

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
MARCH 24, 2008  
COUNCIL CONVENED AT 6:07 P.M.**

1. The invocation was given by Father Ron Montanye, St. Sebastian Orthodox Catholic Church/Police Chaplain and the Pledge of Allegiance was led by Mercedes Martinez, Council Page.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,  
Johnson, Beach, Holt, Beck, McNeely, Conness -13-  
Absent: Timm -1-
3. Alderman Mark moved to accept the Journal of Proceedings of March 17, 2008, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Timm absent).

**PETITIONS AND COMMUNICATIONS**

4. Alderman Mark submitted a Memorandum from Jessica Roberts, Planner II, regarding the annexation of 4006 Samuelson Road. Referred to Code and Regulation Committee.
5. Alderman Mark submitted a Memorandum from Jessica Roberts, Planner II, regarding the annexation of 9xx US 20 Bypass. Referred to Code and Regulation Committee.
6. Alderman Mark submitted a Memorandum from Jessica Roberts, Planner II, regarding the annexation of 7595 Walton Street. Referred to Code and Regulation Committee.
7. Alderman Mark submitted a Memorandum from Jessica Roberts, Planner II, regarding the annexation of 39xx Samuelson Road. Referred to Code and Regulation Committee.
8. Alderman Mark submitted the Zoning Board of Appeals minutes from the meeting held on March 18, 2008. Referred to Code and Regulation Committee.
9. Alderman Mark submitted the Liquor Advisory Board minutes from the meeting held on March 18, 2008. Referred to Code and Regulation Committee.
10. Alderman Mark submitted a request from Sue Stevens, in conjunction with the Rockford Public Library Summer Reading Club Kick-Off Party, requesting permission for barricades, patch, sweep (event will clean up) to close Lot WW and place tents and other items in lot on June 7, 2008 from 11:00 am to 2:00 pm (set up time 7:30 am). Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Bell. MOTION PREVAILED (Ald. Timm absent).

11. Alderman Curran submitted a request from Lorden Slade, in conjunction with Michelangelo Buonarroti event requesting permission for a sign to be placed next to the building at 2209 E. State Street, Golan Liberman Contemporary Art Gallery, from March 25, 2008 through April 18, 2008. Alderman Curran moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Timm absent).
12. Alderman Curran submitted a request from Cheryl Marshall, Our Savior's Lutheran Church, requesting permission for a 3' X 10' banner attached to the building over entrance doors for forty (40) days -"100 Years A New Century of Mission" at 3300 Rural Street. Alderman Curran moved to grant the Prayer of the Petitioner, seconded by Alderman Johnson. MOTION PREVAILED (Ald. Timm absent).
13. Alderman Bell read a Memorandum from Richard M. May, Commercial Development Coordinator, regarding the 2008 Annual Fee for Service Contract between the City of Rockford and River District Association for a total of \$40,000 in TIF funds. Referred to Planning and Development Committee.
14. Alderman Bell read a Memorandum from Richard M. May, Commercial Development Coordinator, regarding the 2008 Marketing Management Agreement between the City of Rockford and Riverfront Development Group for a total of \$75,000 in TIF funds for Arts, Housing, and Lifestyle Marketing Group. Referred to Planning and Development Committee.
15. Alderman Bell read a Memorandum from Wayne Dust, Planning Administrator, regarding proposed amendments to the 2020 Plan. Referred to Planning and Development
16. Alderman Bell mentioned the 5<sup>th</sup> Ward monthly meeting will be held on March 27, 2008, at 6:00 pm at the Montague Branch Library, 1328 S. Winnebago Street, with David Preese, President RAC&VB and Janice Fadden, Executive Director RAEDC as guest speakers. He encouraged all to attend.
17. Alderman Bell submitted a request from Julio Selgado, Jesus Medrano and Tuffy Quinonez, in conjunction with Cinco De Mayo, requesting barricades and police support for the annual parade and event on May 3, 2008 at 1:00 pm at the CPM Club, 803 S. Central Avenue. Alderman Bell moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Timm absent).
18. Alderman Bell submitted a request from Marcy Leach, in conjunction with Arbor Day Event, requesting barricades and assistance for street closure at the triangle by Klehm Arboretum and Botanic Garden, 2715 S. Main Street on Friday, April 25, 2008 from 8:00 am to 11:00 am. Alderman Bell moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Timm absent).
19. Alderman Thompson-Kelly submitted a letter from the Rock River Water Reclamation District regarding the construction contract for the Garfield Avenue Sanitation Replacement Project to Fischer Excavation, Inc. Referred to Public Works Department/Director Tim Hanson.

