

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
MARCH 12, 2007
COUNCIL CONVENED AT 6:21 P.M.**

1. The Clerk called the meeting to order in the absence of the Mayor, and recognized Alderman Mark who moved that Alderman Holt serve as Mayor Pro Tem for the meeting. Said motion was seconded by Alderman Wasco. MOTION PREVAILED (Ald. Jacobson, McNeely absent).
2. The invocation was given by Chaplain Orville Richardson, Jefferson Heights Baptist Church/Police Chaplain and the Pledge of Allegiance was led by Page Justin Francis.
3. Roll Call:

Alderman Holt, Mayor Pro Tem

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Thompson-Kelly, Johnson, Timm, Beach, (Holt), Beck, Conness –12-
Absent: Jacobson, McNeely –2-
4. Alderman Mark moved to accept the Journal of Proceedings of March 5, 2007, seconded by Alderman Beach. MOTION PREVAILED (Ald. Jacobson, McNeely absent).

PETITIONS AND COMMUNICATIONS

5. Alderman Bell submitted a Memorandum from Jovita Donahue, Development Specialist, regarding a Revision of abatement start date for Norstar Mechanical Industries Enterprise Zone Property Tax Abatement. Referred to Planning and Development Committee.
6. Alderman Johnson submitted three (3) Requests for Service. Referred to Neighborhood Standards and the Public Works Department.
7. Alderman Mark submitted a letter from Rebecca Kopf, River District concerning enforcement efforts of the City Ordinance that requires owners or occupiers of a establishment to remove all snow and ice on the sidewalks before noon the day after the snow or ice ceases and requested the City more promptly clear sidewalks abutting to bridges, parking lots and public buildings. Referred to Mayor Morrissey's Office and the Public Works Department.
8. Alderman Mark submitted a Request from Carl Kole for a "no left turn between the hours of 3:00 pm – 6:00 pm" sign to be installed at the intersection of Highcrest and Chelsea. Referred to the Public Works Department/Traffic.
9. Alderman Mark submitted a Memorandum from Jessica Ellwanger, Planner II, regarding the Tentative Plat of Alpine Crossings. Referred to Code and Regulation Committee.

NEW COMMITTEE REPORTS

10. Alderman Beck read a Finance and Personnel Committee Report recommending that the 2007 budget be adopted, as amended per the March 8, 2007 Memorandum, and that the Budget Officer be directed to prepare the necessary Appropriation Ordinance. LAID OVER.

2007-84CR

11. Alderman Beck read a Finance and Personnel Committee Report recommending budgeted vacancies for the Department of Public Works, recommends the following positions, Operations/Administrative Service Manager and Four Temporary Engineering Technicians be authorized to be filled.

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

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

2007-85CR

12. Alderman Beck read a Finance and Personnel Committee Report recommending entering into an Agreement with the Illinois Department of Transportation that transfers ownership and maintenance of the Kishwaukee Street Bridge to the State. As part of the agreement the State will provide an estimated not-to-exceed amount of \$3,480,000 for the construction of the bridge and improvements to Kishwaukee Street and Lewis Street intersection.

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

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

2007-86CR

13. Alderman Beck read a Finance and Personnel Committee recommending that the Lease between the City of Rockford and Aries Café be approved. The Legal Director shall prepare the appropriate ordinance.

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

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

14. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of March 12, 2007 in the amount of \$2,101,916.49. MOTION PREVAILED by a Roll Call vote of:

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

15. Alderman Bell read a Planning and Development Committee Report recommending approval of the Intergovernmental Agreement establishing the Northern Illinois Technology Triangle Commission with Boone County, City of Rochelle, Northern Illinois University, Ogle County, Winnebago County, and the City of Rockford. The Legal Director shall prepare the appropriate Ordinance. LAID OVER.
16. Alderman Bell read a Planning and Development Committee Report recommending the 2007 Program not be amended, but that additional funds for CIP/Infrastructure be proposed for the 2008 CDBG Program in accordance with the approval process timeline attached. LAID OVER.
17. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation of 6178 11th Street, 24xx Blackhawk Road and 61xx 11th Street – Tract I. LAID OVER.
18. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation of 24xx Blackhawk Road – Tract II. LAID OVER.
19. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation of 1818 Morgan Street. LAID OVER.
20. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the sale of a portion of 1009 Kishwaukee Street for a minimum bid of \$19,000.00 which includes all costs and advertising. The City of Rockford shall retain ownership of the easterly twenty-five (25) feet of 1009 Kishwaukee Street for future roadway improvements. LAID OVER.
21. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from County AG to City R-2, Two-family Residential District for Tract I and APPROVE the Special Use Permit for Planned Residential Development in an R-2, Two-family Residential District for Tract I at 6178 11th Street. Approval is subject to the following conditions:

1. The terms of the Annexation Agreement.
2. Submittal of a Tentative Plat and Final Plat for City review and approval.
3. Submittal of a drainage study for Staff review.
4. Submittal of a revised site plan for Staff review and approval.
5. The building's front elevation shall be replicate of Exhibit E.
6. Submittal of a revised landscaping plan for Staff review and approval.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #008-07). LAID OVER.

22. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from County AG to City I-1, Light Industrial District for Tract II at 24xx Blackhawk Road.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #008-07). LAID OVER.

23. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Tentative Plat of Arbor Heights Subdivision. LAID OVER.

24. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Mixed Use Development consisting of an existing church and parking lot; and APPROVE the Variation to allow landscaping as shown on the submitted plan in an R-2, Two-family Residential District at 940 and 950 North Rockton Avenue. Approval is subject to the following conditions:

1. A parking lot permit and approval from Public Works Department is required prior to improvements to the site.
2. Improvements to the site must be in accordance with Exhibit E.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #004-07). LAID OVER.

25. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the front yard setback from thirty (30) feet to seventeen (17) feet along South Mulford Road in a C-2, Commercial Community Zoning District at 252 South Mulford Road. Approval is subject to the following conditions:

1. Submittal and approval of a detailed landscaping plan.
2. Submittal and approval of building elevations and site plan before building permit approval.
3. That sidewalks be installed along South Mulford Road and Fincham Road.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #003-07). LAID OVER.

26. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from I-1, Light Industrial to R-2, Two-family Residential District and R-1,

Single-family Residential District to R-2, Two-family Residential District for Tract I and a Special Use Permit for a Planned Residential Development for existing two-family residences for Tract II in an R-2, Two-family Residential District at 2901, 2915, 2919, 2923, 2927 and 2931 24th Street. Approval is subject to the following conditions:

1. Submittal of elevation drawings prior to issuance of a building permit for staff's review and approval.
2. The existing driveways must be paved with either concrete or blacktop.
3. A re-plat must be approved and recorded prior to issuance of building permits.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #001-07). LAID OVER.

27. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit Ordinance #2001-274-O, for the brewing of beer, sale of liquor by the drink and the sale of packaged liquor approved on December 10, 2001 for Parcel 1 to allow expansion onto Parcel II; and APPROVE the Special Use Permit for outdoor sale of liquor by the drink for Parcel I and II in a C-4, Commercial Oldtown District at 213-215 and 217 East State Street. Approval is subject to the following conditions:

1. The sale of liquor by the drink shall only be permitted in conjunction with an operating on-site brewery.
2. The sale of packaged liquor shall only be permitted in conjunction with an operating on-site brewery.
3. Meeting all applicable Building and Fire Codes.
4. Meeting City's code on outdoor sales of alcoholic liquor.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #007-07). LAID OVER.

28. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Variation to increase the maximum square footage for an accessory building from seven hundred twenty (720) square feet to eight hundred sixty-four (864) square feet and to increase the width of driveway off an alley from twenty-four (24) feet to thirty-two (32) feet in a R-1, Single-family Residential Zoning District at 615 North London Avenue.

Denial is based on the Findings of Fact (LAD 4/23/07, ZBA #002-07). LAID OVER.

29. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a self-service gas station and car wash; APPROVE the Special Use Permit for packaged liquor sales that does not satisfy all Performance Criteria; and APPROVE the Variation to reduce the rear setback from ten (10) feet to three (3) feet for Lots 20, 21 and 22, Light-Industrial Zoning District at 2501 North Main Street. Approval is subject to the following conditions:

1. Meeting all applicable Fire and Building Codes.

2. Submittal of a revised Site Plan, Landscaping Plan, Illumination Plan and Building Elevations for Staff review and approval prior to Zoning Clearance for a building permit.
3. Package liquor sales are in conjunction with the convenience store as a secondary use.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #005-07). LAID OVER.

2007-87CR

30. Alderman Mark read a Code and Regulation Committee Report recommending approval of the attached ordinance as it relates to the amendment of the section number of the Littering Ordinance from Section 19-42 to Section 13.42. The Legal Director shall prepare the appropriate ordinance.

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

PETITIONS AND COMMUNICATIONS

31. Alderman Beck submitted a Memorandum from Patrick Zuroske, Capital Program Manager regarding a Change Order for Engineering Agreement for Kishwaukee Bridges in the amount of \$122,000 for design engineering. Placed on file.

OFFICERS REPORTS

32. Alderman Holt mentioned a letter addressed to Mayor Morrissey from the parishioners of St. Anthony Padua, inviting the Mayor and all the members of the City Council, with their families to share in the celebration of their annual St. Joseph Altar on Sunday March 18, 2007. The traditional meatless meal of pasta, froshi and pastries will be served in the parish center from 11:30 am until 3:00 pm.
33. Alderman Holt commented on a Memorandum from the Citizens for Rebuilding Rockford announcing an upcoming "Endorsement" News Conference for Sales Tax/Road Referendum, which will be held on Wednesday, March 14, 2007 at 10:30 am at the IBEW Hall, 6820 Mill Road.
34. Alderman Holt announced Justin Francis' last day, as City Council Page, would be tonight. Justin has served as City Council Page for over two years and was a tremendous asset to our City Council Clerk and City Council Members. He will be graduating from Auburn High School this spring and attending Rock Valley College in the fall. We wish him the best of luck in his future endeavors.
35. Alderman Holt, on behalf of Mayor Morrissey, presented a Proclamation proclaiming the week of March 12, 2007 to be "Irish Marching Society Week" in Rockford, Illinois and urged all citizens to recognize and support the Irish Marching Society's enthusiastic efforts to celebrate and preserve their Celtic Heritage.

36. Alderman Bell advised that he had received several phone calls concerning a possible watermain break in the area that borders Ogilby Road, West Street/Clifton, Montague and along the river. He requested the Aldermen be informed of these situations and asked Director Bittner to update him on this matter. Director Bittner advised he would fax this information to him tomorrow morning.
37. Alderman Bell commented he received correspondence from Chief Epperson regarding the apprehension of individuals involved in graffiti. He thanked him for the update and continued enforcement efforts. He suggested the City Legal Department and State's Attorney's Office coordinate efforts to adopt stringent requirements and disciplinary action to individuals arrested for graffiti.
38. Alderman Thompson-Kelly commented she also received several phone calls concerning discolored water and in some cases even "no" water. She thanked Mayor Morrissey's Office and City staff for their quick response to the citizens concerns.
39. Alderman Thompson-Kelly mentioned she had the honor and privilege to tour the Fire Station at the Airport. She remarked how impressed she was with the staff and their personal touches at the Station.
40. Alderman Thompson-Kelly thanked Deputy Chief Glover for his response to a request she made on Sunday.
41. Alderman Curran commented at last week's meeting he voiced his concerns regarding the reconstruction of Rural Street and is now requesting a report from the Public Works Department identifying the cause and who is responsible for the deterioration of those streets, after just a few years of reconstruction/resurfacing, and what measures will be taken in the future to ensure quality work on street projects.
42. Alderman Beach reiterated his concerns regarding Rural Street and reported that it has been resurfaced twice. He thanked Alderman Curran for requesting a report from the Public Works Department and he also would like to review it.
43. Alderman Beach announced he attended a men's meeting at Zion Lutheran Church with guest speaker Bob O'Brien from the Airport. He suggested Council invite him to a meeting to present an overview on the prospects at the Airport and comment on the potential of someday soon being self-supportive from the Rockford tax base.
44. Alderman Johnson acknowledged her sister, Natalie Willis, was in the audience, she is visiting from Tulsa, Oklahoma.
45. Alderman Mark mentioned last Wednesday and Thursday Aldermen Beach, Jacobson, Thompson-Kelly, Bell and he traveled to Springfield to meet with State legislators. The trip was viewed as very successful, and he thanked E.J. Dilonardo, Rockford Fire Department, for compiling a booklet of our representatives in Springfield. He commented he also had the opportunity while in Springfield to meet with Rick Merle, President of the Firefighters, his staff and the Fire Marshall and thanked them for their book entitled, "The Fiery Struggle" which Alderman Mark distributed to the Aldermen.

