

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
NOVEMBER 19, 2007
COUNCIL CONVENED AT 6:15 P.M.**

1. The invocation was given by Pastor Ron Montanye, St. Sebastian Orthodox Catholic Church/ Police Chaplain and the Pledge of Allegiance was led by Boy Scout Troop 14, Our Saviors Lutheran Church.
2. Roll Call:
Mayor Lawrence J. Morrissey
Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,
Johnson, Beach, Holt, Beck, McNeely, Conness –13-
Absent: Timm –1-
3. Alderman Mark moved to accept the Journal of Proceedings of November 13, 2007, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Timm absent).

PUBLIC PARTICIPATION

4. John Weaver addressed Council supporting Chief Epperson and his administration.
5. Jim Powers addressed Council supporting Chief Epperson and requested both sides come together and resolve their differences.
6. Mitzi Gerber addressed Council requesting the Police Administration and Police Union resolve their differences.
7. Joe Owen addressed Council supporting Chief Epperson and requested the Police Administration and Police Union resolve their differences.

PETITIONS AND COMMUNICATIONS

8. Alderman Curran submitted an e-mail from Haas Towing suggesting an increase in the towing rate for those companies on the "A" Rotating Wrecker list. Referred to Code and Regulation Committee.
9. Alderman Curran submitted a Memorandum from Chief Epperson, Rockford City Police Department regarding Resolution for Participation in State of Illinois Federal Surplus Property Program. Referred to Finance and Personnel Committee.
10. Alderman Curran submitted a Memorandum from Bonnie Henry, Director Building Department regarding an Emergency Demolition of 802 S. 5th Street due to a major fire. Northern Illinois Service Co. was contracted for the emergency demolition in the amount of \$57,239.50 and will be paid by the Building department funds. Placed on file.
11. Alderman Conness submitted several letters and e-mails from constituents opposing the proposed Mulford Quarry Asphalt Plant. Referred to Mayor Morrissey's Office.

12. Alderman Bell read a Memorandum from Ginny Gregory, Planner II, regarding the Envision North Main Corridor Plan. Referred to Planning and Development Committee.
13. Alderman Bell read a Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding the Healthy Neighborhoods Program Funding Recommendation. Referred to Planning and Development Committee.
14. Alderman Beach mentioned a letter from Mrs. Cicero concerning several issues in the City. Referred to Mayor Morrissey's Office
15. Alderman Beach mentioned a letter from George Gibbs regarding leaf raking and collecting. Referred to Mayor Morrissey's Office.
16. Alderman Beach submitted several letters and e-mails from constituents opposing the proposed Mulford Quarry Asphalt Plant. Referred to Mayor Morrissey's Office and Zoning Department.
17. Alderman Thompson-Kelly submitted an e-mail concerning illegal dumping in an alley. Referred to the Public Works Department.
18. Alderman Holt submitted a letter from James McDowell regarding the proposed "River Walk". Referred to Community Development Department.
19. Alderman Mark submitted the Rockford Traffic Commission minutes of the meeting held on Wednesday, November 14, 2007. Referred to Code and Regulation Committee.
20. Alderman Mark submitted a request from Joe Marino, in conjunction with the Holiday Festival of Lights requesting permission for barricades for closures and detours at Sinnissippi Park during the Park District Tree Lighting on November 25, 2007 and for the Festival of Lights beginning on November 28, 2007 through December 31, 2007 from 5:00pm – 10:00 pm. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Timm absent).

NEW COMMITTEE REPORTS

21. Alderman Curran read a Finance and Personnel Committee report recommending the award for Sale of Property at 903, 909 & 913 Rockton Avenue and 919 Whitman Street be made to the sole bidder, Kestrel Development Company, of Oak Park, Illinois for their bid of \$12,500.00 subject to entering into a development agreement as called for in the Notice of Sale. LAID OVER.
22. Alderman Curran read a Finance and Personnel Committee report regarding the matter of the Acquisition of 116-120 South Second Street, recommending that the City purchase the property in the amount of \$325,000.00. The funding source is General Fund. LAID OVER.

