

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
MARCH 26, 2007  
COUNCIL CONVENED AT 6:26 P.M.**

1. The invocation was given by Pastor Randy Fast, St. Peter's Cathedral/Police Chaplain and the Pledge of Allegiance was led by Page Karla Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Holt, Beck -11-  
Absent: Mark, McNeely, Conness -3-
3. Alderman Holt moved to accept the Journal of Proceedings of March 19, 2007, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Mark, McNeely, Conness absent).

**PUBLIC PARTICIPATION**

4. Michael Hakanson addressed Council regarding the East State Street Hotel/Motel Corridor.
5. Aaron Szeto addressed Council regarding the East State Street Economic Corridor.
6. Mario Tarara addressed Council regarding the Rockford Mass Transit District.

**PETITIONS AND COMMUNICATIONS**

7. Alderman Curran submitted a letter from Amedeo Giorgi, President Rockford United Labor, inviting the aldermen and public to a memorial service in honor of the men and women of Northern Illinois and Southern Wisconsin who are members of organized labor and died while at work in their chosen occupation. The ceremony will be held on Saturday, April 28<sup>th</sup> at 1:30 pm in the auditorium of the E.J. "Zeke" Giorgi building located at 200 South Wyman Street. Placed on File.
8. Alderman Thompson-Kelly submitted an e-mail from a constituent concerning the 9-1-1 Center. Referred to the Fire Department and Police Department.
9. Alderman Thompson-Kelly submitted three (3) Requests for Service. Referred to Neighborhood Standards, Public Works Department and the Police Department.
10. Alderman Johnson submitted the Zoning Board of Appeals minutes from the meeting held on March 20, 2007. Referred to Code and Regulation Committee.
11. Alderman Johnson submitted two (2) e-mails supporting the Sunset drive-in. Referred to Mayor Morrissey's Office.

12. Alderman Johnson submitted a Request for Service. Referred to the Public Works Department/Traffic.
13. Alderman Bell submitted a flier announcing the Orchid 3<sup>rd</sup> Union College Neighborhood monthly meeting will be held on March 28<sup>th</sup> at 6:30 pm at the RHA Community Room, 510 Seminary Street. Placed on File.
14. Alderman Bell submitted a Request for Service at 931 Kishwaukee Street. Referred to the Building Department.
15. Alderman Bell submitted an e-mail from Kathy Waldron concerning a house next to Kishwaukee School with possible ordinance violations and suggested drains and curbs be installed by the school to help with the drainage problem. Referred to Neighborhood Standards and the Public Works Department.
16. Alderman Bell submitted an e-mail from Sergio Ramos requesting documentation from the City to provide to his insurance company concerning his flood insurance. Referred to Mayor Morrissey's Office/Jim Ryan.
18. Alderman Beach submitted an e-mail and pictures from Tom Kromm concerning snowplow damage to his yard. Referred to the Public Works Department.
19. Alderman Beck submitted a Memorandum from Andres Sammul, Finance Director, regarding Disbursement of 2007 Rockford Area Arts Council Funding. Referred to Finance and Personnel Committee.
20. Alderman Beck submitted a Memorandum from Brad Moberg, City Engineer, regarding an Emergency Purchase Order for Morgan Street Bridge Repairs. The funding source is Street Maintenance Bridge Fund. Placed on file.
21. Alderman Beck submitted a Memorandum from William Keith, Property and Equipment Superintendent, regarding an Emergency Purchase Order for Roof Repairs to the Salt Dome in the amount of \$12,000. Placed on file.
22. Alderman Bell submitted a Memorandum from Richard M. May, Commercial Development Coordinator, regarding the Dollar Tree, 11<sup>th</sup> Street and Pershing. Referred to Planning and Development Committee.
23. Alderman Bell read a Memorandum from Ronald N. Schultz, City Attorney, regarding the Workforce Investment Board Lease. Referred to Planning and Development Committee.

