

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**JUNE 4, 2007**  
**COUNCIL CONVENED AT 6:10 P.M.**

1. The Clerk called the meeting to order in the absence of the Mayor, and recognized Alderman Mark who moved that Alderman Beach serve as Mayor Pro Tem for the meeting. Said motion was seconded by Alderman Wasco. MOTION PREVAILED.
2. The invocation was given by Officer Billy Wilson, Rockford Police Department Chaplain Division and the Pledge of Allegiance was led by Page Karla Centeno.
3. Roll Call:

Alderman Beach, Mayor Pro Tem

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

**PUBLIC PARTICIPATION**

4. Tim Hughes called upon Rockford citizens and City Administrators to send correspondence to the publishing company that published a book portraying Rockford with a negative image.
5. John Weaver addressed Council with concerns regarding gaming issues on the part of one alderman and drugs and violence in the City of Rockford.

**ACCEPTANCE OF THE JOURNAL**

6. Alderman McNeely moved to accept the Journal of Proceedings of May 29, 2007, seconded by Alderman Jacobson. MOTION PREVAILED.

**PETITIONS AND COMMUNICATIONS**

7. Alderman Holt submitted a request from Andy Garber and Scott Olson, in conjunction with the Patriots' Community Center, The First Tee of Greater Rockford requesting barricades and permission to close 6<sup>th</sup> Avenue between 4<sup>th</sup> and 5<sup>th</sup> Streets for a tent for four (4) days at 615 S. 5<sup>th</sup> Street with the event taking place on June 10<sup>th</sup> from 4:00 pm to 7:00 pm. Alderman Holt moved to grant the Prayer of the Petitioner, seconded by Alderman Timm. MOTION PREVAILED.
8. Alderman Wasco submitted a request from Jay Gessner, Souse's Lounge, in conjunction with the 20<sup>th</sup> Anniversary Party requesting permission for liquor, entertainment and food outdoors within a confined space, plus 30X60 tent for two (2) days at 5855 Forest Hills Road from 2:00 pm – 9:00 pm. Alderman Wasco moved to grant the Prayer of the Petitioner, seconded by Alderman Bell. MOTION PREVAILED.

9. Alderman Bell submitted a request from Shawn Gillespie, in conjunction with the King of the Grill Neighborhood Event requesting permission to close streets in the vicinity of the church (Heath/Salter area) for tables and chairs, and for tents in a residential district. Food, tents and entertainment to be on church property at the New Zion Missionary Baptist Church, 604 Salter on June 16, 2007 from 7:00 am to 4:00 pm. Alderman Bell moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED.
10. Alderman Johnson submitted two (2) Requests for Service. Referred to Neighborhood Standards and the Public Works Department.
11. Alderman Johnson submitted a Request for Service at the property located in front of 2318 Richard Avenue. Referred to the Public Works Department.
12. Alderman Beck submitted a Request for Service from Ron and Debbie Gustafson regarding traffic control on Elmwood Road during sporting events at Sportscore. Referred to the Public Works Department/Traffic.
13. Alderman Beck submitted a request from Tom Ricotta and Phil Graciana, in conjunction with the Venetian Club Annual Car and Motorcycle Show requesting permission for food and liquor outdoors to the public within a confined space at the Venetian Club, 2180 Elmwood Road on July 8, 2007 from 8:00 am to 4:00 pm. Alderman Beck moved to grant the Prayer of the Petitioner, seconded by Jacobson. MOTION PREVAILED.
14. Alderman Jacobson submitted two (2) Requests for Service. Referred to the Public Works Department.
15. Alderman Conness submitted a request from Ken Irwin, Heartland Community Church Director of Facility Operations, in conjunction with the Annual Baptism (including outdoor total immersion service) requesting permission to erect a pool for five (5) days at 1280 South Alpine Road from June 21, 2007 to June 25, 2007. The pool will be guarded twenty-four (24) hours a day when filled in order to assure safety. Alderman Johnson moved to grant the prayer of the petitioner, seconded by Alderman Jacobson. MOTION PREVAILED.
16. Alderman Mark submitted a request from Laurette Brown, in conjunction with the Alpha Kappa Alpha Rhythm & Style Fundraiser requesting barricades and permission to close W. State Street from Wyman to east of parking deck (liquor will not be permitted to leave the Paragon) at 205 W. State Street on July 28, 2007 from 8:00 pm to 2:00 am. Alderman Mark moved to grant the prayer of the petitioner, seconded by Alderman Wasco. MOTION PREVAILED.
17. Alderman Mark submitted a request from Valerie Johnson and Diane Applequist, in conjunction with the Swedish Historical Society Midsommer Fest requesting barricades and police assistance and permission for tents in city street and street closures for the annual event at South 3<sup>rd</sup> south of Grove on June 15 and Grove from S. 3<sup>rd</sup> to May on June 16, 2007 at 7:00 am. Alderman Mark moved to grant the prayer of the petitioner, seconded by Alderman Wasco. MOTION PREVAILED.

