

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**JUNE 25, 2007**  
**COUNCIL CONVENED AT 6:16 P.M.**

1. The invocation was given by Pastor Roy Whitmore, New St. John Church/Police Chaplain and the Pledge of Allegiance was led by Page Karla Centeno.

2. Roll Call:

Mayor Lawrence J. Morrissey

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

Absent: Thompson-Kelly –1-

3. Alderman Wasco moved to accept the Journal of Proceedings of June 4, 2007, seconded by Alderman Jacobson.

Alderman Mark made a motion to remove Item #86 and 11.8. from the Journal of Proceedings dated June 18, 2007. The committee report regarding 1816 11<sup>th</sup> Street was held out and the Ordinance was read in error, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent). The Journal of Proceedings as amended was placed on passage. MOTION PREVAILED (Ald. Thompson-Kelly absent).

**PUBLIC PARTICIPATION**

4. Lori Gustafson and Margie Veitch addressed Council introducing a new organization called Neighborhood Network and invited Mayor Morrissey, Council Members and City staff to their "kick-off" party on June 28, 2007 at 6:00 pm – 8:00 pm at the Beattie Playground near Rural and Adams Street.

**PETITIONS AND COMMUNICATIONS**

5. Alderman Jacobson submitted a request from Richard Lynn, La Tolteca, requesting permission for a temporary Grand Opening banner from June 26, 2007 – July 26, 2007 at 1201 Sandy Hollow Road. Alderman Jacobson moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).
6. Alderman Beck submitted a request from Cynthia Borcherts, Boylan Catholic High School, in conjunction with Festa Italiana requesting permission for police assistance and barricades for parking assistance for local residents, food and liquor outdoors within a confined space at 4000 St. Francis Drive on August 2, 2007 from 5:00 pm – 11:00 pm, August 3, 2007 from 11:00 am – 11:00 pm, August 4, 2007 from 11:00 am to 9:00 pm. Alderman Beck moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Thompson-Kelly absent).
7. Alderman Curran opened a bid for Sale of Property at 1105 Broadway from RSLP in the amount of \$ 3,000.00. Referred to the Purchasing Department and Legal Department.

8. Alderman Holt submitted a request from Ron Ullrich, Brewsky's, in conjunction with their Customer Appreciation Picnic requesting permission for liquor outdoors within a confined space at 4414 Charles Street on August 19, 2007 from 2:00 pm – 10:00 pm. Alderman Holt moved to grant the Prayer of the Petitioner, seconded by Alderman McNeely. MOTION PREVAILED (Ald. Thompson-Kelly absent).
9. Alderman Johnson submitted ten (10) Requests for Service. Referred to the Police Department, Neighborhood Standards and the Public Works Department.
10. Alderman Johnson submitted an e-mail from Kathy Peterson requesting a tree on City property in front of her home at 1607 25<sup>th</sup> Street be removed. Referred to the Public Works Department.
11. Alderman Bell submitted a flier regarding the Orchid 3<sup>rd</sup> Union College Neighborhood Association meeting to be held on Wednesday, June 27th at the Jane Addams Community Center, 510 Seminary Street at 6:30 pm. Several upcoming events were listed on the flier. Placed on file.
12. Alderman Bell submitted a flier regarding the 5<sup>th</sup> Ward Monthly meeting to be held on Thursday, June 28, 2007 at 6:00 pm at the Montague Branch Library, 1328 South Winnebago Street. Placed on File.
13. Alderman Bell submitted a Memorandum from Reid Montgomery, Director Community and Economic Development, announcing two (2) Public Hearings regarding the River Edge Redevelopment Zone and amending the Enterprise Zone to be held jointly on Monday, July 2, 2007 at 2:30 pm in the Community Room at the Montague Branch Library, 1238 South Winnebago Street. Placed on File.
14. Alderman Mark submitted a Request for Service at 630 N. Court Street. Referred to the Building Department and Neighborhood Standards.
15. Alderman Mark submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding the Highway Authority Agreement – 2211 Charles Street (Part of the Underground tank cleanup project). Referred to Code and Regulation Committee.
16. Alderman Mark submitted a Memorandum from Jessica Ellwanger, Planner II, regarding the Final Plat of Harlow Manors #2. Referred to Code and Regulation Committee.
17. Alderman Mark submitted the Zoning Board of Appeals minutes from the meeting held on June 19, 2007. Referred to Code and Regulation Committee.
18. Alderman Mark submitted a request from Scott Prine, Greenwich Village Art Fair, requesting permission for temporary freestanding sign for fifteen (15) days, food, entertainment and liquor outdoors on private property within a confined space, and use of variable message sign for traffic control at 711 North Main Street on September 15, 2007 from 10:00 am – 6:00 pm and September 16, 2007 from 10:00 am – 5:00 pm. Alderman

Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).

19. Alderman Mark submitted a request from Jay Ferraro, in conjunction with the Labor Day Parade requesting permission for the event, including assistance from police and sweeping, exclusive use of the parade route, closures and detours at 7<sup>th</sup> Street to State to Wyman to Mulberry, ending on Main Street by First Presbyterian Church on September 3, 2007 beginning at 9:00 am. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).
20. Alderman Mark submitted a request from Juanita MacVenn and Sherman MacVenn, in conjunction with the Honor the Mounds Gathering requesting permission for barricades and exclusive use of parking spaces to the south of Beattie Park for vendors at Beattie Park on August 25, 2007. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).
21. Alderman Mark submitted a request from Anita Hawkins, in conjunction with Joyful Expressions Salon Outdoor Sale requesting permission to place items for sale in the parking lot at 207 N. Church, outdoor sale is in rental parking spaces in parking lot adjacent to the building at the corner of Church and Mulberry (private lot) on July 27-28, 2007; August 24-25, 2007 and September 28-29, 2007. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).
22. Alderman Mark submitted a request from Curt Moen, in conjunction with the Alpine Kiwanis Brat Days requesting permission for tents in the Riverfront Museum parking lot, Logli's parking lot, 6410 E. State Street and Edgebrook Shopping Center on July 19, 2007 – July 21, 2007. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).
23. Alderman Mark submitted a request from Jill Trojinari, Burpee Museum of Natural History, in conjunction with the Jane Party requesting permission for food and liquor outdoors within a confined space at 737 North Main street on July 21, 2007 from 7:00 pm to midnight. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).
24. Alderman Mark submitted a request from Karen Howard, Verdi Club, in conjunction with the 35th Anniversary Party for Charlotte's Web for the Performing Arts requesting permission for food and liquor outdoors within a confined space at 782 N. Madison on June 30, 2007 from noon – 9:00 pm. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).
25. Alderman Mark submitted a request from Mary Donahue, Insignia Graphics, in conjunction with Telecris Plasma requesting permission for temporary banner attached to a building for thirty (30) days at 605 Mulberry from June 19, 2007 – July 24, 2007. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Thompson-Kelly absent).

26. Alderman Sosnowski submitted a request from Charles Smith, in conjunction with the Kennedy 5K Run/Walk for Mind, Body and Soul requesting permission for police assistance and barricades in the NIU neighborhood (Northern, Verona, Cross Plains, Blue River, University) on July 21, 2007 from 7:30 am – 9:00 am. Alderman Sosnowski moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Thompson-Kelly absent).

### **NEW COMMITTEE REPORTS**

27. Alderman Bell read a Planning and Development Committee Report recommending that the Coronado Theatre Management and Operations Agreement, approved June 5, 2007, be amended to increase the line of credit by \$250,000. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
28. Alderman Curran read a Finance and Personnel Committee Report recommending the Engineering Agreement for Elliot Golf Course Drainage be made to Municipal Design and Environmental Services, Inc. at a not-to-exceed cost of \$11,770.00 for design engineering, including topographic survey, preparation of construction documents, construction staking and as-built survey, and construction management. The funding will come from CIP Project Development – Drainage Funds. LAID OVER.
29. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of June 25, 2007 in the amount of \$1,449,606.66. MOTION PREVAILED by a Roll Call vote of:
- Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -13-
- Nays: -0-
- Absent: Thompson-Kelly -1-

### **PETITIONS AND COMMUNICATIONS**

30. Alderman Bell submitted a Memorandum from Reid Montgomery, Director of Community and Economic Development. (previously submitted see #13).

