

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
JUNE 7, 2010  
COUNCIL CONVENED AT 6:05 P.M.**

1. The invocation was given by Chaplain Connie Marquis, Salvation Army Church/Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beck, McNeely -8-  
Absent: Mark, Jacobson, Thompson-Kelly, Beach (late), Elyea, Robertson (late) -6-
3. Alderman Curran moved to accept the Journal of Proceedings of June 1, 2010, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Beach, Elyea, Robertson absent).

Aldermen Beach and Robertson entered meeting at 6:07 pm.

**PUBLIC PARTICIPATION**

4. Former Alderman Victory Bell voiced his frustration with the decision to disburse \$100,000 allocated for poverty programs from the CSBG stimulus funds to the RAEDC.
5. Prophet Yusef congratulated all the students who graduated from the Rockford Public Schools and listed qualities of a good teacher.
6. Laurie Preece thanked members of the City Council for supporting Alignment Rockford. The mission of Alignment Rockford is to align existing community resources in support of our public school strategies.
7. Craig Day commended the thousands of volunteers who have contributed to the transformation of six schools. He invited everyone to participate in Rockford Sharefest this year focusing on West Middle School and Cherry Valley Elementary School beginning on June 18<sup>th</sup> through Saturday, June 26<sup>th</sup>.

**PETITIONS AND COMMUNICATIONS**

8. Alderman Wasco opened a bid for Sale of Property at 416 and 420 North Avon Street from Mt. Zion Church on Avon Street in the amount of \$780.00. Referred to Purchasing and Legal Department.
9. Alderman Beach submitted a Memorandum from Julia Valdez, Assistant City Administrator, regarding the upcoming events; Roland Poska's Great Human Race Art Declaration and Rockford Airfest. Referred to Code and Regulation Committee.

10. Alderman McNeely submitted a request from Melvin Brown, Church of Kingdom Tent Revival, requesting permission for a tent from June 19 – July 2, 2010 at 518 North Court Street. Alderman McNeely moved to grant the Prayer of the Petitioner, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent).
11. Alderman Johnson submitted five (5) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.
12. Alderman Hervey submitted three (3) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.
13. Alderman Sosnowski submitted a Memorandum from Ron Schultz, City Attorney, regarding RACVB Quarterly Report for 2010. Referred to Planning & Development Committee

### NEW COMMITTEE REPORTS

14. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink in conjunction with a sit-down restaurant in the name of **Theodoros Panagiotopoulos d/b/a 5 Coin Restaurant** in a C-2, Limited Commercial Zoning District at 4358 Sandy Hollow Road. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. Compliance with all City of Rockford Liquor Codes.
  3. The hours of operation will be limited to 11:00 am to 9:00 pm Monday thru Saturday.
  4. The hours of operation will be limited 11:00 am to 3:00 pm Sunday.
  5. The sale of alcohol shall be limited to the interior site plan.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

15. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine in conjunction with a gas station/convenience store in the name of **Sadaf Bukhari d/b/a Springfield BP** in a C-3, Commercial General Zoning District at 453 North Springfield Avenue. Approval is subject to the following conditions:
  1. Meeting all applicable building, fire and liquor codes.
  2. The sale of packaged liquor of beer and wine shall be limited to the area shown on Exhibit G.
  3. The sale of liquor shall be limited to midnight as indicated in the business plan labeled Exhibit G.
  4. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.

5. Signs displayed in windows, whether temporary or permanent shall cover no more than 35% of the square footage of the window surface inclusive of advertisement of alcohol products.
6. Packaged beer shall not be sold on an individual basis but sold as a six (6), twelve (12), twenty-four (24) or greater.
7. Wine shall not be sold in less than 750 ml containers.
8. Lighting shall be directed downward and limited to no more than 5 foot candles on the east side of the property facing the residential district.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

16. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for 30KW Wind turbine as a permitted obstruction in an I-1, Light Industrial Zoning District at 923 23<sup>rd</sup> Avenue. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. Submittal of final elevation plans with proposed locations of wind turbines for staff review and approval.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

17. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from R-2, Two-Family Residential Zoning District to R-3, Multi-Family Zoning District and to APPROVE the Variation to change parking space requirements from 4 ½ spaces to 4 spaces in a R-3, Multi-Family Residential Zoning District at 1445-1447 Woodcreek Bend. Approval is subject to the following conditions:
  1. Meeting all Building and Fire Codes.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

18. Alderman Beach 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 for the blending, production, packaging, storage, loading and shipment of bentonite and other natural mineral products; DENY the Variation to eliminate blacktop paving and replace with gravel for outdoor storage and parking; DENY the Variation to eliminate landscaping requirements; APPROVAL of partial requirements with a portion hard surfaced as stated; and APPROVAL of the Variation to deviate from the Subdivision Ordinance from required 20 feet public road frontage for a subdivided lot to zero feet at 1507 Baxter Road. Approval is subject to the following conditions:
  1. The terms of the annexation agreement.
  2. Sewer and water shall be installed and connected to the existing building and any new structure on the property.

3. Landscaping as approved in the original Special Use Permit shall be installed. The landscaping along the east property line is not required to be installed until three (3) years of the date of the new amended Special Use Permit. The existing tree line and forested area along the southerly portion and the new lot shall be maintained. The area shall be preserved and the amount of trees removed shall be limited. A tree removal and preservation plan shall be submitted to staff for review and approval.
4. The continuation of rock base/gravel surface shall be restricted to the area used for outside storage and will require Staff review and approval.
5. Paving of the entrance access drive and parking areas with blacktop or concrete.
6. A clear access shall be maintained throughout the property and to the new southerly lot. Fire Department access must be maintained and clear at all times, any gates or security arrangements must be approved by the Fire Department and special procedures developed. A turnaround consistent with the rules of the Illinois Fire Code for Fire Apparatus Access Road is required at Lot 5.
7. Submittal of replat for additional lot for Staff review and approval.
8. Building elevation drawings shall be submitted for Staff review and approval.
9. New site plan shall be submitted to scale, for new parking and building on the newly created southerly lot.
10. The double wide modular office shall be brought into compliance on the newly created southerly lot including but not limited to accessibility features, potable water and sewer hookup and a final certificate of occupancy shall be acquired prior to additional building permits being issued for the new use.
11. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

19. Alderman Beach 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 drive-thru facility in a C-2, Limited Commercial District at 3804 & 4010 East State Street. Approval is subject to the following conditions:

1. That the landscaping be installed for the entire site as part of the building permitting process and shall be consistent with Exhibit D as it relates to the new outlot and shall be as approved for the remaining of the lot as shown in Exhibit E.
2. The building shall be consistent with the submitted site elevations shown on Exhibit F.
3. Meeting all applicable Building and Fire Codes.
4. Submittal of a Tentative and Final plat for Staff's review and approval.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

**2010-194CR**

- 20e. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of the qualification responses received from vendors interested in providing weatherization services for Human Services Energy Division as listed below:

Architectural	Mechanical (HVAC)
Metro Insulation	Axberg Heating
Quality Renovations	Gough Heating & AC
Rockford Contractors	Total Plumbing & Heating
Thermaseal/Lakeside	Lemanski Heat & AC
Comprehensive Community Solutions	PSI Mechanical

The funding source is State & Federal Grant Funds.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, Robertson -9-  
 Nays: McNeely -1-  
 Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

- 20a. Alderman Wasco read a Finance and Personnel Committee Report recommending approval of Task Order #15 with MWH Americas, Inc. for Well 37 Water Quality Investigation in an amount not to exceed \$16,500. The task order will be completed under a Master Agreement with MWH Americans, Inc. Funding for the project will come from the Water Replacement and Improvement Account (WRIA). LAID OVER.
- 20b. Alderman Wasco read a Finance and Personnel Committee Report recommending Engineering Agreement: Small Scale Wind Assessment be made to Seventh Generation Energy Systems, Inc. to perform a Wind Resource and Energy Assessment services for a total not to exceed cost of \$32,540. The funding for this project will come from EECBG-DOE funds. LAID OVER.
- 20c. Alderman Wasco read a Finance and Personnel Committee Report recommending Engineering Agreement: Large Scale Wind Assessment be made to WES Engineering, Inc. to perform Wind Resource and Energy Assessment services for a total not to exceed cost of \$102,500. The funding for this project will come from EECBG-DOE funds. LAID OVER.
- 20d. Alderman Wasco read a Finance and Personnel Committee Report recommending Engineering Agreement: Hydro Power Assessment be made to MWH to perform hydro power assessment services for a total not to exceed cost of \$36,150. The funding for this project will come from EECBG-DOE funds. LAID OVER.