18. Alderman Mark submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding the Agreement for Use of Right of Way – Kentucky Data Link. Referred to Code and Regulation Committee.
19. Alderman Sosnowski submitted a request from Aaron Jagiel, Burnham Nationwide, in conjunction with the Annual Rug Sale requesting permission to erect a tent for fifteen (15) days at 6930 Argus Drive (Home Depot Parking Lot) from June 6, 2007 to June 21, 2007. Alderman Sosnowski moved to grant the prayer of the petitioner, seconded by Holt. MOTION PREVAILED.

### **NEW COMMITTEE REPORTS**

20. Alderman Beck read a Finance & Personnel Committee Report regarding the matter of the Intergovernmental Agreement for the Rockford Area Transportation Study was referred, recommends that the Public Works Department be authorized to enter into the intergovernmental agreement with the Illinois Department of Transportation whereby the Public Works Department will be established as Lead Agency for the Rockford Area Transportation Study between July 1, 2007 and June 30, 2008. By this action, the City agrees it will participate in funding the RATS planning process in an amount not to exceed \$634,980, eighty percent of which will be reimbursed via said contract with the Illinois Department of Transportation. LAID OVER.

#### **2007-214CR**

21. Alderman Beck read a Finance & Personnel Committee Report recommending the award for the Summer Food Program for Human Services be made to the low bidder, Lifescape Community Services – Community Kitchen, of Rockford, IL for their total bid of \$347,085.00. The funding source is Human Services Operating Budget.

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

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

22. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of June 4, 2007 in the amount of \$2,385,122.10. MOTION PREVAILED by a Roll Call vote of:

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

23. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Zoning Map Amendment from R-1, Single-Family, R-2, two-family and C-1, Limited Office District to C-2, Commercial District and to APPROVE a Planned Mixed Use Development for a Medical Office/Clinic Facility in a R-1, Single-Family, R-2, two-family and C-1, Limited Office Zoning District at 1250, 1302 East State Street and 1257 Revell Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. The 1250 East State Street single-family residence shall remain on the property and not be demolished.
3. Building materials and architectural features for the proposed building shall be reviewed and approved by Staff prior to the issuance of building permit.
4. As the site develops submittal of landscaping, signage, illumination, dumpster locations will be required for Staff review and approval and meet all applicable codes and ordinances prior to the issuance of building permit.
5. Any future signage shall be monument style not to exceed 8' in height and the materials shall match that of the approved facade of the building on site.
6. That a replat is approved for the property in accordance with the City's Subdivision regulation inclusive of required public improvements prior to issuance of building permit and development of site.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #022-07). 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 church and a multifunctional community center that will house various community and religious related services and activities, such as an office space for various community and non-profit agencies, classrooms for Sunday School and after school programs and community related seminars during the week, a large open space for banquets, weddings, receptions, concerts, and other large events, and spaces designated for daycare and senior drop in center; APPROVE the Variation from the required thirty (30) foot yard setback along Salter Avenue to sixteen (16) feet eight (8) inches; APPROVE the Variation from the required parking spaces to eighty-eight (88) parking spaces; and APPROVE the Variation to allow landscaping as per submitted landscaping plan in an R-1, Single-Family Residential District at 604, 605, 611 and 622 Salter Avenue and 1510 West Street. Approval is subject to the following conditions:

1. Submittal of a site plan for Staff review and approval.
2. Submittal of a revised landscaping plan including size and botanical name of species for Staff review and approval.
3. Compliance with the Public Works requirements for the Weldon Street Vacation.
4. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #025-07). 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 Special Use

Permit for an auto repair shop that does not satisfy the Performance Criteria of six hundred (600) feet away from a residential district in a C-3, Commercial General Zoning District at 3415 Auburn Street. Approval is subject to the following conditions:

1. That the property and use shall comply with all Building and Fire Codes.
2. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
3. No outside storage of any auto parts, equipment, materials or inoperable vehicles.
4. Site plan showing Dumpster enclosure and material that must be approved by Staff.
5. Disposal and storage of hazardous materials must follow the Illinois Environmental Protection Agency guidelines.
6. All conditions must be met prior to establishment of use.
7. There shall be no overnight storage of vehicles on the property.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #020-07). 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 Variation to reduce the rear yard setback for an accessory building from 2 ½ feet to zero (0) feet along the north property line; and APPROVE the Variation to increase the maximum height of an accessory building from eighteen (18) feet to 21.5 feet in a R-1, Single-Family Residential Zoning District at 1822 National Avenue. Approval is subject to the following conditions:

1. If approved by City Council, Staff would recommend that the proposed garage is no closer to the property lines than the existing Ordinance.

Approval is based on the Findings of Fact (LAD/ 7/16/07, ZBA #023-07). 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 Variation to increase the maximum allowable square footage from four hundred eighty (480) to seven hundred (700) square feet for a wall sign within the shopping center on the southwest corner of the building in a C-3, Commercial General District at 1603 North Alpine Road, Suites 101, 105, 109, 113. Approval is subject to the following conditions:

1. A permanent sign permit must be obtained and be in accordance to Exhibit D.
2. The location of the sign is restricted to the area shown on Exhibit F.
3. Sign shall be constructed as shown on the submitted drawing.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #027-07). LAID OVER.

28. 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 an advertising freestanding sign in a C-2, Commercial Community Zoning District at 7050 Finchman Drive. Approval is subject to the following conditions:

1. Submittal of a revised plan for Staff review and approval.

2. No freestanding sign advertising the shopping center and tenants shall be installed on Lot #7 of Plat Perryville Center #3.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #028-07). 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 the sale of liquor by the drink in conjunction with a café/restaurant in a C-4, Commercial Oldtown Zoning District at 211A Elm Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #030-07). LAID OVER.

30. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY a Special Use Permit for a Performance Use consisting of a car wash, auto repair, tire shop and auto sales that cannot satisfy the performance criteria of six hundred (600) feet from a residential district in an I-1, Light Industrial District; and APPROVE a Special Use Permit for a Performance Use consisting of a car wash, auto repair and tire shop that cannot satisfy the performance criteria of six hundred (600) feet from a residential district in an I-1, Light Industrial District at 1816 11<sup>th</sup> Street with added conditions 5 & 6. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. No overnight outside storage of vehicles waiting repair.
3. No Certificate of Occupancy may be issued until all required landscaping have been installed according to Exhibit D.
4. All vehicles waiting for repair shall be currently licensed and registered.
5. There shall be no outside storage of vehicle parts or tires.
6. There shall be no repair of vehicles outside of the building.
7. Submittal of a revised site plan showing location of a dumpster and dumpster enclosure.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #032-07). LAID OVER.

