

**CITY COUNCIL, CITY OF ROCKFORD
(AMENDED) JOURNAL OF PROCEEDINGS
JANUARY 28, 2008
COUNCIL CONVENED AT 6:18 P.M.**

1. The invocation was given by Ron Montayne, St. Sebastian Orthodox Church/Police Chaplain and the Pledge of Allegiance was led by Karla Centeno, Council Page.

2. Roll Call:

Mayor Lawrence J. Morrissey

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

Absent: McNeely -1-

3. Alderman Mark moved to accept the Journal of Proceedings of January 22, 2008, seconded by Alderman Jacobson.

Alderman Curran made a motion to amend items 66, 67, 68, 69 and 70 to reflect Alderman Timm voted "aye" and amend items 47, 48 and 49 to include the vote; MOTION PREVAILED (Ald. Sosnowski, Thompson-Kelly, McNeely absent), seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely absent).

The Journal of Proceedings for January 22, 2008 as amended was placed on passage. MOTION PREVAILED (Ald. McNeely absent).

PUBLIC PARTICIPATION

4. John Weaver thanked everyone who attended the Violence Prevention Town Hall meeting last week and announced the next Violence Prevention Town Hall meeting will be held on Saturday, February 16, 2008 at 1:00 pm at Pilgrim's Baptist Church, 1703 South Central. He encouraged all to attend.
5. Alec Kaplanes requested the Aldermen reconsider and review their position on items that are highly controversial before the vote.

PETITIONS AND COMMUNICATIONS

6. Alderman Thompson-Kelly submitted a Request for Service from Vicki Rimkus to fill potholes in the alley near her home. Referred to Public Works Department.
7. Alderman Curran submitted a Memorandum from Patrick Hayes, Legal Director, regarding Approval of the Tentative Agreement with IAFF #413. Referred to Finance and Personnel Committee.

8. Alderman Bell read a Memorandum from Reid Montgomery, Director of Community & Economic Development, regarding the RAEDC Quarterly Report. Referred to Planning and Development Committee.
9. Alderman Bell read a Memorandum from Richard M. May, Commercial Development Coordinator regarding TIF Funding of \$550,000 to Dr. Gautam Gupta on a "Pay as You Go" basis for the rehabilitation of 408, 412, and 414 East State Street. Referred to Planning and Development Committee.
10. Alderman Bell announced the 5th Ward monthly meeting is scheduled for Thursday, January 31, 2008 at 6:00 pm at the Montague Branch Library, 1328 S. Winnebago Street.
11. Alderman Johnson submitted two (2) Requests for Service. Referred to Neighborhood Standards.
12. Alderman Johnson submitted a letter from Dick Cordonnier commending the Public Works Department snow plowing crews for a job well done this winter season. Referred to Public Works Department.
13. Alderman Mark submitted a Memorandum from Jessica Roberts, Planner II, regarding the Tentative Plat of Stenstrom Plat #6. Referred to Code and Regulation Committee.
14. Alderman Mark submitted a Memorandum from Jessica Roberts, Planner II, regarding the Final Plat of Ashwynd Subdivision at Kerasotes Subdivision #4. Referred to Code and Regulation Committee.
15. Alderman Mark submitted a Memorandum from Jessica Roberts, Planner II, regarding the Final Plat of Martin Hawkinson Company's Mulford Heights Little Farm Plat 2. Referred to Code and Regulation Committee.
16. Alderman Mark submitted the Annexation Agreement for 3118 South Main Street. Referred to Code and Regulation Committee.
17. Alderman Mark submitted the Annexation Agreement for 3212 South Main Street. Referred to Code and Regulation Committee.

NEW COMMITTEE REPORTS

18. Alderman Bell read a Planning and Development Committee Report recommending approval of the Redevelopment Funds Recommendation for Funding – SWIFTT. LAID OVER.
19. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Demolition of 1625 West State Street be made to J.E. Mark, of Rockford, Illinois for their total bid of \$11,100. The funding source is CDBG. LAID OVER.