### **OFFICERS REPORTS**

31. Mayor Morrissey announced the Holiday Garbage Collection schedule will remain the same on Monday, July 2nd and Tuesday, July 3<sup>rd</sup>. On Wednesday, July 4th there will be no garbage collection and the remainder of the week will shift one day. The Household Hazardous Waste Site at 3333 Kishwaukee Street and Used Oil and Tire Recycling Center at Halsted will be open the weekends of June 30<sup>th</sup> and July 7<sup>th</sup>.
32. Mayor Morrissey submitted a re-appointment to the Human Services CAA Board, Ms. Karen Hoffman to a three (3) year term, which would expire June 2010. LAID OVER.

33. Mayor Morrissey reported that Governor Blagojevich vetoed Senate Bill 1395 this past Friday and because of this action City staff will travel to Springfield on Wednesday to encourage the General Assembly to override the Governor's veto.
34. Mayor Morrissey recognized Tom Gilkey in the audience and thanked him and his wife Myrna for their years of support and prayers for the Council. Mayor Morrissey announced with deep regret and sadness the death of Myrna and offered words of condolences to Tom.
35. Alderman Mark announced this Friday there will be a clean-up downtown sponsored by the River District, the City of Gardens and the MetroCentre. Everyone is to meet at Rockford Office Supply at 11:30 am with drinks and lunch provided.
36. Alderman Mark made a reminder that on Saturday, June 30, 2007 from noon to 9:00 pm at the Verdi Club there will be the 35<sup>th</sup> Anniversary celebration of Charlotte's Web hosted by J.R. Sullivan. He encouraged all to attend.
37. Alderman McNeely mentioned two (2) articles in the Chicago Sun-Times dated Tuesday, June 12, 2007 regarding casinos and graffiti. She requested a copy of the articles be provided to Mayor Morrissey and the Aldermen.
38. Alderman Timm thanked Lt. Joe Rinaldo for his quick responses to criminal activity in the 9<sup>th</sup> Ward.
35. Alderman Timm thanked Tim Holderman, Public Works Department, for resolving a serious problem at the corner of Ridge and Custer.
36. Alderman Jacobson mentioned he is still receiving calls regarding problems with All Terrain Vehicles in the 3000 block of 15<sup>th</sup> Street and the surrounding area. Referred to the Police Department.

## **UNFINISHED BUSINESS**

### **2007-247CR**

41. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for Trench Drain Repairs be made to the low bidder, Harn Construction of Freeport, IL for their total bid of \$18,500. The funding source is Building Fund. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-

Absent: Thompson-Kelly -1-

### **2007-248CR**

42. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for Sale of Property Portion of Lot 1009 Kishwaukee St. be made to the sole bidder Joseph Behr & Sons, Inc., of Rockford, IL for their total bid of

\$19,000. MOTION PREVAILED by a Roll Call vote of:

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

**2007-249CR**

43. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of an amendment to Section 2-42, Rule 19 of the Code of Ordinances. The Legal Director shall prepare the appropriate Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2007-250CR**

44. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the attached agreement of the right-of-way by Kentucky Data Link. MOTION PREVAILED by a Roll Call vote of:

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

**2007-117-O**

45. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for a Planned Mixed Use Development for a Medical Office/Clinic Facility in a R-1, Single-Family, R-2, two-family and C-1, Limited Office Zoning District at 1250, 1302 East State Street and 1257 Revell Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. The 1250 East State Street single-family residence shall remain on the property and not be demolished.
3. Building materials and architectural features for the proposed building shall be reviewed and approved by Staff prior to the issuance of building permit.
4. As the site develops submittal of landscaping, signage, illumination, dumpster locations will be required for Staff review and approval and meet all applicable codes and ordinances prior to the issuance of building permit.
5. Any future signage shall be monument style not to exceed 8' in height and the materials shall match that of the approved facade of the building on site.
6. That a replat is approved for the property in accordance with the City's Subdivision regulation inclusive of required public improvements prior to issuance of building permit and development of site.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #022-07). MOTION PREVAILED by a Roll Call vote of:

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

**2007-118-O**

46. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1604 and Section 1603, of the City of Rockford Code of Ordinances for (A) a Special Use Permit for a church and a multifunctional community center that will house various community and religious related services and activities, such as an office space for various community and non-profit agencies, classrooms for Sunday School and after school programs and community related seminars during the week, a large open space for banquets, weddings, receptions, concerts, and other large events, and spaces designated for daycare and senior drop in center; and (B) a Variation from the required thirty (30) foot yard setback along Salter Avenue to sixteen (16) feet eight (8) inches; and (C) a Variation from the required parking spaces to eighty-eight (88) parking spaces; and (D) a Variation to allow landscaping as per submitted landscaping plan in an R-1, Single-Family Residential District at 604, 605, 611 and 622 Salter Avenue and 1510 West Street. Approval is subject to the following conditions:

1. Submittal of a site plan for Staff review and approval.
2. Submittal of a revised landscaping plan including size and botanical name of species for Staff review and approval.
3. Compliance with the Public Works requirements for the Weldon Street Vacation.
4. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #025-07). MOTION PREVAILED by a Roll Call vote of:

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

**2007-119-O**

47. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for an auto repair shop that does not satisfy the Performance Criteria of six hundred (600) feet away from a residential district in a C-3, Commercial General Zoning District at 3415 Auburn Street. Approval is subject to the following conditions:

1. That the property and use shall comply with all Building and Fire Codes.
2. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.

3. No outside storage of any auto parts, equipment, materials or inoperable vehicles.
4. Site plan showing Dumpster enclosure and material that must be approved by Staff.
5. Disposal and storage of hazardous materials must follow the Illinois Environmental Protection Agency guidelines.
6. All conditions must be met prior to establishment of use.
7. There shall be no overnight storage of vehicles on the property.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #020-07). MOTION PREVAILED by a Roll Call vote of:

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

**2007-120-O**

48. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for (A) a Variation to reduce the rear yard setback for an accessory building from 2 ½ feet to zero (0) feet along the north property line; and (B) a Variation to increase the maximum height of an accessory building from eighteen (18) feet to 21.5 feet in a R-1, Single-Family Residential Zoning District at 1822 National Avenue.

Approval is based on the Findings of Fact (LAD/ 7/16/07, ZBA #023-07). MOTION PREVAILED by a Roll Call vote of:

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

**2007-121-O**

49. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1604, of the City of Rockford Code of Ordinances for a Variation to increase the maximum allowable square footage from four hundred eighty (480) to seven hundred (700) square feet for a wall sign within the shopping center on the southwest corner of the building in a C-3, Commercial General District at 1603 North Alpine Road, Suites 101, 105, 109, 113. Approval is subject to the following conditions:

1. A permanent sign permit must be obtained and be in accordance to Exhibit D.
2. The location of the sign is restricted to the area shown on Exhibit F.
3. Sign shall be constructed as shown on the submitted drawing.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #027-07). MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-  
Absent: Thompson-Kelly -1-

**2007-122-O**

50. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for an advertising freestanding sign in a C-2, Commercial Community Zoning District at 7050 Finchman Drive. Approval is subject to the following conditions:

1. Submittal of a revised plan for Staff review and approval.
2. No freestanding sign advertising the shopping center and tenants shall be installed on Lot #7 of Plat Perryville Center #3.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #028-07). MOTION PREVAILED by a Roll Call vote of:

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

**2007-123-O**

51. Alderman Mark moved the adoption of 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 café/restaurant in a C-4, Commercial Oldtown Zoning District at 211A Elm Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #030-07). MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Holt, Beck, McNeely, Conness -12-  
Nays: Beach -1-  
Absent: Thompson-Kelly -1-

52. Alderman Jacobson moved the adoption of a Resolution that the City Council of the City of Rockford, Illinois requesting that the Illinois Department of Children and Family Services respectfully reconsider its decision to cease operations of The Mill and reopen the same pending a thorough and fair investigation into certain allegations.

Be it further resolved that at the conclusion of said investigation into those allegations the Illinois Department of Children and Family Services take action, should any be required at all, that fairly and appropriately corrects and deters any misconduct that is founded.