23. Alderman Curran read a Finance and Personnel Committee report regarding increasing the 2007 tax levy for street and bridge purposes from .06% of the value as equalized or assessed by the Department of Revenue of all taxable property in the City of Rockford to .10% of the value, as equalized or assessed by the Department of Revenue of all taxable property in the City of Rockford, hereby recommends: That the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Department of Revenue for street and bridge purposes. LAID OVER.
24. Alderman Curran read a Finance and Personnel Committee Report regarding the 2007 Tax Levy Ordinance, hereby begs leave to report recommending that the Levy Ordinance be prepared by the Finance Department, and accepted in the amount of \$45,038,600 for the levies in the General, Sanitation, Tuberculosis Sanitarium, Library, Library Maintenance, Illinois Municipal Retirement, Social Security, Unemployment Compensation, Worker's Compensation, and Auditing Funds. LAID OVER.

2007-494CR

25. Alderman Curran read a Finance and Personnel Committee Report regarding a contract to Seal Abandoned Wells be made to Olson Well & Pump, of Ridott, Illinois for their quote of \$42,150.00. The funding source is Preston-Central TIF.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Holt. MOTION PREVAILED (Ald. Timm absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

2007-495CR

26. Alderman Curran read a Finance and Personnel Committee Report regarding the contract for Drum Removal be made to Clean Harbors, of Chicago, Illinois for their quote of \$14,950.00 to remove 87 drums. The funding source is Preston-Central TIF.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Holt. MOTION PREVAILED (Ald. Timm absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

2007-496CR

27. Alderman Curran read a Finance and Personnel Committee report regarding the contract for Hydrant Relocation/Removal/Storm Sewer Disconnects be made to Hi-Tech Plumbing, of Rockford, Illinois for their quote of \$59,000.00. The funding source is Preston-Central TIF.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Holt. MOTION PREVAILED (Ald. Timm absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

28. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of November 19, 2007 in the amount of \$2,231,586.41. MOTION PREVAILED by a Roll Call vote of:

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

29. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Final Plat of Rubloff Lyford Subdivision. LAID OVER.

30. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Zoning Map Amendment from County Agriculture to C-3, Commercial District for Parcel I and; the (B) Zoning Map Amendment from County Agriculture to I-1, Light Industrial District for Parcel II and; the (C) Waiver of Section 900.2 (f)(3) distance from a residential district for Performance Uses listed in Section 900.2(E) in a I-1, Light Industrial District for Parcel II at 33xx US 20 Bypass and 49xx South Main Street. Approval is subject to the following conditions:

1. That future development of the property shall conform to City of Rockford Codes and Ordinances.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #092-07). LAID OVER.

31. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment for County Agriculture to I-1, Light Industrial District at 42xx and 39xx US Bypass and 45xx Simpson Road.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #091-07). LAID OVER.

32. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the attached Zoning Fee Schedule. LAID OVER.

33. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the pre-annexation of 1918 Hillcrest Road and that the Legal Director be required to

send all required notices and that the Legal Director shall record copy of the pre-annexation agreement with the County Clerk. LAID OVER.

34. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the attached revised Liquor Ordinance. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
35. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation of 4701, 4507, 4521, 4707, 47xx, 39xx and 4227 South Main Street (Faith Center Church) and that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that, after passage of the annexation ordinance, the Legal Director shall record the ordinance, plat and affidavits of notice in the Recorder's Office and file a copy of the Annexation Ordinance with the County Clerk. LAID OVER.
36. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation agreement of 4701, 4507, 4521, 4707, 47xx, 39xx and 4227 South Main Street (Faith Center Church). The Legal Director shall prepare the appropriate ordinance. LAID OVER.
37. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation of 42xx Simpson Road and 39xx US 20 Bypass Highway (Parcel I) and 45xx Simpson Road (Parcel II) and that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that after passage of the annexation ordinance, the Legal Director shall record the ordinance, plat and affidavits of notice in the Recorder's Office and file a copy of the Annexation Ordinance with the County Clerk. LAID OVER.
38. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation agreement for 42xx Simpson Road and 39xx US 20 Bypass Highway (Parcel I) and 45xx Simpson Road (Parcel II). The Legal Director shall prepare the appropriate ordinance. LAID OVER.
39. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation agreement of 33xx US 20 Bypass Highway, 49xx South Main Street, 4628 South Main Street and 59xx Beltline Road. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
40. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation of 33xx US Bypass Highway, 49xx South Main Street, 4628 South Main Street and 59xx Beltline Road and that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that after passage of the annexation ordinance, the Legal Director shall record the ordinance, plat and affidavits of notice in the Recorder's Office and file a copy of the Annexation Ordinance with the County Clerk. LAID OVER.

2007-497CR

41. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Final Plat #2 of Woodhaven Subdivision.

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

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

OFFICERS REPORTS

42. Mayor Morrissey suggested a motion be made at the end of tonight's meeting to go into executive session for the purpose of discussing police labor issues.
43. Mayor Morrissey thanked Tim Holderman, Rockford Water Division Superintendent, for distributing the 4th Quarter 2007 Progress Report regarding the Water System Improvement Project. Any questions regarding specific projects or concerns may be directed to Tim Holderman, 815/987-5738 or Tim.Holderman@rockfordil.gov .
44. Mayor Morrissey announced tomorrow, November 20, 2007 from 5:00 pm to 6:30 pm in Conf. Rm. B, City Hall 2nd floor will be a joint meeting of the committees to finalize the Capital Improvement Program for 2008-2012.
45. Mayor Morrissey advised that City Hall would be closed on Thursday, November 22, 2007 and Friday, November 23, 2007 in observance of the Thanksgiving Day Holiday.
46. Mayor Morrissey announced the Street Division will be presenting information on the Emerald Ash Borer (E.A.B) on Monday, November 26, 2007 at City Council.
47. Mayor Morrissey mentioned a News Release regarding Street Sweeper Operations for the week of November 19, 2007 indicating the areas and streets to be swept. For information regarding street sweeping, contact the Street Maintenance Division at 815/987-5763.
48. Mayor Morrissey announced the Misfits Concert to benefit the nFactor Youth Movement will be held on Saturday, December 8, 2007 at 8:00 pm (doors open at 7:00 pm) at the Coronado Performing Arts Center. Tickets are \$15 with a valid high school or college student ID and \$20.00 without a student ID. For information contact the Coronado Box Office at 815/968-0595.
49. Mayor Morrissey reflected on the past year in the spirit of Thanksgiving, recalling how much he is thankful for in his personal life and with City business.

51. Alderman Thompson-Kelly expressed thanks for another year with her family and friends, appreciates working with the members of Council to move this community forward and wished all a wonderful Thanksgiving Day Holiday.

PETITIONS AND COMMUNICATIONS

52. Alderman McNeely submitted a letter from James McDowell regarding the proposed "River Walk". Referred to Mayor Morrissey's Office. (See Item #18)

OFFICERS REPORTS

53. Alderman McNeely informed the residents of the 13th ward there would be street sweeping from November 19, 2007 through November 21, 2007 from South Main Street going west.

