

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
APRIL 24, 2006  
COUNCIL CONVENED AT 6:25 P.M.**

1. The invocation was given by Rodney Hayes, New Zion Baptist Church/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, Jacobson, Thompson, Johnson,  
Beach, Holt, McNeely, Conness -12-  
Absent: Timm, Beck -2-
  
3. Alderman Mark moved to accept the Journal of Proceedings of April 17, 2006, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Timm, Beck absent).

**PETITIONS AND COMMUNICATIONS**

4. Alderman Thompson submitted a flier for Aaron Glass – Rockford announcing their Grand Opening to be held on Saturday, April 29<sup>th</sup> from 12:00-4:00 pm at 3227 Auburn Street. Placed on file.
  
5. Alderman McNeely referred to two letters from Mary Kay Osbourne regarding the Ethanol Plant and will further address Ms. Osbourne’s concerns during officer’s reports.
  
6. Alderman Johnson submitted two (2) Requests for Service. Referred to Neighborhood Standards.
  
7. Alderman Johnson submitted a Memorandum from Brad Moberg, City Engineer, regarding Intergovernmental Agreement: Harrison Avenue Reconstruction (Mulford to Ohio). Referred to Finance and Personnel Committee.
  
8. Alderman Johnson called attention to a Memorandum from Bill Bittner, Director of Public Works, outlining additional information for the Alley Reconstruction 2005 Program.
  
9. Alderman Johnson thanked Bill Keith, Public Works Department, for the report he provided to council regarding the City Yards Equipment Building Wall Replacement Project 2006.
  
10. Alderman Beach submitted the Zoning Board of Appeals Minutes for the meeting held on April 18, 2006. Referred to Code and Regulation Committee.
  
11. Alderman Beach submitted the Traffic Commission Minutes for the meeting held on April 12, 2006. Referred to Code and Regulation Committee.

12. Alderman Bell mentioned that on April 26<sup>th</sup> would be the Orchard 3<sup>rd</sup> Union College Neighborhood Association meeting at 6:30 pm located at the Jane Addams Housing Development Center, 510 Seminary Street.
13. Alderman Curran submitted a Memorandum from Kerry Partridge, City Attorney, regarding an Amendment to Chapter 16, Section 16-77 of the City Ordinances. Referred to Code and Regulation Committee.
14. Alderman Mark submitted a letter from Linda Hernandez, Assistant Superintendent Rockford School District, addressed to Steve Ernst, City Traffic Engineer, regarding concourse parking arrangements during graduation ceremonies for the four Rockford Public High Schools to be held at the Metro Center. Referred to Planning and Development Committee.
15. Alderman Mark submitted a letter from Linda Hernandez, Assistant Superintendent Rockford School District, addressed to Steve Ernst, City Traffic Engineer, regarding concourse parking arrangements during graduation ceremonies for Roosevelt and Sky View schools to be held at the Coronado Theatre. Referred to Planning and Development Committee.
16. Council Clerk submitted a letter from Insight Communications regarding the 2006 1st Quarter Performance Report. Placed on File.

#### **NEW COMMITTEE REPORTS**

17. Alderman Johnson read a Finance and Personnel Committee Report recommending the Intergovernmental Agreement for Aircraft Rescue and Firefighting Services with Greater Rockford Airport Authority and the City of Rockford be approved. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

#### **2006-133CR**

18. Alderman Johnson read a Finance and Personnel Committee Report recommending the award for Mowing of Right of Way's be made to the low bidder, Comprehensive Community Solutions, Inc., of Rockford, IL for their bid as follows:

Block C, Total \$345/mowing of block (10 sites)  
 Block #4, Total \$445/mowing of block (9 sites)  
 Block #5, Total \$500/mowing of block (8 sites)

The funding source is Street Division Operating Budget.

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

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson,  
 Beach, Holt, McNeely, Conness -12-  
 Nays: -0-

Absent: Timm, Beck -2-

**2006-134CR**

19. Alderman Johnson read a Finance and Personnel Committee Report recommending the award for Demolition of 208 Forest Avenue be made to the low bidder B & J Excavating, of Rockford, IL for their total bid of \$10,260.00.

