

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**JULY 9, 2007**  
**COUNCIL CONVENED AT 6:07 P.M.**

1. The invocation was given by Minister Anthony Wilson, Providence Baptist 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, Bell, Thompson-Kelly, Johnson, Timm, Beach, Holt, McNeely, Conness -11-

Absent: Wasco, Jacobson, Beck -3-

3. Alderman Mark moved to accept the Journal of Proceedings of July 2, 2007, seconded by Alderman Bell.

Alderman Bell made a motion to amend Item #31 of the Journal and the Agenda. Item I, #1 to "\$80,000" instead of "\$50,000", seconded by Alderman Beach. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent). The Journal of Proceedings as amended was placed on passage. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

**PETITIONS AND COMMUNICATIONS**

4. Alderman Holt submitted a request from Tuffy Quinonez, RAMBA, in conjunction with the Rockford Area Mexican Business Association Parade (Independence Day) requesting barricades and police assistance and permission for the parade at Broadway to 4<sup>th</sup> to 15<sup>th</sup> (traffic control at Kishwaukee) to Marinelli Field on September 15, 2007 at 1:00 pm. Alderman Holt moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

5. Alderman Holt submitted a request from Bill Mohr, in conjunction with the Midtown District Association Festival requesting police assistance and barricades for closures and detours and permission for exclusive use of city streets within perimeter, outdoor "S" permit, suspension of parking restrictions on Friday and activities which include music, food, crafts and a car show on August 10, 2007 from 6:00 pm to midnight. Alderman Holt moved to grant the Prayer of the Petitioner, seconded by Alderman McNeely. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

6. Alderman Conness submitted an e-mail from Carol Holstein regarding the Maple tree in front of her residence that needs to be trimmed. Referred to the Public Works Department.

7. Alderman Conness submitted an e-mail from Larry Hemmens requesting repair of a section of the street in front of his driveway. Referred to the Public Works Department.

8. Alderman Conness submitted a request from Steve LeFezre, Christian Life School, requesting permission for a freestanding banner to advertise concert for the "35<sup>th</sup> Anniversary Concert" for twenty-one (21) days on church property located at 5950 Springcreek Road on July 17, 2007 – August 6, 2007. Alderman Conness moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).
9. Alderman Timm submitted a letter from David Lantz and thanked him for taking the time to compile a log of dates and times when vehicles travel through his neighborhood with loud amplification systems. Referred to the Police Department and the Legal Department.
10. Alderman Johnson submitted a Request for Service for tree trimming. Referred to the Public Works Department.
11. Alderman Johnson submitted a Request for Service for tree trimming. Referred to the Public Works Department.
12. Alderman Johnson submitted a request from Michelle Vrazsity, in conjunction with the Blackhawk Athletic Club Corn Boil requesting permission for an liquor outdoor in a confined space on August 11, 2007 from noon – 6:00 pm. Alderman Johnson moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).
13. Alderman Thompson-Kelly submitted a letter from Sheila Shepperson, Richmond, Virginia, thanking her for attending the 2007 ICSC Spring Convention and Trade Show in Las Vegas and discussion regarding Economic Development. Referred to Mayor Morrissey's Office.
14. Alderman Thompson-Kelly submitted a request from Chief Glover, Rockford Police Department, in conjunction with the Community Mobilization Project requesting barricades for street closures (July 13, 2007 at 900 Oakley Avenue; August 3, 2007 at 500 10<sup>th</sup> Street; August 10, 2007 at 300 Albert Avenue and August 17, 2007 at 900 S. 3<sup>rd</sup> Street) and police assistance for those dates. Alderman Thompson-Kelly moved to grant the Prayer of the Petitioner, seconded by Alderman Timm. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).
15. Alderman Bell submitted a Memorandum from Richard M. May, Commercial Development Coordinator regarding Funding for the Mid Town District Association. Referred to Planning and Development Committee.
16. Alderman Bell submitted a Memorandum from Jennifer Jaeger, Community Services Director, Human Services Department regarding Emergency Shelter Grants Program – Funding Year 2007. Referred to Planning and Development Committee
17. Alderman Mark submitted an e-mail from Sgt. Denny Taylor requesting tree trimming in the downtown mall area. Referred to the Public Works Department.