20. Alderman Curran read a Finance and Personnel Committee Report recommending Engineering Agreement: Springbrook Road Reconstruction be made to Municipal Design & Engineering Services, Inc. at a not-to-exceed cost of \$33,350 for design engineering and construction observation. The funding source is Sales Tax funds. LAID OVER.
21. Alderman Curran read a Finance and Personnel Committee Report recommending Engineering Agreement: Downtown Streetscape be made to DLK Civil Design at a not-to-exceed cost of \$106,249 for design engineering. The funding source is Sales Tax funds. LAID OVER.
22. Alderman Curran read a Finance and Personnel Committee Report regarding the tax abatement ordinance recommending the tax levied under the Bond issues referred to on the attached sheet be abated in the amounts as indicated. LAID OVER.

2008-025CR

23. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Waterworks Contractual Services – Well & Pumping Servicing be made to the sole bidder, Olson Well & Pump of Ridott, Illinois for their total bid of \$47,500. The funding source is Water Division Operating Budget.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely -1-

2008-026CR

24. Alderman Curran read a Finance and Personnel Committee Report imposing a new Technology Fee of 5% on the value of all building permits. It is estimated this fee will generate \$75,000 in annual revenue.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely -1-

25. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of January 28, 2008 in the amount of \$2,222,613.36. MOTION PREVAILED by a Roll Call vote of:

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

26. Alderman Mark read a Code and Regulation Committee Report recommending that "No Action" be taken on the following:
1. Request from Tristan Johns, to either repeal the existing "No Parking 7:00 am-6:00 pm" or establish "Residential Parking Permits" for the 100-200 blocks of Summit Street.
 2. Request from Robert Korte, to repeal the one-way stop and change it to a three-way stop sign control at the intersection of Heather Drive and Wishart Drive.

LAID OVER.

27. Alderman Mark read a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on 5th Street be required to Yield prior to entering the intersection of 17th Avenue. LAID OVER.
28. Alderman Mark read a Code and Regulation Committee Report recommending that the City Council APPROVE the claim of Joseph Martin in the amount of \$3,026.89 with a release to be obtained. LAID OVER.
29. Alderman Mark read a Code and Regulation Committee Report recommending that the City Council DENY the claim of Pamela Whiteside. LAID OVER.
30. Alderman Mark read a Code and Regulation Committee Report recommending that the City Council DENY the claim of May Zeng. LAID OVER.
31. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Tentative Plat of Blackhawk Commons. LAID OVER.
32. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Final Plat of Hallmark #2 Subdivision. LAID OVER.
33. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Final Plat of Reid Farm Meadows #2. LAID OVER.

OFFICERS REPORTS

34. Mayor Morrissey presented a Proclamation proclaiming the week of January 28, 2008 to be "Give Kids A Smile Day" in Rockford, Illinois and encouraged children and families to practice good dental health and take advantage of the services of the Winnebago County Dental Society.

