

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
MAY 22, 2006  
COUNCIL CONVENED AT 6:16 P.M.**

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

Alderman Wasco, Pro Tem

Aldermen: Curran, Mark, (Wasco), Bell, Jacobson, Johnson, Timm, Beach, Beck, McNeely -10-  
Absent: Sosnowski, Thompson, Holt, Conness –4-
4. Alderman Beach moved to accept the Journal of Proceedings of May 15, 2006, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Sosnowski, Thompson, Holt, Conness absent).

**PUBLIC PARTICIPATION**

5. Roger Coffey spoke supporting permit discounts.

**PETITIONS AND COMMUNICATIONS**

6. Alderman Beach submitted a letter from Scott L. Perian regarding a rule suspension request for 1401 North 2<sup>nd</sup> Street for a special use permit. Referred to Code and Regulation Committee.
7. Alderman Beach submitted a Memorandum from Todd Cagnoni, Manager of Current Planning, regarding the Final Plat of The Highlands. Referred to Code and Regulation Committee.
8. Alderman Beach submitted a Memorandum from Todd Cagnoni, Manager of Current Planning, regarding the Final Plat of Woodhaven Subdivision. Referred to Code and Regulation Committee.
9. Alderman Beach submitted the Zoning Board of Appeals Minutes from the meeting held on May 16, 2006. Referred to Code and Regulation Committee.

**OFFICERS REPORTS**

10. Alderman Wasco on behalf of Mayor Morrissey, presented a Proclamation proclaiming the day of Monday, May 29, 2006 to be "Memorial Day," in Rockford, and called upon all

citizens to join their fellow citizens in honoring all of our fallen soldiers, their commitment to our country and their legacy of patriotism and sacrifices.

11. Alderman Wasco on behalf of Mayor Morrissey, presented a Proclamation proclaiming the month of May, 2006 to be "National Preservation Month," in Rockford, Illinois and called upon the citizens to join in recognizing and participating in this special observance and to support efforts to preserve the history of Camp Grant.

#### **NEW COMMITTEE REPORTS**

12. Alderman Johnson read a Finance and Personnel Committee Report recommending the award for Ready-Mix Concrete be made to the low bidder Meyer Material, of McHenry, Illinois for the unit prices and estimated totals shown on the tabulation. The funding source Departmental Operating Budgets. LAID OVER.
13. Alderman Johnson read a Finance and Personnel committee report recommending the Sale of Property at 718 Maple Street be awarded to the sole bidder, Gerald & Judith Anderson, of Rockford, Illinois for their bid of \$500. LAID OVER.
14. Alderman Johnson read a Finance and Personnel committee report recommending the Sale of Property at 1002 N. Rockton Ave. be awarded to the sole bidder, Mara-Lee G. Williams, of Rockford, Illinois for her bid of \$350.00. LAID OVER.
15. Alderman Johnson read a Finance and Personnel Committee Report recommending the Sale of Property at 4301 N. Main be awarded to the sole bidder, Don Shepardson, of Rockford, Illinois for his bid of \$350. LAID OVER.
16. Alderman Johnson read a Finance and Personnel Committee Report recommending the Sale of Property at 1008 S. 5<sup>th</sup> St. be awarded to the sole bidder, Linda Campos, of Rockford, Illinois for her bid of \$500. LAID OVER.

#### **2006-171CR**

17. Alderman Johnson read a Finance and Personnel Committee Report regarding a proposed collective bargaining agreement regarding non-economic items between the City of Rockford and the International Association of Firefighters, Local No. 413, AFL-CIO-CLC, hereby begs leave to report recommending that the City Council approve such agreement.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Sosnowski, Thompson, Holt, Conness absent). The Committee Report was placed on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Beck, McNeely -10-  
Nays: -0-  
Absent: Sosnowski, Thompson, Holt, Conness -4-

18. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 22, 2006 in the amount of \$1,809,621.19. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Beck, McNeely -10-

Nays: -0-

Absent: Sosnowski, Thompson, Holt, and Conness -4-

19. Alderman Beach read a Code and Regulation Committee Report recommending approval of the honorary street name change at the corner of Dickerman Street and Cunningham Street to be designated "Pastor Betty Barlow Corners." LAID OVER.