**2010-195CR**

- 21. Alderman Wasco read a Finance and Personnel Committee Report recommending to rescind the contract with O.C. Landscape and awarding a new contract with the second lowest bidder for each block as summarized:

Block A:	Silver Hills	Rockford	\$360/cut
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Block B:	Silver Hills	Rockford	\$115/cut
Block 4:	Tri-Me	Rockford	\$420/cut

The funding source is Street Division Operating Budget.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, McNeely, Robertson -10-  
 Nays: -0-  
 Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

**2010-196CR**

22. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for City-Wide Street Repair #2 be made to the low bidder, Campos Construction, of Rockford, Illinois for their total bid of \$18,432.00. The funding source is Sales Tax.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, McNeely, Robertson -10-  
 Nays: -0-  
 Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

**2010-197CR**

23. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of the said application for refunding of the Early Head Start expansion grant for the budget period 9/30/2010-9/29/2011 per the attached.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, McNeely, Robertson -10-  
 Nays: -0-  
 Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

**2010-198CR**

24. Alderman Wasco read a Finance and Personnel Committee Report recommending approval of the designation of Sub Grants from ARRA Community Services Block Grant Funds as summarized below:

Rockford Urban Ministries	\$35,000
Diversity, Inc.	\$10,000
Weed & Seed	\$15,000
Alignment Rockford	\$25,000

The funding source is ARRA Community Services Block Grant.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, Robertson -9-  
 Nays: McNeely -1-  
 Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

25. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of June 7, 2010 in the amount of \$3,268,683.01. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, McNeely, Robertson -10-  
 Nays: -0-  
 Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

### OFFICERS REPORTS

26. Mayor Morrissey presented a Proclamation proclaiming Saturday, June 12, 2010 to be "BIKER JAM DAY" in Rockford, Illinois and urged all citizens to support and enjoy the festivities of Biker Jam Day in support of Goldie Floberg Children's Home.
27. Mayor Morrissey presented a Proclamation proclaiming the week of June 7, 2010 to be "LAW ENFORCEMENT TORCH RUN FOR SPECIAL OLYMPICS WEEK" in Rockford, Illinois and encouraged all citizens to support law enforcement in their mission to raise money and awareness for the athletes who participate in Special Olympics Illinois.
28. Mayor Morrissey announced the City of Rockford is now participating with the website [www.nixle.com](http://www.nixle.com) which is a free service to our citizens allowing users to sign up for an account which will notify them of information affecting neighborhoods by e-mail or text messaging.
29. Mayor Morrissey thanked all who participated in the 9-1-1 Run this past weekend and reported the Fire Department prevailed in the friendly competition between the Fire and Police Departments.
30. Mayor Morrissey announced the next RockStat meeting will be held Thursday, June 10<sup>th</sup> at 9:00 am at Heartland Church, 1280 South Alpine Road. He advised the meetings are

broadcast on ComCast Channel 17 on Friday evenings at 7:00 pm and hopefully starting next week the meetings will be available for viewing on the City's website.

31. Mayor Morrissey announced the new City Council Committee appointments effective for the meetings beginning the week of June 4, 2010. He thanked the committee chairs this past year, Aldermen Wasco, Beach and Sosnowski for their efforts during these very challenging times.