HELD OUT.

## MOTIONS AND RESOLUTIONS

### 2007-69R

53. Alderman Jacobson suggested a Resolution that the City Council of the City of Rockford considers purchasing two or more All Terrain Vehicles to assist in patrolling neighborhoods, parking violators and used in parades. Referred to Finance and Personnel Committee.

### 2007-70R

54. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a resolution to take bids for the following: City Yards Central Garage Remodeling Men's Bathroom, funding source: Building Fund; Network Appliance Storage Device and Support, funding source: IT Fund. MOTION PREVAILED by a Roll Call vote of:

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

### 2007-71R

55. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution for City-State Agreement: Harrison Avenue Reconstruction – Lighting & Landscaping the City's share is estimated to be \$320,000. Fire Department Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

## NEW BUSINESS

56. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Modification of a Special Use Permit Ordinance #1993-282-O for a church and related activities, including daycare and possible day school approved on November 1, 2993, to allow for a church addition that will consist of classrooms, a fellowship hall and a kitchen in an R-1, Single-Family Residential District is hereby approved at 3555 McFarland Road. Approval is based on the following conditions:

1. Submittal of a site plan for Staff review and approval.
2. Submittal of a modified landscaping plan including size and botanical name of Species for Staff review and approval.
3. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #026-07). LAID OVER.

57. 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 sale of liquor by the drink in conjunction with a sit-down restaurant with only indoor seating in a C-2, Commercial Community Zoning District at 701 Highgrove Place. Approval is based on the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. That the sale of liquor by the drink is in conjunction with the restaurant.
3. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #024-07). LAID OVER.

58. Alderman Mark introduced and read an Ordinance recommending the approval of the sale of City owned property at 1407 Michigan Avenue at a minimum bid of \$300.00 plus advertising costs. LAID OVER.

59. Alderman Mark introduced and read an Ordinance recommending the approval of the proposed Street and Alley Vacation Policy and Procedures. LAID OVER.

60. Upon motion duly made and seconded, the meeting was adjourned at 6:47 pm.

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**  
**July 2, 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

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS**

**A. LAID OVER JUNE 25, 2007**

1. Bell - Planning and Development - Recommending that the Coronado Theatre Management and Operations Agreement, approved June 5, 2007, be amended to increase the line of credit by \$250,000. The Legal Director shall prepare the appropriate ordinance.
2. Curran - Finance and Personnel - Recommending the Engineering Agreement for Elliot Golf Course Drainage be made to Municipal Design and Environmental Services, Inc. at a not-to-exceed cost of \$11,770.00 for design engineering, including topographic survey, preparation of construction documents, construction staking and as-built survey, and construction management. The funding will come from CIP Project Development – Drainage Funds.

**B. HELD OUT JUNE 25, 2007**

- 1.\* Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY a Special Use Permit for a Performance Use consisting of a car wash, auto repair, tire shop and auto sales that cannot satisfy the performance criteria of six hundred (600) feet from a residential district in an I-1, Light Industrial District; and APPROVE a Special Use Permit for

a Performance Use consisting of a car wash, auto repair and tire shop that cannot satisfy the performance criteria of six hundred (600) feet from a residential district in an I-1, Light Industrial District at 1816 11<sup>th</sup> Street with added conditions 5 & 6. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. No overnight outside storage of vehicles waiting repair.
3. Certificate of Occupancy may be issued until all required landscaping have been installed according to Exhibit D.
4. All vehicles waiting for repair shall be currently licensed and registered.
5. There shall be no outside storage of vehicle parts or tires.
6. There shall be no repair of vehicles outside of the building.
7. Submittal of a revised site plan showing location of a dumpster and dumpster enclosure.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #032-07).

## **II. RESOLUTIONS HELD OUT JUNE 25, 2007**

1. Jacobson - Resolution - That the City Council of the City of Rockford, Illinois requesting that the Illinois Department of Children and Family Services respectfully reconsider its decision to cease operations of The Mill and reopen the same pending a thorough and fair investigation into certain allegations.

Be it further resolved that at the conclusion of said investigation into those allegations the Illinois Department of Children and Family Services take action, should any be required at all, that fairly and appropriately corrects and deters any misconduct that is founded.