36. Mayor Morrissey announced Alderman Curran will be making a motion at the end of tonight's meeting for council to go into closed session to discuss collective negotiating matters, deliberations concerning salary schedules for one or more classes of municipal employees and employee disciplinary matters.
35. Mayor Morrissey mentioned a Memorandum from Andres Sammuell, Director of the Finance Department, has been distributed for review.
36. Mayor Morrissey called attention to a Memorandum from Tim Hanson, Interim Director of Public Works, providing an updated status report on potholes.
37. Mayor Morrissey spoke about the press conference concerning the Consent Decree clearing the way for the demolition of the Jane Addams Housing Complex. People applauded the cooperation efforts of Rockford Housing Authority (RHA), Federal Department of Housing and Urban Development (HUD) as well as City staff in accomplishing this goal.
39. Mayor Morrissey commended City and County staff and other partnering agencies for their outstanding efforts to successfully coordinate and draft a mitigation plan which has been approved by the State of Illinois and FEMA. The CountyWide Multi-Hazard Mitigation Plan will serve to identify and assess areas of risk to flooding, drought, severe storms, earthquakes and tornadoes and with this approval, it provides the City the opportunity to submit applications for grants to fund projects identified in the plan.
40. Mayor Morrissey confirmed the closing of the Colicm Nightclub until **all** requirements imposed by the City have been met. He commented on the shooting outside J.T. Bourbon Street over the weekend and mentioned discussion concerning their liquor license and fines to be assessed to that establishment. Any questions can be directed to Mayor Morrissey's Office or the Legal Department, Jennifer Cacciapaglia.
41. Alderman Bell commented he was unable to attend the press conference last week announcing the Consent Decree to make possible the demolition of the Jane Addams Housing Development and thanked Mayor Morrissey, Alderman Mark and City staff for their efforts and support to accomplish this result.
42. Alderman Mark reiterated Alderman Bell's comments regarding the demolition of the Jane Addams Housing Development and thanked him for his many years of supporting that development, the Morgan Street bridge project and his vision for the future of that area.
43. Alderman Mark strongly communicated to the citizens of Rockford, those individuals involved with the recent shootings at the Colicm Nightclub and J.T. Bourbon Street will be held accountable for their actions and the City will not tolerate any further incidents.

UNFINISHED BUSINESS

2008-027CR

44. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval of a five-year payment plan for parking as follows for Eastside Centre Development:

2008 \$10/space/month
2009 \$15/space/month
2010 \$20/space/month
2011 \$25/space/month
2012 \$30/space/month

1. The East Side Center will be allowed a maximum of 20 parking permits at the discounted price. Any additional permits would be at market rate. The surrounding municipal lots (Lot Q and Lot M) will be used to provide the discounted permits. The East Side Center and the Traffic Engineer will agree on the appropriate split of permits between the two lots, if any.
2. If the City's market rate for surface lot parking increases from its current amount of \$30/month/space, then the East Side Center will be required to pay market rate at the start of the calendar year 2013.

MOTION PREVAILED by a Roll Call vote of:

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

2008-028CR

45. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for proposal for TIF Districts Retail and Residential Markets Studies, be made to Economic Research Associates, of Los Angeles, California for an estimated cost of \$90,000. The breakdown is as follows for the funding source:

East Side TIF District	\$22,500
7 th Street TIF District	\$22,500
West State & Central TIF District	\$10,000
State & Alpine TIF District	\$25,000
South Rockford/South Main TIF	\$10,000

MOTION PREVAILED by a Roll Call vote of:

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

2008-029CR

46. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending a three-year contract extension with Nationwide Environmental Services in the amount of \$91,350 for operation of a groundwater testing and monitoring program for the Southeast Rockford Groundwater Contamination Site. The contract for these services was originally awarded to Nationwide Environmental Services for a five-year period in 1999 and a three-year extension in 2005. The funding source is water fund. MOTION PREVAILED by a Roll Call vote of:

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

2008-030CR

47. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award of contract: Kishwaukee Street Overhead utility relocation be made to ComEd at an estimated cost of \$582,784 for relocation of poles and service lines within the Kishwaukee Corridor. The funding source is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

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

2008-031CR

48. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Engineering agreement: City Wide Water Improvement for the Reconstruction of Meadows of Springbrook be made to Municipal Design and Environmental Services, Inc. at a not to exceed cost of \$140,200 for design engineering and construction inspection. The funding source is Water Replacement & Improvement Account (WRIA). MOTION PREVAILED by a Roll Call vote of:

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

2008-031CR

49. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Riverwalk – State Street to Chestnut Street be made to McClure Engineering Associates, Inc. at a not to exceed cost of \$141,375.20 for design engineering. The funding source is General Fund. MOTION PREVAILED by a Roll Call vote of:

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

2008-032CR

50. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Riverwalk – Museum Campus be made to McClure Engineering Associates, Inc. at a not to exceed cost of \$320,476.50 for Phase I Engineering. The funding source is General Fund. MOTION PREVAILED by a Roll Call vote of:

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

51. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Riverwalk – Dickerman Drive, Mound Ave., Indian Terrace and the Armory Streetscape Improvements be made to McClure Engineering Associates, Inc. at a not to exceed cost of \$66,392.00 for design engineering. The funding source is General Fund.

