

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
OCTOBER 23, 2006  
COUNCIL CONVENED AT 6:12 P.M.**

1. The invocation was given by Pastor Orville Richardson, Jefferson Heights Baptist Church/Police Chaplain, and the Pledge of Allegiance was led by Page Justin Francis.

2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness –14-

Absent: -0-

3. Alderman Jacobson moved to accept the Journal of Proceedings of October 16, 2006, seconded by Alderman Beck.

Alderman Mark made a motion to amend the Journal to add Item #41 to the Agenda, Unfinished Business, Item IV, Committee Reports Held Out Week of 10/16/06 to read as follows:

**IV. COMMITTEE REPORTS HELD OUT 10/16/06**

Mark - Code and Regulation - 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-1, Limited Office District and; APPROVE the Special Use Permit for a Planned Mixed-Use Development consisting of a long-term care hospital and parking in a C-1, Limited Office District at 1390 North Mulford Road. Approval is subject to

1. Meeting all applicable building and fire codes
2. Submittal of a tentative and a final plat for staff review prior to the issuance of a building permit
3. Submittal of a landscaping plan for staff review and approval with the addition of a 4-foot high berm that does not interfere with the preservation of the existing tree line along the north property line
4. All lighting shall be facing downward, shall be directed away from residential, and shall not exceed 20 feet in height. There will be no freestanding light poles north of the proposed building.
5. Only two access drives shall be allowed for this site that includes one from Guilford Road and the second from Mulford Road.
6. All uses will be restricted to those in the C-1, Limited Office Zoning District, except for the proposed long-term care hospital.
7. That a revised site plan be submitted that includes a 50' minimum setback from the north property line to the edge of the curb as shown on the submitted site plan.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #061-06).

Said motion was seconded by Alderman Beck. MOTION PREVAILED. The Journal of Proceedings was placed on passage as amended. MOTION PREVAILED.

### **PETITIONS AND COMMUNICATIONS**

4. Alderman Bell submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding Hope VI. Referred to Planning and Development Committee.
5. Alderman Bell submitted a Memorandum from Patrick W. Hayes, Legal Director, regarding a Potential Property Acquisition, Closed Session. Referred to Planning and Development Committee.
6. Alderman Bell submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding an Amendment to Metro Centre Support Agreement. Referred to Planning and Development Committee.
7. Alderman Beck submitted a Memorandum from John Giliberti, City Attorney regarding an Intergovernmental Agreement for Administrative Hearings of Truancy Cases. Referred to Finance and Personnel Committee.
8. Alderman Beck submitted a Memorandum from Patrick Zuroske, Capital Program Manager regarding City-State Agreement, North Main and Auburn Roundabout. Referred to Finance and Personnel Committee.
9. Alderman Mark submitted a Request for Service at 1340 Browns Hill Road. Referred to Public Works Department.
10. Alderman Mark submitted a Request for Service at 2516 Starkweather. Referred to Public Works Department.
11. Alderman Mark submitted a Memorandum from Todd Cagnoni, Manager of Current Planning, regarding the Highlands Plat 2. Referred to Code and Regulation Committee.
12. Alderman Mark submitted the Zoning Board of Appeals minutes from the meeting held on October 17, 2006. Referred to Code and Regulation Committee.
13. Alderman Mark submitted a Memorandum from Kerry Partridge, City Attorney, regarding the amendment of Section 16-188 and Section 16-131(b) of the City of Rockford Code of Ordinances. Referred to Code and Regulation Committee.
14. Alderman Mark submitted a Memorandum from Todd Cagnoni, Manager of Current Planning, regarding the Final Plat of Ashwynd at Kerasotes Subdivision #3, being a Replat of part of Lots 9 & 10 of Kerasotes Subdivision #2. Referred to Code and Regulation Committee.
15. Alderman Jacobson requested the name of the homeowner of 3111 20<sup>th</sup> Street (abandoned house). Referred to Legal Department/Mark Rose, Land Acquisition Officer.