#### **NEW COMMITTEE REPORTS**

24. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Storage and Disposal of Impound Vehicles be made to Greater Rockford Auto Auction (GRAA), of Rockford, IL for an estimated annual cost of \$6,000. The funding source is Police Department Operating Budget. LAID OVER.

25. Alderman Beck read a Finance and Personnel Committee Report for an Engineering Agreement Amendment: Kishwaukee Bridge recommending an additional \$122,000 for design engineering, for a total not-to-exceed cost of \$260,000 be made to Willett, Hoffman & Associates to cover the additional work. Funding for this project will come from Motor Fuel Tax. LAID OVER.
26. Alderman Beck read a Finance and Personnel Committee Report recommending the Intergovernmental Agreement for Ownership, Operation and Maintenance of a Striping Machine with Winnebago County be approved. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
27. Alderman Beck read a Finance and Personnel Committee Report recommending the Intergovernmental Cooperation Agreement with Winnebago County to assist in the administration of a grant from Illinois Housing Development Authority be approved. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
28. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of March 26, 2007 in the amount of \$2,534,939.34. MOTION PREVAILED by a Roll Call vote of:
- Ayes: Sosnowski, Curran, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Holt, Beck -11-
- Nays: -0-
- Absent: Mark, McNeely, Conness -3-
29. Alderman Johnson read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council DENY the Annexation Agreement and Zoning Map Amendment from County AG to City C-3, Commercial General District; DENY the Special Use Permit for a performance use of an outdoor theatre with retail sales of food and non-alcoholic beverages that cannot meet the performance criteria of 600 feet from a residential district; and DENY the Variation from the parking requirement 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.
- Denial is based on the Findings of Fact (LAD 4/23/07, ZBA #006-07). LAID OVER.
30. Alderman Johnson read a Code and Regulation Committee Report recommending the approval of the Tentative Plat of Alpine Crossings Subdivision. LAID OVER.
- 2007-118CR**
31. Alderman Johnson read a Code and Regulation Committee Report recommending the approval of the honorary street name for Morgan Street from South Central to Webster as "Perry Bennett Way".

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

on passage. MOTION PREVAILED by a Roll Call vote of:

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

32. Alderman Bell read a Planning and Development Committee Report recommending approval of the Grant Agreement by and between the City of Rockford and the Rockford Local Development Corporation. LAID OVER.

### OFFICERS REPORTS

33. Mayor Morrissey presented a Proclamation proclaiming the week of March 26, 2007 to be "Boys and Girls Club Week" in Rockford, Illinois and called upon citizens to recognize and commend the Boys and Girls Club organization in our city for providing comprehensive, effective services to the young people in our communities.
34. Mayor Morrissey invited Pastor Perry Bennett and Representative Chuck Jefferson to the podium to say a few words in recognition of Pastor Bennett's long standing service to his church and this community. Representative Jefferson reflected on Pastor Bennett's generous spirit within this community and thanked Mayor Morrissey and council members for recognizing the greatness in him by designating a portion of Morgan Street to be honorarily named "Perry Bennett Way". Pastor Bennett thanked Mayor Morrissey, Aldermen and the citizens for making Rockford a great place to work and live in.
35. Mayor Morrissey mentioned he was in Springfield last week and thanked Representative Jefferson for supporting his lobbying efforts on legislation concerning the Industrial Jobs Recovery Bill and Property Tax Rebate Program.
36. Mayor Morrissey called attention to the Memorandum from himself regarding an Update on Community Partnership Efforts. The memorandum provides a review of the past years accomplishments, a preview of upcoming initiatives and improved community leadership through creative partnerships. Any questions or concerns can be directed to Mayor Morrissey's Office.
37. Mayor Morrissey advised the 2<sup>nd</sup> Annual Youth Summit would be held on April 21, 2007 from 10:00 am to 2:30 pm at the U of I College of Medicine, 1601 Parkview Avenue. He was pleased to announce the keynote speaker for this event will be Jim Ellis, who is the subject of the new movie *Pride*, admission is free and food will be provided. Register today at [www.ci.rockford.il.us](http://www.ci.rockford.il.us).
38. Mayor Morrissey welcomed Tim Hanson to the City of Rockford staff, Operations Manager for the Public Works Department, after retiring from UPS.
39. Mayor Morrissey announced world-renowned glass artists Bertil Vallien and Ulrica Hydman-Vallien of Sweden would be presenting their first combined art exhibition in the U.S. at the Rockford Art Museum from March 30, 2007 through July 8, 2007. The HE &