18. Alderman Mark submitted two (2) Requests for Service. Referred to Neighborhood Standards and the Police Department.
19. Alderman Mark submitted a Memorandum from Jessica Ellwanger, Planner II, regarding the annexation of 1123 North Alpine Road. Referred to Code and Regulation Committee.
20. Alderman Mark submitted a Memorandum from Jessica Ellwanger, Planner II, regarding the annexation of 1133 North Alpine Road. Referred to Code and Regulation Committee.
21. Alderman Mark submitted a Memorandum from Jessica Ellwanger, Planner II, regarding the annexation of 5902 Sandy Hollow Road. Referred to Code and Regulation Committee.
22. Alderman Mark submitted a Memorandum from Jessica Ellwanger, Planner II, regarding the annexation of 1555 New Milford School Road. Referred to Code and Regulation Committee.
23. Alderman Mark submitted a Memorandum from Jessica Ellwanger, Planner II, regarding the annexation of South Mulford Road and Sandy Hollow Northwest Corner. Referred to Code and Regulation Committee.

#### **NEW COMMITTEE REPORTS**

24. Alderman Bell read a Planning and Development Committee Report recommending that the boundary of Rockford Enterprise Zone #1 be amended to exclude that area to be included in the River Edge Redevelopment Zone. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
25. Alderman Bell read a Planning and Development Committee Report recommending the River Edge Redevelopment Zone be created in accordance with the attached draft ordinance and application. The staff shall submit this material to the State of Illinois. LAID OVER.
26. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the claim of Debbie Larson. City staff is hereby instructed to reduce the outstanding balance of Ms. Larson's past due water bill to \$319.10. LAID OVER.
27. Alderman Mark read a Code and Regulation Committee Report recommending the denial of the claim of Jeanette Walker for property damage in the amount of \$773.06. LAID OVER.
28. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the 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. Approval is subject to the following conditions:
  1. This variation applies to the existing pool and deck only. Any future pool and/or deck need to conform to City of Rockford Ordinance.

Approval is based on the Findings of Fact (LAD 8/20/07, ZBA #021-07). LAID OVER.

29. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for an auto paint shop; DENY the Special Use Permit for auto repair shop and; DENY the 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.

Approval is based on the Findings of Fact (LAD 8/20/07, ZBA #037-07). LAID OVER.

30. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Re-plat of Harlow Manors #2. 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 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. Approval is subject to the following conditions:

1. Submittal of an agreement for staff review and approval that in 2010 there will be no new lease agreement for the billboard and the billboard structure will be removed.

Approval is based on the Findings of Fact (LAD 8/20/07, ZBA #044-07). LAID OVER.

32. Alderman Mark read a Code and Regulation Committee Report recommending that City Council APPROVE the attached Highway Authority Agreement for 2211 Charles Street. LAID OVER.

**2007-254CR**

33. Alderman Mark read a Code and Regulation Committee Report recommending the Tentative Plat of Chandham Subdivision. Approval is subject to the following conditions:

1. Street names shall be labeled on the plat.
2. Sidewalk shall be constructed along 35<sup>th</sup> Street and along sides of streets within the proposed plat.
3. The cul-de-sac to the north of the plat shall be a maximum length of 500 feet measured from the centerline of the intersection of 35<sup>th</sup> Street to the center of the cul-de-sac.
4. The proposed tentative plat shows specific areas to be dedicated as detention areas and drainage ways. This property is adjacent to an area subject to a delineated FEMA Floodplain. As such, Section 10(f) of Chapter 11.5 of the City of Rockford Code of Ordinances will apply. Since final determination of the FEMA Floodplain is not available at this time, the concept of the proposed tentative plat is approved subject to final determination of the boundary. Approval of this tentative plat will not guarantee approval of the number of lots proposed as the lot and street layout may be revised pending the study required by Section 10(f). Final platting of the area in question will not be allowed to occur until the FEMA boundary is determined.

5. In order to avoid the sanitary manhole and storm manhole conflict the watermain on the northern street that fronts lots 57-72 shall be moved to the north side of the street and the storm sewer to the south side of the street. The watermain in the street that fronts lots 91-96 shall be moved to the east side of the street and the storm sewer to the west side.
6. The utility companies may require additional utility easements.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Bell. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

**2007-255CR**

34. Alderman Mark 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 for a day-care facility in an R-2, two-family Residential District at 1503, 1509, 1511 and 1517 E. State Street, 114, 118, 122, 130 Williams Park Blvd. and 1514, 1518 1<sup>st</sup> Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a site plan for Staff review and approval.
3. Building materials and architectural features for the proposed building shall be reviewed and approved by Staff prior to the issuance of a building permit.
4. Submittal of signage, illumination and dumpster location will be required for Staff review and approval and meet all applicable codes and ordinances prior to the issuance of a building permit.
5. Submittal of landscaping plan for staff review and approval.

