

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
JULY 10, 2006  
COUNCIL CONVENED AT 6:16 P.M.**

1. The invocation was given by Pastor Orville Richardson, Jefferson Heights Baptist Church/Police Chaplain, and the Pledge of Allegiance was led by Page Justin Francis.

2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson, Johnson,  
Timm, Beach, Holt, McNeely, -12-

Absent: Beck, Conness -2-

3. Alderman Timm moved to accept the Journal of Proceedings of July 3, 2006, seconded by Alderman Jacobson.

Alderman Johnson made a motion to amend Item #28 of the Journal to reflect:

**2006-228CR**

28. Alderman Johnson read a Finance and Personnel Committee Report recommending amending the agreement for Harrison Avenue Reconstruction (Mulford to Ohio Parkway) of May 8, 2006 for a preliminary estimate amount of \$10,400,000, with a City share estimated at approximately \$2,080,000. The funding for this project will come from Motor Fuel Taxes.

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

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Johnson, Timm,  
Beach, Beck, Conness -11-

Nays: Holt -1-

Absent: Thompson, McNeely -2-

Said motion was seconded by Timm. MOTION PREVAILED (Ald. Beck, Conness absent). The Journal was placed on passage as amended. MOTION PREVAILED (Ald. Beck, Conness absent).

**PUBLIC PARTICIPATION**

4. Rev. Ralph Hawthorne spoke opposing Alderman McNeely's proposed amendment to the CAP Funding.

5. Rev. Derrick Shelby spoke regarding Black Male Children.

## PUBLIC HEARING

6. Mayor Morrissey called upon Alderman Mark to conduct a public hearing. Alderman Mark called the hearing to order at 6:26 pm, stated that it was being held pursuant to 65 Illinois Compiled Statutes 5/11-15.1-3, for the annexation agreement for property located at 1127 & 1129 North Alpine Road and 4627, 4669, 4707 and 4921 Guilford Road. He asked for questions or comments from the Council members, and then from the public, and closed the public hearing at 6:27 pm.

The Meeting returned to the regular Order of Business at 6:27 pm.

## PETITIONS AND COMMUNICATIONS

7. Alderman Jacobson submitted a Memorandum from James R. Ryan, City Administrator, regarding the Intergovernmental Agreement with RMTD. Referred to Finance and Personnel Committee.
8. Alderman Jacobson submitted a Memorandum from Ronald Schultz, City Attorney, regarding the Armory Building. Referred to Finance and Personnel Committee.
9. Alderman Jacobson submitted a Memorandum from Ronald Schultz, City Attorney, regarding Barnes International (Exchange of Property). Referred to Finance and Personnel Committee.
10. Alderman Jacobson submitted a Memorandum from Ronald Schultz, City Attorney, regarding Information Technology Department. Referred to Finance and Personnel Committee.
11. Alderman Jacobson submitted a Memorandum from Steve Ernst, Traffic Engineer, regarding a Comprehensive Alternative Analysis and Environmental Assessment. Referred to Finance and Personnel Committee. (Same referral as Item #7).
12. Alderman Jacobson submitted a Memorandum from Brad Moberg, City Engineer, regarding a Change Order for Pressure Zone Boundary, Phase I. Placed on File.
13. Alderman Timm submitted a letter from Brenda Weigelt, with concerns regarding graffiti problems in her neighborhood. She also has concerns regarding homes in her neighborhood with incomplete addresses and other ordinance violations. Referred to the Fire Department, the Police Department, Charlie Schaefer, Neighborhood Standards, and Bill Bittner, Director Public Works Department.
14. Alderman Wasco submitted a request from Westmor Lanes in conjunction with the 4<sup>th</sup> Annual Outdoor Bash for permission for liquor outdoors within a confined space at 2407 North Central Avenue on Saturday, August 19, 2006 from noon –11:00 pm. Alderman Wasco moved to grant the prayer of petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck, Conness absent).