Alderman Mark made a motion to lay the Committee Report over, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely absent).

2008-033CR

52. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: City Wide Arterial Roadway/Intersection Improvement for the Reconstruction of Ogilby Road be made to Homer L. Chastain & Associates at a not to exceed cost of \$57,759 for design engineering and construction inspection. The funding source is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

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

2008-034CR

53. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Alpine Meadows Water Main be made to Smith Engineering Consultants, Inc. at a not to exceed cost of \$39,973 for design engineering and construction inspection. The funding source is Water Bonds. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-
Absent: McNeely -1-

2008-035CR

54. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Renewal of Special Use Permit #113-05 for a Planned Mixed-Use Development in an R-1, Single-family Residential District; and APPROVE the Variation to reduce the required parking from twenty-two (22) spaces to nineteen (19) parking spaces for a professional office in a R-1, Single-family Residential District at 6982 Olde Creek Road. Approval is subject to the following conditions:

1. The land and structure shall be used as a realtor's office or low impact use upon review and approval by the Zoning Officer.
2. Business identification on the building shall be permitted upon staff review and approval. A freestanding sign shall be permitted with a review and approval. A freestanding sign shall be permitted with a maximum height of eight (8) feet and sixty-four (64) square feet in an area upon staff review and approval.
3. Cars shall park in the parking lot only and not on the surrounding streets.
4. The submittal of building elevations for staff review and approval. Building elevations shall be consistent with surrounding neighborhood with windows on all elevations.
5. That the existing trees along the western boundary remain and a "Type A" landscape buffer along the western and northern property lines be maintained.
6. That a site plan be submitted for staff review and approval in general conformance with Exhibit dated.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #104-07). MOTION PREVAILED by a Roll Call vote of:

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

2008-036CR

55. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit to allow the installation of up to two (2) wind generators on the roof as permitted obstructions in a C-4, Commercial Oldtown Zoning District at 201 7th Street. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Final Building Elevations for Staff's review and approval.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #110-07). MOTION PREVAILED by a Roll Call vote of:

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

2008-037CR

56. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a eighty-three (83) foot high communication antenna support in a C-3, Commercial General District at 4242 Harrison Avenue. Approval is subject to the following conditions:

1. A new sidewalk shall be constructed along Harrison Avenue.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #105-07). MOTION PREVAILED by a Roll Call vote of:

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

2008-038CR

57. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for the sale of passenger (used) vehicles that does not satisfy the Performance Criteria of being six hundred (600) feet away from a residential district in a C-3, Commercial General Zoning District at 2230 North Central Avenue. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. The outdoor sale of passenger vehicles shall be limited to ten (10) vehicles at one time.
3. No overnight storage of vehicles in display area and all vehicles for sale that are not in the display area must be parked on cement or blacktop.
4. Submittal of detailed site, landscaping, and parking plans for Staff's review and approval.
5. All vehicles on premises shall be currently licensed and registered.
6. Staff to determine if any portions of the graveled area require paving after review and approval of a detailed site plan and parking plan.