20. 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 Planned Mixed-Use Development consisting of a resource center equipped with a computer room, food and clothing services, and referral center in an R-1, Single-Family Residential Zoning District at 128 Albert Avenue. Approval is subject to the following conditions:

1. The property must meet all applicable Building and Fire Codes
2. The property must operate with uses as per the submitted "Program Narrative"
3. Applicants must continue working with Weed and Seed administrators to ensure development is consistent with Focus Area objectives.
4. Hours of operation shall be from 8:00 A.M. to 6:00 P.M. during the school year, and 8:00 A.M. to 8:00 P.M. during the summer when school is not in session.
5. The Zoning Officer shall periodically review activities on the property allowed by the Special Use Permit to ensure that the facility is operating in compliance with the conditions of approval and positive Findings of Fact. Should the Zoning Officer find that the property is operating in violation of any condition of approval or the facility has a negative review for any one or more findings of fact, the Special Use Permit shall immediately lapse.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #025-06). LAID OVER.

21. Alderman Beach read a Code and Regulation Committee Report recommending approval of the Final Plat of Fanara Subdivision, being a replat of Lot 10 and the South ½ Lot of 11 on Martin Hawkinson Company's Mulford Heights Little Farms. LAID OVER.

### OFFICERS REPORTS

22. Alderman Wasco called attention to a news release regarding Holiday Pickup Schedule. Due to the Memorial Day Holiday, the normal Monday route will be Tuesday and continue on that schedule for the remainder of the week, and household hazardous waste site at 3333 Kishwaukee Street will be closed on the weekend of May 27<sup>th</sup> and 28<sup>th</sup>.

23. Alderman Wasco called attention to a Memorandum from Mayor Morrissey regarding the closure of City Hall on May 29, 2006 in observance of Memorial Day. The next scheduled City Council meeting will be held on Tuesday, May 30, 2006 at 6:00 p.m.

#### **PETITIONS AND COMMUNICATIONS**

24. Alderman Wasco submitted a Request for Service. Referred to Public Works Department.
25. Alderman Bell submitted seven (7) Requests for Service at properties located in the Orchid 3<sup>rd</sup> Union College Neighborhood. Referred to Neighborhood Standards

#### **OFFICERS REPORTS**

26. Alderman Beach addressed his concerns with potentially losing the Rockford branch of the Post Office and requested Jim Ryan, City Administrator, update council with information regarding this issue.
27. Jim Ryan, City Administrator, advised a public hearing would be held on June 5, 2006 regarding the Post Office issue with a time and location to be announced.
28. Alderman Beach commented that Alderman Timm, Alderman Mark and himself had attended the Policemen's Memorial Service last Thursday honoring and remembering those officers fallen in the line of duty and was appreciative, Jared Jenson, Colorado Springs officer, was remembered during the ceremony.
29. Alderman Beach mentioned he attended the dedication of Welsh Grade School for 75 years in the community and thanked Principal, Diane Alt, former Principal, Randy Larson and Mark Bonne, Rockford School District, for coordinating the event.
30. Alderman McNeely reiterated her concerns regarding the Post Office issue and looks forward to a response from staff. Referred to the Legal Department.

#### **PETITIONS AND COMMUNICATIONS**

31. Alderman McNeely submitted three (3) letters requesting honorary street name changes. Referred to Code and Regulation Committee.

#### **OFFICERS REPORTS**

32. Alderman McNeely expressed her concerns about the traffic congestion on State Street being re-routed from the Chestnut Street road projects and thanked Chief Epperson for appropriating officers to direct traffic.
33. Alderman McNeely reflected on the passing of Darwin Dant, City of Rockford, Neighborhood Enforcement Specialist, expressing her appreciation for his many years of dedicated service to the City. He was admired and respected by his friends and colleagues and will be missed.