Approval is based on the Findings of Fact (LAD 8/20/07, ZBA #042-07).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Bell. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

**2007-256CR**

35. 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.
2. Certificate of Occupancy may be issued until all required landscaping have been

- installed according to Exhibit D.
3. All vehicles waiting for repair shall be currently licensed and registered.
  4. There shall be no outside storage of vehicle parts or tires.
  5. There shall be no repair of vehicles outside of the building.
  6. 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).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Bell. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

**2007-257CR**

36. Alderman Curran read a Finance and Personnel Committee Report recommends awarding the contract for the construction of the Airport Boundary Water Mains to the low bidder, Rockford Blacktop Construction Co. for the amount of \$1,498,206.28. The funding source is Alternate Revenue Water Bonds.

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

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

37. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Downtown Parking Study be made to Walker Parking-Heartland Parking, of Peoria, IL for an estimated cost of \$124,500. The funding source is Motor Vehicle Parking Fund. LAID OVER.
38. Alderman Curran read a Finance and Personnel Committee Report recommending award for Storage & Disposal of Impound Vehicles be made to Greater Rockford Auto Auction (GRAA), of Rockford, IL. The contract is expected to generate approximately \$25,000 in revenue annually for the general fund. LAID OVER.
39. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Vehicle Towing be made to Haas Towing, of Rockford, IL for their unit prices as shown on tabulation. The funding source is Departmental Operating Budgets. LAID OVER.
40. Alderman Curran read a Finance and Personnel Committee Report recommending approval of Task Order #5 with MWH Americas, Inc. for engineering services on the Water System Rehabilitation Project in amount not to exceed \$25,000. The task order will be completed under a Master Agreement with MWH Americas, Inc. The funding for the project will come from water bonds. LAID OVER.

41. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Kishwaukee Street Utility Relocation be made to Arnold Lundgren & Associates at a not-to-exceed cost of \$143,600.00 for preliminary engineering and project management services (Phase I), and construction engineering and management (Phase II). The funding for this project will come from Motor Fuel Tax (MFT). LAID OVER.
42. Alderman Curran read a Finance and Personnel Committee Report regarding Respect for five-year Sunset for Non-Home Rule Municipal Sales Tax for Infrastructure on Enactment of Senate Bill 1395, recommending amending Sunset Provision of Ordinance No. 2007-86-O from December 31, 2012 to June 30, 2012. LAID OVER.
43. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of July 9, 2007 in the amount of \$1,962,967.92. MOTION PREVAILED by a Roll Call vote of:
  - Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm, Beach, Holt, McNeely, Conness -11-
  - Nays: -0-
  - Absent: Wasco, Jacobson, Beck -3-

#### **OFFICERS REPORTS**

44. Mayor Morrissey presented a Proclamation proclaiming July 9, 2007 to be "Rockford Community in Bloom Week" in Rockford, Illinois and reminded all citizens and businesses that company is coming and encouraged the community to work together throughout the year to keep Rockford clean and green.
45. Mayor Morrissey thanked Joe Marino, the Fourth of July Committee, Cyndie Hall and City Staff for an outstanding fireworks display, parade and Fourth of July festivities.
46. Mayor Morrissey thanked and congratulated the County on moving the jail population to the new Criminal Justice Center and looks forward to working with the County on law enforcement issues and having discussions concerning the maintenance and long-term support of the old Public Safety Building.
47. Mayor Morrissey announced the West State Street crossover is now open, which provides a great deal of improved movement through the downtown.
48. Alderman Mark suggested having a review session regarding the Fourth of July festivities to discuss street closures and the possibility of having a shuttle service for some areas of Rockford to the downtown.
49. Alderman Mark thanked Dr. Gautam Gupta for addressing and diligently working on revitalizing the Opera House on East State Street and recently the lofts above the Rock River Times.

50. Alderman McNeely announced the passing of Cheryl Box, Former County Board member and leader in this community.

### **UNFINISHED BUSINESS**

#### **2007-258CR**

51. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award be made to Doyle, Woodhouse & Moore, subject to reserve of interested party for 30 days for a 6% commission fee for the sale of six vacant commercial lots. The funding source is Fire Department Operating Budget. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

#### **2007-259CR**

52. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending award for the Sale of Property: 1105 Broadway be rejected as the Ordinance specified a development proposal for the property must be included with the bid. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

53. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the agreement for benefit consulting services with Rockford Consulting & Brokerage, Inc. for a 13-month period in the amount of \$115,000. The funding source is Health Insurance Fund.