SHE exhibit will showcase some of their most original, highly recognized glass pieces in the world. On Wednesday, March 28<sup>th</sup> at 7:00 pm at the Rockford College Maddox Theatre at Clark Arts Center the Vallien's will be presenting a lecture and discussion on their work. On Saturday, March 31<sup>st</sup> from 1:00 pm – 3:00 pm at RAM's Funderburg and Kuller Galleries they will be featuring a gallery walk. For more information or lecture tickets call 815/968-2787.

40. Mayor Morrissey mentioned a News Release regarding Yard Waste Collection that will begin in one week, on April 2, 2007. Yard waste will be collected on the same scheduled day and collection point as residential garbage collection.
41. Mayor Morrissey commented on a News Release regarding Discolored Water Alert. The Rockford Water Division will be unidirectional flushing fire hydrants beginning Monday, March 26, 2007 for approximately three (3) weeks from 7:00 am to 3:00 pm in the following boundaries: north of Sandy Hollow Road, east of Mulford Road, south of the City Limits and west of Falcon Road. Any concerns may be directed to Larry Pierce at 987-5736 or Elton Tronjnar at 987-5701 in the Rockford Water Quality Section.
42. Alderman Bell mentioned that Pastor Perry Bennett was at Council last Monday night and that it was his birthday.
43. Alderman Bell acknowledged Pastor Coplan in the audience and thanked him for his support and efforts to inform the community about the Sales Tax Referendum.
- 43a. Alderman Bell commented on the Memorandum from Brad Moberg, P.E., City Engineer, regarding the Emergency Purchase Order: Morgan Street Bridge Repair. He read a portion of the memo, which again reveals the serious deterioration of the bridge and he thanked City staff for continuing to monitor the condition of that bridge.
44. Alderman Jacobson thanked Mayor Morrissey, Chairman Scott Christiansen, Alderman Johnson and County Board member Paul Gorski for attending the banquet last night and supporting charitable organizations. He also thanked Scott Mishmash and Mark Lewis for their unselfish dedication to this community.
45. Alderman Jacobson mentioned he made a trip to Springfield last week with twenty-eight (28) businessmen from this area, and thanked Senators Syverson and Burzynski for coordinating a meeting with State legislators to discuss regional and funding issues.
46. Alderman Beck reiterated Pastor Bennett's comments about Rockford being a great community to live in and the importance of everyone taking responsibility for contributing to the success of our community. He thanked Jim Powers for taking the initiative to pickup tires that had been left along a roadway instead of waiting for someone else to take care of the problem.
47. Alderman Sosnowski commented that he distributed a packet of information to all the aldermen, which contains research he gathered over the past months regarding the Rockford Mass Transit proposal. He expressed his objection with the proposal and

indicated the materials provided would support his concerns. He announced he would be contacting each Alderman this week for discussion on this topic.

### UNFINISHED BUSINESS

48. Alderman Johnson moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council DENY the Zoning Map Amendment from C-2, Commercial Community District to C-3, Commercial General District and C-1, Limited Office District to C-3, Commercial General District and DENY a Special Use Permit for a Planned Mixed Use Development for a Bus Terminal, Transfer Center, including a joint development of retail spaces and parking at 7xx North Lyford Road.

Denial is based on the Findings of Fact (LAD 4/23/07, ZBA #079-06).

