

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**APRIL 17, 2006**  
**COUNCIL CONVENED AT 6:10 P.M.**

1. The invocation was given by Orville Richardson, Police Chaplain and the Pledge of Allegiance was led by Page Justin Francis.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Mark, Curran, Wasco, Bell, Thompson, Johnson, Beach, Holt, Beck, Conness -11-  
Absent: Jacobson, Timm, McNeely -3-
3. Alderman Mark moved to accept the Journal of Proceedings of April 10, 2006, seconded by Alderman Holt. MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

**PUBLIC PARTICIPATION**

4. Rev. Derrick Shelby spoke regarding Black Male Children.

**PETITIONS AND COMMUNICATIONS**

5. Alderman Conness submitted an e-mail from Vicki Rimkus regarding garbage problems with a dumpster located in her neighborhood. Referred to Neighborhood Standards.
6. Alderman Conness submitted an e-mail from Barbara Brown, Public Works Department, regarding problems on Easton Parkway. Referred to Neighborhood Standards and Police Department.
7. Alderman Thompson submitted correspondence from Becky L. Richardson, regarding problems with her ex-boyfriend. Referred to Legal Department.
8. Alderman Thompson submitted an e-mail from Mr. and Mrs. Robert Little, regarding potholes in their alley. Referred to Public Works Department.
9. Alderman Johnson submitted seven (7) Requests for Service. Referred to Public Works Department, Neighborhood Standards and Police Department.
10. Alderman Johnson submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding Intergovernmental Agreement for Airport Rescue and Firefighting Services. Referred to Finance and Personnel Committee.
11. Alderman Johnson submitted a Memorandum from Brad Moberg, City Engineer regarding Intergovernmental Agreement: Davis-Pec Bikepath. Referred to Finance and Personnel Committee.

12. Alderman Johnson stated there were no bids received for the property at 219 N. Johnston Avenue.
13. Alderman Johnson opened a bid for property at 126 N. Sunset from Mount Sinai Baptist Church in the amount of \$400.00. Referred to Purchasing Department.
14. Alderman Mark submitted a Memorandum from Nicole Bockhorn, Homeless Coordinator, Community Services Division, Human Resources Department, regarding Emergency Shelter Grants Program – Funding Year 2006. Referred to Planning and Development Committee.
15. Alderman Mark submitted a request from Butch North, for the Memorial Day Parade on May 29, 2006, requesting permission for street closures, detours and police assistance for the annual event. Alderman Mark moved to grant the Prayers of the Petitioner, seconded by Alderman Holt. MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).
16. Alderman Mark submitted a Request for Service. Referred to Police Department.
17. Alderman Mark submitted correspondence from Theresa Bannen, requesting a dog ordinance be implemented. Referred to Mayor's Office, Police Department and Animal Control.
18. Alderman Mark submitted a letter from Jason Hall, regarding a problem with a height berm on the corner of John Street and North Main Street. Referred to Public Works Department.
19. Alderman Mark submitted a letter from Ignatius P. Cicero, requesting a street name change to Cicero Avenue. Referred to Code and Regulation Committee and Public Works Department.
20. Alderman Sosnowski submitted a request for permission for a tent from Tim Jackson, Furniture Row Outlet, for a tent sale extension from April 18, 2006 to May 9, 2006. Alderman Sosnowski moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

#### **NEW COMMITTEE REPORTS**

21. Alderman Beach read a Code and Regulation Committee Report recommending approval of the Final Plat #2 of Kelley Meadows Subdivision #3, located on the north side of Kelley Road approximately 400 feet north of Montague Road, south/west of U.S. By-Pass 20. LAID OVER.
22. Alderman Beach read a Code and Regulation Committee recommending approval of the Final Plat of Chateau Creek Subdivision, including a resubdivision of Lot 58 in Dixon's & Nieman's Northvale #1 and Lot 59 in Dixon's & Nieman's Northvale #2, located on the northeast corner of Newburg Road and Stony Creek Way. LAID OVER.

23. Alderman Beach read a Code and Regulation Committee Report amending Sec. 2-42, Rule 11, Subsection (a) and (b) to read as follows:

Rule 11.

(a) Every ordinance and committee report, except zoning ordinances which shall follow the statutory zoning procedures, shall be read when introduced and lie over until the next regular meeting of the council.