20. Alderman Mark submitted a Memorandum from Patrick W. Hayes, Legal Director, regarding Department Reorganization. Referred to Code and Regulation Committee.
21. Alderman Mark submitted a Memorandum from Patrick W. Hayes, Legal Director, regarding the vacation of the alleyway running north of Lincoln Avenue between West Street and Weldon Street.

#### **NEW COMMITTEE REPORTS**

22. Alderman Bell read a Planning and Development Committee Report recommending approval of an Amended Development Agreement Approving TIF Funding for the Rehabilitation of 401-403, 405-411 and 414 Seventh Street and 1019 Third Avenue by Mid Town Lofts LLC. LAID OVER.
23. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the honorary street name for Island Avenue from West Street to South Main Street as Hopson Avenue. LAID OVER.
24. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the revisions to Chapter 2, Section 2-42, Rule 23. LAID OVER.
25. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Tree Removal be made to the low bidder, Flying W Tree Service, Inc., of Belvidere, Illinois for their total bid of \$142,890.00. The funding source is Street Division Operating Budget. LAID OVER.
26. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Leather Holsters/Magazine Pouches for the Police Department be made to the low bidder, Gil Hebard Guns, of Knoxville, Illinois for their total bid of \$48,930.00. The funding source is Police Department Operating Budget. LAID OVER.
27. Alderman Curran read a Finance and Personnel Committee Report recommending the bids for Fire Department Uniform Shoes be rejected. LAID OVER.
28. Alderman Curran read a Finance and Personnel Committee Report recommending approval of Task Order #15 with McMahon Associates, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$90,600. The task order will be completed under a Master Agreement with McMahon Associates, Inc. Funding for the project will come from Water Bonds. LAID OVER.

#### **2008-139CR**

29. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Two (2) Buses for Human Services be made to the sole bidder Midwest Transit, of Kankakee, Illinois for their bid of \$129,858.00 and \$300 for installation of Q-vests on the buses, for a total award of \$130,158.00. The funding source is Head Start Grant Funds.

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

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

**2008-140CR**

30. Alderman Curran read a Finance and Personnel Committee Report recommending the award of Contract for Water Treatment Improvements Group 1-B be made to Whittaker Construction of Earlville, Illinois in an amount not to exceed \$3,770,000. Funding for the contract will come from Water Bonds.

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

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

31. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of March 24, 2008 in the amount of \$2,740,279.85. MOTION PREVAILED by a Roll Call vote of:

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

**OFFICERS REPORTS**

32. Mayor Morrissey thanked everyone involved in coordinating the State of the City Address at the Coronado Theatre this past Thursday and stated he was honored to deliver the State of the City speech, reflecting on accomplishments, citing partnerships and initiatives. He thanked Council for their cooperation and support for the many endeavors moving forward in the community and mentioned the idea of partnering with several higher education facilities and using the resources within our local region to form a "City University".
33. Mayor Morrissey commented at the Codes and Regulation Committee meeting next week there will be discussion regarding the reorganization of the permit approval process.

34. Mayor Morrissey mentioned the Department Head appointments will be up for approval tonight during Unfinished Business and with the realignment of the Community Development Department and Building Department, there will no longer be a Director of the Building Department.
35. Mayor Morrissey affirmed the elimination of the City of Rockford vehicle sticker.
36. Mayor Morrissey announced the Human Services Department will hold their Annual Report to the Community Luncheon on Monday, March 31, 2008. The event will be held at the Clock Tower Resort at 11:00 a.m. Any Department Heads or Alderman interested in attending should contact Chris Washington in the Mayor's Office by Thursday, March 27, 2008.
37. Mayor Morrissey announced the Rockford Chamber of Commerce is sponsoring the State of the County Luncheon with featured speaker Chairman Christiansen on Thursday, April 17, 2008. The event will be held at Cliffbreakers at 11:30 a.m. Any Department Heads or Alderman interested in attending should contact Chris Washington in the Mayor's Office by Friday, April 11, 2008.
- 37a. Mayor Morrissey wished Diane Reed, Council Clerk, a happy birthday.
38. Alderman Beach wished Alderman Thompson-Kelly a happy birthday.
39. Alderman Beach commented he received an e-mail from Raymond Streit regarding the issue of using red-light Cameras at intersections. He thanked Stephen Ernst, City Traffic Engineer, and Jim Ryan, City Administrator, for their thorough response to Mr. Striet's concerns. Referred to Mayor Morrissey's Office.
40. Alderman Thompson-Kelly thanked the Code Enforcement staff for their hard work and reminded the citizens who receive a violation to read the paperwork carefully and contact the appropriate department.
41. Alderman Thompson-Kelly congratulated her brother-in-law, Seth Miller, on a happy retirement and 60<sup>th</sup> birthday.
40. Alderman Bell commended Mayor Morrissey and his staff for an outstanding presentation of the State of the City Address and was encouraged by the enthusiasm of the young people participating in the event.