Alderman Johnson made a motion to hold the committee report out, seconded by Alderman Jacobson. HELD OUT.

#### **2007-58-O**

49. Alderman Johnson moved the adoption of an Ordinance amending Chapter 16, Section 280 of the Code of Ordinances of the City of Rockford to add the following:

That a "No Parking Anytime" sign be posted on the West Side of South Main Street from Cedar Street to Morgan Street, thus repealing all existing parking ordinances in this roadway section.

That a "No Parking Anytime" sign be posed on the East Side of South Main Street from Cedar Street to Mill Street, thus repealing all existing parking ordinances in this roadway section.

That a "No Parking Anytime" sign be posted 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, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson,  
Timm, Beach, Holt, Beck -11-  
Nays: -0-  
Absent: Mark, McNeely, Conness -3-

#### **2007-59-O**

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

That traffic on Sheffield Avenue be required to Yield prior to entering the intersection of Green Street.

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

51. Alderman Johnson moved the adoption of an Ordinance to execute the attached public utility easement dedication from Elm Street to Mulberry Street in favor of Insight Communication, 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.

Alderman Johnson made a motion to hold the committee report out, duly seconded.  
HELD OUT.

**2007-119CR**

52. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending that all bids for Symbols West Wall Remodeling be rejected and new bids be solicited immediately. MOTION PREVAILED by a Roll Call vote of:

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

**2007-120CR**

53. Alderman Beck moved the adoption of a Finance and Personnel Committee Report regarding budgeted vacancies for the Department of Human Resources recommends the following position, Human Resources Manager be authorized to be filled. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck -10-  
Nays: Holt -1-  
Absent: Mark, McNeely, Conness -3-

**2007-121CR**

54. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending budgeted vacancies for the Department of Finance recommends the following positions, Accountant and Account Clerk be authorized to be filled. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck -10-

Nays: Holt -1-  
Absent: Mark, McNeely, Conness -3-

**2007-122CR**

55. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending filling budgeted vacancies for the Department of Law, recommends that the Office Assistant position be authorized to be filled. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck -10-  
Nays: Holt -1-  
Absent: Mark, McNeely, Conness -3-

**2007-123CR**

56. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement Amendment for West State Street Crossover extension for a not-to-exceed amount of \$199,797. The funding for this project will come from MFT. MOTION PREVAILED by a Roll Call vote of:

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

**2007-60-O**

- 56a. Alderman Beck moved the adoption of an Ordinance recommending approval of this Ordinance, the Mayor and Legal Director are hereby authorized to execute and attest the attached Jurisdictional Transfer of the Kishwaukee Street Bridge (over the Keith Creek)(Sec. No. 98-004800-00-BR) Agreement between the City of Rockford and Illinois Department of Transportation. MOTION PREVAILED by a Roll Call vote of:

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

**MOTIONS AND RESOLUTIONS**

**2007-35R**

57. Alderman Bell, on behalf of the Planning and Development Committee, moved the adoption of a Resolution approving the Revision of abatement start date for Norstar Mechanical Industries Enterprise Zone Property Tax Abatement. MOTION PREVAILED (Ald. Mark, McNeely, Conness absent).

**2007-36R**

58. Alderman Jacobson suggested a Resolution that the unnamed service road parallel to U.S. 251, 11<sup>th</sup> Street, on the west side of 251, from Airport Drive north by ByPass 20 be honorary named F.O.E. Parkway. Referred to Code and Regulation Committee.

**2007-37R**

59. Alderman Beck, on behalf of the Finance and Personnel Committee, submitted a Resolution to take bids/proposals for the following: RFP: City-Wide Bridge Inspection – 2007, funding source: Motor Fuel Tax; Bid: HVAC Maintenance at Coronado Theatre, funding source: Property Fund; Bid: (3) Commercial Section Door Replacements at City Yards, funding source: Property Fund. MOTION PREVAILED (Ald. Mark, McNeely, Conness absent).