Code and Regulation Committee

Alderman John Beck (R), Chairman  
Alderman Nancy Johnson (D) Vice Chairman  
Alderman Joe Sosnowski (R)  
Alderman Frank Beach (R)  
Alderman Linda McNeely (D)

Finance and Personnel Committee

Alderman Venita Hervey (D), Chairman  
Alderman Douglas Mark (R) Vice Chairman  
Alderman Pat Curran (R)  
Alderman Carl Wasco (D)  
Alderman Bill Robertson (I)

Planning and Development Committee

Alderman Ann Thompson-Kelly (D), Chairman  
Alderman Bill Timm (R) Vice Chairman  
Alderman Lenny Jacobson (D)  
Alderman Karen Elyea (D)

Mayor Morrissey submitted City Council External Board Appointments to be effective beginning the week of June 14, 2010.

Rockford Area Arts Council

Alderman Douglas Mark

Coronado Performing Arts (CPAC)

Alderman John Beck  
Alderman Nancy Johnson

Historic Preservation Committee

Alderman Douglas Mark

Human Services CAA Board

Alderman Ann Thompson-Kelly



Liquor Commission

Alderman Leonard Jacobson  
Alderman Nancy Johnson  
Alderman John Beck

Rockford Area Venues & Entertainment Authority (RAVE)

Alderman Carl Wasco  
Alderman Franklin Beach

Rockford Area Convention and Visitor's Bureau (RACVB)

Alderman Patrick Curran  
Alderman Karen Elyea

Rockford Area Economic Development Council (RAEDC)

Alderman Franklin Beach  
Alderman Bill Robertson

Rockford Local Development Corporation (RLDC)

Alderman Joe Sosnowski  
Alderman Venita Hervey

Traffic Commission

Alderman Linda McNeely

Winnebago County Health Department (WCHD)

Alderman Ann Thompson-Kelly

32. Mayor Morrissey offered thoughts and prayers to Aldermen Jacobson and Thompson-Kelly during their absence.
33. Mayor Morrissey mentioned a school project will be held at West and Cherry Valley Schools from June 18 – June 26, 2010 and thanked all the volunteers who helped at Sharefest this year.
34. Mayor Morrissey thanked the citizens for their patience with regards to property lawn mowing and advised new legislation will provide a higher priority in collection of our liens.
35. Alderman Johnson requested the new committee assignments be forwarded to the appropriate staff.
36. Alderman Johnson commended the police department for their assistance with a large group of enthusiastic patrons that had gathered outside a local establishment and into a neighborhood.
37. Alderman Johnson mentioned Saturday, June 5<sup>th</sup> the Swedish Historical Society sponsored the Kubb Tournament event at Ingersoll Centennial Park.

38. Alderman Hervey thanked everyone who participated in the rededication of Beyer Field.
39. Alderman McNeely recognized former Alderman Bell in attendance at Council tonight. She thanked staff and IDOT for repaving a portion of Central Avenue.
40. Alderman Wasco again requested a copy of the 2011 budget and would like it provided to all the aldermen by next week's meeting.
41. Alderman Robertson commended Fire Chief Bergsten and Fire Department staff for the excellent Standard of Cover Report and thanked Mayor Morrissey and City Administrator Jim Ryan for supporting this comprehensive analysis and overview of the fire department and community expectations.

### **UNFINISHED BUSINESS**

42. Alderman Wasco moved for the appointment to the RMTD Board; Pastor Herbert L. Johnson, Jr., to a four (4) year term ending June, 2014.  
  
Alderman Wasco made a motion to suspend Rule 18, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent). The appointment was placed up for passage. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent).
43. Alderman Wasco moved for the re-appointment to the RMTD Board; Gary Marzorati, two-year term ending June 2012.  
  
Alderman Wasco made a motion to suspend Rule 18, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent). The re-appointment was placed up for passage. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent).
44. Alderman Wasco moved for the re-appointment to the RMTD; Michael Wilcop, three-year term ending June 2013.  
  
Alderman Wasco made a motion to suspend Rule 18, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent). The re-appointment was placed up for passage. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent).