## **UNFINISHED BUSINESS**

### **2008-141CR**

43. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the contract for Water Treatment Chemicals be made to Carus Chemical for a period of three years at an estimated annual cost of \$210,400 and a total estimated cost of \$631,200. The funding source is Water Fund. MOTION PREVAILED by a Roll Call vote of:

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

**2008-142CR**

44. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the City Council adopt a Resolution creating the Compensation Study Group in order to prepare a report on the options for a City-wide compensation adjustment system based solely on performance. The Compensation Study Group shall report to the Finance and Personnel Committee no later than June 16, 2008. MOTION PREVAILED by a Roll Call vote of:

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

**2008-143CR**

45. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending that the City Council approve the Draft Ordinance which increase amount of 2.5% is consistent with the 2008 budget. MOTION PREVAILED by a Roll Call vote of:

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

**2008-053-O**

46. Alderman Curran moved the adoption of an Ordinance recommending approval of the attached Agreement between the Department of the Army and the City of Rockford for the Keith Creek Alpine Dam Flood Risk Management Feasibility Study. MOTION PREVAILED by a Roll Call vote of:

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

**2008-054-O**

47. Alderman Curran moved the adoption of an Ordinance recommending the attached Intergovernmental Agreement for a written guaranty securing a revolving line of credit for the Rockford Mass Transit District, by and between the City of Rockford and the Rockford Mass Transit District be approved. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,  
Johnson, Beach, Holt, Beck, Conness -12-

Nays: McNeely -1-  
Absent: Timm -1-

48. Alderman Curran moved the adoption of the Appointments and Re-appointments of Directors of their Municipal Departments in the City of Rockford.

Community Development Department– Reid Montgomery  
Human Resources Department – Jessica Jones  
Public Works Department – Tim Hanson  
Legal Department – Patrick Hayes  
Finance Department – Andres Sammul  
Information/Technology Department – Glenn Trommels  
Human Services Department – George Davis

MOTION PREVAILED by a Roll Call vote of:

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

49. 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 retail sales and a carryout restaurant in an I-1, Light Industrial District at 2904 West State Street. Approval is subject to the following conditions:

1. Submittal of a revised landscaping plan prior to issuance of a building permit and completion of all required landscaping prior to issuance of certificate of occupancy.
2. Meeting all applicable building and fire codes.
3. Obtain all required permits through IDOT and Public Works.
4. That there shall be no storage of inoperable or unlicensed vehicles on the property.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #006-08). HELD OUT.

**2008-144CR**

50. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the City Council DENY the Claim of Amavlee Macklin. MOTION PREVAILED by a Roll Call vote of:

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

**2008-145CR**

51. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the City Council DENY the Claim of Terrrence Williams. MOTION

PREVAILED by a Roll Call vote of:

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

**2008-055-O**

52. Alderman Mark moved the adoption of an Ordinance recommending approval of recommendation of the Zoning Commission for a New Zoning Ordinance and the Zoning Board of Appeals for the Text Amendment to the recommendation of the Zoning Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2008-056-O**

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

"That traffic on Colorado Avenue be required to stop prior to entering the intersection of Greendale Drive".

MOTION PREVAILED by a Roll Call vote of:

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

**2008-057-O**

54. Alderman Mark moved the adoption of an Ordinance amending Chapter 16, Section 292, of the City of Rockford Code of Ordinances, to add the following:

"That all traffic be required to stop prior to entering the intersection of Puri Parkway and Puri Drive, in accordance with the provisions of Section 16-196.1 of the Code of Ordinances".