Approval is based on the Finding of Fact (LAD 3/3/08, ZBA #112-07). MOTION PREVAILED by a Roll Call vote of:

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

2008-039CR

58. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the front yard setback from 30 feet to 24.7 feet for a porch in a R-1, Single-family Residential District at 3240 Andover Drive. Approval is subject to the following conditions:

1. Proposed porch addition must be in accordance with Exhibit D.
2. The porch addition must compliment the existing elevation features of the home.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #113-07). MOTION PREVAILED by a Roll Call vote of:

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

2008-040CR

59. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from R-1, Single-family Residential District to C-3, Commercial General District for Tract I; and APPROVE the Modification of Special Use Permit #074-85 and #030-86 for a Performance Use consisting of a fast food restaurant that cannot satisfy performance criteria of six hundred (600) feet from a residential district in a C-3, Commercial General District for Tracts I and II at 4409 Mayflower Road and 3401 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Submittal of a landscape plan for staff review and approval.
3. Submittal of a revised site plan including three handicap spaces.
4. Sidewalks are required along South Alpine Road and Mayflower Avenue.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #114-07). MOTION PREVAILED by a Roll Call vote of:

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

2008-041CR

60. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Mixed Use Development consisting of a parking lot in a R-2, Two-family Residential District at 202 Williams Park. Approval is subject to the following conditions:

1. Submittal of a civil site plan for staff review and approval.
2. Submittal of a landscaping plan for staff review and approval.
3. Submittal of a drainage plan for staff review and approval.
4. A parking lot permit is required prior to the construction of the parking lot.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #115-07). MOTION PREVAILED by a Roll Call vote of:

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

2008-042CR

61. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #066-07 for outside storage that does not satisfy the Performance Criteria of being six hundred (600) feet away from a residential district in a I-1, Light Industrial Zoning District at 2605 Pamela Avenue. Approval is subject to the following conditions:

1. All of the conditions of approval must be met before Staff will sign off on Building Permit.
2. Submittal of detailed site plan to include parking lot, and outdoor storage area including site-obscuring fence for Staff's review and approval.
3. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
4. Removal of gravel encroachment on the property to the east. The removed gravel must be replaced with topsoil and seeded with grass.
5. The outside storage will be limited to autos, motorcycles, vans and trucks with passenger car or "B" plates, motor homes, campers, travel trailers, boats, snowmobiles, wave runners, jet skis, all-terrain vehicles and golf carts when upon trailers that were made for the purpose of hauling said vehicles.
6. All vehicles shall be currently licensed, registered, and operable.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #116-07). MOTION PREVAILED by a Roll Call vote of:

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

2008-043CR

62. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for off-site storage on a gravel lot; DENY a Special Use

Permit to allow barb wire on top of a fence; and APPROVE a Variation to allow plastic slats through chain-link fencing as an enclosure for a dumpster in a C-1, Limited Office and C-3, Commercial General District at 1209 South Alpine Road and 4301 Tonawanda Avenue. Approval is subject to the following conditions:

1. Outside storage shall be in accordance to Exhibit E.
2. This request shall expire in two years from the approval date by City Council.
3. When the approval expires, the gravel lot shall be replaced with topsoil and seed.
4. Dumpsters located on site shall be enclosed with the appropriate enclosure material.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #117-07). MOTION PREVAILED (Ald. McNeely absent).

2008-044CR

63. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the Greater Rockford Industrial Park Plat #3. MOTION PREVAILED by a Roll Call vote of:

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

2008-045CR

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

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

2008-046CR

65. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the annexation of 41XX Owen Center Road (Redington Chase Subdivision) 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. MOTION PREVAILED by a Roll Call vote of:

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

2008-047CR

66. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the addition to Chapter 7 – Cable/Video Service Provider Fee. 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely -1-

2008-048CR

67. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the additions to Chapter 7 – Cable and Video Customer Protection Law. 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely -1-

2008-049CR

68. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the revisions to Chapter 16, Sections 16-131, 16-136, 16-144 and 16-155. 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely -1-

2008-009-O

69. Alderman Mark moved the adoption of an Ordinance that that Mayor and Legal Director are hereby authorized to execute the Liquor Fee Schedule Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Thompson-Kelly, Johnson, Timm, Beach, Holt, Beck -11
Nays: Jacobson, Conness -2-
Absent: McNeely -1-

2008-010-O

70. 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 Performance Use consisting of an Asphalt Batch Plant that does not meet the performance criteria in a I-2, General Industrial District at 25XX South Mulford Road. The approval is subject to the following conditions:

1. Trucks exiting to Charles Street shall be exclusively right-out from the quarry property at the existing location. Appropriate signage must be placed at that location indicating such.
2. Access to Mulford Road is exclusively right-in right-out. Improvements to Mulford Road shall be done prior to beginning operation of the asphalt batch plant inclusive of acceleration and deceleration lanes per the requirements of the Traffic Engineer.
3. The plant shall consist of a newly constructed Dual Unit Dryer Mixer facility as submitted by the applicant. Written certification from the original equipment manufacturer will be required prior to establishment of the use.
4. Hours of operation for the asphalt batch plant shall be limited to 5:00 am to 8:00 pm Monday through Sunday. The hours of operation for the quarry shall be limited to 5:00 am to 12:00 (midnight) Monday through Sunday.
5. The applicant will be permitted to operate the asphalt batch plant thirty (30) days out of the year on a twenty-four (24) hour basis provided the City of Rockford Planning Office is given notice of the operation in advance.
6. Landscaping is subject to exhibit D and is required to be installed prior to operation of the asphalt batch plant.
7. The asphalt batch plant shall be limited to the location as indicated on the attached site plan, exhibit E and must be located on the floor of the quarry below ground level.
8. Existing berm shall be maintained as to minimize any view of the asphalt batch plant and screen the use from site.
9. All driveways to the quarry floor shall be maintained with the appropriate dust treatment to minimize dust. The access drives down to the quarry floor shall be paved by September 2008.
10. The owner shall obtain all the appropriate permits including but not limited to local, state and federal. Copies of approved construction and operations permit must be submitted to Zoning Officer prior to operation of the asphalt batch plant.
11. Conformance with all IEPA and EPA emissions standards. The emission criteria must be met and a copy of any associated approved operating permits from the agencies shall be submitted to the Zoning Officer.
12. A pedestrian/bike path along Mulford Road connecting Charles Avenue to Harrison Avenue shall be installed prior to the operation of the asphalt batch plant facility.
13. The special use for the asphalt batch plant shall expire within five (5) years at which time the property owner will have to renew the special use.
14. The special use approval shall be subject to the applicant's narrative identified as exhibit D and these conditions of approval.
15. The existing concrete batch plant shall be relocated to the floor of the quarry or removed from the property. The operation of the concrete batch plant shall be project specific only and shall not be operated on a day to day basis. The operation of the concrete batch plant shall only take place upon approval of the Zoning

- Officer and upon a positive findings by the Zoning Officer for limited times of operation as approved on a project by project basis.
16. Storage of stockpiles of materials shall be located only on the floor of the quarry. All potential leachate should be avoided by covering the stockpiles that may result in such.
 17. A contingency plan and remediation plan must be submitted to the Zoning Officer prior to operation of the asphalt batch plant to address any potential spills, leaks, etc. associated with the petroleum materials found with the operation of the asphalt batch plant.
 18. Prior to building permit, construction, and operation of the asphalt batch plant Zoning Clearance must be made by the Zoning Officer assuring that all the required conditions have been met prior to the establishment of the use.
 19. That the Dual Unit Dryer Drum Mixer include industries best practices in the capturing of "Blue Smoke".

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #083-07).

Alderman Conness made a motion to lay the Ordinance over. The motion failed for the lack of a second. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mayor Morrissey, Sosnowski, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Beck –8-
 Nays: Curran, Bell, Timm, Beach, Holt, Conness –6-
 Absent: McNeely –1-

MOTIONS AND RESOLUTIONS

2008-003R

72. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution to take bids/proposals for the following:

Bid: Window Washing, funding source: Departmental Operating Budgets
 Bid: Traffic Sign Blanks, Post & Finished Signs, funding source: Traffic Division Operating Budget
 Bid: Tree Removal, funding source: Street Division Operating Budget
 Bid: Demolition of 518 Catlin Street, funding source: CDBG
 Bid: Kishwaukee Corridor-Connection of Secondary Electrical Services, funding source: Sales Tax

