER.

2006-146CR

23. 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 the sale of beer and wine by the drink and the sale of wine by the package; and Special Use Permit for a Planned Mixed-Use Development consisting of a sandwich and wine shop on the ground floor and a banquet room on the second floor, in a C-4, Commercial Oldtown District at 509 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire codes
2. Liquor sales by the drink be limited to the kitchen hours of operation
3. Meeting all applicable liquor codes

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #021-06).

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness –14-
Nays: -0-
Absent: -0-

24. 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 Planned Residential Development consisting of a two-family residence; and the Variation to reduce the density requirements from 3,850 square feet to 3,750 square feet per unit in an R-1, Single-family Residential District at 228-230 Guard Street. Approval is subject to the following conditions:

1. Should the structure be destroyed partially or in whole that the rebuilt structure be similar in design and materials of the existing structure.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #020-06). LAID OVER.

25. 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 Planned Mixed Use Development consisting of a carry-out/ice cream snack shop, retail sales and a residence in an R-2, Two-Family Residential Zoning District at 1608 & 1612 12th Avenue and 1230 11th Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire codes.
2. Submittal of a revised site plan for staff review and approval. Said revised plan including the elimination of the asphalt between the parking stalls/drive aisle and 11th Street and 12th Avenue.
3. Retail sales within the two-story structure shall be limited to antiques and related merchandise.
4. Hours of operation for retail sales and carryout snack shop are limited from 9:00 am to 10:00 pm.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #019-06). LAID OVER.

26. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending City Council APPROVE the Variation to reduce the front yard setback from thirty three feet (33') to twenty-nine feet six inches (29'6") along Elm Street for 201 Waveland Avenue; and a Variation to reduce the front yard setback from thirty-three feet (33') to twenty-seven feet six inches (27'6") along Elm Street for 202 Waveland Avenue in an R-1, Single-Family Residential District at 201 & 202 Waveland Avenue. Approval is subject to the following conditions:

1. Submittal of a landscaping plan for Staff review and approval.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #018-06). LAID OVER.

27. Alderman Beach read a Code and Regulation Committee Report recommending that the City Council approve amendments to Chapter 16, Section 16-77 of the City Ordinances.

Alderman Thompson made a motion to Suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED.

Legal Director Patrick Hayes clarified the Committee Report up for passage is not the Procurement Policy but amendments to the Rules of Operation, Chapter 16, Section 16-77 of the City Ordinance regarding bicycles on sidewalks.

Alderman Thompson withdrew her motion to Suspend Rule 11 for the Committee Report regarding the Amendments to the Rules of Operation, Chapter 16, Section 16-77 of the City Ordinance. LAID OVER.

28. Alderman Beach read a Code and Regulation Committee Report recommending approval of the Development Agreement & Amended Annexation Agreement By & Between The City of Rockford and Landmark Riverside, L.L.C. 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 Cy Key, to repeal the existing 2-way stop sign control at the intersection of Abbottsford Road and Sterling Drive.
2. Request from Rose Ann Pumilia, for "No Parking Anytime" on the north side of Rural Street from Prospect Street to Parkview Avenue.
3. Request from Kirsten Nelson, for a 4-way stop sign control at the intersection of 5th Avenue and 13th Street.
4. Request from Alderman Nancy Johnson, 8th Ward, for 4-way stop sign control at the intersection of 16th Avenue and 25th Street.

LAID OVER.

30. Alderman Beach read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Seward Avenue be required to Stop prior to entering the intersection of Dakota Lane. LAID OVER.

31. 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 the west side of Edson Avenue from Willboughby Avenue to Eddy Avenue. LAID OVER.

OFFICERS REPORTS

32. Mayor Morrissey read a Proclamation proclaiming that Saturday, May 13, 2006 to be "Letter Carriers' Food Drive Day" in Rockford, and urged all citizens to contribute to this worthy event.