Alderman Mark announced during their trip to Springfield, Alderman Bell celebrated his 73rd birthday.

46. Alderman Mark commented that Wednesday, March 14th at 7:30 pm at the Coronado Performing Arts Theatre the Soweto Gospel Choir from South Africa will be performing for the first time in Rockford. He encouraged all to come and see this amazing concert.
47. Alderman Beck announced the Kiwanis Pancake Day event will be held this Saturday, March 16th at Rock Valley College from 6:30 am to 2:30 pm. This wonderful event supports organizations in Rockford that benefit our children. He encouraged all to attend.
48. Alderman Bell communicated there will be a Weed-n-Seed Steering Committee meeting on March 14th at 5:30 pm at the Patriot's Gateway Center, 615 S. 5th Street, regarding the Kishwaukee Corridor. The public is invited to attend.

UNFINISHED BUSINESS

2007-88CR

49. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval of the modification of the attached Intergovernmental Agreement providing for the improvement of the MetroCentre with the Metro Authority. The Legal Director shall prepare the appropriate Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

2007-47-O

50. Alderman Bell moved the adoption of an Ordinance recommending that the West State-Central Redevelopment Project Planning Area be approved. MOTION PREVAILED by a Roll Call vote of:

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

2007-48-O

51. Alderman Bell moved the adoption of an Ordinance recommending that the West State-Central Redevelopment Plan and Project be approved. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Thompson-Kelly, Johnson,
Timm, Beach, Holt, Beck, Conness -12-
Nays: -0-

Absent: Jacobson, McNeely -2-

2007-49-O

52. Alderman Bell moved the adoption of an Ordinance recommending that the County Clerk be instructed to implement tax increment financing per statute within the West State-Central Redevelopment Area. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-

Absent: Jacobson, McNeely -2-

2007-89CR

53. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending payment to Barron Industries in the amount of \$1.4 million for relocation costs from 120 Morgan St., with a credit of \$400,000 which was previously paid. (Morgan Street Bridge project) Funding source: Motor Fuel Tax (MFT) funds.

2007-50-O

54. Alderman Beck moved the adoption of an Ordinance recommending approval of the attached Intergovernmental Agreement for a written guaranty securing a revolving line of credit for the Rockford Mass Transit District, by and between the City of Rockford, a municipal corporation, and the Rockford Mass Transit District, is hereby approved. The Mayor and Legal Director are hereby authorized to execute and attest the attached. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-

Absent: Jacobson, McNeely -2-

55. Alderman Beck moved the adoption of an appointment to the Homestead Board, Robert King, for a term to expire June 2010. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-

Absent: Jacobson, McNeely -2-

56. Alderman Beck moved the adoption of an appointment to the Mechanical Board, Brad Glidden, to replace Mark Glidden, for a term to expire October 2009. MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-

Absent: Jacobson, McNeely -2-

2007-90CR

57. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:

- 1) Request from Alderman Ann Thompson, 7th Ward for the traffic signal installation at the following intersections:
 - a) Auburn Street and Avon Street
 - b) Auburn Street and Pierpont Avenue
 - c) Johnston Avenue and School Street
- 2) Request from Ron Bare to prohibit left turn for westbound traffic on Broadway at 15th Street.
- 3) Request from Anthony Cruz for "No Parking Anytime" and "Residential Permit Parking" on the west side of Foster Avenue between Preston Street and Anderson Street.

MOTION PREVAILED by a Roll Call vote of:

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

2007-91CR

58. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on the east side of South Main Street from 210' south of Mill Street to Morgan Street, thus repealing all existing parking ordinances in this roadway section.