## **III. ORDINANCES LAID OVER JUNE 25, 2007**

1. Mark - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Modification of a Special Use Permit Ordinance #1993-282-O for a church and related activities, including daycare and possible day school approved on November 1, 2993, to allow for a church addition that will consist of classrooms, a fellowship hall and a kitchen in an R-1, Single-Family Residential District is hereby approved at 3555 McFarland Road. Approval is based on the following conditions:
  1. Submittal of a site plan for Staff review and approval.
  2. Submittal of a modified landscaping plan including size and botanical name of Species for Staff review and approval.
  3. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #026-07).

2. Mark - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for sale of liquor by the drink in conjunction with a sit-

down restaurant with only indoor seating in a C-2, Commercial Community Zoning District at 701 Highgrove Place. Approval is based on the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. That the sale of liquor by the drink is in conjunction with the restaurant.
3. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #024-07).

3. Mark - Ordinance - Recommending the approval of the sale of City owned property at 1407 Michigan Avenue at a minimum bid of \$300.00 plus advertising costs.
4. Mark - Ordinance - Recommending the approval of the proposed Street and Alley Vacation Policy and Procedures.

#### **IV. MISCELLANEOUS**

##### **A. LAID OVER JUNE 25, 2007**

1. Mayor Morrissey - Re-appointment - Human Services CAA Board, Ms. Karen Hoffman to a three (3) year term, which would expire June 2010. (Pursuant to Rule 18, this re-appointment will be up for passage on July 30, 2007).

##### **B. HELD OVER JUNE 25, 2007**

- 1.\* Mayor Morrissey – Re-appointment – Citizen Participation Committee, Angie Goral, to a three (3) year term, which would expire May 2010. (Pursuant to Rule 18, this re-appointment will be up for passage on July 16, 2007).
- 2.\* Mayor Morrissey – Re-appointment – Citizen Participation Committee, Cherene Sweeney, to a three (3) year term, which would expire May 2010. (Pursuant to Rule 18, this re-appointment will be up for passage on July 16, 2007).
- 3.\* Mayor Morrissey – Re-appointment – Citizen Participation Committee, Joyce Higgins, to a three (3) year term, which would expire May 2010. (Pursuant to Rule 18, this re-appointment will be up for passage July 16, 2007).
- 4.\* Mayor Morrissey – Re-appointment – Citizen Participation Committee, Gerald O. Albert, to a three (3) year term, which would expire May 2010. (Pursuant to Rule 18, this re-appointment will be up for passage on July 16, 2007).
- 5.\* Mayor Morrissey – Appointment – Citizen Participation Committee, Ray Cooper replacing Roger Sexton, to a term which would expire May 2010. (Pursuant to Rule 18, this appointment will be up for passage July 16, 2007).
- 6.\* Beach – Re-appointment – Mechanical Board, Judd L. Gastel, to a five (5) year term, which would expire June 2012. (Pursuant to Rule 18, this appointment will be up for passage on July 9, 2007).

- 7.\* Mayor Morrissey - Re-appointments of the Directors of their Municipal Departments in the City of Rockford.
- 8.\* Mayor Morrissey - Re-appointment - Fair Housing Board, Alice Howard, to a three (3) year term ending May 2010. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
- 9.\* Mayor Morrissey – Re-appointment – Fair Housing Board, Joe Dailing, to a three (3) year term ending May 2010. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
- 10.\* Mayor Morrissey – Re-appointment – Fair Housing Board, Raymond Matlock, to a three (3) year term ending May 2010. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
- 11.\* Mayor Morrissey - Re-appointment - Traffic Commission, Dock Ward, to a five (5) year term ending May 2012. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
- 12.\* Mayor Morrissey – Re-appointment – Traffic Commission, Fred Lierman, to a five (5) year term ending May 2012. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
- 13.\* Mayor Morrissey – Re-appointment – Traffic Commission, Cedonia Ahlstrand, to a five (5) year term ending May 2012. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).

\* 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).