### **PETITONS AND COMMUNICATIONS**

31. The Council Clerk submitted the 2007 1<sup>st</sup> Quarter Performance Report from Insight Communications, which included information regarding installation, repair rates, outage occurrences and subscriber billing problems. Placed on File.
32. The Council Clerk submitted a letter from Insight Communications regarding the first quarter franchise fee payment. Placed on file.

### **NEW COMMITTEE REPORTS**

**2007-215CR**

33. Alderman Bell read a committee report recommending approval of the Lease with Main Street Partners of Rockford, LLC. for office space for the Workforce Investment Board and related agencies at 303 North Main Street. Funding of the lease payments shall be solely from Workforce Investment funds and Intergovernmental payments. The Legal Director shall prepare the appropriate ordinance.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Beck, Conness -12-  
Nays: McNeely -1-  
Absent: -0-  
Abstain: Holt -1-

**OFFICERS REPORTS**

34. Alderman Beach submitted a re-appointment to the Mechanical Board, Judd L. Gastel, at a five (5) year term, which would expire June 2012. LAID OVER.
35. Alderman Beach announced a News Release for a Discolored Water Alert. Beginning on Monday, June 4, 2007 for approximately two (2) weeks from 7:00 am to 3:00 pm, Monday thru Thursday, the Rockford Water Division will be unidirectional flushing fire hydrants in the following boundaries: north to Harrison Avenue, east to 20<sup>th</sup> Street, south to Sandy Hollow Road and west to the Rock River. Any questions or concerns may be directed to Larry Pierce at 987-5736 or Elton Trojniar at 987-5701.
36. Alderman Beach presented a Proclamation proclaiming Saturday, June 9, 2007 to be "Biker Jam Day" in the City of Rockford, Illinois and urged all citizens to support and enjoy the festivities of Biker Jam Day in support of Goldie Floberg Children's Home.
37. Alderman Wasco thanked the Parkland Home Owner's Association for participating in the beautification efforts of the Rockford Park District Foundation on July 9<sup>th</sup> for the City of Gardens International Competition. One hundred twenty households will be placing pink petunias on the porch and a "walk around the block" to pick-up loose trash. He encouraged other associations to join in this effort to beautify Rockford.
38. Alderman Wasco thanked Mayor Morrissey, Bob O'Brien and Mike Dunn for their efforts to make the 2007 Rockford Airfest a tremendous success. Alderman Wasco announced he read a Proclamation at the air show declaring the week of June 1, 2007 to be "Navy Week" in the City of Rockford. He thanked the Blue Angels and Golden Knights Parachute Team for performing at this year's Airfest.
39. Alderman Beach suggested the Mayor's Office invite Bob O'Brien to Council to recognize him for his outstanding efforts with the Airfest.

40. Alderman Jacobson thanked Alderman Wasco for his comments on the Airfest and concurred with Alderman Beach to recognize Bob O'Brien at Council.
41. Alderman Thompson-Kelly agreed with Alderman Beach's comments that this Council will not allow public participation speakers to verbally attack a specific alderman or person during the council meeting.
42. Alderman Thompson-Kelly commented she attended the Allied Cosmetology Rockford Hair Design Annual Banquet at Cliffbreakers on Sunday. A Proclamation was presented to them for their achievements.
43. Alderman Thompson-Kelly mentioned she attended an event in Rockford this past weekend and thanked the coordinators for the invite and mentioned Representative Jefferson was in attendance.
- 43a. Alderman Thompson-Kelly congratulated her nephew who graduated from Northern and was on the Dean's List four years in a row.
44. Alderman Johnson thanked Bob Schaper and the *Register Star* for the article which explains the traffic flow changes to 25<sup>th</sup> Street and Harrison Avenue.
45. Alderman Johnson thanked Bonnie Henry for her year-long efforts to implement a new permit requirement application for re-roofing of houses. A copy of this application will be mailed to every business that is listed in the phonebook under the occupation of residential and commercial roofing.
46. Alderman Beck announced this Saturday will be the Edgewater Neighborhood Association's annual garage sale with concessions and a farmer's market.
47. Alderman Curran introduced his grandson Patrick who is visiting from Galveston, Texas.
48. Alderman Curran applauded the Airport staff and Airfest committee for hosting an exciting three day event enjoyed by over 145,000 people. The thrilling performances, displays and vendors made this a truly memorable event for all that attended.
- 48a. Alderman Curran thanked the Jackson Oaks Neighborhood Association and the North Highland Association who did some planting at Beattie Park in conjunction with the Park District. He invited all to view the new display of plants and flowers.
49. Alderman McNeely thanked Aldermen Beach and Thompson-Kelly for their comments regarding public participation.
50. Alderman McNeely thanked the "Kids Around the World" organization and all the volunteers for building a playground at St. Paul Academy on Kilburn Avenue. She encouraged all to contribute and attend a fundraiser hosted by the academy to benefit the playground.