33. Mayor Morrissey read a Proclamation proclaiming the week of May 1st–8th, 2006 to be “Jury Appreciation Week” in Rockford, and in honor of the excellent service and commitment of those citizens who perform jury duty.
34. Mayor Morrissey thanked all involved for their efforts to include Rockford in the River Edge Redevelopment Program.
35. Mayor Morrissey thanked the Human Services Department and Adam Smith, Director of Education and Lifelong Learning, for coordinating the Youth Summit last Saturday with a gathering of approximately 150 young people from our community with discussion on identifying and resolving issues that plague our youth today. Mayor Morrissey advised that applications are being accepted at this time for an on-going youth council, which will be supervised from the Mayor’s Office.
36. Mayor Morrissey, Jim Ryan, Mayor’s Office and Chief Epperson attended a Cease Fire Direct Response Rally on Friday relating to the number of shootings, homicides that has plagued our community in recent days. The message echoed by participants was “no homicides, no shootings to be tolerated in our community”. In coordinating efforts with council, local, city and state agencies the City can take aggressive action towards reducing the amount of drugs in this community by closing drug houses and business that allow criminal behavior on their property, and diligent prosecution of drug offenders are key factors in diminishing the amount of violent crimes in this community.
37. Mayor Morrissey thanked George Davis, Director of Human Services and his staff for the Community luncheon on Friday. Mayor Morrissey appreciated the opportunity to speak to the group and commended the Human Services Department for their work in this community.
38. Mayor Morrissey thanked the Police Department for their coordinated efforts in anticipation of the gathering at the public exercise of the Minuteman Rally this past Saturday.
39. Mayor Morrissey called attention to a Memorandum regarding the annual committee assignments and requested the aldermen fill out the form and return it to the Mayor’s Office.
40. Mayor Morrissey mentioned discussion from last council meeting regarding Animal Control and indicated he would be announcing a date this week for a public meeting to discuss issues related to animal control throughout our community.
41. Mayor Morrissey indicated next week a Memorandum would be available on the status of some graffiti prosecutions from the State’s Attorney’s Office and potential suggestions on improvements of arrests and prosecutions regarding graffiti cases.
42. Mayor Morrissey mentioned that Chief Epperson made an announcement today that Sergeant Lori Sweeney has been appointed to the position of Deputy Chief and

Detective John Hoshaw will be promoted to the rank of Sergeant at a swearing in ceremony on Friday at 1:00 pm at the Police Department.

- 43. Alderman Bell submitted a request for inspection of a house located at 5402 Meadow View Lane for potential water run-off from a new house being constructed next door. Referred to the Public Works Department.
- 44. Alderman Bell submitted a request for inspection of the new sidewalk and driveway approach at 2411 Clifton Avenue, which has cracks that show poor quality of work. Referred to Mayor Morrissey and the Public Works Department.
- 45. Alderman Bell mentioned he attended the Steering Committee Meeting for the Winnebago County Justice Center last Wednesday at Rock Valley College and suggested the next appointment to the committee that has voting rights be in the age bracket of 18-30 years old. Alderman Bell believes that if we are going to address alternative issues with the jail and incarceration, we need to consider the views of those in the age range, which will potentially make up the majority of the population of the jail. Referred to Mayor Morrissey and Sheriff Richard Meyers.
- 46. Alderman Bell commended Mayor Morrissey for establishing an active Youth Program in the City of Rockford giving youth the skills, opportunity and encouragement to be productive citizens in this community.
- 46a. Alderman Bell mentioned in 1991 he presented to City Council and the Rockford School District a report orchestrated by minority people who had experienced problems in addressing these issues. Unfortunately, that report was never acted on and again, he will present it to Mayor Morrissey, City Council, Chief Epperson, and the Superintendent of the Rockford Schools.
- 47. Mayor Morrissey called attention to the Memorandum regarding the reappointments of the Directors of their Municipal Departments in the City of Rockford.

| | |
|-------------------------|--------------------|
| Building Department | Bonnie B. Henry |
| Community Development | Reid T. Montgomery |
| Finance Department | Andres Sammul |
| Human Services | George Davis |
| Legal Department | Patrick W. Hayes |
| Personnel Department | Jessica L. Jones |
| Public Works Department | William Bittner |

LAID OVER.

PETITIONS AND COMMUNICATONS

- 48. Alderman Conness submitted an e-mail from Steve Hicks requesting a streetlight be placed near Capetown Avenue and Santa Monica Drive. Referred to the Public Works Department.

49. Alderman Beach submitted a Memorandum from Patrick W. Hayes, Legal Director, regarding a Commercial Redevelopment Fund. Referred to Planning and Development Committee.

OFFICERS REPORTS

50. Alderman Wasco spoke about the Commercial Redevelopment Fund and the origination of the concept came about when Landmark Development approached the City of Rockford for the development project at E. Riverside and I-90. The "Commercial Redevelopment Fund" would redirect monies and earmark a percentage of the net sales tax that comes from the development into an area for CDBG funds that would be eligible for the City to use their own money to help redevelop areas within the City. In addition, if a building had been vacant for ten years and needed redevelopment, these funds could be established for that purpose also.