- 34. Alderman McNeely voiced her concerns about the weed problem in her ward, requesting suggestions from staff to resolve this continual problem.
- 35. Alderman Wasco commented he also requested service for weeds in his ward and was advised the Neighborhood Standards Department is 2-3 weeks behind on requests but are diligently working to address the concerns of all the citizens. Alderman Wasco requested a response from staff addressing this issue.
- 35a. Vicki Manson, Interim Director of Community Development, advised that staff recognizes the problem and is working on a solution to the matter.
- 36. Alderman Jacobson advised he had submitted a Request for Service at Houston and Lookout last year for the weeds to be cut and to this day the yard has not been cut. He suggested hiring college students to assist with the backlog of requests for mowing. Referred to Neighborhood Standards Department.
- 37. Alderman Mark commented on the traffic congestion on State Street, which is a result of roadwork being done on Chestnut Street. He thanked the Public Works Department and the Police Department for coordinating their efforts to control traffic.
- 37a. Alderman Mark reminded council that a Resolution was previously submitted regarding the Post Office changes which was directed to Congressman Donald Manzullo. He requested copies be available at the next meeting.
- 38. Alderman Wasco called attention to a news release regarding Memorial Day activities. The Parade will be held at 9:00 a.m. downtown, Wreath Ceremony 10:30 a.m. behind the library, and Memorial Hall Program at 11:15 a.m.

**UNFINISHED BUSINESS**

**2006-172CR**

- 39. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending the award for Demolition of 205 N. Hinkley be made to the low bidder J.E. Mark, of Rockford, IL for their total bid of \$10,300.00. The funding source CDBG. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Beck,  
McNeely -10-

Nays: -0-

Absent: Sosnowski, Thompson, Holt, and Conness -4-

- 40. **2006-173CR**

- Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending the contract for Cellular Services be awarded to Sprint, of Reston, VA for the annual cost of \$43,128. Funding source Police Department Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Beck,  
McNeely -10-

Nays: -0-  
Absent: Sosnowski, Thompson, Holt, and Conness -4-

**2006-174CR**

41. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending entering into the City-State Agreement: South Main & Clifton Ave. for a preliminary estimate amount of \$48,142. The funding for this project will come from Motor Fuel Taxes. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Beck, McNeely -10-  
Nays: -0-  
Absent: Sosnowski, Thompson, Holt, and Conness -4-

**2006-175CR**

42. Alderman Johnson moved the adoption of a Finance and Personnel Committee Report recommending a contract be awarded to the sole supplier, Auto Vu Technologies of Montreal, Quebec Canada for Mobile License Plate Reading Equipment in the amount of \$70,000.00. Funding Source Motor Vehicle Parking System. MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Beck, McNeely -10-  
Nays: -0-  
Absent: Sosnowski, Thompson, Holt, and Conness -4-

43. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the City of Rockford DENY the request of Rose Development for a sidewalk waiver on lots 32, 33, 42, 69 and 70 along Kelley Road. HELD OUT.
44. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the City Council of the City of Rockford approve the Minority Women Business Enterprise Procurement Policy for the City of Rockford dated May 8, 2006. HELD OUT.

**MOTION AND RESOLUTIONS**

**2006-32R**

45. Alderman Curran suggested a Resolution revising the current towing ordinance. Referred to the Legal Department.

**2006-33R**

46. Alderman Mark moved the adoption of a Resolution requesting permission for closure of portions of Wyman Street from Cedar to Chestnut Streets, and the southernmost two lanes on Business Route 20 (Chestnut) from Davis Park to Water Street on June 3, 2006 from 6:00 a.m. to 8:00 p.m. in conjunction with Safety Fest and 911 Run.

Alderman Curran moved to suspend Rule 15, seconded by Alderman Beck. MOTION PREVAILED (Ald. Sosnowski, Thompson, Holt, Conness absent). The Resolution was placed on passage. MOTION PREVAILED (Ald. Sosnowski, Thompson, Holt, Conness

absent).