51. Alderman McNeely announced "Friends House" on Avon Street has closed and would like to see another facility open that would provide activities and a sports program for the children of the 13<sup>th</sup> Ward.

### **UNFINISHED BUSINESS**

#### **2007-216CR**

52. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award of bid for Central Garage Roof Replacement be made to the low bidder, Freeport Industrial Roofing, of Freeport, IL for their total bid of \$19,250.00. The funding source is Building Fund. MOTION PREVAILED by a Roll Call vote of:

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

#### **2007-217CR**

53. Alderman Beck moved the adoption of a Finance and Personnel Committee Report on the matter of collective bargaining agreement between the Rockford Public Library, City of Rockford and the American Federation State, County and Municipal Employees Council 31, to be effective January 1, 2007 to December 31, 2007, hereby begs leave to report recommending that the City Council approve such agreement. MOTION PREVAILED by a Roll Call vote of:

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

#### **2007-218CR**

54. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the City Council DENY the claim of John Bates for property damage in the amount of \$104.99. MOTION PREVAILED by a Roll Call vote of:

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

#### **2007-219CR**

55. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the Final Plat of Washington Park #2. MOTION PREVAILED by a Roll Call vote of:

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

Absent: -0-

**2007-220CR**

56. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the Final Plat of College Center. MOTION PREVAILED by a Roll Call vote of:

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

**2007-221CR**

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 Victory Bell for No Parking Anytime on the West Side of South Main Street from Loomis Street to 85 feet north of Loomis Street.
2. Request from Karen Canaday to repeal the existing "Handicapped Parking Space" on the west side of 8<sup>th</sup> Street from 30 feet to 50 feet north of Broadway.
3. Request from Swedish American Medical Offices for a mid-block crosswalk for their employees on Hunter Avenue between Charles Street and Broadmoor Drive.

MOTION PREVAILED by a Roll Call vote of:

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

**2007-222CR**

58. 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 Heather Lane be required to stop prior to entering the intersection of Wishart Drive. MOTION PREVAILED by a Roll Call vote of:

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

**2007-223CR**

59. 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 Hazel Street be required to Stop prior to entering the intersection of Halsted Road.

MOTION PREVAILED by a Roll Call vote of:

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

**2007-224CR**

60. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance restricting parking to "Handicapped Parking" on the south side of Napoleon Street from 70 feet to 90 feet west of North Main Street. MOTION PREVAILED by a Roll Call vote of:

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

**2007-108-O**

61. Alderman Mark moved the adoption of an Ordinance amending Rule 11(b) of Section 2-42 Rules of Procedure and Order of Business of Chapter 2 of the Code of Ordinances of the City of Rockford 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) When a committee report has been initially placed on passage, a motion to lay over from any alderman, being duly seconded shall lay over the committee report until the next meeting of the City Council, except zoning ordinances, which shall follow the statutory zoning procedures. This motion may be made only once on any committee report.