15. Alderman Wasco submitted a request from the Shadow Woods Subdivision in conjunction with the annual black topping of private drives for permission for a parking wavier from 5300-5500 northeast corner of Springbrook Road and Applewood Lane and the east side of Applewood Lane north of Springbrook Road on July 13<sup>th</sup> and 14<sup>th</sup>. Alderman Wasco moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck, Conness absent).
16. Alderman Johnson submitted three (3) Requests for Service. Referred to Neighborhood Standards.
17. Alderman Johnson submitted an anonymous letter regarding a zoning issue in the Broadway area. Placed on File.
18. Alderman Johnson submitted a request from Joe Pengergrass, Joe's Sports Page, in conjunction with a Bean Bag Toss Tournament for permission for liquor outdoors within a confined space at 3907 Broadway on July 15, 2006. Alderman Johnson moved to grant the Prayer of Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck, Conness absent).
19. Alderman Mark submitted a request from Jillian Trojniar, Burpee Museum of Natural History, in conjunction with Jane's Puttin' on the Rex Party for permission for liquor outdoors within a confined space for a not-for-profit (outdoor "S") at 737 North Main Street on July 28, 2006 from 7:00 pm –midnight. Alderman Mark moved to grant the Prayer of Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck, Conness absent).
20. Alderman Mark submitted a letter from Rebecca Kopf, President, Board of Directors, River District Association, strongly opposing the potential new business venture at 623 North Madison Street. Referred to Mayor Morrissey.
21. Alderman Mark mentioned the item regarding building permits for re-roofing work done in the City of Rockford is still pending in the Code and Regulation Committee.
22. Alderman Mark submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding the Annexation Agreement (Water Connection) 4860 Springbrook Road. Referred to Code and Regulation Committee.
23. Alderman Mark submitted a Memorandum from John P. Giliberti, City Attorney, regarding the Truancy Ordinance. Referred to Code and Regulation Committee.
24. Alderman Mark submitted a Memorandum from Ronald N. Schultz, City Attorney, regarding the Agreement for Pedestrian Walkway with Anderson Packaging. Referred to Code and Regulation Committee.
25. Alderman Curran submitted a flier regarding the Highland Neighborhood 8<sup>th</sup> Annual Ice Cream Social to be held at the Bethesda Covenant Church, 2101 E. State Street on Thursday, July 13, 2006 from 7:00 pm – 8:00 pm. He encouraged all to attend. Placed on File.

## NEW COMMITTEE REPORTS

26. Alderman Jacobson read a Finance and Personnel Committee report recommending amending the agreement with the Illinois Commerce Commission Railroad Crossing Safety Improvements for Horsman St., Auburn, St., and School St. for a preliminary estimate amount of \$493,015, with a City share estimated at 5% (approximately \$24,650). The funding for this project will come from Motor Fuel Taxes. LAID OVER.
27. Alderman Jacobson read a Finance and Personnel Committee report recommending re-authorizing the First Lady's Wildflower Program for an amount up to \$35,000, with a requirement for the City to provide up to \$5,000 in matching funds for services. The funding for this project will come from Motor Fuel Taxes. LAID OVER.

### 2006-235CR

28. Alderman Jacobson read a Finance and Personnel Committee report recommending that the award for Pressure Zone Boundary, Phase 5A be made to the low bidder Rockford Blacktop Construction, of Loves Park, IL for their total bid of \$282,728.00. The funding source is Water Utility Revenue Bonds (WURB).

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

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

29. Alderman Jacobson moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of July 10, 2006 in the amount of \$1,774,213.14. MOTION PREVAILED by a Roll Call vote of:

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

30. Alderman Bell read a Planning and Development Committee Report recommending that the City Council approve the amended request for 2006 Community Assistance Program (CAP) Funding Recommendations.

Alderman Bell moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck, Conness absent).

Alderman Beach made a motion to separate Alderman Holt and Alderman McNeely's proposed funding recommendations as amended.

After discussion, Alderman Beach withdrew his motion to separate Alderman Holt and Alderman McNeely's proposed funding recommendation as amended. Alderman Jacobson made a motion to lay the item over, seconded by Alderman Sosnowski. LAID OVER.

31. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation of 4775 Linden Road. LAID OVER.
32. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the agreement between the City of Rockford and the Illinois Department of Transportation for temporary street signage in conjunction with the second annual Great River Ride. IDOT will create, erect and remove all signage at no cost to the City. LAID OVER.
33. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Zoning Map Amendment from C-2, Commercial Community Zoning District to I-1, Light Industrial Zoning District and APPROVE the Special Use Permit for a Planned Mixed Use Development for warehouse storage, automobile storage, and repair in an I-1, Light Industrial District at 3210 Williams Avenue. Approval is subject to the following conditions:
  1. The site must be developed as per the approved site plan.
  2. A parking lot permit showing the required parking must be submitted for staff review and approval.
  3. A landscaping plan must be submitted for staff review and approval.
  4. Overnight storage of passenger vehicles is limited to (4) four.
  5. Outside storage of trailers, boats and trucks is prohibited.
  6. All vehicles awaiting repair must have current and valid license plates.
  7. The property must be combined to one lot.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #042-06). LAID OVER.

34. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Special Use Permit for a church and church related facilities in a R-1, Single-Family Residential Zoning District at 2106 Sandy Hollow Road.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #041-06). LAID OVER.

35. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Modification of Special Use Permit #118-05 (Ordinance 2006-43-O) to allow passenger vehicle sales, sale of wheels and a car wash in a C-3, Commercial General Zoning District at 1326 Kilburn Avenue. Approval is subject to the following conditions:
  1. The site be limited to no more than twelve (12) vehicles for sale at any one time.
  2. Cars waiting for wheel installation or detailing/washing be limited to the area at the southeast portion or the site near the bay entrance.

3. All landscaping be maintained and replaced as needed.
4. No additional services be provided at this site without approval of a Modification of the Special Use Permit.
5. No automobile parts or inoperable vehicles be stored outside at any time.
6. No automotive repair be conducted at the site other than the installation of wheels and tires.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #040-06). LAID OVER.

36. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Modification of Special Use Permit #156-91 (Ordinance 1991-312-O) for the sale of liquor by the drink indoors and outdoors in conjunction with a restaurant in a C-2, Commercial Community District at 3929 Broadway. Approval is subject to the following conditions:

1. Meeting all applicable liquor laws of the City of Rockford.
2. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #039-06). LAID OVER.

37. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Annexation Agreement and Zoning Map Amendment from County CG, Commercial General and County R-3, Multi-Family Residential to City C-2, Commercial Community Zoning District for Parcel 1 and Parcel 2 and City R-3, Multi-Family Residential Zoning District for Parcel 3 at 4775 Linden Road. Approval is subject to the following conditions:

1. Subject to the terms of the Annexation Agreement and City of Rockford Codes and Regulations.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #032-06). LAID OVER.

#### **OFFICERS REPORTS**

38. Mayor Morrissey reported his office had received several calls regarding the Fourth of July festivities and requested any feedback the Aldermen could provide from themselves and constituents be forwarded to the Mayor's Office. Cyndie Powers Hall, Director of the Mayor's Office of Tourism, Culture and Special Events, will be attending a meeting scheduled to review the comments and suggestions provided.
39. Mayor Morrissey submitted an appointment to the Historic Preservation Commission, Michael G. Pauly, for a term to end June, 2009. LAID OVER.
40. Mayor Morrissey mentioned the Rockford Police Department will be hosting its first Youth Police Academy to be held July 17<sup>th</sup> through July 21<sup>st</sup> from 1:00 pm – 8:00 pm at Lewis Lemon School, 1993 Mulberry Street. Mayor Morrissey encouraged all teens to attend this free program, dinner and snacks will be provided.

41. Mayor Morrissey commented that America's #1 Travel Magazine, *Travelhost*, will now be providing a Regional addition in hotels throughout the area with information promoting Rockford's outstanding sites, attractions and events.
42. Mayor Morrissey thanked Council for their support of the new changes in the Parking Ordinance regarding parking violation enforcement, which will provide City staff with the ability to address illegal parking concerns in a more streamlined, efficient manner.
43. Mayor Morrissey advised a draft Ordinance regarding Truancy will be available by the end of this week for Council to review. This proposed Ordinance will allow Rockford to enact a Truancy Ordinance in addition to Rockford's Daytime Curfew Ordinance.
44. Mayor Morrissey announced the appointment of sixteen (16) area youth to the Mayor's first Youth Advisory Council. Adam Smith, Director of the Mayor's Office of Education and Life-Long Learning, and Mayor Morrissey will assist this group in marketing and implementing events and initiatives relating to youth issues in the community.
45. Mayor Morrissey advised on Tuesday, July 11, 2006 at 1:00 pm, Winnebago County Chairman Scott Christiansen and himself will be announcing the grand re-opening of Springfield Avenue between Montague Road and South Main at the main entrance of Lowe's Distribution Center, 2801 S. Springfield Avenue. Officials from the State of Illinois Department of Transportation and members of the Lowe's development team will participate in this ceremony marking the completion of this highway design and construction project for the Lowe's Distribution Center.
46. Mayor Morrissey invited a motion to be made at the end of tonight's meeting for council to go into closed session to continue discussion on the status of union negotiations.
47. Alderman Timm thanked the Police Department for their efforts at the Fourth of July festivities downtown. He expressed embarrassment that his car broke-down during the parade route and thanked Aldermen Wasco, Johnson, Curran and Mark's family for helping him complete the parade.
48. Alderman Beach commented he was elated to see "Rockford" had made it on the State map that is provided in the back pockets of seats on airplanes.
49. Alderman Mark mentioned The Show-of-Shows was held at Boylan High School, where Rockford's own Phantom Regiment captured second place at the event.