MOTION PREVAILED by a Roll Call vote of:

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

## MOTIONS AND RESOLUTIONS

### 2008-015R

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

RFP: South Main Street Gateway Sign, funding source: Sales Tax

Bid: PCC Patching, funding source: Sales Tax

Bid: Applewood Sidewalks, Phase I, funding source: Sales Tax

Bid: Montrose Avenue Drainage & Reconstruction, funding source: Capital Projects/Drainage

Bid: Unit Well Control Panel Procurement, funding source: Water Bonds

Bid: Hardware Supplies, funding source: Departmental Operating Budgets

Bid: Ambulance, funding source: Fire Department Capital Budget

Bid: Printing of Water Informational Bulletins, funding source: Water Division Operating Budget.

MOTION PREVAILED (Ald. Timm absent, Ald. McNeely voted no).

### 2008-016R

56. Alderman Curran, on behalf of the Finance and Personnel Department, moved the adoption of a Resolution considering the matter of modifying the compensation system for the City of Rockford personnel, has determined the creation of a city-wide compensation adjustment system based solely on performance. MOTION PREVAILED (Ald. Timm absent, Ald. McNeely voted no).

### 2008-017R

57. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution requesting permission from IDOT for closures and detours for the annual Heritage Run on April 27, 2008. MOTION PREVAILED (Ald. Timm absent).

## NEW BUSINESS

58. Alderman Bell introduced and read an Ordinance recommending approval of the Development Agreement with the Swedish American Medical Foundation for \$200,000 of Jackson School TIF Funds to acquire and rehabilitate 15 homes over 5 years. LAID OVER.
59. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1603 and Section 1604, of the City of Rockford Code of Ordinances to APPROVE a (A) Special Use Permit for a Planned Mixed-Use Development consisting of a bowling alley/billiard hall/amusement arcade/bar/lounge and other associated commercial/retail uses; APPROVES the (B) Variation to allow dumpster enclosures within the front yard setback along Chandan Drive for the proposed 15,000 square foot buildings; APPROVES the (C) Special Use Permit for an off-premise freestanding business sign on lot #9; APPROVES the (D) Special Use Permit for an off-premise freestanding business sign on lot #6; DENIES the (E) Variation to increase the maximum height from twenty (20) feet to forty (40) feet for

the off-premise freestanding business sign on lot #9 and to APPROVES a Variation to increase the maximum height from twenty (20) feet to thirty-four (34) feet as measured from the grade of East State Street for the off-premise freestanding business sign on lot #9; APPROVES the (F) Variation to increase the maximum square footage from two hundred forty (240) square feet to two hundred ninety (290) for the off-premise freestanding business sign on lot #9; DENIES the (G) Variation to increase the maximum height from twenty (20) feet to thirty-five (35) feet for the off-premise freestanding business sign on lot #6; and APPROVES a Variation to increase the maximum height from twenty (20) feet to thirty-four (34) feet as measured from the grade of East State Street for the off-premise freestanding business sign on lot #6; APPROVES the (H) Variation to increase the square footage from two hundred forty (240) square feet to two hundred ninety (290) square feet for the off-premise freestanding business sign on lot #6; APPROVES the (I) Special Use Permit to increase the size of an electronic graphic display sign from thirty-six (36) square feet to fifty-one (51) square feet for the off-premise freestanding business sign on lot #9; APPROVES the (J) Special Use Permit to increase the size of an electronic graphic display sign from thirty-six (36) square feet to fifty-one (51) square feet for the off-premise freestanding business sign on lot #6; APPROVES the (K) Variation from the required four (4) feet to zero (0) green space between property lines; and APPROVES the (L) Variation to eliminate the required Type "A" buffer between the C-3 and C-2 boundary, in a C-2, Commercial Community District and a C-3, Commercial General Zoning District at 83xx-84xx East State Street. Approval is subject to the following conditions:

1. That the subject property will be reviewed and regulated by the requirements of the 1993 Zoning Ordinance, including building setbacks, parking requirements, signage, landscaping and other development standards unless specifically identified and varied with this request.
2. Submittal of a civil site plan for Staff review and approval.
3. Submittal of a landscaping plan for Staff review and approval. Said landscaping plan shall satisfy all landscaping requirements with the exception of the Type A buffer requirements between the C-2 and C-3 district and the four (4) foot open green space between property lines if 8% interior landscaping is provided over multiple lots in the same area. The proposed 15,000 square foot building proposed on Lot 49 may proceed with interior landscaping as shown on the submitted concept plan provided the overall interior landscaping of the area bounded by East State, Showplace, University and Tandem has 8% interior landscaping.
4. Submittal of an illumination (photometrics) plan for Staff review and approval.
5. Submittal of elevation plans for Staff review and approval. Consistent design
6. Submittal of a Final Plat for Lot #10 for City review and approval. The future street shall be designed to support the commercial development constructed.
7. The development of Lot #9 shall require Modification of the Special Use Permit to be approved by City Council. At that time, a soil report is required per state law.
8. That the sign height shall be limited to thirty-four (34) feet as measured from the grade of East State Street adjacent to property where the sign is installed, for the off-premise business signs on Lot #6 and #9. All other freestanding signs on the property shall be monument style and not exceed eight (8) feet in height.
9. Submittals of sign permit applications for Staff review and approval, prior to the installation of signage.

10. Meeting all applicable Building and Fire Codes.
11. Submittal of a pedestrian plan for Staff review and approval inclusive of cross walks and vehicle stop signs integrating the public and private pedestrian system.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #007-08). LAID OVER.

60. 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 store expansion greater than the allowable ten percent (10%) of existing building and related parking lot in a C-2, Commercial Community Zoning District at 627 and 629 Montague Street. Approval is subject to the following conditions:

1. Prior to issuance of Planning Clearance for a Building Permit, the applicant shall submit a civil site plan for Staff review and approval.
2. Submittal of a final landscape plan including site-obscuring fence and material for Staff's review and approval.
3. Submittal of building elevations for Staff's review and approval.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #120-07). LAID OVER.

61. Alderman Mark introduced and read an Ordinance amending Chapter 4, of the City of Rockford Code of Ordinances that upon all other requirements of the Liquor Ordinance having been met, this ordinance shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following Establishment:

1. M & M Market located at 627 & 629 Montague Street.

Approval is based on the Findings of Fact (LAD 4/21/08; #08-LAB-004). LAID OVER.

62. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1603 of the City of Rockford Code of Ordinances for a Special Use for a nightclub (dance hall) that does not satisfy the Performance Criteria of six hundred (600) feet away from a residential district in a C-4, Commercial Old Town Zoning District at 317-325 West Jefferson Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. Meeting all applicable Building and Fire Codes.
3. Submittal of a security plan for Staff review and approval.
4. The nightclub will be limited to the interior site plan submitted.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #002-08). LAID OVER.

63. Alderman Mark introduced and read an Ordinance amending Chapter 4, Section 4-28 of the City of Rockford Code of Ordinances that upon all requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following Establishments:

1. The unnamed establishment to be located at 317-325 West Jefferson Street, subject to the following conditions:
  - a. Meet all applicable Building and Fire Codes.
  - b. Compliance with all City of Rockford Liquor Codes.
  - c. Submittal of a security plan for Staff review and approval.
  - d. The sale of alcohol shall be limited to the interior site plan submitted.

Approval is based on the Findings of Fact (LAD 4/21/08; #08-LAB-006). LAID OVER.

64. Upon motion duly made and seconded, the meeting was adjourned at 6:46 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, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**March 31, 2008**  
**6:00 P.M.**  
**AGENDA**

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

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

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS**

**A. LAID OVER MARCH 24, 2008**

1. Bell - Planning and Development - Recommending approval of an Amended Development Agreement Approving TIF Funding for the Rehabilitation of 401-403, 405-411 and 414 Seventh Street and 1019 Third Avenue by Mid Town Lofts LLC.
2. Mark - Code and Regulation - Recommending the approval of the honorary street name for Island Avenue from West Street to South Main Street as Hopson Avenue.
3. Mark - Code and Regulation - Recommending the approval of the revisions to Chapter 2, Section 2-42, Rule 23.
4. Curran - Finance and Personnel - Recommending the award for Tree Removal be made to the low bidder, Flying W Tree Service, Inc., of Belvidere, Illinois for their total bid of \$142,890.00. The funding source is Street Division Operating Budget.
5. Curran - Finance and Personnel - Recommending the award for Leather Holsters/ Magazine Pouches for the Police Department be made to the low bidder, Gil Hebard Guns, of Knoxville, Illinois for their total bid of \$48,930.00. The funding source is Police Department Operating Budget.