MOTION PREVAILED by a Roll Call vote of:

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

2007-92CR

59. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw on Ordinance for "No Parking Anytime" on the east side of South Main Street from Cedar Street to Mill Street, thus repealing all existing parking ordinances in this roadway section. MOTION

PREVAILED by a Roll Call vote of:

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

2007-93CR

60. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for "No Parking Anytime" on the west side of South Main Street from Cedar Street to Morgan Street, thus repealing all existing parking ordinances in this roadway. MOTION PREVAILED by a Roll Call vote of:

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

2007-94CR

61. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw on Ordinance that traffic on Waveland Avenue be required to Yield prior to entering the intersection of Green Street. MOTION PREVAILED by a Roll Call vote of:

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

2007-95CR

62. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Sheffield Avenue be required to yield prior to entering the intersection of Green Street. MOTION PREVAILED by a Roll Call vote of:

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

2007-96CR

63. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Special Use Permit for a Planned Mixed Use Development consisting of a single-family residence and a performance use of passenger vehicle sales that cannot satisfy the performance criteria of 600 feet from a residential district; APPROVE a Variation to reduce the required parking spaces from two (one fully enclosed) to one parking space (not fully enclosed); and APPROVE a Variation from the required Type "C" Landscape Buffer to remain "as is" on the west 1/3 of the lot in a C-3, Commercial General District at 3502 Kishwaukee Street. Approval is subject to the following conditions:

1. That the number of vehicles displayed for sale on the property shall be limited to twelve (12). Total number of vehicles allowed on the property shall not exceed fifteen (15).

2. That the property and use shall comply with all Building and Fire Codes.
3. That the property is developed as per the submitted concept drawing with the modification to include a four foot (4') landscape strip along the north and south property lines for Staff review and approval.
4. That the operation and use of passenger vehicle sales shall not be leased to a second party, but operated by the fee simple owner and resident of the property.
5. That a parking lot permit be approved by the City in conformation with this Special Use Permit (ZBA 080-06) and City of Rockford codes and regulations. That the design and construction of parking/display lot inclusive of proposed brick pavers be submitted for Staff review and approval.
6. Signage on this property shall be limited to the same approximate size and location as the existing signage on the lot and signage plan shall be submitted for Staff approval.

Approval is based on the Findings of Fact (LAD 3/19/07, ZBA #080-06).

Alderman Curran made a motion to amend the committee report by eliminating condition #4 of the committee report. "That the operation and use of passenger vehicle sales shall not be leased to a second party, but operated by the fee simple owner and resident of the property", seconded by Alderman Mark. MOTION PREVAILED (Ald. Jacobson, McNeely absent; Ald. Johnson voted no).

The Committee Report as amended was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

2007-97CR

64. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the public utility easement dedication from Elm Street to Mulberry Street in favor of Insight Communications, Inc. for construction of an underground fiber optic cable across certain property owned by the City of Rockford. Insight is relocating this cable as part of the West State Street to Chestnut Street Crossover Improvement. MOTION PREVAILED by a Roll Call vote of:

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

2007-51-O

65. Alderman Mark moved the adoption of an Ordinance recommending the approval of the Registration of the Sellers of Scrap Copper in the City of Rockford. MOTION PREVAILED by a Roll Call vote of:

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

MOTIONS AND RESOLUTIONS

2007-33R

66. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution recommending to take bids for the following: Network Switches, funding source: IT; Bid: Traffic Signs/Blanks/Posts/Finished Signs, funding source: Traffic Engineering Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

2007-34R

67. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution recommending that the City approve an Agreement between the City of Rockford and the State of Illinois, Department of Transportation for reconstruction of Kishwaukee Street from Harrison Avenue to Buckbee Street in the city of Rockford, Winnebago County, Illinois. MOTION PREVAILED by a Roll Call vote of:

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

2007-45R

68. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Legal Director to prepare and deliver certified copies of this Resolution to the Supervisor of Assessments, the County Clerk, and the County Collector and the Treasurer of Winnebago County. MOTION PREVAILED by a Roll Call vote of:

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

NEW BUSINESS

2007-52-O

69. Alderman Mark introduced and read an Ordinance to amend Chapter 13, Section 13-42 the City of Rockford Code of Ordinances as it relates to the amendment of the section number of the Littering Ordinance from Section 19-42 to Section 13-42.