UNFINISHED BUSINESS

2007-498CR

54. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for Sale of Property at 2608 18th St. be made to the sole bidder, Mitchell and Leisa Eads, of Rockford, Illinois for their total bid of \$510.00. MOTION PREVAILED by a Roll Call vote of:

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

2007-499CR

55. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for High Performance Cold Mix be made to the sole bidder, Rabine Paving, of Richmond, Illinois for their price of \$96.00/ton pick-up and \$106.00/ton delivered price for an estimate of 500 tons. The funding source is Departmental Operating Budgets. MOTION PREVAILED by a Roll Call vote of:

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

2007-500CR

56. Alderman Curran moved the adoption of a Finance and Personnel Committee Report regarding the retention of outside counsel for a lawsuit, hereby recommends that the Hinshaw and Culbertson law firm be retained for consulting legal services for Cash et al v. City of Rockford on an hourly fee basis with monthly status reports to Finance and Personnel. MOTION PREVAILED by a Roll Call vote of:

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

2007-501CR

57. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval of attached Development Agreement by and between the City of Rockford and Genesis Land Development and Brokerage LLC for property near the intersection of Riverside and I-90. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2007-502CR

58. Alderman Bell moved the adoption of a Planning and Development recommending approval of the attached Reimbursement Agreement with Genesis Land Development and Brokerage LLC for property near the intersection of Riverside and I-90. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2007-503CR

59. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval of the East Side TIF Funding of \$25,000 Donald A. Carlyle for a facade rebate grant for exterior façade work at Carlyle Brewing Company, 213, 215, and 217 E. State Street. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2007-504CR

60. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the annexation of 531 Horace Avenue. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-
Absent: Timm -1-

2007-243-O

61. Alderman Mark moved the adoption of an Ordinance amending Chapter 16, Section 283, of the City of Rockford Code of Ordinances to add the following:

"30 Minute Parking" on both sides of 7th Street from 1st Avenue to Charles Street, thus repealing the existing "2 Hour Parking."

MOTION PREVAILED by a Roll Call vote of:

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

2007-244-O

62. Alderman Mark moved the adoption of an Ordinance amending Chapter 16, Section 291, of the City of Rockford Code of Ordinance to add the following:

That traffic on Minnesota Drive be required to Stop prior to entering the intersection of East Gate Parkway.

MOTION PREVAILED by a Roll Call vote of:

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

2007-245-O

63. Alderman Mark moved the adoption of an Ordinance amending Chapter 16, Section 281, of the City of Rockford Code of Ordinances to add the following:

That there be "No Parking 7:30 am to 3:00 pm on Regular School Days" on both sides of Harney Court from 30 feet to 205 feet west of Fairview Avenue.

MOTION PREVAILED by a Roll Call vote of:

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

2007-246-O

64. Alderman Mark moved the adoption of an Ordinance amending Chapter 16, Section 280, of the City of Rockford Code of Ordinances to add the following:

"No Parking Anytime" along the curve of the southeast side of Congress Drive from 1425 feet to 1655 feet south of Harrison Avenue and the southwest side of Senate Drive from 1425 feet to 1655 feet south of Harrison Avenue.

MOTION PREVAILED by a Roll Call vote of:

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

2007-116R

65. Alderman Mark moved the adoption of a Resolution requesting that a closed door meeting between Police Administration and The PB&PA be held and that this meeting be mediated by the Aldermen of the City of Rockford. This meeting will have a discussion regarding personnel and labor issues only. The time, date and location will be determined. I challenge both parties to accept this invitation. This meeting may be attended by Aldermen of the City of Rockford if so desired.

Alderman Mark indicated that the word "mediated" should be changed to "attend" from last weeks friendly amendment made by Alderman Curran.

Alderman McNeely moved to amend the Resolution to add " or meetings" after the word "meeting", seconded by Alderman Beach.

"Alderman Mark moved the adoption of a Resolution requesting that a closed door meeting or meetings between Police Administration and The PB&PA be held, as deemed necessary, by the Aldermen of the City of Rockford. This meeting or meetings will have discussion regarding personnel and labor issues only. The time, date and location of this meeting or meetings will be determined. I challenge both parties to accept this invitation. This meeting or meetings may be attended by Aldermen of the City of Rockford if so desired".

The amendment to the Resolution was placed on passage. MOTION PREVAILED (Ald. Timm absent). The Resolution as amended was placed on passage. MOTION PREVAILED (Ald. Timm absent).