UNFINISHED BUSINESS

51. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending the award for Sale of Property at 126 N. Sunset be made to the sole bidder Mt. Sinai Baptist Church, of Rockford, IL for their bid of \$400.00.

Alderman Johnson made a motion to hold the committee report out, seconded by Alderman McNeely. HELD OUT.

2006-147CR

52. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending the award for SWAT Weapons for the Police Department be made to the low bidder Stretcher's, of Minneapolis, MN for their total bid of \$13,560.00 for eight weapons. Funding source Police Dept. Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-
Nays: -0-
Absent: -0-

2006-148CR

53. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending the award for Portable Radios & Accessories be made to the low bidder Advantage Wireless, of Rockford, IL for their total bid of \$28,375.20. Funding source Police Dept. Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-
Nays: -0-
Absent: -0-

2006-149CR

54. Alderman Mark moved the adoption of a Planning and Development Committee Report recommending that the City Council approve the request for concourse parking arrangements during graduation ceremonies for the four Rockford Public High Schools to be held at the Metro Centre. MOTION PREVAILED.

2006-150CR

55. Alderman Mark moved the adoption of a Planning and Development Committee Report recommending that the City Council approve the request for concourse parking arrangements during graduation ceremonies for Roosevelt and Sky View schools to be held at the Coronado Theatre. MOTION PREVAILED.

2006-151CR

56. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the City Council approve said vacation subject to the terms and conditions of the impending development agreement with Anderson Packaging. MOTION PREVAILED.

2006-152CR

57. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the honorary street name change of West Street between Cunningham Street and Marchesano to Cicero Street. MOTION PREVAILED.

Aldermen discussed the need for a policy limiting the number of requests for honorary street name changes. Referred to the Public Works Department, Director Bill Bittner and James Ryan, City Administrator.

2006-153CR

58. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending approval of the Final Plat of Chateau Creek Subdivision, including a resubdivision of Lot 58 in Dixon's & Nieman's Northvale #1 and Lot 59 in Dixon's & Nieman's Northvale #2, located on the northeast corner of Newburg Road and Stony Creek Way. MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

2006-28R

59. Alderman Holt suggested the adoption of a Resolution that the City of Rockford enter into agreements with the communities of Loves Park, Cherry Valley and Machesney Park, that sets forth a sales tax incentive policy for each community that is equal. Be it further resolved that until such an agreement is approved by each body that the City of Rockford shall rebate 100% of collected sales tax from the first five years only on new retail developments that the City of Rockford enters into development agreements with. Referred to Planning and Development.

2006-29R

60. Alderman Johnson moved the adoption of a Resolution to take bids/proposals for: Bid: Demolition of 617 Locust, funding source CDBG; Bid: Fire Hydrant Painting, funding source: Water Division Operating Budget; Bid: HVAC/Mechanical Weatherization Program, funding source: Human Services Operating Budget; Bid: Recording Equipment

for the Police Department, funding source: CrimeStoppers Grant; RFQ (Request for Qualifications): Weatherization Architectural Program, funding source: Human Services Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness –14-
Nays: -0-
Absent: -0-

61. Alderman Johnson moved the adoption of a Resolution that the sale of land at Clifton and South Main St. for \$42,380, plus reimbursement of \$71,827 in relocation costs, as described in the document is hereby approved. The Mayor and Legal Director are hereby directed to execute the attached IDOT form resolution. See item #21, same action taken. **(2006-27R)**.

NEW BUSINESS

62. Alderman Beach introduced and read an Ordinance recommending that West Street between Cunningham Street and Marchesano have an honorary street name change of Cicero Street. LAID OVER.

2006-82-O

63. Alderman Beach introduced and read an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for the sale of liquor by the drink in conjunction with a restaurant in a C-3, Commercial General District at 1528 Kishwaukee Street. Approval is subject to the following conditions:

1. The sale of liquor by the drink is permissible only in conjunction with a sit-down restaurant.
2. The sale of liquor is only permitted when a full service kitchen is in operation and available to the customers.
3. A nightclub and/or bar shall be prohibited on the property.
4. At least 50% of the total retail sales from the business shall be derived from the sale of food. Upon the request of the Zoning Officer, the owner of the restaurant and/or holder of the liquor licenses shall produce documentation of this condition. Said documentation shall be certified by a public accountant and submitted to the City in writing within thirty (30) days of said request from the Zoning Officer.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED. The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Holt, Beck, McNeely, Conness –13-
Nays: Beach –1-
Absent: -0-