**NEW BUSINESS**

60. Alderman Johnson introduced and read an Ordinance recommending the approval for the sale of a portion of 1009 Kishwaukee Street at a minimum bid of \$19,000.00 which includes all costs and advertising. The City shall retain ownership of the easterly twenty-five (25) feet of 1009 Kishwaukee Street for future roadway improvements. LAID OVER.
61. Alderman Johnson introduced and read an Ordinance recommending the approval of the annexation of property commonly known as 1818 Morgan Street. LAID OVER.
62. Alderman Johnson introduced and read an Ordinance recommending the approval of the annexation of property commonly known as 24xx Blackhawk Road. LAID OVER.
63. Alderman Johnson introduced and read an Ordinance recommending the approval of the annexation of property commonly known as 24xx Blackhawk Road, 6178 and 61xx 11<sup>th</sup> Street. LAID OVER.
64. Alderman Johnson introduced and read an Ordinance amending Chapter 37, Section 1604, of the City of Rockford Code of Ordinances for a 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.

65. Alderman Johnson introduced and read an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for Modification of Special Use Permit #2001-274-O for the brewing of beer, sale of liquor by the drink and the sale of packaged liquor approved December 10, 2001 for Parcel I to allow expansion onto Parcel II; Special Use Permit for outdoor sale of liquor by the drink for Parcel I and II

in an 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.

66. Alderman Johnson introduced and read an Ordinance amending Chapter 37, Section 1604 and Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for packaged liquor sales that does not satisfy all Performance Criteria and; a Variation to reduce the rear setback from ten (10) feet to three (3) feet for Lots 20, 21 and 22 in a I-1, 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.

67. Alderman Johnson introduced and read an Ordinance amending Chapter 37, Section 800.2, of the City of Rockford Code of Ordinances for a Zoning Map Amendment from County AG to City I-1, Light Industrial District for Tract II at 24xx Blackhawk Road. Approval is subject to the following conditions:

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

68. Alderman Johnson introduced and read an Ordinance amending Chapter 37, Section 603, of the City of Rockford Code of Ordinances for a 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 (2) Two-family Residences for Tract II in an R-2, Two-family Residential District at 2901, 2915, 2919, 2923, 2927, 2931 24<sup>th</sup> 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 the issuance of building permits.

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

69. Alderman Johnson introduced and read an Ordinance amending Chapter 37, Section 603, of the City of Rockford Code of Ordinances for a Zoning Map Amendment from County AG to City R-2, Two-family Residential District for Tract I and; Special Use Permit for Planned Residential Development in an R-2, Two-family Residential District for Tract I at 6178 11<sup>th</sup> 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 a 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.

70. Alderman Johnson introduced and read an Ordinance amending Chapter 37, Section 1604 and Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for a Planned Mixed-Use Development consisting of an existing church and parking lot and; 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.

**2007-61-O**

71. Alderman Johnson introduced and read an Ordinance recommending approval of the portion of Morgan Street from South Central to Webster be honorarily designated as "Perry Bennett Way".

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

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

72. Upon motion duly made and seconded, the meeting was adjourned at 7:26 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**  
**April 2, 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

**PUBLIC HEARING**

1. Public Hearing for the annexation of 24xx Blackhawk Road, 61xx 11<sup>th</sup> Street and 6178 11<sup>th</sup> Street.

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS**

**A. LAID OVER MARCH 26, 2007**

1. Beck - Finance and Personnel - Recommending the award for Storage and Disposal of Impound Vehicles be made to Greater Rockford Auto Auction (GRAA), of Rockford, IL for an estimated annual cost of \$6,000. The funding source is Police Department Operating Budget.
2. Beck - Finance and Personnel - For an Engineering Agreement Amendment: Kishwaukee Bridge recommending an additional \$122,000 for design engineering, for a total not-to-exceed cost of \$260,000 be made to Willett, Hoffman & Associates to cover the additional work. Funding for this project will come from Motor Fuel Tax.
3. Beck - Finance and Personnel - Recommending the Intergovernmental Agreement for Ownership, Operation and Maintenance of a Striping Machine with Winnebago County be approved. The Legal Director shall prepare the appropriate ordinance.