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

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

20. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 17, 2006 in the amount of \$852,698.70 and the week of April 24 in the amount of \$1,979,949.84. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

21. Alderman Mark read a Planning and Development Committee Report recommending that the City Council approve the request for Emergency Shelter Grants Program – Funding Year 2006. LAID OVER.

**2006-135CR**

22. Alderman Beach read a Code and Regulation Committee Report approving the Agreement for Use of Right of Way with Norlight Telecommunications, Inc., a Wisconsin Corporation.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED (Ald. Timm, Beck absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Timm, Beck absent).

23. Alderman Beach read a Code and Regulation Committee Report recommending that the City of Rockford not file as a legal objector to County Zoning Item No. Z-10-06 regarding the Ethanol Plant.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED (Ald. Timm, Beck absent). Alderman Conness made a motion to lay the committee report over, seconded by Alderman Jacobson. LAID OVER.

## PETITIONS AND COMMUNICATIONS

24. Alderman Beach submitted a Memorandum from Patrick Hayes, Legal Director, regarding the Amendment to Annexation Agreement Landmark Development East Riverside and I-90. Referred to Code and Regulation Committee.

## OFFICERS REPORTS

25. Mayor Morrissey read a Proclamation proclaiming the week of April 24, 2006 to be "National Volunteer Week" in Rockford, and encouraged all citizens to recognize those that serve as volunteers in our communities, and to find time in their own lives for volunteer work.
26. Mayor Morrissey read a Proclamation proclaiming the week of April 24, 2006 to be "Holocaust Remembrance Week" in Rockford, and in memory of the victims of the Holocaust and the righteous Gentiles who risked their own lives to save the lives of the persecuted.
27. Mayor Morrissey read a Proclamation proclaiming Wednesday, May 3, 2006 to be "Senior Follies Day" in Rockford, and urged all citizens to support the Senior Follies' performance and Lifescape Community Services' programs in the Rockford area.
28. Mayor Morrissey read a Proclamation proclaiming Friday, April 28, 2006 to be "Workers Memorial Day" in Rockford, in recognition of workers killed, injured and disabled on the job.
29. Mayor Morrissey called attention to a memorandum with attached correspondence from himself to members of the City Council, regarding the River Edge Redevelopment Initiative.
30. Mayor Morrissey addressed concerns from the community regarding INS related issues today and assured the citizens there was no involvement from the City of Rockford in any activity or action taken by the INS regarding citizenship status.
31. Mayor Morrissey called attention to a memorandum from James Ryan, City Administrator, and himself to members of the City Council, regarding the Coronado Theatre Governance Transfer Status Report.
32. Mayor Morrissey mentioned the complimentary bags located on the aldermen's desks were from the Rockford Metro Center in celebration of their 25<sup>th</sup> Anniversary.
33. Mayor Morrissey advised that today at a press conference he announced the appointment of Reid Montgomery as Director of Community and Economic Development and informed the council that Alderman Johnson would be recommending approval of the appointment during officer's reports.

34. Mayor Morrissey addressed the Ethanol Plant issue suggesting the City and County need to work together when considering new industry to the community and the public safety issues that potentially could arise from this project.
35. Alderman Johnson thanked Alderman Timm, Alderman Mark, Patrick Hayes, Legal Director, and Janyce Fadden, President of the Rockford Area Economic Development Council for their involvement in the interview process along with herself and communicated quotes from the press release.

Alderman Johnson submitted the appointment of Reid Montgomery as Director of Community and Economic Development beginning May 24, 2006.

Alderman Beach moved to suspend Rule 15, seconded by Alderman Mark. MOTION PREVAILED (Ald. Timm, Beck absent). The appointment of Reid Montgomery was placed on passage. MOTION PREVAILED (Ald. Timm, Beck absent).

Mayor Morrissey thanked Vicki Manson, Interim Director of Community Development, for her dedication and commitment to the City.