2006-83-O

64. Alderman Mark introduced and read an Ordinance approving the UPS Request for Development Agreement Amendment.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Bell. MOTION PREVAILED. The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson,
Timm, Beach, Holt, Beck, McNeely, Conness –14-
Nays: -0-
Absent: -0-

65. Upon motion duly made and seconded, the meeting was adjourned at 7:40 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
May 15, 2006
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 Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)
- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

I. COMMITTEE REPORTS

A. LAID OVER MAY 8, 2006

1. Johnson - Finance and Personnel - Recommending the award for the Summer Food Program be made to the sole bidder Open Kitchens, of Chicago, IL for their total bid of \$240,944.00. Funding source Human Services Operating Budget.
2. Johnson - Finance and Personnel - Recommending the award for Engineering Agreement: Harrison Ave. Water Main be made to Missman, Stanley & Associates at a not-to-exceed cost of \$28,004 for design. The funding for this project will come from 2006 Water Utility Revenue Bonds (WURB).
3. Johnson - Finance and Personnel - Recommending entering into City-State Agreements: Harrison Ave. Reconstruction (Mulford to Ohio), for a preliminary estimate amount of \$8,100,000 with a City share of \$1,229,000. The funding for this project will come from Motor Fuel Taxes.
4. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Zoning Map Amendment from C-3, Commercial General District and R-1, Single-Family Residential to C-3, Commercial General District; and a Special Use Permit for a Planned Mixed-Use Development consisting of a fast food restaurant with drive-thru and a coffee kiosk with double drive-thrus in a C-3, Commercial General District; and a Variation to reduce the required

stacking spaces from eight (8) per window to three (3) in a C-3, Commercial General District at 3221 & 3225 11th Street. Approval is subject to the following conditions:

1. Combination of all lots prior to any building permit.
2. Submittal of a site and landscaping plan to staff for their review and approval prior to the issuance of any permit for the property.
3. Compliance with all Building and Fire codes.
4. If development pressures warrant the need for additional stacking spaces, the development shall be modified to accommodate the necessary stacking spaces.
5. The Variation in stacking spaces applies to the coffee kiosk building only.
6. That the proposed parking lot be reduced to twelve (12) parking spaces and the access to Lapey Street be removed. Berming and landscaping is installed to eliminate access to Lapey.
7. The existing Entrance and Exit signs for Quizno's shall be relocated per staff approval so that the signs are out of the line of sight for vehicles entering and exiting.
8. That fencing plan be submitted for Staff review and approval to allow sight-obscuring fencing along all sides of the property adjacent to residential. Said fencing to be installed per approved plan.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #024-06).

5. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Residential Development consisting of a two-family residence; and the Variation to reduce the density requirements from 3,850 square feet to 3,750 square feet per unit in an R-1, Single-family Residential District at 228-230 Guard Street. Approval is subject to the following conditions:

1. Should the structure be destroyed partially or in whole that the rebuilt structure be similar in design and materials of the existing structure.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #020-06).

6. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Mixed Use Development consisting of a carry-out/ice cream snack shop, retail sales and a residence in an R-2, Two-Family Residential Zoning District at 1608 & 1612 12th Avenue and 1230 11th Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire codes.
2. Submittal of a revised site plan for staff review and approval. Said revised plan including the elimination of the asphalt between the parking stalls/drive aisle and 11th Street and 12th Avenue.
3. Retail sales within the two-story structure shall be limited to antiques and related merchandise.
4. Hours of operation for retail sales and carryout snack shop are limited from 9:00 am to 10:00 pm.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #019-06).

7. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending City Council APPROVE the Variation to reduce the front yard setback from thirty three feet (33') to twenty-nine feet six inches (29'6") along Elm Street for 201 Waveland Avenue; and a Variation to reduce the front yard setback from thirty-three feet (33') to twenty-seven feet six inches (27'6") along Elm Street for 202 Waveland Avenue in an R-1, Single-Family Residential District at 201 & 202 Waveland Avenue. Approval is subject to the following conditions:

1. Submittal of a landscaping plan for Staff review and approval.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #018-06).