**AGENDA**  
**CODE AND REGULATION COMMITTEE**  
**Monday, July 2, 2007, 4:30 p.m.**  
**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**

1. C & R 07-139 2211 Charles Street/Highway Authority Agreement
2. C & R 07-140 Plat of Harlow Manors #2
3. C & R 07-115 Claim of Debbie Larson – Water Bill
4. C & R 07-133 Claim of Jeanette Walker in the amount of \$773.06
5. C & R 07-97 ZBA#021-07 Variation to allow a pool and deck in the front yard as a permitted obstruction in an R-1, Single-Family Residential District at 4804 Crescent Drive
6. C & R 07-105 ZBA#029-07 Special Use Permit for a Planned Mixed-Use Development for an auto repair facility in a C-2, Commercial Retail District at 2201 North Main Street
7. C & R 07-119 ZBA#033-07 Variation to allow a pool in the front yard as a permitted obstruction in an R-1, Single-Family Residential District at 602 Garfield
8. C & R 07-120 ZBA#034-07 Special Use Permit for an auto body shop that does not satisfy the performance Criteria of 600 feet away from a residential district in a C-3, C Commercial General Zoning District at 3014 Auburn Street
9. C & R 07-121 ZBA#035-07 Special Use Permit for a Planned Mixed Use Development consisting of a group home for adjustment, private education, counseling facility, worship center, and dormitory in a C-1, Limited Office District at 3520 School Street
10. C & R 07-123 ZBA#037-07 (A) Special Use Permit for an auto paint shop  
(B) Special Use Permit for auto repair shop  
(C) Special Use Permit for Passenger Vehicle Sales that does not satisfy the Performance Criteria of 600 feet away from a residential district in an I-1, Light Industrial Zoning District at 2510 Kishwaukee Street
11. C & R 07-124 ZBA#038-07 (A) Special Use Permit for the sale of alcohol by the drink within the indoor restaurant  
(B) Special Use Permit for the sale of alcohol by the drink with the outdoor seating area in a C-1, Limited Office District at 6957 Olde Creek Road, Suite 100
12. C & R 07-125 ZBA#039-07 Special Use Permit for a Planned Mixed-Use

Development consisting of a church and an emergency 24 hour homeless shelter in an R-1, Single-Family Residential District at 325 Heath Street

13. C & R 07-126 ZBA#040-07 Special Use Permit for a performance use consisting of a financial institution including a drive-in facility that cannot satisfy the performance criteria in a C-4, Commercial District at 401 East State Street
14. C & R 07-127 ZBA#041-07 Special Use Permit for a mural painted on panels to be mounted on the west exterior wall in a C-4, Commercial Oldtown District at 509 East State Street
15. C & R 07-128 ZBA#042-07 Zoning Map Amendment from R-2, Two-Family Residential District, to C-2, Commercial Community District at 1502, 1509, 1511 & 1517 East State Street-114, 118, 122, 126, 130 Williams Park Boulevard – 1514 and 1518 1<sup>st</sup> Avenue
16. C & R 07-130 ZBA#044-07 Variation to increase the number of allowable free-standing signs from one to two on the same street frontage in a C-2, Commercial Community Zoning District at 326 North Alpine Road

#### **AGENDA**

#### **FINANCE AND PERSONNEL COMMITTEE**

**Monday, July 2, 2007, 5:15 p.m.**

**Conference Room B, City Hall 2<sup>nd</sup> floor (south room)**

1. Purchasing and Vouchers
  - A. Award of Proposal: Real Estate Agent (Laid over 6/25)
  - B. Award of Bid: Motor Rewinding
  - C. Award of Sale of Real Estate: 1105 Broadway
  - D. Award of Contract: Benefits Consulting (Laid over 6/18)
  - E. Resolution to take Bids/Proposals
  - F. Vouchers
2. Informational Memo: SOQ General Call

#### **AGENDA**

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, July 2, 2007, 5:30 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor**

1. Memorandum from Vicki Manson, Neighborhood Development Administrator, regarding the Gilbert Avenue Area Rehabilitation Program.

**AGENDA**

**LEGISLATIVE LOBBYING COMMITTEE**

**Tuesday, July 24, 2007, 7:30 a.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

Next meeting scheduled for July 24, 2007.