#### **UNFINISHED BUSINESS**

50. **2006-111-O**  
Alderman Bell moved the adoption of an Ordinance that the Rockford Public Library be provided a maximum of sixty spaces in the Pioneer Parking Deck (Lot Y), at a rate of \$20.00 per space for parking of it's employees. MOTION PREVAILED by a Roll Call vote of:

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

51. Alderman Jacobson moved the adoption of a Finance and Personnel Committee Report recommending participation in the National Citizen Survey and membership to the ICMA Center for Performance Management (International City/County Management Association) for a combined estimated cost of \$20,600.

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

**2006-236CR**

52. Alderman Jacobson moved the adoption of a Finance and Personnel Committee Report recommending the contract for Radiological Testing Services be made to Environmental, Inc. for one year for an estimated annual amount of \$48,000. Funding source Water Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

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

**2006-237CR**

53. Alderman Jacobson moved the adoption of a Finance and Personnel Committee Report recommending an agreement extension for Auburn Street Reconstruction for a not-to-exceed amount of \$29,859.50 for construction inspection services. The funding for this project will come from General Obligation Bonds. MOTION PREVAILED by a Roll Call vote of:

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

**2006-238CR**

54. Alderman Jacobson moved the adoption of a Finance and Personnel Committee Report on the matter of compensation for employees who are not represented by any Union or Association, for a period of January 1, 2006 to December 31, 2006, recommends that the City Council approve the Draft Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2006-239CR**

55. Alderman Mark moved the adoption of a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a Planned Mixed Use Development consisting of a gas station, convenience store and car wash; be REVERSED and AMENDED to APPROVE a Special Use Permit for the sale of liquor (beer and wine only; indoors) by the package; be SUSTAINED to APPROVE the Variation in the front yard setback along Broadway from thirty feet to fourteen feet; and be REVERSED to APPROVE a 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 and 3819 Broadway. Approval is subject to the following conditions:

1. Submittal of a revised site plan for staff review and approval showing the removal of the parking space along Eastmoreland and the relocation of the dumpster enclosure.
2. Sidewalks will be required as part of the redevelopment.
3. Submittal of a detailed landscaping plan for staff review and approval, including the required interior landscaping in compliance with the Zoning Ordinance.
4. That a building elevation plan is submitted for staff review and approval which includes windows and/or an alternative false window to break up the blank wall on all elevations.
5. That the delivery of fuel to the store shall take place between the hours of 6:00 A.M and 6:00 P.M.

Approval is based on the Findings of Fact (LAD 7/17/06, ZBA #027-06). MOTION PREVAILED by a Roll Call vote of:

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

**2006-240CR**

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

- a) Request from Alderman Linda McNeely, 13<sup>th</sup> Ward, for a yield or stop sign control at the intersection of Berkley Street and Howard Avenue.

MOTION PREVAILED by a Roll Call vote of:

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

**2006-241CR**

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

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

**2006-242CR**

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

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

**2006-243CR**

59. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance that traffic on 12<sup>th</sup> Avenue be required to Stop prior to entering the intersection of 29<sup>th</sup> Street. MOTION PREVAILED by a Roll Call vote of:

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

**2006-244CR**

60. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance that traffic on Foster Avenue be required to Stop prior to entering the intersection of Green Street, thus repealing the existing yield control sign. MOTION PREVAILED by a Roll Call vote of:

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

**2006-245CR**

61. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for "No Parking, Stopping or Standing 4 P.M. to 11:00 P.M." on the north side of Ashland Avenue from

Central Avenue to Sunset Avenue. MOTION PREVAILED by a Roll Call vote of:

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

62. **2006-246CR**

Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the Legal Director be instructed to draw an Ordinance for "No Parking, Stopping or Standing 4 P.M. to 11:00 P.M." on the east side of Sunset Avenue from Ashland Avenue to Sherman Avenue. MOTION PREVAILED by a Roll Call vote of:

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

**2006-247CR**

63. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending approval of the sidewalk waiver for lots 32, 33, 42, 69 and 70 on Kelley Road until such time as Kelley Road is improved. The developer would pay the cost of construction of the sidewalks to the City. The City would hold the funds until the sidewalks are installed. The City will cover any difference in price.