36. Alderman Holt questioned when the annual department head approvals are effective and would this appointment have to be recommended again at that time.
37. Alderman McNeely reiterated Alderman Holt's question and voiced her concern voting on his appointment tonight without a review of his resume and his agenda for the City.
38. Alderman Mark commented on the appointment of Reid Montgomery, acknowledging his accomplishments and experience in private industry, which will be an asset to this community.
39. Alderman Thompson thanked Vicki Manson for her dedication as Interim Director of the Community Development Department and for her assistance, knowledge and honesty over the past several years.
40. Alderman Jacobson thanked Vicki Manson for her commitment as Interim Director of the Community Development Department and thanked Mayor Morrissey and staff for allowing council members to be a part of the selection process for the position of the Director of Community and Economic Development Department.
41. Alderman Wasco thanked Vicki Manson for her dedication and expressed his support of the appointment of Reid Montgomery.
42. Alderman Holt informed council members that he will be reading in a resolution regarding the Ethanol Plant during Motions and Resolutions at tonight's meeting.
43. Alderman Thompson commented with the warm weather approaching she has concerns with the pitbulls and loud music outside. Several months ago council discussed pitbull/dog issues as well as she personally spoke with Animal Services and the Chairman regarding those concerns. She requested a report documenting the number of

calls regarding dogs along with proposals and suggested changes to ensure a more timely and effective response to those calls. Referred to Winnebago County Animal Services.

44. Alderman Thompson thanked the Rockford City Police Department and Neighborhood Standard Officers for their continued efforts, time commitments and energy attending the neighborhood watch meetings and their patience dealing with the complaints. She expressed concern with the overwhelming amount of complaints regarding suspicious activity at the gas station on the corner of Central and Auburn Street. Alderman Thompson indicated that on several occasions this business has been given the opportunity by the City to resolve these problems and suggested closing the gas station until a solution as been made. Referred to the Police Department and Legal Department.
45. Alderman Jacobson mentioned an e-mail he received from Elaine Minor regarding her concerns with a dirt racing track beside and through a drainage ditch in the City. Referred to Mayor Morrissey.
46. Alderman Jacobson expressed concern regarding the drive-by shooting on Wintergreen Drive and requested information from the Police Department. Referred to the Police Department.
47. Alderman Beach mentioned he had driven by the ATV Park on South Main Street and was elated at the number of people utilizing the recreational facility.
48. Alderman Beach commented that the business where he works at was hit with graffiti and thanked those responsible for the clean up.
49. Alderman Beach announced on May 3<sup>rd</sup> at 4:30 pm in Council Chambers at City Hall there will be a public hearing on Alderman Thompson's proposed Procurement Policy.
50. Alderman Beach advised he received an e-mail from Dick Goff, President of International Division of Rockford Products, regarding a suspicious unmarked vehicle parked in front of a school by his business and his concern for the safety of his employees and children in the area. He suggested City Council approve a policy that any business working on City property must have identification on those vehicles. Referred to Mayor Morrissey.
51. Alderman Bell stated the monthly meeting for the 5<sup>th</sup> Ward is scheduled for Thursday, April 27<sup>th</sup> at 6:00 pm at the Montague Branch Library.
52. Alderman Bell commented on the community meeting Wednesday night and the additional of a new store front located on South Main Street.
53. Alderman Bell referred to an e-mail he received from Richard Wheaton concerning an on-going noise problem and speeding in the 1200 block of Clover Avenue. Referred to the Police Department.

54. Alderman McNeely thanked Mayor Morrissey and Patrick Hayes, Legal Director, for the memo regarding the graffiti problem and a draft Resolution to be forwarded to the State for consideration.
55. Alderman McNeely thanked Mayor Morrissey and George Davis, Director of Human Services, for corresponding with FEMA and updating her with that information.
56. Alderman McNeely mentioned Saturday was a Weed-n-Seed Clean-up day and was impressed with the number of teenagers that participated in the program.
57. Alderman McNeely thanked Alderman Bell for inviting her to the community meeting Wednesday night and was pleased to see the large number in attendance.
58. Alderman McNeely congratulated Chief Epperson as our new Chief of Police and welcomed Reid Montgomery to the City of Rockford as Director of Community and Economic Development Department and wished them both well in their new positions.
59. Alderman McNeely reiterated Mayor Morrissey's comments regarding the INS related issue today and encouraged any individual with concerns to contact INS, the Mayor's Office or Alderman McNeely's Office.
60. Mayor Morrissey again repeated that the City of Rockford has no activity or authorized activity to stop individuals regarding their citizenship status.