6. Curran - Finance and Personnel - Recommending the bids for Fire Department Uniform Shoes be rejected.
7. Curran - Finance and Personnel - Recommending approval of Task Order #15 with McMahon Associates, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$90,600. The task order will be completed under a Master Agreement with McMahon Associates, Inc. Funding for the project will come from Water Bonds.

**B. HELD OUT MARCH 24, 2008**

1. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Mixed Use Development consisting of retail sales and a carryout restaurant in an I-1, Light Industrial District at 2904 West State Street. Approval is subject to the following conditions:
  1. Submittal of a revised landscaping plan prior to issuance of a building permit and completion of all required landscaping prior to issuance of certificate of occupancy.
  2. Meeting all applicable building and fire codes.
  3. Obtain all required permits through IDOT and Public Works.
  4. That there shall be no storage of inoperable or unlicensed vehicles on the property.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #006-08).

**II. ORDINANCES LAID OVER MARCH 24, 2008**

1. Bell - Ordinance - Recommending approval of the Development Agreement with the Swedish American Medical Foundation for \$200,000 of Jackson School TIF Funds to acquire and rehabilitate 15 homes over 5 years.
2. Mark - Ordinance - Amending Chapter 37, Section 1603 and Section 1604, of the City of Rockford Code of Ordinances to APPROVE a (A) Special Use Permit for a Planned Mixed-Use Development consisting of a bowling alley/billiard hall/amusement arcade/bar/lounge and other associated commercial/retail uses; APPROVES the (B) Variation to allow dumpster enclosures within the front yard setback along Chandan Drive for the proposed 15,000 square foot buildings; APPROVES the (C) Special Use Permit for an off-premise freestanding business sign on lot #9; APPROVES the (D) Special Use Permit for an off-premise freestanding business sign on lot #6; DENIES the (E) Variation to increase the maximum height from twenty (20) feet to forty (40) feet for the off-premise freestanding business sign on lot #9 and to APPROVES a Variation to increase the maximum height from twenty (20) feet to thirty-four (34) feet as measured from the grade of East State Street for the off-premise freestanding business sign on lot #9; APPROVES the (F) Variation to increase the maximum square footage from two hundred forty (240) square feet to two hundred ninety (290) for the off-premise freestanding business sign on lot #9; DENIES the (G) Variation to increase the maximum height from twenty (20) feet to thirty-five (35) feet for the off-premise freestanding business sign on lot #6; and APPROVES a Variation to increase the

maximum height from twenty (20) feet to thirty-four (34) feet as measured from the grade of East State Street for the off-premise freestanding business sign on lot #6; APPROVES the (H) Variation to increase the square footage from two hundred forty (240) square feet to two hundred ninety (290) square feet for the off-premise freestanding business sign on lot #6; APPROVES the (I) Special Use Permit to increase the size of an electronic graphic display sign from thirty-six (36) square feet to fifty-one (51) square feet for the off-premise freestanding business sign on lot #9; APPROVES the (J) Special Use Permit to increase the size of an electronic graphic display sign from thirty-six (36) square feet to fifty-one (51) square feet for the off-premise freestanding business sign on lot #6; APPROVES the (K) Variation from the required four (4) feet to zero (0) green space between property lines; and APPROVES the (L) Variation to eliminate the required Type "A" buffer between the C-3 and C-2 boundary, in a C-2, Commercial Community District and a C-3, Commercial General Zoning District at 83xx-84xx East State Street. Approval is subject to the following conditions:

1. That the subject property will be reviewed and regulated by the requirements of the 1993 Zoning Ordinance, including building setbacks, parking requirements, signage, landscaping and other development standards unless specifically identified and varied with this request.
2. Submittal of a civil site plan for Staff review and approval.
3. Submittal of a landscaping plan for Staff review and approval. Said landscaping plan shall satisfy all landscaping requirements with the exception of the Type A buffer requirements between the C-2 and C-3 district and the four (4) foot open green space between property lines if 8% interior landscaping is provided over multiple lots in the same area. The proposed 15,000 square foot building proposed on Lot 49 may proceed with interior landscaping as shown on the submitted concept plan provided the overall interior landscaping of the area bounded by East State, Showplace, University and Tandem has 8% interior landscaping.
4. Submittal of an illumination (photometrics) plan for Staff review and approval.
5. Submittal of elevation plans for Staff review and approval. Consistent design
6. Submittal of a Final Plat for Lot #10 for City review and approval. The future street shall be designed to support the commercial development constructed.
7. The development of Lot #9 shall require Modification of the Special Use Permit to be approved by City Council. At that time, a soil report is required per state law.
8. That the sign height shall be limited to thirty-four (34) feet as measured from the grade of East State Street adjacent to property where the sign is installed, for the off-premise business signs on Lot #6 and #9. All other freestanding signs on the property shall be monument style and not exceed eight (8) feet in height.
9. Submittals of sign permit applications for Staff review and approval, prior to the installation of signage.
10. Meeting all applicable Building and Fire Codes.
11. Submittal of a pedestrian plan for Staff review and approval inclusive of cross walks and vehicle stop signs integrating the public and private pedestrian system.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #007-08).

3. Mark - 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 store

expansion greater than the allowable ten percent (10%) of existing building and related parking lot in a C-2, Commercial Community Zoning District at 627 and 629 Montague Street. Approval is subject to the following conditions:

1. Prior to issuance of Planning Clearance for a Building Permit, the applicant shall submit a civil site plan for Staff review and approval.
2. Submittal of a final landscape plan including site-obscuring fence and material for Staff's review and approval.
3. Submittal of building elevations for Staff's review and approval.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #120-07).

4. Mark - Ordinance - Amending Chapter 4, of the City of Rockford Code of Ordinances that upon all other requirements of the Liquor Ordinance having been met, this ordinance shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following Establishment:

1. M & M Market located at 627 & 629 Montague Street.

Approval is based on the Findings of Fact (LAD 4/21/08; #08-LAB-004).

5. Mark - Ordinance - Amending Chapter 37, Section 1603 of the City of Rockford Code of Ordinances for a Special Use for a nightclub (dance hall) that does not satisfy the Performance Criteria of six hundred (600) feet away from a residential district in a C-4, Commercial Old Town Zoning District at 317-325 West Jefferson Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. Meeting all applicable Building and Fire Codes.
3. Submittal of a security plan for Staff review and approval.
4. The nightclub will be limited to the interior site plan submitted.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #002-08).

6. Mark - Ordinance - Amending Chapter 4, Section 4-28 of the City of Rockford Code of Ordinances that upon all requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following Establishments:

1. The unnamed establishment to be located at 317-325 West Jefferson Street, subject to the following conditions:
  - a. Meet all applicable Building and Fire Codes.
  - b. Compliance with all City of Rockford Liquor Codes.
  - c. Submittal of a security plan for Staff review and approval.
  - d. The sale of alcohol shall be limited to the interior site plan submitted.

Approval is based on the Findings of Fact (LAD 4/21/08; #08-LAB-006).

### III. MISCELLANEOUS HELD OVER MARCH 24, 2008

1.\* Mayor Morrissey – Re-appointment – Human Services CCA Board – Mr. Joshua D. Pickers, to a three-year term, which would expire January, 2011. (Pursuant to Rule 18, this re-appointment is up for passage on April 7, 2008).

- Motions and Resolutions
- New Business (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).
- Adjournment

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#### POSSIBLE ADDITIONAL ITEMS:

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

#### **CODE AND REGULATION COMMITTEE**

**Monday, March 31, 2008, 4:30 p.m.**

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

#### **AGENDA**

1. C & R 08-34 Claim of Vernon & Cynthia Furney
2. C & R 08-50 ZBA#004-08 Variation to increase maximum freestanding business sign height to 30 feet  
Variation to increase sign area to 320 square feet in the C-2, Commercial Community District at 175 Executive Parkway
3. C & R 08-51 ZBA#008-08 Special Use Permit for a Planned Residential Development for eight (8) dwelling units for individuals with developmental disabilities, one (1) dwelling unit for a live-in manager, and staff offices in an R-1, Single-Family Residential Zoning District at 635 South Mulford Road
4. C & R 08-52 ZBA#009-08 Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Commercial Community Zoning District at 5411 East State Street