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

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

2007-53-O

70. Alderman Beck introduced and read an Ordinance recommending approval of this Ordinance, the Mayor and Legal Director are hereby authorized to execute and attest the attached Lease with Aries Café and the City of Rockford.

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

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

2007-54-O

71. Alderman Bell introduced and read an Ordinance recommending approval of the Amended Agreement for funding of the Metro Authority (2004-2009).

Alderman Bell moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Jacobson, McNeely absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

72. Upon motion duly made and seconded, the meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
March 19, 2007
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

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER MARCH 12, 2007

1. Beck - Finance and Personnel - Recommending that the 2007 budget be adopted, as amended per the March 8, 2007 Memorandum, and that the Budget Officer be directed to prepare the necessary Appropriation Ordinance.
2. Bell - Planning and Development - Recommending approval of the Intergovernmental Agreement establishing the Northern Illinois Technology Triangle Commission with Boone County, City of Rochelle, Northern Illinois University, Ogle County, Winnebago County, and the City of Rockford. The Legal Director shall prepare the appropriate Ordinance.
3. Bell - Planning and Development – Recommending the 2007 Program not be amended, but that additional funds for CIP/Infrastructure be proposed for the 2008 CDBG Program in accordance with the approval process timeline attached.
4. Mark - Code and Regulation - Recommending the approval of the annexation of 6178 11th Street, 24xx Blackhawk Road and 61xx 11th Street – Tract I.
5. Mark - Code and Regulation - Recommending the approval of the annexation of 24xx Blackhawk Road – Tract II.

6. Mark - Code and Regulation - Recommending the approval of the annexation of 1818 Morgan Street.
7. Mark - Code and Regulation - Recommending the approval of the sale of a portion of 1009 Kishwaukee Street for a minimum bid of \$19,000.00 which includes all costs and advertising. The City of Rockford shall retain ownership of the easterly twenty-five (25) feet of 1009 Kishwaukee Street for future roadway improvements.
8. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from County AG to City R-2, Two-family Residential District for Tract I and APPROVE the Special Use Permit for Planned Residential Development in an R-2, Two-family Residential District for Tract I at 6178 11th Street. Approval is subject to the following conditions:
 1. The terms of the Annexation Agreement.
 2. Submittal of a Tentative Plat and Final Plat for City review and approval.
 3. Submittal of a drainage study for Staff review.
 4. Submittal of a revised site plan for Staff review and approval.
 5. The building's front elevation shall be replicate of Exhibit E.
 6. Submittal of a revised landscaping plan for Staff review and approval.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #008-07).

9. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from County AG to City I-1, Light Industrial District for Tract II at 24xx Blackhawk Road.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #008-07).

10. Mark - Code and Regulation - Recommending the approval of the Tentative Plat of Arbor Heights Subdivision.

11. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Mixed Use Development consisting of an existing church and parking lot; and APPROVE the Variation to allow landscaping as shown on the submitted plan in an R-2, Two-family Residential District at 940 and 950 North Rockton Avenue. Approval is subject to the following conditions:

1. A parking lot permit and approval from Public Works Department is required prior to improvements to the site.
2. Improvements to the site must be in accordance with Exhibit E.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #004-07).

12. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the front yard setback from thirty (30) feet to seventeen (17) feet along South Mulford Road in a C-2, Commercial

Community Zoning District at 252 South Mulford Road. Approval is subject to the following conditions:

1. Submittal and approval of a detailed landscaping plan.
2. Submittal and approval of building elevations and site plan before building permit Approval.
3. That sidewalks be installed along South Mulford Road and Fincham Road.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #003-07).

13. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from I-1, Light Industrial to R-2, Two-family Residential District and R-1, Single-family Residential District to R-2, Two-family Residential District for Tract I and a Special Use Permit for a Planned Residential Development for existing two-family residences for Tract II in an R-2, Two-family Residential District at 2901, 2915, 2919, 2923, 2927 and 2931 24th Street. Approval is subject to the following conditions:

1. Submittal of elevation drawings prior to issuance of a building permit for staff's review and approval.
2. The existing driveways must be paved with either concrete or blacktop. A re-plot must be approved and recorded prior to issuance of building permits.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #001-07).

14. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit Ordinance #2001-274-O, for the brewing of beer, sale of liquor by the drink and the sale of packaged liquor approved on December 10, 2001 for Parcel 1 to allow expansion onto Parcel II; and APPROVE the Special Use Permit for outdoor sale of liquor by the drink for Parcel I and II in a C-4, Commercial Oldtown District at 213-215 and 217 East State Street. Approval is subject to the following conditions:

1. The sale of liquor by the drink shall only be permitted in conjunction with an operating on-site brewery.
2. The sale of packaged liquor shall only be permitted in conjunction with an operating on-site brewery.
3. Meeting all applicable Building and Fire Codes.
4. Meeting City's code on outdoor sales of alcoholic liquor.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #007-07).

15. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Variation to increase the maximum square footage for an accessory building from seven hundred twenty (720) square feet to eight hundred sixty-four (864) square feet and to increase the width of driveway off an alley from twenty-four (24) feet to thirty-two (32) feet in a R-1, Single-family Residential Zoning District at 615 North London Avenue.

Denial is based on the Findings of Fact (LAD 4/23/07, ZBA #002-07).

16. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a self-service gas station and car wash; APPROVE the Special Use Permit for packaged liquor sales that does not satisfy all Performance Criteria; and APPROVE the Variation to reduce the rear setback from ten (10) feet to three (3) feet for Lots 20, 21 and 22, Light-Industrial Zoning District at 2501 North Main Street. Approval is subject to the following conditions:
1. Meeting all applicable Fire and Building Codes.
 2. Submittal of a revised Site Plan, Landscaping Plan, Illumination Plan and Building Elevations for Staff review and approval prior to Zoning Clearance for a building permit.
 3. Package liquor sales are in conjunction with the convenience store as a secondary use.

Approval is based on the Findings of Fact (LAD 4/23/07, ZBA #005-07).

II. MISCELLANEOUS HELD OUT MARCH 12, 2007

- 1.* Mayor Morrissey - Re-appointment - CAA Board, Lisa Brown, for a two (2) year term to expire January 2009. (Pursuant to Rule 18, this re-appointment will be up for passage on April 2, 2007).

* 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, March 19, 2007, 5:00 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. C & R 07-51 Request for Street Name Change – Macedonia Baptist Church
2. C & R 07-52 Tentative Plat of Alpine Crossings
3. C & R 07-53 Proposed sale of 1105 Broadway (vacant lot)
4. C & R 07-55 Claim of Chase Byerly in the amount of \$554.38
5. C & R 07-56 Claim of Madonna Gile in the amount of \$2,352.26
6. C & R 07-54 Code & Regulation Committee Meeting Time
7. C & R 07-34 ZBA#006-07 Annexation Agreement from County AG to City
C-3, Commercial General District
Zoning Map Amendment
Special Use Permit for a performance use of an
outdoor theatre with retail sales for food and non-
alcoholic beverages that cannot meet the
performance criteria of 600 feet from a residential
district
Variation from the parking requirements to
improve all driveways and open off-street parking
areas with a bituminous or Portland cement concrete
surface to allow for gravel in the side aisles and
grass for the parking spaces in an C-3, Commercial
General District at 1801 Samuelson Road

FINANCE AND PERSONNEL COMMITTEE

**Monday, March 19, 2007, 5:15 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Purchasing and Vouchers
 - A. Rejection of Bid: Symbols West Wall Remodeling
 - B. Award of Bid: Clifton Avenue Reconstruction – Suspend rules
 - C. Award of Bid: Pressure Zone Boundary, Phase 2 – Suspend rules
 - D. Engineering Agreement: Harrison Avenue Bridges

- E. Change Order: West State Street Crossover
 - F. Vouchers
2. Hiring Requests (Laid over 3/12)

PLANNING AND DEVELOPMENT COMMITTEE
Monday, March 19, 2007, 5:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

NO SCHEDULED MEETING