### **PUBLIC HEARING**

61. Mayor Morrissey called upon Alderman Beach to conduct a public hearing. Alderman Beach called the hearing to order at 7:55 pm, stated that it was being held pursuant to 65 Illinois Compiled Statutes 5/11-15.1-3, for the preannexation agreement for property located at 5135 Forest Hills Road. He asked for questions or comments from the Council members, and then from the public, and closed the public hearing at 7:55 pm.

The Meeting returned to the regular Order of Business at 7:56 pm.

### **UNFINISHED BUSINESS**

#### **2006-68-O**

62. Alderman Johnson moved the adoption of an 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. MOTION PREVAILED by a Roll Call vote of:

Ayes:	Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-
Nays:	-0-
Absent:	Timm, Beck -2-

#### **2006-136CR**

63. Alderman Beach moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

64. Alderman Beach moved the adoption of a Code and Regulation Committee Report 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.

Alderman Conness made a motion to lay the committee report over, seconded by Alderman Mark. Alderman Jacobson suggested the committee report be held out. Committee Report HELD OUT.

**2006-137CR**

65. Alderman Beach moved the adoption of 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.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-69-O**

66. Alderman Beach moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-70-O**

67. Alderman Beach moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-71-O**

68. Alderman Beach moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-72-O**

69. Alderman Beach moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-73-O**

70. Alderman Beach moved the adoption of 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-

Absent: Timm, Beck -2-

**2006-74-O**

71. Alderman Beach moved the adoption of an 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. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-138CR**

72. Alderman Mark moved the adoption of 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. MOTION PREVAILED (Ald. Timm, Beck absent).

**MOTIONS AND RESOLUITONS**

73. Alderman Holt, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution directing Staff to file as legal objectors regarding Winnebago County Zoning Item No. Z-10-06 regarding the Ethanol Plant.

Alderman Holt moved to suspend Rule 15, seconded by Alderman McNeely. The Mayor asked for a Voice vote and then asked for a Roll Call vote when it was unclear. MOTION FAILED with a Roll Call vote of:

Ayes: Curran, Bell, Thompson, Holt, McNeely -5-  
Nays: Sosnowski, Mark, Wasco, Jacobson, Johnson, Beach, Conness -7-  
Absent: Timm, Beck -2-

Resolution LAID OVER.

74. Alderman Bell moved the adoption of a Resolution that the Mayor of the City of Rockford request the Winnebago County Board members to delay action on their vote regarding the heavy industrial zoning for Meridian Road.

Alderman Bell moved to suspend Rule 15, seconded by Alderman McNeely. The Mayor asked for a Voice vote and then asked for a Roll Call vote when it was unclear. MOTION FAILED with a Roll Call vote of:

Ayes: Curran, Bell, Thompson, Johnson, Holt, McNeely -6-  
Nays: Sosnowski, Mark, Wasco, Jacobson, Beach, Conness -6-  
Absent: Timm, Beck -2-

Resolution LAID OVER.

**2006-22R**

75. Alderman Johnson moved the adoption of a Resolution for US Business 20 (E. State Street) from Fairview Boulevard to Alpine Road in the amount of \$2,184.66. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-23R**

76. Alderman Johnson moved the adoption of a Resolution for Harrison Avenue Rehabilitation 20<sup>th</sup> Street to Mulford Road in the amount of \$100,000.00. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-24R**

77. Alderman Johnson moved the adoption of a Resolution for IL Route 70 (Kilburn) Meridian Road to Summerdale Avenue in the amount of \$8,098.46. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-25R**

78. Alderman Johnson moved the adoption of a Resolution for General Maintenance 2005 in the amount of \$62,000.00. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-  
Nays: -0-  
Absent: Timm, Beck -2-

**2006-26R**

79. Alderman Johnson moved the adoption of a Resolution to take bids/proposals for: Bid: Demolition of 502 N. Hinkley, funding source: CDBG; Bid: Demolition of 429. S. Rockton, funding source: CDBG. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson, Beach, Holt, McNeely, Conness -12-

Nays: -0-  
Absent: Timm, Beck -2-

### NEW BUSINESS

80. Alderman Beach introduced and read an Ordinance amending Chapter 37, Section 900.2, of the City of Rockford Code of Ordinances for a Zoning Map Amendment in conjunction with the Preannexation Agreement from County AG to City I-1, Light Industrial District at 15XX Baxter Road. Approval is based on the following condition:

1. Terms of the Preannexation Agreement.

Approval is based on the Findings of Fact (LAD 5/22/06, ZBA #010-06). LAID OVER.