## NEW BUSINESS

47. Alderman Beach introduced and read an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for Special Use Permit for a Planned Mixed Use Development consisting of a carry-out/ice cream snack shop, retail sales and a residence in an R-2, Two-Family Zoning District at 1608 & 1612 12<sup>th</sup> Avenue and 1230 11<sup>th</sup> Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a revised site plan for Staff review and approval. Said revised plan including the elimination of the asphalt between the parking stalls/drive aisle and 11<sup>th</sup> Street and 12<sup>th</sup> Avenue.
3. Retail sales within the two-story structure shall be limited to antique and related merchandise.
4. House of operation for retail sales and carry-out snack shop are limited from 9:00 a.m. to 10:00 p.m.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #019-06). LAID OVER.

48. Alderman Beach introduced and read an Ordinance amending Chapter 37, Section 800.4, Section 1603 and Section 1604, for (A) Zoning Map Amendment from C-3, Commercial General District and R-1, Single-Family Residential to C-3, Commercial General District; (B) Special Use Permit for a Planned Mixed-Use Development consisting of a fast-food restaurant with drive-thru and a coffee kiosk with double drive-thrus in a C-3, Commercial General District; and (C) Variation to reduce the required stacking spaces from eight (8) per window to three (3) in a C-3, Commercial General District at 3221 & 3225 11<sup>th</sup> Street. Approval is based on the following conditions:

1. Combination of all lots prior to any building permits.
2. Submittal of a site and landscaping plan to staff for their review and approval prior to the issuance of any permit for the property.
3. Compliance with all Building and Fire codes.
4. If development pressures warrant the need for additional stacking spaces, the development shall be modified to accommodate the necessary stacking spaces.
5. The Variation in stacking spaces applied to the coffee kiosk building only.
6. That the proposed parking lot be reduced to twelve (12) parking spaces and the access to Lapey Street be removed. Berming and landscaping is installed to eliminate access to Lapey.
7. The existing Entrance and Exit signs for Quizno's shall be relocated per staff approval so that the signs are out of the line of sight for vehicles entering and exiting.
8. That fencing plan be submitted for staff review and approval to allow sight-obscuring fencing along all sides of the property adjacent to residential. Said fencing to be installed per approved plan.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #024-16). LAID OVER.

49. Alderman Beach 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 Residential Development consisting of a two-family residence; and (B) Variation to reduce the density requirements from 3,850 square feet to 3,750 square feet per unit in an R-1, Single-Family Residential District at 228-230 Guard Street. Approval is subject to the following conditions:

1. Should the structure be destroyed partially or in whole that the rebuilt structure be similar in design and materials of the existing structure.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #020-06). LAID OVER.

50. Alderman Beach 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-three feet (33') to twenty-nine feet six inches (29'6") along Elm Street for 201 Waveland Avenue; and (B) Variation to reduce the front yard setback from thirty-three feet (33') to twenty-seven feet six inches (27'6") along Elm Street for 202 Waveland Avenue in an R-1, Single-Family Residential District at 201, 202 Waveland Avenue. Approval is subject to the following conditions:

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

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #18-06). LAID OVER.

51. Alderman Beach introduced and read an Ordinance amending Chapter 16, Section 291, of the City of Rockford Code of Ordinances to add the following:

"That traffic on Seward Avenue be required to Stop prior to entering the intersection of Dakota Lane".

LAID OVER.

52. Alderman Beach introduced and read an Ordinance amending Chapter 16, Section 280, of the City of Rockford Code of Ordinances to add the following:

"No Parking Anytime" on the west side of Edson Avenue from Willoughby Avenue to Eddy Avenue".

LAID OVER.

53. Alderman Beach introduced and read an Ordinance that the Mayor and Legal Director are hereby authorized to execute the attached Development Agreement and Amendment Annexation Agreement by and between the City of Rockford and Landmark Riverside, LLC.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED (Ald. Sosnowski, Thompson, Holt, Conness absent).

After discussion, Alderman Beach requested the Ordinance be held out. The Ordinance was HELD OUT.

54. Alderman Beach introduced and read an Ordinance amending Chapter 16, Motor Vehicles and Traffic, Article IV, Bicycles, Section 16-77, Rules of Operation, of the City of Rockford Code of Ordinances, is hereby amended as follows:

Sec. 16-77. Rules of Operation.

(a) Riders.