5. C & R 08-53 ZBA#010-08 Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in an R-1, Single-Family Residential Zoning District at 8539 East State Street
6. C & R 08-54 ZBA#011-08 Special Use Permit for a modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Commercial Community Zoning District at 6439 East Riverside Boulevard
7. C & R 08-55 ZBA#012-08 Special Use Permit for a Planned Mixed-Use Development consisting of a medical office to provide outpatient rehabilitation therapy in an R-2, Two-Family Residential Zoning District at 4139-4143 Albright Lane
8. C & R 08-56 ZBA#013-08 Modification of Special Use Permit#076-05 (Ordinance #2005-244-O) for a Planned Residential Development including a high-rise residential structure, to increase the number of dwelling until to 76 (seventy-six), to reduce the building height from 173 (one hundred seventy-three) feet to 150 (one hundred fifty) feet, to reduce the side yard setback for the north property line from 53 (fifty-three) feet to 30 (thirty) feet, and to reduce the side yard setback for the south property line from 53 (fifty-three) feet to 30 (thirty) feet in an R-4, Multifamily Residential District at 993, 995, 997 North Main Street
9. C & R 08-57 ZBA#014-08 Renewal of Special Use Permit #076-05 (Ordinance #2005-244-O) for:
  - (A) Special Use Permit for a Planned Residential Development including a high-rise residential structure, pool, and cabana:
  - (B) Variation in building height from the allowed 45 (forty-five) feet to 173 (one hundred seventy-three) feet;
  - (C) Variation in side yard setback for the north property line from the required 1,386 (one thousand three hundred eight-six) feet to 53 (fifty-three) feet for the tower and 20 (twenty) feet for the parking garage;
  - (D) Variation in rear yard setback for the east

property line from the required 138 (one hundred thirty-eight) feet to 104 (one hundred four) feet for the tower and 32 (thirty-two) feet for the terrace;

- (E) Variation in the side yard setback for the south property line from the required 420 (four hundred twenty) feet to 53 (fifty-three) feet for the tower and 20 (twenty) feet for the parking garage in an R-4, Multifamily District at 993, 995, 997 North Main Street

- 10. C & R 08-58 ZBA#015-08 Modification of Special Use Permit#022-04 to include outside storage of licensed passenger vehicles, motor homes, travel trailers and boats in an I-1, Light Industrial District at 4850 North Main Street
- 11. C & R 08-59 08-LAB-007 Request for a Liquor License to allow for the sale of alcohol by the package in conjunction with a grocery store in a C-4, Commercial Old Town Zoning District at 1414 South Main Street
- 12. C & R 08-60 08-LAB-008 Request for a Liquor License to allow for the sale of alcoholic liquor by the drink in conjunction with a sit-down restaurant in a C-2, Commercial Community District at 1132 Auburn Street
- 13. C & R 07-159 Municipal Code Re-Codification Project
- 14. C & R 08-61 Annexation of 4006 Samuelson Road
- 15. C & R 08-62 Annexation of 9xx US 20 Bypass
- 16. C & R 08-63 Annexation of 7595 Walton Street
- 17. C & R 08-64 Annexation of 39xx Samuelson Road
- 18. C & R 08-65 Department Reorganization
- 19. C & R 08-66 Vacation of Alleyway running North of Lincoln Avenue between West Street and Weldon Street

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, March 31, 2008, 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 (Laid over 3/24)
  - B. Award of Bid: City-Wide Mowing/Grounds Maintenance
  - C. Award of Bid: Gas & Diesel Fuel
  - D. Award of Bid: Inlet Repair
  - E. Award of Bid: Arterial Milling
  - F. Vouchers
2. Bond Financing
3. Police/School Liaison Agreement – Closed Session

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, March 31, 2008, 5:15 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

1. Public Hearing Assisted Living/River Housing TIF.
2. Memorandum from Richard M. May, Commercial Development Coordinator, 2008 Annual Fee for Service Contract between the City of Rockford and River District Association for a total of \$40,000 in TIF funds.
3. Memorandum from Richard M. May, Commercial Development Coordinator, regarding the 2008 Marketing Management Agreement between the City of Rockford and Riverfront Development Group for a total of \$75,000 in TIF funds for Arts, Housing, and Lifestyle Marketing Group.
4. Memorandum from Wayne Dust, Planning Administrator, regarding proposed amendments to the 2020 Plan.

**LEGISLATIVE LOBBYING COMMITTEE**

**Thursday, April 3, 2008, 4:00 p.m.**

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

**AGENDA**

1. Lobbyist Selection Process
2. New Business