Alderman Thompson-Kelly made a motion to lay the committee report over, seconded by Alderman Beach. LAID OVER.

54. Alderman Curran moved the re-appointment to the Mechanical Board, Judd L. Gastel, to a five (5) year term, which would expire June 2012. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

#### **2007-260CR**

55. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending that the Department of Community Development submit an application to IHDA for \$80,000 for a housing rehabilitation program for the Gilbert Avenue area, to be matched with City CDBG funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

#### **2007-128-O**

56. Alderman Bell moved the adoption of an Ordinance amending Paragraph II (G) of the Coronado Theatre Management and Operations Agreement dated June 12, 2006; to increase the line of credit provided therein by \$250,000. The Mayor and Legal Director shall execute an Addendum to said Agreement. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Johnson, Timm, Beach, Holt, McNeely, Conness -10-  
Nays: Thompson-Kelly -1-  
Absent: Wasco, Jacobson, Beck -3-

**2007-261CR**

- 56a. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance restricting parking to "Handicapped Parking" on the west side of Madison Street from 132 feet to 152 feet north of East State Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm, Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-262CR**

57. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance that traffic on Regan Street be required to Yield prior to entering the intersection of Jackson Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm, Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-263CR**

58. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on the east side of South First Street from Walnut Street to 105 feet south of Walnut Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm, Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-264CR**

59. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for a mid-block pedestrian crossing on Oak Grove Lane between 29<sup>th</sup> Street and Oak Knolls Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm, Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-265CR**

60. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that a "25 MPH" speed limit be established on Oak Grove Lane from 29<sup>th</sup> Street to Oak Knolls Avenue, thus repealing the existing "30 MPH" speed limit. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-266CR**

61. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:

1. Request from Alderman Bell, for No Parking Anytime on the west side of South Main Street from Loomis Street to 85 feet north of Loomis Street.
2. Request from Reggie Roberson, Swilligan's Pub, to repeal and change to two(2) Hour Parking the following:
  - a. Commercial Loading Zone on the north side of Mulberry Street from Church Street to 75 feet west of Church Street.
  - b. Commercial and Passenger Loading Zone on the north side of Mulberry Street from 75 feet to 95 feet west of Church Street.
3. Request from IDOT for "No Parking Anytime" on both sides of Kilburn Avenue (IL Route 70) from Auburn Street to Safford Road.
4. Request from Alderman Beach and Audrey Jansen, to repeal the existing Yield control at the intersection of Oak Grove Lane and Oak Knolls Avenue and change to 4-way stop sign control.
5. Request from Joe Dutton, to repeal the existing Yield control at the intersection of Barton Blvd. and Winnebago Street and change to 2-way stop control.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-267CR**

62. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending approval of the Tentative Plat of Harrison Park North #2, locate north of Harrison Avenue and west of Mulford Road, subject to the following conditions:

1. The street cross-section shall be a commercial street section and not a residential street section. A pavement design is required and shall be submitted for review.
2. The three-lane cross section on Wendy Lane shall extend to Columbia Parkway since the entrances to the two adjacent lots will be off of Wendy Lane.
3. Additional right-of-way is required for the three-lane cross-sections on Columbia Parkway and Wendy Lane.
4. The dedicated right-of-way along Mulford Road shall be wide enough to include the required left and right turn lanes into the development. A design shall be submitted to verify the required amount of right-of-way.
5. A utility easement is required between Lots 11 and 12.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-268CR**

63. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending approval of the Final Plat of Chateau Center Subdivision, located west of Rockton Avenue and south of Halsted Road. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-269CR**

64. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending approval of the annexation of 118 Atwood Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-270CR**

65. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending approval of the annexation of 120 Atwood Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-129-O**

66. Alderman Mark moved the adoption of an Ordinance amending Rule 19 of Chapter 2, Section 2-42, as follows:

*Rule 19.* There shall be four (4) standing committees, three (3) committees appointed by the mayor as follows:

(a) *Planning and development committee.* The planning and development committee shall be responsible for anticipating and identifying the immediate and long term needs of the city and formulating comprehensive plans, policies, or programs to address those needs in a manner which will promote the commerce and the public welfare of the city.