- (1) A person propelling a bicycle shall not ride other than upon the permanent and regular seat attached thereto, nor carry any other person upon such bicycle other than upon a firmly attached and regular seat thereon.
- 2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(b) Riding on sidewalks.

- (1) No person sixteen (16) or more years of age shall ride a bicycle upon any sidewalk, unless such sidewalk has been officially designated and marked as a bicycle route.
- (2) No person shall ride a bicycle upon a sidewalk within a business district or in the downtown shopping mall.

(c) Clinging to vehicles. No person riding a bicycle shall cling to or attach the bicycle or himself to any moving vehicle upon a roadway.

(d) Riding in a group. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast, and, where traffic volume indicates, shall not ride other single file. Persons riding bicycles upon a path, lane, or route set aside for the exclusive use of bicycles may ride other than herein provided if conditions so warrant.

(e) Carrying articles. No person riding a bicycle shall carry any package, bundle, or article, which prevents the rider from keeping at least one hand upon the handlebars.

(f) Parking bicycles. No person shall park a bicycle in a manner, which interferes with pedestrians or persons getting into or out of vehicles.

(g) Bicycle path or lane. Unless otherwise permitted in part (b) of this section, persons riding bicycles shall ride in bicycle lanes or paths where such lanes or paths are provided.

- (h) Hazardous riding. No person while riding a bicycle may engage in an activity which, is a hazard to that person, pedestrians, vehicles or other property.
- (i) Penalties. Any person found to be in violation of this section shall be fined in an amount not to exceed \$750.00.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Johnson. MOTION FAILED (Ald. McNeely voted no).

There was some confusion as to which item was up for rule suspension. Legal Director Patrick Hayes clarified the item up for rule suspension was the Ordinance recommending approval of the vacation subject to the terms and conditions of the impending development agreement with Anderson Packaging and not the Motor Vehicles and Traffic Ordinance. The Ordinance was LAID OVER.

**2006-86-O**

- 55. Alderman Beach introduced and read an Ordinance recommending that the City Council approve said vacation subject to the terms and conditions of the impending development agreement with Anderson Packaging.

Alderman McNeely moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Sosnowski, Thompson, Holt, Conness absent). MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Beck, McNeely -10-  
 Nays: -0-  
 Absent: Sosnowski, Thompson, Holt, and Conness -4-

**2006-87-O**

- 56. Alderman Johnson introduced and read an ordinance recommending the passage and approval of this Ordinance, the Mayor and Legal Director be instructed to execute the Collective Bargaining Agreement regarding non-economic items between the International Association of Firefighters, Local 413, AFL-CIO-CLC and the City of Rockford, a copy of which is attached hereto.

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

Ayes: Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm, Beach, Beck, McNeely -10-  
 Nays: -0-  
 Absent: Sosnowski, Thompson, Holt, Conness -4-

57. Upon motion duly made and seconded, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Diane Reed  
City Council Clerk

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

**CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS**  
**City Council Chambers, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**May 30, 2006**  
**6:00 P.M.**  
**AGENDA**

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)
- Officers Reports
- Unfinished Business of previous meeting

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS**

**A. LAID OVER MAY 22, 2006**

1. Johnson - Finance and Personnel - Recommending the award for Ready-Mix Concrete be made to the low bidder Meyer Material, of McHenry, Illinois for the unit prices and estimated totals shown on the tabulation. The funding source Departmental Operating Budgets.
2. Johnson - Finance and Personnel - Recommending the Sale of Property at 718 Maple Street be awarded to the sole bidder, Gerald & Judith Anderson, of Rockford, Illinois for their bid of \$500.
3. Johnson - Finance and Personnel - Recommending the Sale of Property at 1002 N. Rockton Ave. be awarded to the sole bidder, Mara-Lee G. Williams, of Rockford, Illinois for her bid of \$350.00.
4. Johnson - Finance and Personnel - Recommending the Sale of Property at 4301 N. Main be awarded to the sole bidder, Don Shepardson, of Rockford, Illinois for his bid of \$350.
5. Johnson - Finance and Personnel - Recommending the Sale of Property at 1008 S. 5<sup>th</sup> St. be awarded to the sole bidder, Linda Campos, of Rockford, Illinois for her bid of \$500.