8. Beach - Code and Regulation - Recommending that the City Council approve amendments to Chapter 16, Section 16-77 of the City Ordinances.
9. Beach - Code and Regulation - Recommending approval of the Development Agreement & Amended Annexation Agreement By & Between The City of Rockford and Landmark Riverside, L.L.C.
10. Beach - Code and Regulation - Recommending that "No Action" be taken on the following items:
 1. Request from Cy Key, to repeal the existing 2-way stop sign control at the intersection of Abbottsford Road and Sterling Drive.
 2. Request from Rose Ann Pumilia, for "No Parking Anytime" on the north side of Rural Street from Prospect Street to Parkview Avenue.
 3. Request from Kirsten Nelson, for a 4-way stop sign control at the intersection of 5th Avenue and 13th Street.
 4. Request from Alderman Nancy Johnson, 8th Ward, for 4-way stop sign control at the intersection of 16th Avenue and 25th Street.
11. Beach - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on Seward Avenue be required to Stop prior to entering the intersection of Dakota Lane.
12. Beach - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on the west side of Edson Avenue from Willboughby Avenue to Eddy Avenue.

B. HELD OUT MAY 8, 2006

1. Johnson - Finance and Personnel - Recommending the award for Sale of Property at 126 N. Sunset be made to the sole bidder Mt. Sinai Baptist Church, of Rockford, IL for their bid of \$400.00.

II. ORDINANCES LAID OVER MAY 8, 2006

- 1. Beach – Ordinance - Recommending that West Street between Cunningham Street and Marchesano have an honorary street name change of Cicero Street.

III. MISCELLANEOUS ITEMS

A. LAID OVER MAY 8, 2006

- 1. Mayor Morrissey - Reappointments of the Directors of their Municipal Departments in the City of Rockford.

| | |
|-------------------------|--------------------|
| Building Department | Bonnie B. Henry |
| Community Development | Reid T. Montgomery |
| Finance Department | Andres Sammul |
| Human Services | George Davis |
| Legal Department | Patrick W. Hayes |
| Personnel Department | Jessica L. Jones |
| Public Works Department | William Bittner |

B. HELD OUT MAY 8, 2006

- 1.* Mayor Morrissey - Appointment - Andrew Langoussis to the Downtown Design Review Committee. (Pursuant to Rule 18, this appointment will be up for passage on May 15, 2006).

* same action taken before

- Motions and Resolutions
- 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).
- 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, May 15, 2006, 4:45 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. C & R 06-91 Request for Honorary Street Name Change/Corner of Dickerman Street & Cunningham Street changed to "Barlow Lane"
2. C & R 06-93 Final Plat of Fanara Subdivision, being a Replat of Lot 10 and the South ½ of Lot 11 of Martin Hawkinson Company's Mulford Heights Little Farms
3. C & R 06-68 ZBA#025-06 Special Use Permit for a Planned Mixed-Use Development consisting of a resource center equipped with a computer room, food and clothing pantry, and referral center in an R-1, Single-Family Residential Zoning District at 128 Albert Avenue
4. C & R 06-96 Edson Road – Preannexation Agreement
5. C & R 06-95 Commercial Redevelopment Fund

FINANCE AND PERSONNEL COMMITTEE

**Monday, May 15, 2006, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Award of Bid: Day Avenue Watermain Extension – Suspend rules
 - B. Award of Bid: Mankato Road Watermain Extension – Suspend rules
 - C. Award of Bid: Demolition of 205 Hinkley
 - D. Award of Bid: Demolition of 429 S. Rockton
 - E. Award of Bid: Ready-Mix Concrete
 - F. RFP Award: Cellular Services for Police Department – Suspend rules
 - G. RFP Award: Bicycle Pedestrian Study – Suspend rules
 - H. RFP Award: Citizen Response Software
 - I. Resolution to take Bids/Proposals

- J. Vouchers
- 2. Mobile License Plate Reading Technology
- 3. City/State Agreement for South Main & Clifton Avenue
- 4. Intergovernmental Agreement with IDOT for the Rockford Area Transportation Study (RATS) (Laid over 5/8) – Suspend rules
- 4. Union Negotiation Update – Closed Session

PLANNING AND DEVELOPMENT COMMITTEE

Monday, May 15, 2006, 5:30 p.m.

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

AGENDA

- 1. Alderman Beach submitted a Memorandum from Patrick W. Hayes, Legal Director, regarding a Commercial Redevelopment Fund. Referred to Planning and Development Committee.
- 2. Resolution that the City of Rockford enter into agreements with the communities of Loves Park, Cherry Valley and Machesney Park, that sets forth a sales tax incentive policy for each community that is equal. Be it further resolved that until such an agreement is approved by each body that the City of Rockford shall rebate 100% of collected sales tax from the first five years only on new retail developments that the City of Rockford enters into development agreements with.