(b) *Finance and personnel committee.* The finance and personnel committee shall be responsible for all matters having to do with the city's finances and the relationship between the city and its employees which do not arise from the actions or recommendation of other committee established hereby.

(c) *Code and regulation committee.* The code and regulation committee shall be responsible for all matters related to the city's codes, ordinances and regulations and any proposed changes thereof.

(d) *Legislative Lobbying Committee.* The Legislative Lobbying Committee shall act on behalf of, and as a liaison for, the City of Rockford, Illinois and legislators in Springfield and/or Washington, D.C. The Legislative Lobbying Committee shall set their agenda items to reflect City Council issues and concerns, as well as other issues of importance to the City of Rockford.

The Planning and Development Committee shall be composed of a chairman, co-chairman and two (2) other members. The Finance and Personnel Committee shall be composed of a chairman, co-chairman and three (3) other members. The Code and Regulations Committee shall be composed of a chairman, co-chairman and three (3) other members. Each alderman shall be assigned to one of the following committees: the Planning and Development Committee, the Finance and Personnel Committee or the Code and Regulations Committee.

The Legislative Lobbying Committee shall be composed of the Republican and Democratic Party Caucus Chairs or their designees, as well as four additional Aldermen, two from the Democratic caucus and two from the Republican caucus, appointed by their respective caucuses. The Legislative Lobbying Committee shall meet on an as-needed basis.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-

Absent: Wasco, Jacobson, Beck -3-

**2007-130-O**

67. Alderman Mark moved the adoption of an Ordinance approving the Agreement for Use of Right of Way by and between the City of Rockford, Illinois and Kentucky Data Link, Inc., a Kentucky Corporation. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-

Nays: -0-

Absent: Wasco, Jacobson, Beck -3-

**MOTIONS AND RESOLUTIONS**

**2007-73R**

68. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a resolution to take bids/proposals for the following: Bid: City-Wide Sidewalk, Curb & Gutter & ADA Ramp, funding source: Sales Tax; RFP: Miracle Mile TIF District Marketing, funding source: State & Alpine TIF Fund. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent).

**NEW BUSINESS**

**2007-131-O**

69. Alderman Mark moved the adoption of an Code and Regulation 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).

Alderman Mark moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED (Ald. Wasco, Jacobson, Beck absent). The Ordinance was placed on

passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

**2007-132-O**

70. 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 Mixed-Use Development for a day-care facility in an R-2, two-family Residential District at 1503, 1509, 1511 and 1517 East State Street, 114, 118, 122, 130 Williams Park Blvd. and 1514, 1518 1<sup>st</sup> Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a site plan for Staff review and approval.
3. Building materials and architectural features for the proposed building shall be reviewed and approved by Staff prior to the issuance of a building permit.
4. Submittal of signage, illumination and dumpster location will be required for Staff review and approval and meet all applicable codes and ordinances prior to the issuance of a building permit.
5. Submittal of landscaping plan for staff review and approval.

Approval is based on the Findings of Fact (LAD 8/20/07, ZBA #042-07).

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

Ayes: Sosnowski, Curran, Mark, Bell, Thompson-Kelly, Johnson, Timm,  
Beach, Holt, McNeely, Conness -11-  
Nays: -0-  
Absent: Wasco, Jacobson, Beck -3-

71. Upon motion duly made and seconded, the meeting was adjourned at 6:53 p.m.

Respectfully submitted,

Diane M. 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 16, 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 LAID OVER JULY 9, 2007**

1. Bell - Planning and Development - Recommending that the boundary of Rockford Enterprise Zone #1 be amended to exclude that area to be included in the River Edge Redevelopment Zone. The Legal Director shall prepare the appropriate ordinance.
2. Bell - Planning and Development - Recommending the River Edge Redevelopment Zone be created in accordance with the attached draft ordinance and application. The staff shall submit this material to the State of Illinois.
3. Mark - Code and Regulation - Recommending the approval of the claim of Debbie Larson. City staff is hereby instructed to reduce the outstanding balance of Ms. Larson's past due water bill to \$319.10.
4. Mark - Code and Regulation - Recommending the denial of the claim of Jeanette Walker for property damage in the amount of \$773.06.
5. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the 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. Approval is subject to the following conditions:

1. This variation applies to the existing pool and deck only. Any future pool and/or deck need to conform to City of Rockford Ordinance.

Approval is based on the Findings of Fact (LAD 8/20/07, ZBA #021-07).

6. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for an auto paint shop; DENY the Special Use Permit for auto repair shop and; DENY the 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.

Approval is based on the Findings of Fact (LAD 8/20/07, ZBA #037-07).

7. Mark - Code and Regulation - Recommending the approval of the Re-plat of Harlow Manors #2.
8. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the 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. Approval is subject to the following conditions:

1. Submittal of an agreement for staff review and approval that in 2010 there will be no new lease agreement for the billboard and the billboard structure will be removed.

Approval is based on the Findings of Fact (LAD 8/20/07, ZBA #044-07).

9. Mark - Code and Regulation - Recommending that City Council APPROVE the attached Highway Authority Agreement for 2211 Charles Street.
10. Curran - Finance and Personnel - Recommending the award for Downtown Parking Study be made to Walker Parking-Heartland Parking, of Peoria, IL for an estimated cost of \$124,500. The funding source is Motor Vehicle Parking Fund.
11. Curran - Finance and Personnel - Recommending award for Storage & Disposal of Impound Vehicles be made to Greater Rockford Auto Auction (GRAA), of Rockford, IL. The contract is expected to generate approximately \$25,000 in revenue annually for the general fund.
12. Curran - Finance and Personnel - Recommending the award for Vehicle Towing be made to Haas Towing, of Rockford, IL for their unit prices as shown on tabulation. The funding source is Departmental Operating Budgets.
13. Curran - Finance and Personnel - Recommending approval of Task Order #5 with MWH Americas, Inc. for engineering services on the Water System Rehabilitation Project in amount not to exceed \$25,000. The task order will be completed under a Master

Agreement with MWH Americas, Inc. The funding for the project will come from water bonds.

14. Curran - Finance and Personnel - Recommending the award for Engineering Agreement: Kishwaukee Street Utility Relocation be made to Arnold Lundgren & Associates at a not-to-exceed cost of \$143,600.00 for preliminary engineering and project management services (Phase I), and construction engineering and management (Phase II). The funding for this project will come from Motor Fuel Tax (MFT).
15. Curran – Finance and Personnel - Regarding Respect for five-year Sunset for Non-Home Rule Municipal Sales Tax for Infrastructure on Enactment of Senate Bill 1395, recommending amending Sunset Provision of Ordinance No. 2007-86-O from December 31, 2012 to June 30, 2012.
16. Curran - Finance and Personnel - Recommending approval of the agreement for benefit consulting services with Rockford Consulting & Brokerage, Inc. for a 13 month period in the amount of \$115,000. The funding source is Health Insurance Fund.

## **II. RESOLUTIONS HELD OUT JULY 9, 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. MISCELLANEOUS HELD OUT JULY 9, 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).
- 2.\* 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).
- 3.\* 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).
- 4.\* 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).

- 5.\* 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).
- 6.\* 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).
- 7.\* Mayor Morrissey - Re-appointments of the 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

\* \* \* \* \*

**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, July 16, 2007, 4:45 p.m.**

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

**AGENDA**

- 1. C & R 07-144 SP Liquor License Permit for Alpha Kappa Alpha Sorority
- 2. C & R 07-149 Forced Annexation of 1123 North Alpine Road
- 3. C & R 07-150 Forced Annexation of 1133 North Alpine Road
- 4. C & R 07-151 Forced Annexation of 5902 Sandy Hollow Road
- 5. C & R 07-152 Forced Annexation of 1555 New Milford School Road
- 6. C & R 07-153 Forced Annexation of South Mulford Road & Sandy Hollow Road Northwest Corner
- 7. C & R 07-141 Noise Violation Penalty – Vehicle Impoundment
- 8. C & R 07-124 ZBA#038-07 (A) Special Use Permit for the sale of alcohol by the

- (B) 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
- 9. 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
- 10. C & R 07-154 Closed Session for Purchase or Sale of Property

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, July 16, 2007, 5:15 p.m.  
Conference Room B, City Hall 2<sup>nd</sup> floor (south room)  
AGENDA**

- 1. Purchasing and Vouchers
  - A. Award of Bid: Sidewalk, Curb & Gutter & ADA Ramps – Suspend rules
  - B. Award of Bid: City-Wide Resurfacing – Suspend rules
  - C. Award of Bid: West State Corridor Demolitions – Suspend rules
  - D. Resolution to take Bids/Proposals
  - E. Vouchers

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, July 16, 2007, 5:15 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

**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 at 7:30 am.