## NEW COMMITTEE REPORTS

16. Alderman Bell read a Planning and Development Committee Report recommending "No Action" be taken on the Resolution by Alderman Conness requesting a moratorium on development in the North Main/Eddy Avenue (TIF). LAID OVER.
17. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the vacation for Stanley Street between Cedar Street and Preston Street. LAID OVER.
18. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Tentative Plat of Buckley Commercial Center Subdivision #3, revised. LAID OVER.
19. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Pressure Zone Boundary, Phase 4 be rescinded and rebid at a later date. LAID OVER.
20. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Sale of Property: Strip of Land by 801 Trenton be made to the adjacent property owners, William and Debra Funck, of Rockford, Illinois for their bid of \$400.00. LAID OVER.
21. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Consulting Actuary for Police & Fire Pension Funds be made to Timothy W. Sharpe, of Geneva, Illinois for a total cost of \$8,000 for both the Fire & Police Pension Funds. The funding source is Police and Fire Pension Funds. LAID OVER.

### **2006-379CR**

22. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Siding Various Fire Stations be made to the sole bidder Raintree Gutters, of Rockford, IL for their total bid of \$66,650 for siding three buildings. The funding source is Fire Dept. Capital Budget.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

23. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of October 23, 2006 in the amount of \$1,884,878.82. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

24. Alderman Beck moved that the City Council go into closed session to discuss union negotiations, seconded by Alderman Wasco. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

The meeting went into closed session at 6:22 pm.

The meeting returned to open session at 7:12 pm and found the following aldermen present:

Aldermen Sosnowski, Mark, Curran, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness.

#### **OFFICERS REPORTS**

25. Mayor Morrissey presented a Proclamation proclaiming the week of October 23, 2006 to be "Visiting Nurses Association Volunteer Week" in Rockford, Illinois and urged all citizens to observe this week with appropriate ceremonies and activities in appreciation of the important contributions of Visiting Nurses Association to the Rockford Community.
26. Mayor Morrissey submitted three (3) re-appointments to the Citizen Participation Committee, Gerald Buchanan, term ending May 2008; Maryjane Seward, term ending May 2008; Joyce Anderson, term ending May 2008.

Mayor Morrissey submitted two (2) appointments to the Citizen Participation Committee, Lynne Nelson, term ending May 2009; and Stefan Miller, term ending May 2009.

LAID OVER.

27. Mayor Morrissey advised today he sent Governor Blagojevich a letter requesting an appeal to FEMA's decision not to provide major disaster assistance to the City of Rockford. FEMA's estimate of \$1 million dollars in damage completely contradicts the assessment information provided to them. The City will continue to work with the Governor's Office to aid that appeal.
28. Mayor Morrissey thanked Woman's Space for inviting Margaret Wheatley, nationally renown speaker and author, to participate in "Conversation Café' Event" at Rockford College on Saturday. He appreciated their efforts in providing information for discussion and entertained the idea of networking with them to hold community events on public concerns in our community.

29. Alderman Jacobson expressed disappointment with FEMA's decision not to provide major disaster assistance to the City. He encouraged all citizens impacted by the flood to report any property damage to the City, so a complete comprehensive account of the devastation to this community can be forwarded for appeal efforts.
30. Alderman Jacobson expressed sympathy at the passing of John Schroeder and Russ Olson, both of who contributed to and supported this community. Alderman Jacobson extended his condolences and prayers to their families.
31. Alderman Beach also expressed disappointment with FEMA's decision. He thanked Mayor Morrissey and Jim Ryan, City Administrator, for speaking with him today, advising them several homes are still without working furnaces and winter is upon us. He encouraged them to continue working on the appeal efforts.
32. Mayor Morrissey encouraged anyone seeking assistance to call the City of Rockford Human Services Department at 987-5782.
33. Alderman Bell expressed concern with an early Saturday morning call he received regarding a vehicle running into a home near the intersection of Sanford and Montague and a shooting that took place in his ward last week of two individuals while they were trying to steal a vehicle. Alderman Bell requested an update on those incidents from the Police Department and requested that information be forwarded to Officer Caltagerone. Alderman Bell would like to provide that information at the 5<sup>th</sup> Ward monthly meeting to be held on October 26<sup>th</sup>. Referred to the Police Department.
34. Alderman Bell mentioned the 5<sup>th</sup> Ward Monthly meeting will be held on Thursday, October 26, 2006 at 6:00 pm at the Montague Branch Library located at 1338 South Winnebago Street. He requested Bill Bittner, Director of Public Works, have a representative from his department attend the monthly meeting and provide information/updates on the Forsythia/Iris Avenue drainage ditch problems and the Century Terrace Cooperation problems with their alleys/streets. Referred to the Public Works Department.
35. Alderman Curran mentioned he operates Curran's Apple Orchard and distributed bottles of cider in its new packaging for council and department heads to sample.
36. Alderman Curran acknowledged his grandson, Patrick, in the audience who has spent the past week with him helping in the orchard.
37. Alderman Jacobson stated he attended a press conference along with Alderman Bell announcing a proposed National FireHouse Museum being considered in the Barber Coleman facility in the 1200 block of Rock Street. Alderman Bell stated this project needs the support of the City for success and believes it could offer regional and national recognition. Alderman Bell advised he would be reading in a Resolution regarding this project later in the meeting.