6. Beach - Code and Regulation - Recommending approval of the honorary street name change at the corner of Dickerman Street and Cunningham Street to be designated "Pastor Betty Barlow Corners."
7. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Mixed-Use Development consisting of a resource center equipped with a computer room, food and clothing services, and referral center in an R-1, Single-Family Residential Zoning District at 128 Albert Avenue. Approval is subject to the following conditions:
  1. The property must meet all applicable Building and Fire Codes
  2. The property must operate with uses as per the submitted "Program Narrative"
  3. Applicants must continue working with Weed and Seed administrators to ensure development is consistent with Focus Area objectives.
  4. Hours of operation shall be from 8:00 A.M. to 6:00 P.M. during the school year, and 8:00 A.M. to 8:00 P.M. during the summer when school is not in session.
  5. The Zoning Officer shall periodically review activities on the property allowed by the Special Use Permit to ensure that the facility is operating in compliance with the conditions of approval and positive Findings of Fact. Should the Zoning Officer find that the property is operating in violation of any condition of approval or the facility has a negative review for any one or more findings of fact, the Special Use Permit shall immediately lapse.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #025-06).

8. Beach - Code and Regulation - Recommending approval of the Final Plat of Fanara Subdivision, being a replat of Lot 10 and the South ½ Lot of 11 on Martin Hawkinson Company's Mulford Heights Little Farms.

**B. HELD OUT MAY 22, 2006**

1. Beach - Code and Regulation - Recommending the City of Rockford DENY the request of Rose Development for a sidewalk waiver on lots 32, 33, 42, 69 and 70 along Kelley Road.
2. Beach - Code and Regulation - Recommending the City Council of the City of Rockford approve the Minority Women Business Enterprise Procurement Policy for the City of Rockford dated May 8, 2006.

**II. ORDINANCES**

**A. LAID OVER MAY 22, 2006**

1. Beach - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for Special Use Permit for a Planned Mixed Use Development consisting of a carry-out/ice cream snack shop, retail sales and a residence in an R-2, Two-Family Zoning District at 1608 & 1612 12<sup>th</sup> Avenue and 1230 11<sup>th</sup> Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a revised site plan for Staff review and approval. Said revised plan including the elimination of the asphalt between the parking stalls/drive aisle and 11<sup>th</sup> Street and 12<sup>th</sup> Avenue.
3. Retail sales within the two-story structure shall be limited to antique and related merchandise.
4. House of operation for retail sales and carry-out snack shop are limited from 9:00 a.m. to 10:00 p.m.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #019-06).

2. Beach - Ordinance - Amending Chapter 37, Section 800.4, Section 1603 and Section 1604, for (A) Zoning Map Amendment from C-3, Commercial General District and R-1, Single-Family Residential to C-3, Commercial General District; (B) Special Use Permit for a Planned Mixed-Use Development consisting of a fast-food restaurant with drive-thru and a coffee kiosk with double drive-thrus in a C-3, Commercial General District; and (C) Variation to reduce the required stacking spaces from eight (8) per window to three (3) in a C-3, Commercial General District at 3221 & 3225 11<sup>th</sup> Street. Approval is based on the following conditions:

1. Combination of all lots prior to any building permits.
2. Submittal of a site and landscaping plan to staff for their review and approval prior to the issuance of any permit for the property.
3. Compliance with all Building and Fire codes.
4. If development pressures warrant the need for additional stacking spaces, the development shall be modified to accommodate the necessary stacking spaces.
5. The Variation in stacking spaces applied to the coffee kiosk building only.
6. That the proposed parking lot be reduced to twelve (12) parking spaces and the access to Lapey Street be removed. Berming and landscaping is installed to eliminate access to Lapey.
7. The existing Entrance and Exit signs for Quizno's shall be relocated per staff approval so that the signs are out of the line of sight for vehicles entering and exiting.
8. That fencing plan be submitted for staff review and approval to allow sight-obscuring fencing along all sides of the property adjacent to residential. Said fencing to be installed per approved plan.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #024-16).