(b) At the meeting immediately subsequent to the meeting where a committee report has been read, except zoning ordinances which shall follow the statutory zoning procedures, upon the motion of any alderman, being duly seconded, the committee report shall layover until the next meeting. This motion may be made only once on any committee report.

LAID OVER.

**2006-120CR**

24. Alderman Beach read a Code and Regulation Committee Report approving the Development Agreement with Waldschmidt Land Corporation.

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

Ayes: Mark, Wasco, Bell, Johnson, Beach, Holt, Beck, Conness -8-  
Nays: Sosnowski, Curran, Thompson -3-  
Absent: Jacobson, Timm, McNeely -3-

25. Alderman Mark read a Planning and Development Committee Report recommending that the City Council approve the CIP amendments as submitted, on April 10, 2006, by William Bittner, Director of Public Works. LAID OVER.

**2006-121CR**

26. Alderman Mark read a Planning and Development Committee Report recommending authorization to develop and execute an appropriate Fee-For-Service Funding Agreement with the River District Association. The source for said funding shall be the East Side and West Side Tax Increment Financing Districts.

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

**2006-122CR**

27. Alderman Mark read a Planning and Development Committee Report recommending authorization to develop and execute an appropriate Fee-for-Service Funding Agreement with the Mid Town District Association to provide funding through calendar year 2006.

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

### OFFICERS REPORTS

28. Mayor Morrissey reported there would be a press conference scheduled tomorrow at 10:00 a.m., Rockford Arts Museum, regarding Northern Illinois Commuter Transportation. Mayor Morrissey invited the aldermen to attend.
29. Alderman Bell requested an update on a Request for Service he submitted for 412 Lincoln. Referred to Property Standards (no request submitted).
30. Alderman Bell regarding a Request for Service at 1200 Fulton Avenue regarding loud noise from speakers. Referred to Police Department (no request submitted).
31. Alderman Beach reported the first Thursday of May, the annual Leadership Prayer Luncheon will be held at Giovanni's.
32. Alderman Holt commented with the coming of warm weather about the loud music emanating from vehicles and the need for a no tolerance policy to combat this nuisance.
33. Alderman Holt reported that shots were fired in his neighborhood over the weekend. This is the second occurrence in this area. There is a gang issue and Alderman Holt requested an update what the Police Department and the community as a whole are doing to combat this serious problem. Referred to the Police Department.
34. Alderman Thompson thanked the Community Services Department of the Police Department in regard to the Weed and Seed meetings that have been held. Alderman Thompson stated that she supports Chief Epperson and his commitment to community policing.

### UNFINISHED BUSINESS

#### 2006-123CR

35. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Preannexation Agreement and Zoning Map Amendment from County AG to City I-1, Light Industrial District at 15XX Baxter Road. Approval is subject to the following conditions:

1. The terms of the Preannexation Agreement.

Approval is based on the Findings of Fact (LAD 5/22/06, ZBA #010-06). MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

**2006-124CR**

36. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeal, thereby recommending that the City Council APPROVE the Modification of Special Use Permit for a Planned Residential Development and a Planned Mixed-Use Development in an R-3, Multifamily Residential Zoning District at 63XX Guilford Road. Approval is subject to the following conditions:

1. The design of the site and buildings are to be reviewed and approved by the Current Planning Office. There shall be no snout house designs approved.
2. A final plat is required to be recorded prior to the issuance of any building permit.
3. The street names will not be allowed as shown. Pisa Court shall be named Tivoli Court and Verona Court shall be renamed as there is already a street named Verona existing in the City of Rockford.

Approval is based on the Findings of Fact (LAD 5/22/06, ZBA #011-06). MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

**2006-125CR**

37. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeal, thereby recommending that the City Council DENY the Special Use Permit for indoor retail liquor sales by the package (beer & wine only) in conjunction with a convenience store in a C-3, Commercial General Zoning District at 615 South Rockford Avenue.

Denial is based on the Finding of Fact (LAD 5/22/06, ZBA#013-06). MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

**2006-126CR**

38. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeal, thereby recommending that the City Council DENY the Special Use Permit for liquor sales by the package in conjunction with Food Mart/Convenience Store in a C-2, Commercial Community Zoning District at 3840 Broadway Street.