## UNFINISHED BUSINESS

### 2006-380CR

38. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the Replat of Eastmoreland Plat #2, being a replat of Lots 1 through 10 of Dorn, Johnson & Kenyon's Subdivision of Part of Lots 76 and 77 in Eastmoreland Subdivision. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

### 2006-381CR

39. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that City Council DENY the claim of Ross Spencer. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

### 2006-176-O

40. Alderman Mark moved the adoption of an Ordinance recommending the approval of the annexation of 3014 Searles Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

### 2006-177-O

41. Alderman Mark moved the adoption of an Ordinance recommending the approval of the sale of property at 210 Tay Street at a minimum bid of \$350.00 with preference to the adjoining property owners. MOTION PREVAILED by a Roll Call vote of:

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

### 2006-178-O

42. Alderman Mark moved the adoption of an Ordinance amending Section 2-284 of the Rules Governing Purchasing. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

**2006-179-O**

43. Alderman Mark moved the adoption of an Ordinance recommending the approval of the draft of the Proposed Code Amendments for Outdoor Liquor for Special Occasions and an Increase of "S" permits for Not-For-Profit Organizations and Clubs. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

**2006-180-O**

44. Alderman Mark moved the adoption of an Ordinance amending Chapter 16, Section 293, of the City of Rockford Code of Ordinances to add the following:

"That traffic on Sunflower Drive be required to Stop prior to entering the intersection of Tulip Lane".

"That traffic on Oakdale Street be required to stop prior to entering the intersection of Sovereign Boulevard".

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

**2006-181-O**

45. Alderman Mark moved the adoption of an Ordinance amending Chapter 16, Section 293, of the City of Rockford Code of Ordinances to add the following:

"That traffic on Jonathan Avenue be required to Yield prior to entering the intersection of Latham Street".

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

**2006-382CR**

46. 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-1, Limited Office District and; APPROVE the Special Use Permit for a Planned Mixed-Use Development consisting of a long-term care hospital and parking in a C-1, Limited Office District at 1390 North Mulford Road. Approval is subject to the following conditions:
1. Meeting all applicable building and fire codes
  3. Submittal of a tentative and a final plat for staff review prior to the issuance of a building permit
  4. Submittal of a landscaping plan for staff review and approval with the addition of a 4-foot high berm that does not interfere with the preservation of the existing tree line along the north property line
  5. All lighting shall be facing downward, shall be directed away from residential, and shall not exceed 20 feet in height. There will be no freestanding light poles north of the proposed building.
  6. Only two access drives shall be allowed for this site that includes one from Guilford Road and the second from Mulford Road.
  7. All uses will be restricted to those in the C-1, Limited Office Zoning District, except for the proposed long-term care hospital.
  8. That a revised site plan be submitted that includes a 50' minimum setback from the north property line to the edge of the curb as shown on the submitted site plan.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #061-06). MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
 Nays: -0-  
 Absent: -0-

47. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending Franczek Sullivan, P.C. for legal services for arbitration at a rate of \$275.00 per hour, limited to \$133,000.00, be approved. MOTION FAILED by a Roll Call vote of:

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

**2006-182-O**

48. Alderman Beck moved the adoption of an Ordinance recommending approval of the Intergovernmental Agreement for City Police Services by and between the City of Rockford Police Department and Rockford School District No. 205. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson,  
Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Nays: -0-  
Absent: -0-

49. Alderman Beck moved the re-appointment to the Building Board of Appeals, Joel Sjostrom, for a term ending June 2010. MOTION PREVAILED by a Roll Call vote of:

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

50. Alderman Beck moved the re-appointment to the Building Board of Appeals, James Lev, term ending June 2007. MOTION PREVAILED by a Roll Call vote of:

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

51. Alderman Beck moved the re-appointment to the Building Board of Appeals, William Waldorf, term ending June 2007. MOTION PREVAILED by a Roll Call vote of:

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

52. Alderman Beck moved the re-appointment to the Building Board of Appeals, Joseph Reister, term ending June 2011. MOTION PREVAILED by a Roll Call vote of:

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

53. Alderman Beck moved the re-appointment to the Building Board of Appeals, Kerry Harlacher, term ending June 2011. MOTION PREVAILED by a Roll Call vote of:

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

54. Alderman Beck moved the appointment to the Building Board of Appeals, Joseph Zimmer, term ending June 2011. MOTION PREVAILED by a Roll Call vote of:

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

55. Alderman Beck moved the appointment to the Building Board of Appeals, Jeffrey Bockhop, term ending June 2008. MOTION PREVAILED by a Roll Call vote of:

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

56. Alderman Beck moved the re-appointment to the Electrical Commission, Michael Bonavia, Sr., term ending June 2009. MOTION PREVAILED by a Roll Call vote of:

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

57. Alderman Beck moved the re-appointment to the Electrical Commission, Thomas Wood, term ending June 2008. MOTION PREVAILED by a Roll Call vote of:

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

58. Alderman Beck moved the re-appointment to the Electrical Commission, Lowell Larson, term ending June 2009. MOTION PREVAILED by a Roll Call vote of:

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

59. Alderman Beck moved the re-appointment to the Electrical Commission, Gary Frank, term ending June 2008. MOTION PREVAILED by a Roll Call vote of:

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

60. Alderman Beck moved the re-appointment to the Electrical Commission, Frank Schmitt, term ending June 2009. MOTION PREVAILED by a Roll Call vote of:

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

61. Alderman Beck moved the appointment to the Electrical Commission, Todd Crull, term ending June 2009. MOTION PREVAILED by a Roll Call vote of:

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

### **MOTIONS AND RESOLUTIONS**

#### **2006-98R**

62. Alderman Bell, on behalf of the Planning and Development Committee, moved the adoption of a Resolution providing for a feasibility study on the designation of the West State and Central Redevelopment Planning Area and Tax Increment Financing District. MOTION PREVAILED.

#### **2006-99R**

63. Alderman Bell, on behalf of the Planning and Development Committee, moved the adoption of a Resolution setting Joint Review Board Meeting date and Public Hearing date for the designation of the West Side #2 Redevelopment Project Area and Tax Increment Financing (TIF) District. MOTION PREVAILED.

#### **2006-100R**

64. Alderman Bell suggested the adoption of a Resolution that the Mayor of the City of Rockford direct the Community Development Executive Director to research the feasibility of providing city support to the Fire House Museum being considered for the Barber Coleman facility located in the 1200 block of Rock Street. Referred to Mayor Morrissey, Reid Montgomery, Director Community Development Department and Rockford Local Development Corporation.

#### **2006-101R**

65. Alderman Beck moved the adoption of a Resolution to take bids/proposals for the following: Bid: Janitorial Services, funding source: Departmental Operating Budgets; Bid: Harrison Avenue Watermain, Ohio Parkway to Alpine Rd., funding source: Water Alternate Revenue Bonds; RFP: Parking Ticket Hearing Officer, funding source: Motor Vehicle Parking Fund; RFP: Real Estate Agent for Shopstead Commercial Properties, funding source: CDBG. MOTION PREVAILED.

### **NEW BUSINESS**

66. Alderman Mark introduced and read an Ordinance recommending the annexation of 1703 South Central Avenue, 1801, 1802, 1803 and 1804 Victoria Avenue. LAID OVER.

67. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 800.2, of the City of Rockford Code of Ordinances, for a Zoning Map Amendment from County and R-1, Single-Family Residential Zoning District to C-1, Limited Office Zoning District at 1703 South Central Avenue.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #056-06). LAID OVER.

68. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 800.4 and Section 1603, of the City of Rockford Code of Ordinances, for a Zoning Map Amendment from C-2, Commercial Community District to C-3, Commercial General District for Parcels I, II and III; and a Special Use Permit for Parcel III for a Performance Use that cannot satisfy the Performance Criteria of 600 feet away from the nearest residential district in a C-3, Commercial General District at 3291 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes
2. Submittal of a final plat including cross parking agreements and access easements and sidewalks for staff's review and approval.
3. The Special Use Permit is limited to a fast food restaurant for the are shown on the submitted site plan.
4. Submittal of a detailed landscaping plan for the entire site for staff's review and approval and illumination plan for staff's review and approval.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #058-06). LAID OVER.