MOTIONS AND RESOLUTIONS

2007-117R

66. Alderman Curran moved the adoption of a Resolution for Improvement under the Illinois Highway Code for General Maintenance 2007 for citywide Light Electric in the amount of \$500,000.00. MOTION PREVAILED (Ald. Timm absent).

2007-118R

67. Alderman Curran moved the adoption of a resolution to take bids for the following: (3) Vehicles for Community Development, funding source: CD Capital Outlay Budget.

MOTION PREVAILED (Ald. Timm absent).

NEW BUSINESS

68. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Modification of Special Use Permit #027-06 for a Planned Mixed Use Development consisting of a gas station and car wash to include outdoor storage of seasonal products in a C-2, Commercial Community District at 3819 Broadway, with revised condition #1 is hereby approved. Approval is subject to the following conditions:

1. Outdoor storage of seasonal products is limited to areas as shown on Exhibit E inclusive of the area adjacent the car wash as approved by staff.
2. Compliance with any Statute and City Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #081-07). LAID OVER.

69. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for a Planned Residential Development consisting of an existing two-family residence in an R-1, Single-Family Residential Zoning District at 1330 Greenwood Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #082-07). LAID OVER.

70. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for Modification of Special Use Permit #117-02 for a Planned Mixed-Use Development to allow the addition of a retail floral shop for a period of five (5) years in a C-1, Limited Office-Zoning District, 1 R-1, Single-Family Residential Zoning District and a R-3, Multi-Family Residential District at 1605 North Bell School Road. Approval is subject to the following conditions:

1. The Modification of Special Use Permit #117-02 for a Planned Mixed-Use Development to allow the addition of a retail floral shop is only in effect for a period up to five (5) years or until the County Highway Department or the City Engineers' Office requests it to be discontinued, whichever occurs first.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #084-07). LAID OVER.

71. Alderman Mark introduced and read an Ordinance recommending the approval of the Highway Authority Agreement for 3215 Auburn Street. LAID OVER.

72. Alderman Mark introduced and read an Ordinance regarding the approval of the Zoning Text Amendment to Article XV, Sign Regulations, Section 1500 and Article III Definitions, Section 300 regarding Signage is hereby approved. LAID OVER.

2007-247-O

73. Alderman Bell introduced and read an Ordinance approving the attached Reimbursement Agreement by and between the City of Rockford and Genesis Land Development and Brokerage LLC.

Alderman Bell moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Timm absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

2007-248-O

74. Alderman Bell introduced and read an Ordinance approving the Development Agreement by and between the City of Rockford and Genesis Land Development and Brokerage LLC.

Alderman Bell moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Timm absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

2007-249-O

75. Alderman Curran introduced and read an Ordinance recommending the Agreement with the Rockford Local Development Corporation, including the guarantee of a bank line of credit up to \$10 million for land acquisition for flood control, and related activities.

Alderman Curran moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED (Ald. Timm absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

OFFICERS REPORTS

76. Alderman Jacobson mentioned he attended the Official Opening of Harrison Avenue Ribbon Cutting Ceremony today at the corner of Harrison Avenue and Stowmarket. He thanked Alderman Conness' for his diligence for fifteen (15) years resulting in the

completion of this project and looks forward to seeing the section between 20th Street and 9th Street finished.

77. Alderman Conness thanked Mayor Morrissey, Aldermen Beach, Jacobson and Johnson for attending the ceremony today and expressed his gratitude to past and present City staff for their efforts on this project.

78. Alderman Beach made a motion to convene into closed session to discuss pending litigation and negotiations, seconded by Alderman McNeely. MOTION PREVAILED by a Roll Call vote of:

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

The meeting went into closed session at 7:24 pm. The meeting returned to open session at 8:25 pm and found the following present:

Aldermen Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Holt, McNeely. (Ald. Timm, Conness absent).