4. Beck - Finance and Personnel - Recommending the Intergovernmental Cooperation Agreement with Winnebago County to assist in the administration of a grant from Illinois Housing Development Authority be approved. The Legal Director shall prepare the appropriate ordinance.
5. Johnson - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council DENY the Annexation Agreement and Zoning Map Amendment from County AG to City C-3, Commercial General District; DENY the Special Use Permit for a performance use of an outdoor theatre with retail sales of food and non-alcoholic beverages that cannot meet the performance criteria of 600 feet from a residential district; and DENY the Variation from the parking requirement 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.

Denial is based on the Findings of Fact (LAD 4/23/07, ZBA #006-07).

6. Johnson - Code and Regulation - Recommending the approval of the Tentative Plat of Alpine Crossings Subdivision.
7. Bell - Planning and Development - Recommending approval of the Grant Agreement by and between the City of Rockford and the Rockford Local Development Corporation.

**B. HELD OUT MARCH 26, 2007**

1. Johnson - Code and Regulation - REVERSING the Zoning Board of Appeals, thereby recommending that City Council DENY the Zoning Map Amendment from C-2, Commercial Community District to C-3, Commercial General District and C-1, Limited Office District to C-3, Commercial General District and DENY a Special Use Permit for a Planned Mixed Use Development for a Bus Terminal, Transfer Center, including a joint development of retail spaces and parking at 7xx North Lyford Road.

Denial is based on the Findings of Fact (LAD 4/23/07, ZBA #079-06).

**II. ORDINANCES**

**A. LAID OVER MARCH 26, 2007**

1. Johnson - Ordinance - Recommending the approval for the sale of a portion of 1009 Kishwaukee Street at a minimum bid of \$19,000.00 which includes all costs and advertising. The City shall retain ownership of the easterly twenty-five (25) feet of 1009 Kishwaukee Street for future roadway improvements.
2. Johnson - Ordinance - Recommending the approval of the annexation of property commonly known as 1818 Morgan Street.

3. Johnson - Ordinance - Recommending the approval of the annexation of property commonly known as 24xx Blackhawk Road.
4. Johnson - Ordinance - Recommending the approval of the annexation of property commonly known as 24xx Blackhawk Road, 6178 and 61xx 11<sup>th</sup> Street.
5. Johnson - Ordinance - Amending Chapter 37, Section 1604, of the City of Rockford Code of Ordinances for a 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).

6. Johnson - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for Modification of Special Use Permit #2001-274-O for the brewing of beer, sale of liquor by the drink and the sale of packaged liquor approved December 10, 2001 for Parcel I to allow expansion onto Parcel II; Special Use Permit for outdoor sale of liquor by the drink for Parcel I and II in an 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).

7. Johnson - Ordinance - Amending Chapter 37, Section 1604 and Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for packaged liquor sales that does not satisfy all Performance Criteria and; a Variation to reduce the rear setback from ten (10) feet to three (3) feet for Lots 20, 21 and 22 in a I-1, 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).

8. Johnson - Ordinance - Amending Chapter 37, Section 800.2, of the City of Rockford Code of Ordinances for a Zoning Map Amendment from County AG to City I-1, Light Industrial District for Tract II at 24xx Blackhawk Road. Approval is subject to the following conditions:

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

9. Johnson - Ordinance - Amending Chapter 37, Section 603, of the City of Rockford Code of Ordinances for a 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 (2) Two-family Residences for Tract II in an R-2, Two-family Residential District at 2901, 2915, 2919, 2923, 2927, 2931 24<sup>th</sup> 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 the issuance of building permits.