69. Alderman Mark introduced and read an Ordinance recommending the approval of the Proposed Groundwater Ordinance for the area surrounding Speedway SuperAmerica Store #7038, 3209 South 11<sup>th</sup> Street. LAID OVER.

70. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1604 and Section 1603, of the City of Rockford Code of Ordinances, for a Special Use Permit for a Planned Residential Development consisting of a single-family home and in-law unit and; APPROVE the Variation to reduce the rear yard setback from the required 30 feet to 13 ½ feet in an R-1, Single-Family Residential District at 4001 Thames Way. Approval is subject to the following conditions:

1. The additional unit shall be for occupancy of family member(s) as defined by the City of Rockford Zoning Ordinance only.
2. The proposed unit shall not be rented or leased.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #057-06). LAID OVER.

71. 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 Performance Use of Motorcycles and Off-Road Vehicle Sales and Service that cannot satisfy the performance criteria of 600 feet from a Residential District in a C-3, Commercial General Zoning District at 3118 Kishwaukee Street.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #054-06). LAID OVER.

72. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 602 and Section 603, of the City of Rockford Code of Ordinances, for the Zoning Map Amendment in conjunction with the Pre-Annexation Agreement from County AG to City R-1, Single-Family Residential District for Parcel I and R-2, two-family Residential District for Parcel II at 41XX Owen Center Road. Approval is subject to the following conditions:
1. The terms of the Pre-Annexation Agreement

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #062-06). LAID OVER.

73. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 800.5, of the City of Rockford Code of Ordinances, for a Zoning Map Amendment from I-1, Light Industrial District to C-4, Commercial Oldtown District at Madison Street area, from Market Street to Whitman Street.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #064-06). LAID OVER.

74. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances, for a Renewal of a Special Use permit for an assisted living facility in a R-3, Multi-Family Residential Zoning District at 1060, 1120, 1140, 1160, 1220 North Mulford Road. Approval is subject to the following conditions:
1. Submittal of a revised site plan to Staff for their review and approval showing the number of dwelling units and type of building to be constructed, not to exceed 106 units. Due to site constraints, staff may determine that a lesser number of units will be permitted.
  2. Final engineering and improvement plans for all public and private improvements including final grades, intersection design, and drainage/detention requirements, including final drainage calculations, for review and approval by the Public Works Department.
  3. Completion and recordation of a final plat (replat) prior to any building permit issued.
  4. Sidewalk along North Mulford Road shall be required.
  5. Submittal of a complete, detailed landscaping plan for staff review and approval prior to the issuance of any building permit.
  6. Meeting all building and fire codes
  7. Submittal of elevation plans to staff for their review and approval.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #053-06). LAID OVER.

75. Alderman Bell introduced and read an Ordinance approving the Development Agreement By and Between the City of Rockford and Owen Center & Riverside, LLC. LAID OVER.
76. Alderman Bell introduced and read an Ordinance approving the agreement regarding Revitalizing Downtown with Employer-Assisted Housing: City-County Collaboration. LAID OVER.

77. Upon motion duly made and seconded, the meeting was adjourned at 7:48 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**  
**OCTOBER 30, 2006**  
**6:00 P.M.**  
**AGENDA**

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

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

**PUBLIC HEARING**

1. Public Hearing scheduled for the annexation of 41XX Owen Center Road
2. Public Hearing scheduled for the annexation of 1703 South Central Avenue.

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS LAID OVER OCTOBER 23, 2006**

1. Bell - Planning and Development - Recommending "No Action" be taken on the Resolution by Alderman Conness requesting a moratorium on development in the North Main/Eddy Avenue (TIF).
2. Mark - Code and Regulation - Recommending the approval of the vacation for Stanley Street between Cedar Street and Preston Street.
3. Mark - Code and Regulation - Recommending the approval of the Tentative Plat of Buckley Commercial Center Subdivision #3, revised.
4. Beck - Finance and Personnel - Recommending the award for Pressure Zone Boundary, Phase 4 be rescinded and rebid at a later date.

5. Beck - Finance and Personnel – Recommending the award for Sale of Property: Strip of Land by 801 Trenton be made to the adjacent property owners, William and Debra Funck, of Rockford, Illinois for their bid of \$400.00.
6. Beck - Finance and Personnel - Recommending the award for Consulting Actuary for Police & Fire Pension Funds be made to Timothy W. Sharpe, of Geneva, Illinois for a total cost of \$8,000 for both the Fire & Police Pension Funds. The funding source is Police and Fire Pension Funds.