Denial is based on the Finding of Fact (LAD 5/22/06, ZBA#015-06). MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

**2006-127CR**

39. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council DENY the Modification of Special Use Permit #040-03 for a night club (dancing) in a C-3, Commercial General District at 1620,17XX Harrison Avenue.

Denial is based on the Findings of Fact (LAD 5/22/05, ZBA #016-06). MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

**2006-128CR**

40. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Variation to increase the fence height from (4) four feet to (5) five feet in the front yard along Custer Avenue in an R-1, Single-Family Residential District at 2104 Latham Street.

Approval is based on the Findings of Fact (LAD 5/22/06, ZBA #017-06). MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

**2006-129CR**

41. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending approval of the annexation of Spring Brook Meadows. MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

**2006-130CR**

42. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending approval of the Boundary Agreement between the City of Loves Park and the City of Rockford. MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

**2006-131CR**

43. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report Recommending the award for Mowing Well Houses be made to M.I.S. of Loves Park, IL for their total bid of \$810.00. The funding source is Water Department Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

**2006-132CR**

44. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement Amendment: Residential Alley Reconstruction Phase II and Phase III be approved for a not-to-exceed amount of \$37,994.32 for design and \$47,625.77. The funding for this project will come from 2005 Water Utility Revenue Bonds (WURB). MOTION PREVAILED by a Roll Call vote of:

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

**MOTIONS AND RESOLUITONS**

**2006-21R**

45. Alderman Mark moved the adoption of a Resolution for street closures in regard to the Memorial Day Parade. MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent).

### **NEW BUSINESS**

46. Alderman Beach introduced and read an Ordinance amending Chapter 16, Section 292, of the City of Rockford Code of Ordinances, to add all traffic be required to stop prior to entering the intersection of Linden Road and 25<sup>th</sup> Street, thus repealing the existing 2-Way Stop Control. LAID OVER.
47. Alderman Beach introduced and read an Ordinance amending Chapter 16, Section 309, of the City of Rockford Code of Ordinances by restricting parking to "Commercial Loading" on the north side of West State Street from 200 feet to 225 feet west of Rockton Avenue. LAID OVER.
48. Alderman Beach introduced and read an Ordinance amending Chapter 16, Section 281, of the City of Rockford Code of Ordinances to add "2-Hour Parking" on the west side of 6<sup>th</sup> Street from Charles Street to 200 feet north of 4<sup>th</sup> Avenue. LAID OVER.
49. Alderman Beach introduced and read an Ordinance amending Chapter 16, Section 280, of the City of Rockford Code of Ordinances to add "No Parking Any Time" on the north side of Van Wie Avenue from Rockton Avenue to 275 feet east of Rockton Avenue and "No Parking Any Time" on the north side of Chamberlain Street from Longwood Street to 350 feet west of Longwood Street. LAID OVER.
50. Alderman Beach introduced and read an Ordinance amending Chapter 16, Section 291, of the City of Rockford Code of Ordinances to add that traffic on Winnebago Street be required to stop prior to entering the intersection of Yonge Street. LAID OVER.
51. Alderman Beach introduced and read an Ordinance to authorize the execution of the First Amendment to the Intergovernmental Agreement Fixing the Extraterritorial Boundaries for Purposes of Annexation between the City of Rockford and the City of Loves Park. LAID OVER.

### **2006-67-0**

52. Alderman Beach introduced and read an Ordinance to authorize the execution of the Development Agreement with Waldschmidt Land Corporation. Alderman Beach moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. Jacobson, Timm, McNeely absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

53. Alderman Johnson introduced and read an Ordinance authorizing the execution of the Agreement with Rockford Township and the Human Services Department for emergency assistance in the amount of \$10,000.00. LAID OVER.
54. Upon motion duly made and seconded, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Luanne Pfeifer  
Acting 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**  
**April 24, 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 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 APRIL 10, 2006**

1. Beach - Code and Regulation - Recommending approval of the Final Plat #2 of Kelley Meadows Subdivision #3, located on the north side of Kelley Road approximately 400 feet north of Montague Road, south/west of U.S. By-Pass 20.
2. Beach - Code and Regulation - Recommending approval of the Final Plat of Chateau Creek Subdivision, including a resubdivision of Lot 58 in Dixon's & Nieman's Northvale #1 and Lot 59 in Dixon's & Nieman's Northvale #2, located on the northeast corner of Newburg Road and Stony Creek Way.
3. Beach - Code and Regulation - Amending Sec. 2-42, Rule 11, Subsection (a) and (b) to read as follows:

Rule 11.