MOTION PREVAILED by a Roll Call vote of:

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

**2007-109-O**

62. Alderman Mark moved the adoption of an Ordinance amending Section 4-20.1 and Section 4-20.2 of Chapter 4, Alcohol Liquor, Article I, In General, of the Code of Ordinances of the City of Rockford (as it relates to the On The Waterfront Open Seal Ordinance Renewal). MOTION PREVAILED by a Roll Call vote of:

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

**2007-110-O**

63. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the Code of Ordinances of the City of Rockford for a Special Use Permit for a Planned Mixed-Use Development consisting of a two-family residence, a fruit market/convenience store and a restaurant/café' on a single lot in an R-1, Single-Family Residential District at 115, 117 and 119 South Central Avenue.

Approval is based on the Findings of Fact (LAD 6/18/07, ZBA #016-07). MOTION PREVAILED by a Roll Call vote of:

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

**MOTIONS AND RESOLUTIONS**

**2007-64R**

64. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution to take bids/proposals for the following: Bid: Towing, funding source: Departmental Operating Budget; Bid: City-Wide Inlet Repairs, funding source: Street/Sewer Division Operating Budgets; RFP: Fueling System, funding source: Equipment Fund. MOTION PREVAILED.

**2007-65R**

65. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution of the City of Rockford Ascertain the Prevailing Wages for Laborers, Mechanics and Workers Employed by Said City. MOTION PREVAILED.

**NEW BUSINESS**

66. Alderman Mark introduced and read an Ordinance recommending the approval of the vacation of the north/south alley bounded by North Court/North Church/John & Salem Street. LAID OVER.

67. Alderman Mark introduced and read an Ordinance recommending the approval of the annexation of 4808 Spring Creek Road. LAID OVER.

**2007-111-O**

68. Alderman Bell introduced and read an Ordinance recommending approval of the attached Lease Agreement with Main Street Partners of Rockford, LLC.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Beck, Conness -12-  
Nays: McNeely -1-  
Absent: -0-  
Abstain: Holt -1-

69. Upon motion duly made and seconded, the meeting was adjourned at 7:07 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**  
**June 11, 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 JUNE 4, 2007**

1. Beck - Finance & Personnel - Regarding the matter of the Intergovernmental Agreement for the Rockford Area Transportation Study was referred, recommends that the Public Works Department be authorized to enter into the intergovernmental agreement with the Illinois Department of Transportation whereby the Public Works Department will be established as Lead Agency for the Rockford Area Transportation Study between July 1, 2007 and June 30, 2008. By this action, the City agrees it will participate in funding the RATS planning process in an amount not to exceed \$634,980, eighty percent of which will be reimbursed via said contract with the Illinois Department of Transportation.
2. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Zoning Map Amendment from R-1, Single-Family, R-2, two-family and C-1, Limited Office District to C-2, Commercial District and to APPROVE a Planned Mixed Use Development for a Medical Office/Clinic Facility in a R-1, Single-Family, R-2, two-family and C-1, Limited Office Zoning District at 1250, 1302 East State Street and 1257 Revell Avenue. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. The 1250 East State Street single-family residence shall remain on the property and not be demolished.

3. Building materials and architectural features for the proposed building shall be reviewed and approved by Staff prior to the issuance of building permit.
4. As the site develops submittal of landscaping, signage, illumination, dumpster locations will be required for Staff review and approval and meet all applicable codes and ordinances prior to the issuance of building permit.
7. Any future signage shall be monument style not to exceed 8' in height and the materials shall match that of the approved facade of the building on site.
8. That a replat is approved for the property in accordance with the City's Subdivision regulation inclusive of required public improvements prior to issuance of building permit and development of site.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #022-07).

3. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a church and a multifunctional community center that will house various community and religious related services and activities, such as an office space for various community and non-profit agencies, classrooms for Sunday School and after school programs and community related seminars during the week, a large open space for banquets, weddings, receptions, concerts, and other large events, and spaces designated for daycare and senior drop in center; APPROVE the Variation from the required thirty (30) foot yard setback along Salter Avenue to sixteen (16) feet eight (8) inches; APPROVE the Variation from the required parking spaces to eighty-eight (88) parking spaces; and APPROVE the Variation to allow landscaping as per submitted landscaping plan in an R-1, Single-Family Residential District at 604, 605, 611 and 622 Salter Avenue and 1510 West Street. Approval is subject to the following conditions:
  1. Submittal of a site plan for Staff review and approval.
  2. Submittal of a revised landscaping plan including size and botanical name of species for Staff review and approval.
  3. Compliance with the Public Works requirements for the Weldon Street Vacation.
  4. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #025-07).

4. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for an auto repair shop that does not satisfy the Performance Criteria of six hundred (600) feet away from a residential district in a C-3, Commercial General Zoning District at 3415 Auburn Street. Approval is subject to the following conditions:
  1. That the property and use shall comply with all Building and Fire Codes.
  2. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
  3. No outside storage of any auto parts, equipment, materials or inoperable vehicles.
  4. Site plan showing Dumpster enclosure and material that must be approved by Staff.
  5. Disposal and storage of hazardous materials must follow the Illinois Environmental Protection Agency guidelines.

6. All conditions must be met prior to establishment of use.
7. There shall be no overnight storage of vehicles on the property.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #020-07).

5. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the rear yard setback for an accessory building from 2 ½ feet to zero (0) feet along the north property line; and APPROVE the Variation to increase the maximum height of an accessory building from eighteen (18) feet to 21.5 feet in a R-1, Single-Family Residential Zoning District at 1822 National Avenue. Approval is subject to the following conditions:

1. If approved by City Council, Staff would recommend that the proposed garage is no closer to the property lines than the existing Ordinance.

Approval is based on the Findings of Fact (LAD/ 7/16/07, ZBA #023-07).

6. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to increase the maximum allowable square footage from four hundred eighty (480) to seven hundred (700) square feet for a wall sign within the shopping center on the southwest corner of the building in a C-3, Commercial General District at 1603 North Alpine Road, Suites 101, 105, 109, 113. Approval is subject to the following conditions:

1. A permanent sign permit must be obtained and be in accordance to Exhibit D.
2. The location of the sign is restricted to the area shown on Exhibit F.
3. Sign shall be constructed as shown on the submitted drawing.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #027-07).

7. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for an advertising freestanding sign in a C-2, Commercial Community Zoning District at 7050 Finchman Drive. Approval is subject to the following conditions:

1. Submittal of a revised plan for Staff review and approval.
2. No freestanding sign advertising the shopping center and tenants shall be installed on Lot #7 of Plat Perryville Center #3.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #028-07).

8. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for the sale of liquor by the drink in conjunction with a café/restaurant in a C-4, Commercial Oldtown Zoning District at 211A Elm Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #030-07).

9. Mark- Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY a Special Use Permit for a Performance Use consisting of a car wash, auto repair, tire shop and auto sales that cannot satisfy the performance criteria of six hundred (600) feet from a residential district in an I-1, Light Industrial District; and APPROVE a Special Use Permit for a Performance Use consisting of a car wash, auto repair and tire shop that cannot satisfy the performance criteria of six hundred (600) feet from a residential district in an I-1, Light Industrial District at 1816 11<sup>th</sup> Street with added conditions 5 & 6. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. No overnight outside storage of vehicles waiting repair.
  3. Certificate of Occupancy may be issued until all required landscaping have been installed according to Exhibit D.
  4. All vehicles waiting for repair shall be currently licensed and registered.
  5. There shall be no outside storage of vehicle parts or tires.
  6. There shall be no repair of vehicles outside of the building.
  7. Submittal of a revised site plan showing location of a dumpster and dumpster enclosure.

Approval is based on the Findings of Fact (LAD 7/16/07, ZBA #032-07).

## **II. ORDINANCES LAID OVER JUNE 4, 2007**

1. Mark - Ordinance - Recommending the approval of the vacation of the north/south alley bounded by North Court/North Church/John & Salem Street.
2. Mark – Ordinance - Recommending the approval of the annexation of 4808 Spring Creek Road.