## II. ORDINANCES LAID OVER OCTOBER 23, 2006

1. Mark - Ordinance - Recommending the annexation of 1703 South Central Avenue, 1801, 1802, 1803 and 1804 Victoria Avenue.
2. Mark - Ordinance - Amending Chapter 37, Section 800.2, of the City of Rockford Code of Ordinances, for a Zoning Map Amendment from County and R-1, Single-Family Residential Zoning District to C-1, Limited Office Zoning District at 1703 South Central Avenue.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #056-06).

3. Mark - Ordinance - Amending Chapter 37, Section 800.4 and Section 1603, of the City of Rockford Code of Ordinances, for a Zoning Map Amendment from C-2, Commercial Community District to C-3, Commercial General District for Parcels I, II and III; and a Special Use Permit for Parcel III for a Performance Use that cannot satisfy the Performance Criteria of 600 feet away from the nearest residential district in a C-3, Commercial General District at 3291 South Alpine Road. Approval is subject to the following conditions:
  1. Meeting all applicable building and fire codes
  2. Submittal of a final plat including cross parking agreements and access easements and sidewalks for staff's review and approval.
  3. The Special Use Permit is limited to a fast food restaurant for the are shown on the submitted site plan.
  4. Submittal of a detailed landscaping plan for the entire site for staff's review and approval and illumination plan for staff's review and approval.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #058-06).

4. Mark - Ordinance - Recommending the approval of the Proposed Groundwater Ordinance for the area surrounding Speedway SuperAmerica Store #7038, 3209 South 11<sup>th</sup> Street.
5. Mark - Ordinance - Amending Chapter 37, Section 1604 and Section 1603, of the City of Rockford Code of Ordinances, for a Special Use Permit for a Planned Residential Development consisting of a single-family home and in-law unit and; APPROVE the Variation to reduce the rear yard setback from the required 30 feet to 13 ½ feet in an

R-1, Single-Family Residential District at 4001 Thames Way. Approval is subject to the following conditions:

1. The additional unit shall be for occupancy of family member(s) as defined by the City of Rockford Zoning Ordinance only.
2. The proposed unit shall not be rented or leased.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #057-06).

6. Mark - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances, for a Special Use Permit for a Performance Use of Motorcycles and Off-Road Vehicle Sales and Service that cannot satisfy the performance criteria of 600 feet from a Residential District in a C-3, Commercial General Zoning District at 3118 Kishwaukee Street.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #054-06).

7. Mark - Ordinance - Amending Chapter 37, Section 602 and Section 603, of the City of Rockford Code of Ordinances, for the Zoning Map Amendment in conjunction with the Pre-Annexation Agreement from County AG to City R-1, Single-Family Residential District for Parcel I and R-2, two-family Residential District for Parcel II at 41XX Owen Center Road. Approval is subject to the following conditions:

1. The terms of the Pre-Annexation Agreement

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #062-06).

8. Mark - Ordinance - Amending Chapter 37, Section 800.5, of the City of Rockford Code of Ordinances, for a Zoning Map Amendment from I-1, Light Industrial District to C-4, Commercial Oldtown District at Madison Street area, from Market Street to Whitman Street.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #064-06).

9. Mark - Ordinance – Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances, for a Renewal of a Special Use permit for an assisted living facility in a R-3, Multi-Family Residential Zoning District at 1060, 1120, 1140, 1160, 1220 North Mulford Road. Approval is subject to the following conditions:

1. Submittal of a revised site plan to Staff for their review and approval showing the number of dwelling units and type of building to be constructed, not to exceed 106 units. Due to site constraints, staff may determine that a lesser number of units will be permitted.
2. Final engineering and improvement plans for all public and private improvements including final grades, intersection design, and drainage/detention requirements, including final drainage calculations, for review and approval by the Public Works Department.
3. Completion and recordation of a final plat (replat) prior to any building permit

issued.

- 4. Sidewalk along North Mulford Road shall be required.
- 5. Submittal of a complete, detailed landscaping plan for staff review and approval prior to the issuance of any building permit.
- 6. Meeting all building and fire codes
- 7. Submittal of elevation plans to staff for their review and approval.

Approval is based on the Findings of Fact (LAD 11/20/06, ZBA #053-06).