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report shall layover until the next meeting. This motion may be made only once on any committee report.

4. Mark - Planning and Development - Recommending that the City Council approve the CIP amendments as submitted, on April 10, 2006, by William Bittner, Director of Public Works.

## **II. ORDINANCES LAID OVER APRIL 17, 2006**

1. Beach – Ordinance - Amending Chapter 16, Section 292, of the City of Rockford Code of Ordinances, to add all traffic be required to stop prior to entering the intersection of Linden Road and 25<sup>th</sup> Street, thus repealing the existing 2-Way Stop Control.
2. Beach – Ordinance - Amending Chapter 16, Section 309, of the City of Rockford Code of Ordinances by restricting parking to “Commercial Loading” on the north side of West State Street from 200 feet to 225 feet west of Rockton Avenue.
3. Beach – Ordinance - Amending Chapter 16, Section 281, of the City of Rockford Code of Ordinances to add “2-Hour Parking” on the west side of 6<sup>th</sup> Street from Charles Street to 200 feet north of 4<sup>th</sup> Avenue.
4. Beach - Ordinance - Amending Chapter 16, Section 280, of the City of Rockford Code of Ordinances to add “No Parking Any Time” on the north side of Van Wie Avenue from Rockton Avenue to 275 feet east of Rockton Avenue and “No Parking Any Time” on the north side of Chamberlain Street from Longwood Street to 350 feet west of Longwood Street.
5. Beach – Ordinance - Amending Chapter 16, Section 291, of the City of Rockford Code of Ordinances to add that traffic on Winnebago Street be required to stop prior to entering the intersection of Yonge Street.
6. Beach – Ordinance - Authorize the execution of the First Amendment to the Intergovernmental Agreement Fixing the Extraterritorial Boundaries for Purposes of Annexation between the City of Rockford and the City of Loves Park.
7. Johnson – Ordinance – Authorize the execution of the Agreement with Rockford Township and the Human Services Department for emergency assistance in the amount of \$10,000.00.

## **III. MISCELLANEOUS ITEMS HELD OUT APRIL 17, 2006**

- 1.\* Mayor Morrissey - Appointment to the Traffic Commission, George Zawislak, to a term which would expire May 2010. (Pursuant to Rule 18, this appointment will be up for passage on May 1, 2006).
- 2.\* Mayor Morrissey - Appointment - Andrew Langoussis to the Downtown Design Review Committee. (Pursuant to Rule 18, this appointment will be up for passage on May 15, 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, April 24, 2006, 4:45 p.m.**

**CD Conference Room, City Hall 2<sup>nd</sup> floor**

**AGENDA**

1. C & R 06-71 April Traffic Commission Minutes
2. C & R 06-75 Request for street name change – Ignatius P. Cicero
3. C & R 06-55 Request to vacate Capital Drive in Greater Rockford Industrial Park
4. C & R 06-73 Agreement with Norlight Communication to place fiber optic cable and duct in right-of-way.
5. C & R 06-76 Closed Session for purposes of pending litigation – Attorney Kerry Partridge

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, April 24, 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: Mowing Right of Ways – Suspend rules
  - B. Award of Bid: Demolition of 208 Forest Avenue – Suspend rules

- C. Award of Bid: Alley Reconstruction – Suspend rules
  - D. Award of Bid: Sale of Property 219 N. Johnston
  - E. Award of Bid: 2005 City-Wide Alleys Phase 3
  - F. Resolution for Improvement: US Business 20
  - G. Resolution for Improvement Harrison Avenue Rehabilitation
  - H. Resolution for Improvement IL Route 70
  - I. Resolution for Improvement General Maintenance 2005
  - J. Resolution to take Bids/Proposals
  - K. Vouchers
- 2. Intergovernmental Agreement: Davis-Pec Bikepath
  - 3. Intergovernmental Agreement for Airport Rescue and Firefighting Services
  - 4. Union Negotiation Update – Closed Session

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, April 24, 2006, 5:30 p.m.**

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

**AGENDA**

- 1. Memorandum from Nicole Bockhorn, Homeless Coordinator, Community Services Division, Human Resources Department, regarding Emergency Shelter Grants Program – Funding Year 2006.