### **2010- 199CR**

45. Alderman Sosnowski moved the adoption of a Planning and Development Committee Report recommending approval of the request for funding for the Regional Access Mobilization Project (RAMP) for 2010 in the amount of \$30,000. (Source of Funds: CDBG). MOTION PREVAILED by a Roll Call vote of:
 

Ayes:	Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, McNeely, Robertson -10-
Nays:	-0-

Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

46. Alderman Sosnowski moved the adoption of a Planning and Development Committee Report recommending approval of the attached Supplemental Agreement between City of Rockford Human Services Department and RAEDC for \$100,000 in Funding for 2010. (Source of Funds: CSBG). LAID OVER.

Alderman McNeely made a motion to lay the committee report over one week, seconded by Alderman Hervey. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Hervey, Beach, McNeely, Robertson, Mayor Morrissey -6-  
Nays: Curran, Wasco, Johnson, Timm, Beck -5-  
Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

### **OFFICERS REPORTS**

47. Alderman Beach expressed his gratitude for serving as Code and Regulation Committee Chairman this past year and commended his committee for their hard work.

### **UNFINISHED BUSINESS**

48. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that NO ACTION be taken on the amendments to the Fire Code regarding Open Burning. REFERRED BACK TO COMMITTEE.

Alderman Curran made a motion to refer the committee report back to the Code and Regulation Committee, seconded by Alderman Wasco. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Beck, McNeely, Mayor Morrissey -6-  
Nays: Hervey, Johnson, Timm, Beach, Robertson -5-  
Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

### **2010-200CR**

49. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Foley Street be required to Stop prior to entering the intersection of Fitch Road. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, McNeely, Robertson -10-  
Nays: -0-  
Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

### **2010-201CR**

50. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Welworth Avenue be required to Stop prior to entering the intersection of Dexter Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck,  
McNeely, Robertson -10-  
Nays: -0-  
Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

**2010-065-O**

51. Alderman Beach moved the adoption of an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for passenger vehicles sales in conjunction with tire installation/sales and an auto repair shop; a Variation to reduce the required landscaping as per submitted site plan and a Variation to reduce the required parking spaces from 19 to 4 in a C-3, General Commercial Zoning District at 3509 Auburn Street. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of revised landscape plan to include the planter boxes and type of plantings to be placed in the planters for Staff's review and approval.
3. The outdoor sale of passenger vehicles shall be limited to five (5) vehicles at one time.
4. No parking or development on city property without a Lease Agreement
5. All conditions must be met before establishment of vehicles sales.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck,  
McNeely, Robertson -10-  
Nays: -0-  
Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

**MOTIONS AND RESOLUTIONS**

**2010-077R**

52. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids/proposals for the following:

- A. RFP: Insurance Brokerage Services, funding source: Risk Management Fund
- B. RFP: Water Utility Master Planning, funding source: WRIA
- C. Bid: Concrete & Cement Materials, funding source Street & Water Division Operating Budgets
- D. Bid: Concourse Parking Deck Re-lighting 2010, funding source: EECBG-DOE (Energy Efficiency & Conservation Block Grant – Department of Energy)
- E. Bid: Induction Lighting 2010, funding source: EECBG-DOE (Energy Efficiency & Conservation Block Grant – Department of Energy)

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, McNeely, Robertson -10-  
Nays: -0-  
Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

**2010-078R**

53. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution giving notice of City of Rockford Ownership of Real Property to Winnebago County Clerk, Collector and Supervisor of Assessments. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, McNeely, Robertson -10-  
Nays: -0-  
Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

**2010-079R**

54. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution objecting to Winnebago County Zoning Item #Z-03-10; Zoning Map Amendment from the AG, Agricultural Priority District to CG, Commercial General District 56xx North Main Road; PIN No. 07-25-351-002 and 7-25-351-003. MOTION PREVAILED (Ald. Mark, Jacobson, Thompson-Kelly, Elyea absent).

55. Alderman Wasco made a motion to go into closed session to discuss collective negotiating matters and litigation matters, seconded by Alderman Curran. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Wasco, Hervey, Johnson, Timm, Beach, Beck, McNeely, Robertson -10-  
Nays: -0-  
Absent: Mark, Jacobson, Thompson-Kelly, Elyea -4-

The meeting went into closed session at 7:15 p.m.