- 10. Bell - Ordinance - Approving the Development Agreement By and Between the City of Rockford and Owen Center & Riverside, LLC.
- 11. Bell - Ordinance - Approving the agreement regarding Revitalizing Downtown with Employer-Assisted Housing: City-County Collaboration.

**III. MISCELLANEOUS LAID OVER OCTOBER 23, 2006**

- 1. Mayor Morrissey – Re-appointment to the Citizen Participation Committee, Gerald Buchanan, term ending May 2008. (Pursuant to Rule 18, this appointment will be up for passage November 27, 2006).
- 2. Mayor Morrissey – Re-appointment to the Citizen Participation Committee, Maryjane Seward, term ending May 2008. (Pursuant to Rule 18, this appointment will be up for passage November 27, 2006).
- 3. Mayor Morrissey – Re-appointment to the Citizen Participation Committee, Joyce Anderson, term ending May 2008. (Pursuant to Rule 18, this appointment will be up for passage November 27, 2006).
- 4. Mayor Morrissey – Appointment to the Citizen Participation Committee, Lynne Nelson, term ending May 2009. (Pursuant to Rule 18, this appointment will be up for passage November 27, 2006).
- 5. Mayor Morrissey – Appointment to the Citizen Participation Committee, Stefan Miller, term ending May 2009. (Pursuant to Rule 18, this appointment will be up for passage November 27, 2006).

\* same action taken before

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

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**POSSIBLE ADDITIONAL ITEMS:**

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

**CODE AND REGULATION COMMITTEE**

**Monday, October 30, 2006, 4:30 p.m.**

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

**AGENDA**

1. C & R 02-218 Amendment to Section 16-188 and Section 16-131(b) of the City of Rockford Code of Ordinances (Handicapped Parking)
2. C & R 06-215 The Highlands Plat 2
3. C & R 06-216 Final Plat of Ashwynd at Kerasotes Subdivision #3, being a Replat of part of Lots 9 & 10 of Kerasotes Subdivision #2
4. C & R 02-217 Claims of Jennifer Burtman
5. C & R 06-211 ZBA#065-06 (A) Special Use Permit for a Planned Residential Development consisting of a four-unit apartment building  
(B) Variation to reduce the density requirements from 4,400 square feet to 2,002.8 square feet per unit in an R-2, Two-Family Residential District at 2238-2240 Parmele Street
6. C & R 06-212 ZBA#066-06 Zoning Map Amendment from R-1, Single-Family Residential Zoning District, to C-3, Commercial General Zoning District at 121 & 409 South Bell School Road
7. C & R 06-213 ZBA#067-06 Variation to reduce the rear yard setback from the required thirty (30) feet to eighteen (18) feet in a R-1, Single-Family Residential Zoning District at 2751 Springdale Drive
8. C & R 06-214 ZBA#068-06 Special Use Permit for a Planned Mixed-Use Development consisting of a coffee kiosk with two drive-up windows in a C-2, Commercial Community District at 3730 North Main Street

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, October 30, 2006, 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: Snow Plowing Parking Lots
  - B. Award of Bid: Exterior Masonry Restoration & Window Replacement for the Fire Department – Suspend rules
  - C. Award of Bid: Demolition of 819 Seminary
  - D. Award of Bid: Vehicle Stickers
  - E. Award of Bid: Fixed Radio Equipment for Police Department (Bid #2)
  - F. Award of RFP: Truancy Hearing Code Officer
  - G. Award of Contract: Envision North Main Corridor Plan
  - H. City-State Agreement: North Main and Auburn Roundabout
  - I. Vouchers
    - √ Anticipated Training/Travel expense for Police Department
2. Intergovernmental Agreement for Administrative Hearings of Truancy Cases
3. Union Negotiation Participation (Laid over 10/23)
4. Supplemental Appropriation Ordinance (Laid over 10/23)
5. 3<sup>rd</sup> Quarter Investment Report
6. Financial Discussion

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, October 30, 2006, 5:30 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

1. RACVB Quarterly Report.
2. Memorandum from Alderman Bell, Chairman, Planning & Development Committee, regarding Hope VI.

3. Memorandum from Alderman Bell, Chairman, Planning & Development Committee, regarding Metro Centre Support Agreement.
4. Memorandum from Alderman Bell, Chairman, Planning & Development Committee, regarding Potential Property Acquisition, Closed Session.