3. Beach - 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 Residential Development consisting of a two-family residence; and (B) Variation to reduce the density requirements from 3,850 square feet to 3,750 square feet per unit in an R-1, Single-Family Residential District at 228-230 Guard Street. Approval is subject to the following conditions:

1. Should the structure be destroyed partially or in whole that the rebuilt structure be similar in design and materials of the existing structure.

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #020-06).

4. Beach - Ordinance - Amending Chapter 37, Section 1604, of the City of Rockford Code of Ordinances for a (A) Variation to reduce the front yard setback from thirty-three feet (33') to twenty-nine feet six inches (29'6") along Elm Street for 201 Waveland Avenue; and (B) Variation to reduce the front yard setback from thirty-three feet (33') to twenty-seven feet six inches (27'6") along Elm Street for 202 Waveland Avenue in an R-1, Single-Family Residential District at 201, 202 Waveland Avenue. Approval is subject to the following conditions:

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

Approval is based on the Findings of Fact (LAD 6/19/06, ZBA #18-06).

5. Beach - Ordinance - Amending Chapter 16, Section 291, of the City of Rockford Code of Ordinances to add the following:

"That traffic on Seward Avenue be required to Stop prior to entering the intersection of Dakota Lane".

6. Beach - Ordinance - Amending Chapter 16, Section 280, of the City of Rockford Code of Ordinances to add the following:

"No Parking Anytime" on the west side of Edson Avenue from Willoughby Avenue to Eddy Avenue".

7. Alderman Beach introduced and read an Ordinance amending Chapter 16, Motor Vehicles and Traffic, Section 16-77, Rules of Operation, of the City of Rockford Code of Ordinances, is hereby amended as follows:

Sec. 16-77. Rules of Operation.

(a) Riders.

- (1) A person propelling a bicycle shall not ride other than upon the permanent and regular seat attached thereto, nor carry any other person upon such bicycle other than upon a firmly attached and regular seat thereon.
- (2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(b) Riding on sidewalks.

- (1) No person sixteen (16) or more years of age shall ride a bicycle upon any sidewalk, unless such sidewalk has been officially designated and marked as a bicycle route.

(2) No person shall ride a bicycle upon a sidewalk within a business district or in the downtown shopping mall.

(c) Clinging to vehicles. No person riding a bicycle shall cling to or attach the bicycle or himself to any moving vehicle upon a roadway.

(d) Riding in a group. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast, and, where traffic volume indicates, shall not ride other single file. Persons riding bicycles upon a path, lane, or route set aside for the exclusive use of bicycles may ride other than herein provided if conditions so warrant.

(e) Carrying articles. No person riding a bicycle shall carry any package, bundle, or article, which prevents the rider from keeping at least one hand upon the handlebars.

(f) Parking bicycles. No person shall park a bicycle in a manner, which interferes with pedestrians or persons getting into or out of vehicles.

(g) Bicycle path or lane. Unless otherwise permitted in part (b) of this section, persons riding bicycles shall ride in bicycle lanes or paths where such lanes or paths are provided.

(h) Hazardous riding. No person while riding a bicycle may engage in an activity which, is a hazard to that person, pedestrians, vehicles or other property.

(i) Penalties. Any person found to be in violation of this section shall be fined in an amount not to exceed \$750.00.

**B. HELD OUT MAY 22, 2006.**

1. Beach - Ordinance - That the Mayor and Legal Director are hereby authorized to execute the attached Development Agreement and Amendment Annexation Agreement by and between the City of Rockford and Landmark Riverside, LLC.