MOTION PREVAILED by a Roll Call vote of:

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

2008-004R

73. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing Mayor and Legal Director to sign loan documents for public water supply loan program. MOTION PREVAILED by a Roll Call vote of:

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

NEW BUSINESS

2008-011-O

74. Alderman Mark introduced and read an Ordinance amending Chapter 7 - Cable and Video Service Provider Fee.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely -1-

2008-012-O

75. Alderman Mark introduced and read an Ordinance amending Chapter 7 – Cable and Video Service Protection.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely -1-

2008-013-O

76. Alderman Mark introduced and read an Ordinance amending Chapter 16 - Parking Ordinances.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-

Absent: McNeely –1-

2008-014-O

77. Alderman Curran read an Ordinance recommending approval of Agreement for Reimbursement of Oversized facility Costs (Guilford Crossings) by and between the city of Rockford and Guilford Crossing LLC.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely –1-

2008-015-O

78. Alderman Curran read an Ordinance recommending approval of Agreement for Reimbursement of Oversized Facility Costs (Riverwalk Subdivision) by and between the City of Rockford and Infill Market Development Corporation.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely –1-

2008-016-O

79. Alderman Curran read an Ordinance recommending approval of Chapter 6 of the Code of Ordinances of the City of Rockford, IL, passed November 30, 1970, approved December 2, 1970, and published December 8, 1970 as amended.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely 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, Timm, Beach, Holt, Beck, Conness -13-
Nays: -0-
Absent: McNeely –1-

80. Alderman Curran moved that the City Council go into closed session to discuss collective negotiating matters, deliberations concerning salary schedules for one or more classes of municipal employees and employee disciplinary matters, seconded by Alderman Mark. MOTION PREVAILED by a Roll Call vote of:

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

(Alderman Jacobson recognized Karen Elyea, County Board member, attending the City Council meeting tonight).

The meeting went into closed session at 7:16 pm.

The meeting returned to open session at 7:54 pm and found the following aldermen present:

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

82. Upon motion duly made and seconded, the meeting was adjourned at 7:55 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
February 4, 2008
6:00 P.M.
(AMENDED) AGENDA

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

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

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER JANUARY 28, 2008

1. Mark - Code and Regulation - Recommending that “No Action” be taken on the following:
 1. Request from Tristan Johns, to either repeal the existing “No Parking 7:00 am-6:00 pm” or establish “Residential Parking Permits” for the 100-200 blocks of Summit Street.
 2. Request from Robert Korte, to repeal the one-way stop and change it to a three-way stop sign control at the intersection of Heather Drive and Wishart Drive.
2. Mark - Code and Regulation - Recommending that the Legal Director be instructed to draw an Ordinance that traffic on 5th Street be required to Yield prior to entering the intersection of 17th Avenue.
3. Mark - Code and Regulation - Recommending that the City Council APPROVE the claim of Joseph Martin in the amount of \$3,026.89 with a release to be obtained.
4. Mark - Code and Regulation - Recommending that the City Council DENY the claim of Pamela Whiteside.
5. Mark - Code and Regulation - Recommending that the City Council DENY the claim of May Zeng.