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

10. Johnson - Ordinance - Amending Chapter 37, Section 603, of the City of Rockford Code of Ordinances for a Zoning Map Amendment from County AG to City R-2, Two-family Residential District for Tract I and; Special Use Permit for Planned Residential Development in an R-2, Two-family Residential District for Tract I at 6178 11<sup>th</sup> 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 a 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).

11. Johnson - Ordinance - Amending Chapter 37, Section 1604 and Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for a Planned Mixed-Use Development consisting of an existing church and parking lot and; 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).

**B. HELD OUT MARCH 26, 2007**

- 1. Johnson - Ordinance - To execute the attached public utility easement dedication from Elm Street to Mulberry Street in favor of Insight Communication, 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.

**III. MISCELLANEOUS HELD OUT MARCH 26, 2007**

- 1. Mayor Morrissey - Appointment - Rockford Housing Authority Board, David A. Sidney, to a five (5) year term, which would expire June 2012. (Pursuant to Rule 18, this appointment will be up for passage on April 23, 2007).
- 2. Mayor Morrissey - Re-appointment - Human Services CCA Board, Steve Vineyard, to a two (2) year term, which would expire January 2009. (Pursuant to Rule 18, this appointment will be up for passage on April 23, 2007).
- 3.\* 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

\* \* \* \* \*

**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 2, 2007, 4:30 p.m.**

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

**AGENDA**

- 1. C & R 07-65 Resolution from Ald. Jacobson re: Street Name Change

2. C & R 07-57 ZBA#009-07 Special Use Permit for a Performance Use of outside storage of two trucks and one grader that cannot meet the minimum distance of 600 feet from a residential district in an I-1, Light Industrial Zoning District at 2500 North Main Street
3. C & R 07-58 ZBA#010-07 Variation to increase the height of a freestanding sign from the allowable eight feet to seventeen feet in a c-1, Commercial Limited Office Zoning District at 921 West State Street
4. C & R 07-60 ZBA#012-07 Modification of Special Use Permit Ordinance #2001-42-O for a Planned Mixed-Use Development consisting of an adolescent residential and outpatient addiction treatment center and school, with all associated activities, including (but not limited to) food service, schooling, recreation, job training, and occupational counseling approved on February 19, 2001 to allow for expansion of activities and services for a new building that will house 14 people and consist of a great room, dining room, kitchen, bedrooms, bathrooms, office, laundry and garage in an RE, Rural Estate District at 8031 Rote Road/1601 University Drive
5. C & R 07-61 ZBA#013-07 (A) Variation to increase the maximum height for a freestanding sign from eight feet to eleven feet  
(B) Variation to increase the maximum square footage for a freestanding sign from sixty four (64) square feet to one hundred forty-one (141) square feet in a C-1, Limited Office Zoning District at 711 North Main Street
6. C & R 07-62 ZBA#014-07 (A) Variation to eliminate the required perimeter landscape strip along the alley  
(B) Variation to eliminate the four foot open green space on the north and south sides in a C-4, Commercial Oldtown District at 206 North Church Street
7. C & R 07-66 Closed Session for Purposes of Pending Litigation

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, April 2, 2007, 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: Tree Removal
  - B. Award of Bid: Network Switches
  - C. Award of Bid: Gray Iron Sewer Castings
  - D. Resolution to take Bids/Proposals
  - E. Vouchers
    - √ Training/Travel for Human Services Department
2. City-State Agreement: Harrison Avenue Phase II
3. Disbursement of 2007 Rockford Area Arts Council Funding
4. Informational Update: Morgan Street Bridge
5. Informational Update: Road Condition Assessment

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, April 2, 2007, 5:00 p.m.**

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

**AGENDA**

1. Memorandum from Richard M. May, Commercial Development Coordinator, regarding the Dollar Tree, 11<sup>th</sup> Street and Pershing.
2. Memorandum from Ronald N. Schultz, City Attorney, regarding the Workforce Investment Board Lease.