78. Upon motion duly made and seconded, the meeting was adjourned at 8:27 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
NOVEMBER 26, 2007
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)
- Officers Reports
- Unfinished Business of previous meeting
 - Motion and Resolutions
 - New Business

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER NOVEMBER 19, 2007

1. Curran - Finance and Personnel - Recommending the award for Sale of Property at 903, 909 & 913 Rockton Avenue and 919 Whitman Street be made to the sole bidder, Kestrel Development Company, of Oak Park, Illinois for their bid of \$12,500.00 subject to entering into a development agreement as called for in the Notice of Sale.
2. Curran - Finance and Personnel Committee Regarding the matter of the Acquisition of 116-120 South Second Street, recommending that the City purchase the property in the amount of \$325,000.00. The funding source is General Fund.
3. Curran - Finance and Personnel - Report regarding increasing the 2007 tax levy for street and bridge purposes from .06% of the value as equalized or assessed by the Department of Revenue of all taxable property in the City of Rockford to .10% of the value, as equalized or assessed by the Department of Revenue of all taxable property in the City of Rockford, hereby recommends: That the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Department of Revenue for street and bridge purposes.
4. Curran - Finance and Personnel - Regarding the 2007 Tax Levy Ordinance, hereby begs leave to report recommending that the Levy Ordinance be prepared by the Finance

Department, and accepted in the amount of \$45,038,600 for the levies in the General, Sanitation, Tuberculosis Sanitarium, Library, Library Maintenance, Illinois Municipal Retirement, Social Security, Unemployment Compensation, Worker's Compensation, and Auditing Funds.

5. Mark - Code and Regulation - Recommending the approval of the Final Plat of Rubloff Lyford Subdivision.
6. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Zoning Map Amendment from County Agriculture to C-3, Commercial District for Parcel I and; the (B) Zoning Map Amendment from County Agriculture to I-1, Light Industrial District for Parcel II and; the (C) Waiver of Section 900.2 (f)(3) distance from a residential district for Performance Uses listed in Section 900.2(E) in a I-1, Light Industrial District for Parcel II at 33xx US 20 Bypass and 49xx South Main Street. Approval is subject to the following conditions:
 1. That future development of the property shall conform to City of Rockford Codes and Ordinances.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #092-07).
7. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment for County Agriculture to I-1, Light Industrial District at 42xx and 39xx US Bypass and 45xx Simpson Road.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #091-07).
8. Mark - Code and Regulation - Recommending the approval of the attached Zoning Fee Schedule.
9. Mark - Code and Regulation - Recommending the approval of the pre-annexation of 1918 Hillcrest Road and that the Legal Director be required to send all required notices and that the Legal Director shall record copy of the pre-annexation agreement with the County Clerk.
10. Mark - Code and Regulation - Recommending the approval of the attached revised Liquor Ordinance. The Legal Director shall prepare the appropriate ordinance.
11. Mark - Code and Regulation - Recommending the approval of the annexation of 4701, 4507, 4521, 4707, 47xx, 39xx and 4227 South Main Street (Faith Center Church) and that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that, after passage of the annexation ordinance, the Legal Director shall record the ordinance, plat and affidavits of notice in the Recorder's Office and file a copy of the Annexation Ordinance with the County Clerk.

12. Mark - Code and Regulation - Recommending the approval of the annexation agreement of 4701, 4507, 4521, 4707, 47xx, 39xx and 4227 South Main Street (Faith Center Church). The Legal Director shall prepare the appropriate ordinance.
13. Mark - Code and Regulation - Recommending the approval of the annexation of 42xx Simpson Road and 39xx US 20 Bypass Highway (Parcel I) and 45xx Simpson Road (Parcel II) and that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that after passage of the annexation ordinance, the Legal Director shall record the ordinance, plat and affidavits of notice in the Recorder's Office and file a copy of the Annexation Ordinance with the County Clerk.
14. Mark - Code and Regulation - Recommending the approval of the annexation agreement for 42xx Simpson Road and 39xx US 20 Bypass Highway (Parcel I) and 45xx Simpson Road (Parcel II). The Legal Director shall prepare the appropriate ordinance.
15. Mark - Code and Regulation - Recommending the approval of the annexation agreement of 33xx US 20 Bypass Highway, 49xx South Main Street, 4628 South Main Street and 59xx Beltline Road. The Legal Director shall prepare the appropriate ordinance.
16. Mark - Code and Regulation - Recommending the approval of the annexation of 33xx US Bypass Highway, 49xx South Main Street, 4628 South Main Street and 59xx Beltline Road and that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that after passage of the annexation ordinance, the Legal Director shall record the ordinance, plat and affidavits of notice in the Recorder's Office and file a copy of the Annexation Ordinance with the County Clerk.