6. Mark - Code and Regulation - Recommending the approval of the Tentative Plat of Blackhawk Commons.
7. Mark - Code and Regulation - Recommending the approval of the Final Plat of Hallmark #2 subdivision.
8. Mark - Code and Regulation - Recommending the approval of the Final Plat of Reid Farm Meadows #2.
9. Bell - Planning and Development - Recommending approval of the Redevelopment Funds Recommendation for Funding – SWIFTT.
10. Curran - Finance and Personnel - Recommending the award for Demolition of 1625 West State Street be made to J.E. Mark, of Rockford, Illinois for their total bid of \$11,100. The funding source is CDBG.
11. Curran - Finance and Personnel - Recommending Engineering Agreement: Springbrook Road Reconstruction be made to Municipal Design & Engineering Services, Inc. at a not-to-exceed cost of \$33,350 for design engineering and construction observation. The funding source is Sales Tax funds.
12. Curran - Finance and Personnel - Recommending Engineering Agreement: Downtown Streetscape be made to DLK Civil Design at a not-to-exceed cost of \$106,249 for design engineering. The funding source is Sales Tax funds.
13. Curran - Finance and Personnel - Regarding the tax abatement ordinance recommending the tax levied under the Bond issues referred to on the attached sheet be abated in the amounts as indicated.
14. Curran - Finance and Personnel - Recommending the Engineering Agreement: Riverwalk – Dickerman Drive, Mound Ave., Indian Terrace and the Armory Streetscape Improvements be made to McClure Engineering Associates, Inc. at a not to exceed cost of \$66,392.00 for design engineering. The funding source is General Fund.

* * * * *

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, February 4, 2008, 4:45 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA

1. C & R 08-26 Tentative Plat of Stenstrom Plat No. 6
2. C & R 08-27 Final Plat Ashwynd Subdivision at Kerasotes Subdiv #4
3. C & R 08-28 Final Plat of Martin Hawkinson Company's Mulford Heights Little Farm Plat 2
4. C & R 08-32 Annexation of 3118 South Main Street
5. C & R 08-33 Annexation of 3212 South Main Street
6. C & R 08-31 Annexation Agreement for 3212 & 3118 South Main Street
7. C & R 08-06 ZBA#119-07 Special Use Permit for installation of five lighted outdoor palm trees in a C-3, Commercial General District at 3725 East State Street
8. C & R 08-29 Claim of Reginald & Laurelle Tyler in the amount of \$2,710.88
9. C & R 08-30 Claim of Debra Bealon in the amount of \$650.00
10. C & R 07-272 Revised City of Rockford Zoning Ordinance

FINANCE AND PERSONNEL COMMITTEE

Monday, February 4, 2008, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Carpeting (3rd, 5th, 6th, & Revenue)
 - B. Award of Contract: Interactive Voice Response System – Suspend rules
 - C. Award of Contract: Family Support Specialist for Head Start – Suspend rules
 - D. Engineering Agreement: Water System Rehabilitation Task Order #11 – Suspend rules
 - E. Engineering Agreement: Water System Rehabilitation Task Order #7 – Suspend rules
 - F. Resolution to take Bids/Proposals
 - G. Change Order: City Yards Demolition - Plumbing & Electrical Contracts
 - H. Change Order: City Yards Demolition, Asbestos Abatement
 - I. Emergency P.O. Vaccon Sewer Deducter

- J. Vouchers
- 2. Revisions to the City of Rockford Rules & Regulations (Laid over 1/28)
- 3. Truancy Eradication Effort Mid-Year Report (Laid over 1/28)
- 4. Approval of Tentative Agreement with IAFF #413

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, February 4, 2008, 5:15 p.m.
Conference Room A, City Hall 2nd floor (north room)**

AGENDA

- 1. RAEDC Quarterly Report.
- 2. Memorandum from Richard M. May, Commercial Development Coordinator regarding TIF Funding of \$550,000 to Dr. Gautam Gupta on a "Pay as You Go" basis for the rehabilitation of 408, 412, and 414 East State Street.

LEGISLATIVE LOBBYING COMMITTEE

**Thursday, February 7, 2008, 8:00 a.m.
Conference Room B, City Hall 2nd floor (south room)**

AGENDA

- 1. Call to Order & Roll Call
- 2. Approval of October 9, 2007 Minutes
- 3. City of Rockford Aldermanic Legislative Agenda for 2008
- 4. City of Rockford Budget Allocation for RGA and/or Independent Lobbyist
- 5. City of Rockford Supplemental Budget Request for Legislative Lobbying Expenses of Aldermen
- 6. New Business