## **III. MISCELLANEOUS**

### **A. LAID OVER JUNE 4, 2007**

1. Beach – Re-appointment – Mechanical Board, Judd L. Gastel, at a five (5) year term, which would expire June 2012. (Pursuant to Rule 18, this appointment will be up for passage on July 9, 2007).

### **B. HELD OUT JUNE 4, 2007**

1. Mayor Morrissey - Re-appointments of the Directors of their Municipal Departments in the City of Rockford.

Building Department  
Community Development  
Finance Department  
Human Services

Bonnie B. Henry  
Reid T. Montgomery  
Andres Sammul  
George Davis

Legal Department	Patrick W. Hayes
Human Resources Department	Jessica L. Jones
Public Works Department	William Bittner

2. Mayor Morrissey - Appointment - Human Services CCA Board, Cathy Ward, to a one (1) year term ending May 2008. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
3. Mayor Morrissey – Appointment – Human Services CCA Board, Saul Serna, to a three (3) year term ending May 2010. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
4. Mayor Morrissey – Appointment – Human Services CCA Board, Yvonne Alexander, to a one (1) year term ending May 2008. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
5. Mayor Morrissey – Appointment – Human Services CCA Board, Kim Ellingson, to a one (1) year term ending May 2008. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
6. Mayor Morrissey - Re-appointment - Fair Housing Board, Alice Howard, to a three (3) year term ending May 2010. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
7. Mayor Morrissey – Re-appointment – Fair Housing Board, Joe Dailing, to a three (3) year term ending May 2010. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
8. Mayor Morrissey – Re-appointment – Fair Housing Board, Raymond Matlock, to a three (3) year term ending May 2010. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
9. Mayor Morrissey - Re-appointment - Traffic Commission, Dock Ward, to a five (5) year term ending May 2012. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
10. Mayor Morrissey – Re-appointment – Traffic Commission, Fred Lierman, to a five (5) year term ending May 2012. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
11. Mayor Morrissey – Re-appointment – Traffic Commission, Cedonia Ahlstrand, to a five (5) year term ending May 2012. (Pursuant to Rule 18, this appointment will be up for passage on July 2, 2007).
- 12\*. Mayor Morrissey – Re-appointment - Building Board of Appeals, James R. Lev, for a five (5) year term ending June 2012. (Pursuant to Rule 18, this appointment will be up for passage on June 18, 2007).

13\* Mayor Morrissey – Re-appointment – Building Board of Appeals, William J. Waldorf, for a five (5) year term ending June 2012. (Pursuant to Rule 18, this appointment will be up for passage on June 18, 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).

**AGENDA**

**CODE AND REGULATION COMMITTEE**

**Monday, June 11, 2007, 4:45 p.m.**

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

1. C & R 07-113 Agreement for Use of Right-of-Way – Kentucky Data Link
2. C & R 07-114 Amendment to Rule 19
3. C & R 07-90 Request from Lamar Outdoor Advertising
4. C & R 07-91 Star Street Vacation (closed session)
5. C & R 07-118 Closed Session for Purposes of Pending Litigation

**AGENDA**

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, June 11, 2007, 5:15 p.m.**

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

1. Purchasing and Vouchers
  - A. Award of Bid: City-Wide Inlet Repairs – Suspend rules
  - B. Award of Bid: Janitorial Services
  - C. Award of Bid: Fire Hydrant Painting

- D. Engineering Agreement Amendment: Horace Avenue Bridge
  - E. Engineering Agreement Amendment: Harrison Avenue Bridge
  - F. Resolution to take Bids
  - G. Vouchers
2. CIP Project Update

**AGENDA**

**PLANNING AND DEVELOPMENT COMMITTEE**

Monday, June 11, 2007, 5:15 p.m.  
CD Conference Room , City Hall 2<sup>nd</sup> floor

No Meeting Scheduled.

**AGENDA**

**LEGISLATIVE LOBBYING COMMITTEE**

Tuesday, June 26, 2007, 7:30 a.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
**AGENDA**

Next Scheduled Meeting Is June 26, 2007.