II. ORDINANCES LAID OVER NOVEMBER 19, 2007

1. Mark - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Modification of Special Use Permit #027-06 for a Planned Mixed Use Development consisting of a gas station and car wash to include outdoor storage of seasonal products in a C-2, Commercial Community District at 3819 Broadway, with revised condition #1 is hereby approved. Approval is subject to the following conditions:
 1. Outdoor storage of seasonal products is limited to areas as shown on Exhibit E inclusive of the area adjacent the car wash as approved by staff.
 2. Compliance with any Statute and City Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #081-07).

2. Mark - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for a Planned Residential Development consisting of an existing two-family residence in an R-1, Single-Family Residential Zoning District at 1330 Greenwood Avenue. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #082-07).

3. Mark - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for Modification of Special Use Permit #117-02 for a Planned Mixed-Use Development to allow the addition of a retail floral shop for a period of five (5) years in a C-1, Limited Office-Zoning District, 1 R-1, Single-Family Residential Zoning District and a R-3, Multi-Family Residential District at 1605 North Bell School Road. Approval is subject to the following conditions:
 1. The Modification of Special Use Permit #117-02 for a Planned Mixed-Use Development to allow the addition of a retail floral shop is only in effect for a period up to five (5) years or until the County Highway Department or the City Engineers' Office requests it to be discontinued, whichever occurs first.

Approval is based on the Findings of Fact (LAD 12/17/07; ZBA #084-07).

4. Mark - Ordinance - Recommending the approval of the Highway Authority Agreement for 3215 Auburn Street.
5. Mark - Ordinance - Regarding the approval of the Zoning Text Amendment to Article XV, Sign Regulations, Section 1500 and Article III Definitions, Section 300 regarding Signage is hereby approved.

III. MISCELLANEOUS HELD OUT NOVEMBER 19, 2007

1. Mayor Morrissey - Appointment - Citizen Participation Committee, Mercedes Martinez, for a one-year term that ends in June 2008. (Pursuant to Rule 18, this appointment will be up for passage on December 3, 2007).
- 2.* Mayor Morrissey - Re-appointments - Directors of their Municipal Departments in the City of Rockford.

* 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

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POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE

**Monday, November 26, 2007, 4:30 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

1. C & R 07-283 November Traffic Commission Minutes
2. C & R 07-277 Revised Chapter 3 – Advertising
3. C & R 07-272 Revised City of Rockford Zoning Ordinance
4. C & R 07-286 Claim of Heather Brady
5. C & R 07-287 Closed Session for Purposes of Pending Litigation

FINANCE AND PERSONNEL COMMITTEE

**Monday, November 26, 2007, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Award of Contract: HUD Grant Application Consultant
 - B. Award of RFP: TIF Consulting Services for TIF Creation
 - C. Resolution to take Bids
 - D. Vouchers
2. Resolution for Participation in State of Illinois Federal Surplus Property Program

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, November 26, 2007, 5:15 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Ginny Gregory, Planner II, regarding the Envision North Main Corridor Plan.
2. Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding the Healthy Neighborhoods Program Funding Recommendation.

LEGISLATIVE LOBBYING COMMITTEE

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

No Meeting Scheduled.