\* 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**  
**Tuesday, May 30, 2006, 4:45 p.m.**  
**CD Conference Room, City Hall 2<sup>nd</sup> floor**  
**AGENDA**

1. C & R 06-100 Final Plat of Woodhaven Subdivision
2. C & R 06-101 Final Plat of The Highlands
3. C & R 06-28 ZBA#005-06 (A) Annexation Agreement from County R-1, to City C-2, Commercial Community District for Parcel I; to City C-1, Limited Office District for Parcel II; and to City R-2, Two-Family Residential District for Parcel III.  
(B) Zoning Map Amendment at 1007 & 1127 North Alpine Road, 4591, 4627, 4669, 4689, 4707 & 4921 Guilford Road
4. C & R 06-81 ZBA#026-06 (A) Special Use Permit for a Planned Residential Development consisting of a four-family residence in a R-1, Single-Family Residential District  
(B) Variation to reduce the density requirements from 3,851.5 square feet per unit to 1,503 square feet per unit in a R-1, Single-Family Residential District at 1321 Garrison Avenue
5. C & R 06-82 ZBA#027-06 (A) Special Use Permit for Planned Mixed Use Development consisting of a gas station, convenience store and car wash  
(B) Special Use Permit for the sale of liquor (indoors) by the package  
(C) Variation in the front yard setback along Broadway from thirty feet to fourteen feet  
(D) Variation in the rear yard setback and landscape buffer along the south property line to allow a setback and buffer of five feet

for a car wash in a C-2, Commercial  
Community Zoning District at 3803, 3811 &  
3819 Broadway

6. C & R 06-83 ZBA#028-06 Special Use Permit to allow a commercial office in an R-1, Single-Family Residential District at 1402 North Second Street
7. C & R 06-84 ZBA#029-06 Modification of Special Use Permit #127-00 to include sales and installation of automobile audio systems, wheels and tires in addition to the following uses permitted by the Special Use Permit. Sales of passenger vehicles and motorcycles, vehicle preparation, office area, and minor repairs of passenger vehicles and motorcycles in a C-4, Commercial Oldtown Zoning District at 1517 11<sup>th</sup> Street
8. C & R 06-85 ZBA#030-06 (A) Special Use Permit for a Planned Mixed Use Development for a double drive-thru/walk up coffee shop in a C-2, Commercial Community Zoning District  
(B) Variation in the required stacking spaces from eight to four for each of the drive-thru windows in a C-2, Commercial Community Zoning District at 3600 North Main Street (8xx Riverside Boulevard)
9. C & R 06-86 ZBA#031-06 (A) Special Use Permit to allow the sale of used passenger vehicles in an I-1, Light Industrial District  
(B) Variation to allow landscaping to remain "as is" in an I-1, Light Industrial District at 2250 11<sup>th</sup> Street
10. C & R 06-88 ZBA#033-06 Special Use Permit for retail outdoor liquor sales by the drink in a C-3, Commercial General Zoning District at 3870 North Perryville Road
11. C & R 06-90 ZBA#035-06 Special Use Permit for a Planned Mixed Use Development consisting of passenger vehicles and boat sales, and a passenger vehicle detailing shop in an I-1, Light Industrial Zoning District at 3424 South Alpine Road
12. C & R 06-103 Closed Session for purposes of pending litigation – Attorney Kerry Partridge

**FINANCE AND PERSONNEL COMMITTEE**

**Tuesday, May 30, 2006, 5:15 p.m.**

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

**AGENDA**

1. Purchasing and Vouchers
  - A. Award of Bid: Demolition of 617 Locust Street
  - B. Award of Bid: Fire Hydrant Painting
  - C. Award of Bid: Recording Equipment for the Police Department
  - D. Award of RFP: Citizen Response Software (Laid over 5/15)
  - E. Performance Measurement Initiative
  - F. Extension for Engineering Contract for Chestnut Street Watermain Improvements
  - G. Extension to Contract for Harrison Avenue Improvements
  - H. Resolution to take Bids
  - I. Vouchers
2. Insight Communications Discussion
3. Union Negotiation Update – Closed Session

**PLANNING AND DEVELOPMENT COMMITTEE**

**Tuesday, May 30, 2006, 5:15 p.m.**

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

**AGENDA**

1. Rockford Area Visitors Convention Bureau Quarterly Report.
2. Memorandum from Lawrence J. Morrissey, Mayor and James R. Ryan, City Administrator regarding Coronado Theatre Agreement.
3. Memorandum from Patrick W. Hayes, Legal Director, regarding a Commercial Redevelopment Fund.