81. Alderman Beach introduced and read an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for the Modification of a 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). LAID OVER.

82. Alderman Beach introduced and read an Ordinance amending Chapter 37, Section 1604, of the City of Rockford Code of Ordinances for a 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). LAID OVER.

### 2006-75-O

83. Alderman Beach introduced and read an Ordinance to authorize the execution of the Agreement for Use of Right of Way with Norlight Telecommunications, Inc., a Wisconsin Corporation.

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

Ayes: Mark, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson,  
Beach, Holt, Conness -11-  
Nays: McNeely -1-

Absent: Timm, Beck -2-

**2006-76-O**

84. Alderman Mark read an Ordinance authorizing Fee-for-Service Funding Agreement with Mid Town District Association and the City of Rockford.

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

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

**2006-77-O**

85. Alderman Mark read an Ordinance authorizing Fee-for-Service Funding Agreement with River District Association and the City of Rockford.

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

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

**OFFICERS REPORTS**

86. Alderman Conness voiced his concern with the aldermen stating they were not informed regarding the Ethanol Plant issue when there had been many hours of debate for them to have received information and make an informed decision. He also mentioned the Lena and Rochelle Ethanol Plants and their relative successes and failures.
87. Alderman Thompson commented on the Ethanol Plant discussion and was hopeful that members of the council would be respectful of the comments and opinions of all the aldermen and stay focused as leaders of this community on what is best for Rockford.
88. Alderman McNeely expressed her support for the constituents in her ward by sharing their concerns and opinions with council and elected officials regarding the types of business solicited for the west side of Rockford particularly the area immediately surrounding the proposed Ethanol Plant.

89. Upon motion duly made and seconded, the meeting was adjourned at 8:45 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**  
**May 1, 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

**I. PUBLIC HEARING**

1. Public Hearing scheduled for the Preannexation Agreement at 15xx Baxter Road.

**UNFINISHED BUSINESS**

**II. COMMITTEE REPORTS**

**A. LAID OVER APRIL 24, 2006**

1. Johnson - Finance and Personnel - Recommending the Intergovernmental Agreement for Aircraft Rescue and Firefighting Services with Greater Rockford Airport Authority and the City of Rockford be approved. The Legal Director shall prepare the appropriate ordinance.
2. Mark - Planning and Development - Recommending that the City Council approve the request for Emergency Shelter Grants Program – Funding Year 2006.
3. Beach - Code and Regulation - Recommending that the City of Rockford not file as a legal objector to County Zoning Item No. Z-10-06 regarding the Ethanol Plant.

**B. HELD OUT APRIL 24, 2006**

1. 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.

### **III. ORDINANCES LAID OVER APRIL 24, 2006**

1. Beach - Ordinance - Amending Chapter 37, Section 900.2, of the City of Rockford Code of Ordinances for a Zoning Map Amendment in conjunction with the Preannexation Agreement from County AG to City I-1, Light Industrial District at 15XX Baxter Road. Approval is based on the following condition:

1. Terms of the Preannexation Agreement.

Approval is based on the Findings of Fact (LAD 5/22/06, ZBA #010-06).

2. Beach - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for the Modification of a 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).

3. Beach - Ordinance - Amending Chapter 37, Section 1604, of the City of Rockford Code of Ordinances for a 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).

### **IV. RESOLUTIONS LAID OVER APRIL 24, 2006**

1. Holt, on behalf of the Code and Regulation Committee - Resolution directing Staff to file as legal objectors regarding Winnebago County Zoning Item No. Z-10-06 regarding the Ethanol Plant.
2. Bell - Resolution that the Mayor of the City of Rockford request the Winnebago County Board members to delay action on their vote regarding the heavy industrial zoning for Meridian Road.