The meeting returned to open session at 8:00 p.m. and found the following aldermen present:

Sosnowski, Curran, Wasco, Hervey Johnson, Timm, Beach, Beck, McNeely, Robertson -10-

56. Upon motion duly made and seconded, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Diane Reed (IA)  
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 14, 2010**  
**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)

**I. NEW COMMITTEE REPORTS TO BE READ IN JUNE 14, 2010**

**A. CODE AND REGULATIONS**

1. Beach – Final Plat of Olson Enterprises
2. Beach – Final Plat #3 of Foxmoor Ridge

- Officers Reports
- Unfinished Business of previous meeting

**UNFINISHED BUSINESS**

**II. COMMITTEE REPORTS LAID OVER JUNE 7, 2010**

1. Sosnowski - Planning and Development - Recommending approval of the attached Supplemental Agreement between City of Rockford Human Services Department and RAEDC for \$100,000 in Funding for 2010. (Source of Funds: CSBG).
2. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink in conjunction with a sit-down restaurant in the name of Theodoros Panagiotopoulos d/b/a 5 Coin Restaurant in a C-2, Limited Commercial Zoning District at 4358 Sandy Hollow Road. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. Compliance with all City of Rockford Liquor Codes.

3. The hours of operation will be limited to 11:00 am to 9:00 pm Monday thru Saturday.
4. The hours of operation will be limited 11:00 am to 3:00 pm Sunday.
5. The sale of alcohol shall be limited to the interior site plan.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

3. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged beer and wine in conjunction with a gas station/convenience store in the name of **Sadaf Bukhari d/b/a Springfield BP** in a C-3, Commercial General Zoning District at 453 North Springfield Avenue. Approval is subject to the following conditions:

1. Meeting all applicable building, fire and liquor codes.
2. The sale of packaged liquor of beer and wine shall be limited to the area shown on Exhibit G.
3. The sale of liquor shall be limited to midnight as indicated in the business plan labeled Exhibit G.
4. The sale of rose tubes, airplane-sized bottles and any other product which can be easily converted into a "crack pipe" is prohibited.
5. Signs displayed in windows, whether temporary or permanent shall cover no more than 35% of the square footage of the window surface inclusive of advertisement of alcohol products.
6. Packaged beer shall not be sold on an individual basis but sold as a six (6), twelve (12), twenty-four (24) or greater.
7. Wine shall not be sold in less than 750 ml containers.
8. Lighting shall be directed downward and limited to no more than 5 foot candles on the east side of the property facing the residential district.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

4. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City council APPROVE the Special Use Permit for 30KW Wind turbine as a permitted obstruction in an I-1, Light Industrial Zoning District at 923 23<sup>rd</sup> Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of final elevation plans with proposed locations of wind turbines for staff review and approval.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

5. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from R-2, Two-Family Residential Zoning District to R-3, Multi-Family Zoning District and to APPROVE the Variation to change parking space requirements from 4 ½ spaces to 4 spaces in a R-3,

Multi-Family Residential Zoning District at 1445-1447 Woodcreek Bend. Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

6. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit for the blending, production, packaging, storage, loading and shipment of bentonite and other natural mineral products; DENY the Variation to eliminate blacktop paving and replace with gravel for outdoor storage and parking; DENY the Variation to eliminate landscaping requirements; APPROVAL of partial requirements with a portion hard surfaced as stated; and APPROVAL of the Variation to deviate from the Subdivision Ordinance from required 20 feet public road frontage for a subdivided lot to zero feet at 1507 Baxter Road. Approval is subject to the following conditions:

1. The terms of the annexation agreement.
2. Sewer and water shall be installed and connected to the existing building and any new structure on the property.
3. Landscaping as approved in the original Special Use Permit shall be installed. The landscaping along the east property line is not required to be installed until three (3) years of the date of the new amended Special Use Permit. The existing tree line and forested area along the southerly portion and the new lot shall be maintained. The area shall be preserved and the amount of trees removed shall be limited. A tree removal and preservation plan shall be submitted to staff for review and approval.
4. The continuation of rock base/gravel surface shall be restricted to the area used for outside storage and will require Staff review and approval.
5. Paving of the entrance access drive and parking areas with blacktop or concrete.
6. A clear access shall be maintained throughout the property and to the new southerly lot. Fire Department access must be maintained and clear at all times, any gates or security arrangements must be approved by the Fire Department and special procedures developed. A turnaround consistent with the rules of the Illinois Fire Code for Fire Apparatus Access Road is required at Lot 5.
7. Submittal of replat for additional lot for Staff review and approval.
8. Building elevation drawings shall be submitted for Staff review and approval.
9. New site plan shall be submitted to scale, for new parking and building on the newly created southerly lot.
10. The double wide modular office shall be brought into compliance on the newly created southerly lot including but not limited to accessibility features, potable water and sewer hookup and a final certificate of occupancy shall be acquired prior to additional building permits being issued for the new use.
11. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.



7. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a drive-thru facility in a C-2, Limited Commercial District at 3804 & 4010 East State Street. Approval is subject to the following conditions:
  1. That the landscaping be installed for the entire site as part of the building permitting process and shall be consistent with Exhibit D as it relates to the new outlot and shall be as approved for the remaining of the lot as shown in Exhibit E.
  2. The building shall be consistent with the submitted site elevations shown on Exhibit F.
  3. Meeting all applicable Building and Fire Codes.
  4. Submittal of a Tentative and Final plat for Staff's review and approval.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

8. Wasco - Finance and Personnel – Recommending approval of Task Order #15 with MWH Americas, Inc. for Well 37 Water Quality Investigation in an amount not to exceed \$16,500. The task order will be completed under a Master Agreement with MWH Americas, Inc. Funding for the project will come from the Water Replacement and Improvement Account (WRIA).
9. Wasco - Finance and Personnel – Recommending Engineering Agreement: Small Scale Wind Assessment be made to Seventh Generation Energy Systems, Inc. to perform a Wind Resource and Energy Assessment services for a total not to exceed cost of \$32,540. The funding for this project will come from EECBG-DOE funds.
10. Wasco - Finance and Personnel - Recommending Engineering Agreement: Large Scale Wind Assessment be made to WES Engineering, Inc. to perform Wind Resource and Energy Assessment services for a total not to exceed cost of \$102,500. The funding for this project will come from EECBG-DOE funds.
11. Wasco - Finance and Personnel – Recommending the Engineering Agreement: Hydro Power Assessment be made to MWH to perform hydro power assessment services for a total not to exceed cost of \$36,150. The funding for this project will come from EECBG-DOE funds.

- Motions and Resolutions

**III. 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).

1. Beach – Ordinance - That traffic on Foley Street be required to Stop prior to entering the intersection of Fitch Road.

- 2. Beach - Ordinance - That traffic on Welworth Avenue be required to Stop prior to entering the intersection of Dexter Street.
- \* same action taken before
- 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, June 14, 2010, 5:15 p.m.**

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

**AGENDA**

- 1. C & R 10-94    1a. Roland Poska's Great Human Race Art Declaration  
7/4/10
- 1b. Rockford Airfest 7/31/10 & 8/1/10
- 1c. Greenwich Village Art Fair 9/18/10 & 9/19/10
- 2. C & R 10-80    Amendments to the Fire Code re: Open Burning
- 3. C & R 10-84    Claim of Jim Burkee/Cherry Vale East Apartments
- 4. C & R 10-95    Closed Session for Purposes of Pending Litigation

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, June 14, 2010, 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: City-Wide Street Repair #3 – Suspend rules
  - B. Award of Sale of Property: 416 & 420 N. Avon Street
  - C. Vouchers

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, June 14, 2010, 5:30 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

1. Memorandum from RACVB Quarterly Report dated 3/31/10.
2. Memorandum from Ronald Schultz, City Attorney, regarding 410 & 414 N. Court Street Loan Forgiveness.
3. Memorandum from George Davis, Human Services Director, regarding CSBG Grant Funding.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, June 14, 2010, \_\_\_\_\_ p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

No Meeting Scheduled.