**V. MISCELLANEOUS ITEMS HELD OUT APRIL 24, 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

\* \* \* \* \*

**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, May 1, 2006, 4:45 p.m.**

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

**AGENDA**

- 1. C & R 06-71 April Traffic Commission Minutes
- 2. C & R 06-78 Amendment to Annexation Agreement- Landmark Development East Riverside and I90.
- 3. C & R 06-79 Amendment to Chapter 16, Section 16-77 of the City Ordinances
- 4. C & R 06-61 ZBA#018-06 (A) Variation to reduce the front yard setback from thirty-three feet (33') to twenty nine feet six inches (29'6) along Elm Street for 201 Waveland Avenue  
(B) Variation to reduce the front yard setback from thirty three feet (33') to twenty seven feet six inches (27'6") along Elm Street for 202

Waveland Avenue in an R-1, Single-Family Residential District at 201, 202 Waveland Avenue

5. C & R 06-62 ZBA#019-06 Special Use Permit for a Planned Mixed Use Development consisting of a restaurant, retail sales and a residence in an R-2, Two-Family Residential Zoning District at 1608 & 1612 12<sup>th</sup> Avenue & 1230 11<sup>th</sup> Street
  
6. C & R 06-63 ZBA#020-06 (A) Special Use Permit for a Planned Residential Development consisting of a two-family residence  
  
(B) Variation to reduce the density requirements from 3,850 square feet to 3,750 square feet per unit in an R-1, Single-Family Residential District at 228-230 Guard Street
  
7. C & R 06-64 ZBA#021-06 (A) Special Use Permit for sale of beer and wine by the drink and the sale of wine by the package  
  
(B) Special Use Permit for a Planned Mixed-Use Development consisting of a sandwich and wine shop on the ground floor and a banquet room on the second floor, in a C-4, Commercial Oldtown District at 509 East State Street
  
8. C & R 06-65 ZBA#022-06 (A) Special Use Permit for a used passenger vehicle sales lot in an I-1, Light Industrial District  
  
(B) Variation to allow existing conditions to remain as-is as per the submitted site plan in an I-1, Light Industrial District at 623 North Madison Street
  
9. C & R 06-67 ZBA#024-06 (A) Zoning Map Amendment from C-3, Commercial General District and R-1, Single-Family Residential to C\_3, Commercial General District  
  
(B) Special Use Permit for a Planned Mixed-Use Development consisting of a fast-food restaurant with a drive-thru and a coffee kiosk with double drive-thru in a C-3, Commercial General District  
  
(C) Variation to reduce the required stacking spaces from eight (8) per window to three (3) in a C-3, Commercial General District at 3221 & 3225 11<sup>th</sup> Street

10. C & R 06-68 ZBA#025-06 Special Use Permit for a Planned Mixed-Use Development consisting of a resource center equipped with a computer room, food and clothing pantry, and referral center in an R-1, Single-Family Residential Zoning District at 128 Albert Avenue
11. C & R 06-76 Closed Session for purposes of pending litigation – Attorney Kerry Partridge

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, May 1, 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: 2005 Alley Reconstruction Phase III – Suspend rules
  - B. Award of Bid: Sale of Property 126 N. Sunset
  - C. Award of Bid: Summer Food Program
  - D. Award of Bid: SWAT Weapons
  - E. Award of Bid: Portable Radios & Accessories
  - F. Award of RFP: Citizen Response Software System
  - G. Emergency P.O. for Sweeper Repair
  - H. Vouchers
    - √Travel/Training for Human Services Department
2. Intergovernmental Agreement: Davis-Pec Bikepath
3. Union Negotiation Update – Closed Session

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, May 1, 2006, 5:30 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

1. Letter from Linda Hernandez, Assistant Superintendent Rockford School District, addressed to Steve Ernst, City Traffic Engineer, regarding concourse parking arrangements during graduation ceremonies for the four Rockford Public High Schools to be held at the MetroCentre.

2. Letter from Linda Hernandez, Assistant Superintendent Rockford School District, addressed to Steve Ernst, City Traffic Engineer, regarding concourse parking arrangements during graduation ceremonies for Roosevelt and Sky View schools to be held at the Coronado Theatre.