Alderman Jacobson made a motion to amend the committee report deleting the sentence; "The developer would pay the cost of construction of the sidewalks to the City".

After discussion, Alderman Jacobson made a new motion to lay the committee report over until further clarification of the question raised about "who is funding the escrow account for the construction of the sidewalks", seconded by Alderman McNeely. Alderman McNeely withdrew her second. Alderman Jacobson withdrew his motion to lay the committee report over.

Alderman Holt made a motion to amend the committee report to read: Recommending the approval of the sidewalk waiver for lots 32, 33, 42, 69 and 70 on Kelley Road. The motion was seconded by Alderman Jacobson. MOTION PREVAILED by a Roll Call vote of:

Ayes: Wasco, Jacobson, Thompson, Johnson, Holt, McNeely –6-  
Nays: Sosnowski, Curran, Mark, Timm, Beach -5-  
Abstain: Bell –1-  
Absent: Beck, Conness –2-

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

Ayes: Wasco, Jacobson, Thompson, Johnson, Holt, McNeely –6-  
Nays: Sosnowski, Curran, Mark, Timm, Beach -5-  
Abstain: Bell –1-  
Absent: Beck, Conness –2-

**2006-112-O**

64. Alderman Mark moved the adoption of an Ordinance recommending approval of the annexation of 1127, 1229 Alpine Road and 4627, 4669, 4707 and 4921 Guilford Road. MOTION PREVAILED by a Roll Call vote of:

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

**2006-113-O**

65. Alderman Mark moved the adoption of an Ordinance that pursuant to the Zoning Code of the City of Rockford, adopted April 19, 1993, Annexation Agreements are hereby approved to provide the following zoning 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 at 1007 & 1127 North Alpine Road; 4591, 4627, 4669, 4689, 4707 and 4921 Guilford Road. MOTION PREVAILED by a Roll Call vote of:

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

66. Alderman Jacobson moved the re-appointment of Joe Capone to the Library Board. MOTION PREVAILED (Ald. Beck, Conness absent).
67. Alderman Jacobson moved the re-appointment of Jane Heimer to the Library Board. MOTION PREVAILED (Ald. Beck, Conness absent).

**MOTIONS AND RESOLUTIONS**

**2006-52R**

68. Alderman Mark moved the adoption of a Resolution to approve the request for a liquor permit for consumption of liquor outdoors on public property ("SP license") on a portion of the downtown mall, for The River District on July 22, 2006. MOTION PREVAILED (Ald. Beck, Conness absent).

**2006-53R**

69. Alderman Holt, on behalf of Alderman Conness, suggested the adoption of a Resolution that the City of Rockford and the City of Rockford Council place on the November 7, 2006 ballot the question to voters to approve a ¾% sales tax for capital improvements

identical to the question that was asked on the April 2006 ballot with the following changes.

1. That 100% of the dollars generated through the sales tax go directly towards paying down the existing street bonds and for Arterial, Collector and Residential Resurfacing and Reconstruction projects. The first two million dollars of the revenue generated from this tax shall be first used to pay down bonds and the remaining shall then be divided by 15. Each of the City's (14) fourteen Aldermen shall receive 1/15<sup>th</sup> of the remaining revenue to be used on residential resurfacing and reconstruction projects and 1/15<sup>th</sup> shall be used by the Mayor and Public Works Department for discretionary purposes.
2. The ¾% will be re-evaluated in two years.
3. The ¾% tax shall expire on the last day of June, 2009.

Referred to Finance and Personnel Committee.

Alderman Thompson exited the meeting 7:24 pm.

#### **NEW BUSINESS**

70. Alderman Jacobson introduced and read an Ordinance recommending compensation for the Employees of the City of Rockford who are not represented by any Union or Association, for the period January 1, 2006, to December 31, 2006. LAID OVER.
71. Alderman Jacobson introduced and read an Ordinance recommending Chapter 21, Police, Article I, General Section 21-6 of the Code of Ordinance of the City of Rockford, IL be amended to the police department shall contain up to five (5) bureaus and a chaplains' division. LAID OVER.

#### **2006-114-O**

72. Alderman Jacobson introduced and read an Ordinance recommending modification to Intergovernmental Agreement between the City of Rockford and the Illinois Environmental Protection Agency to Establish a long term household hazardous waste collection facility.

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

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

73. Alderman Mark moved the adoption of an Ordinance for the sale of City owned property at 1202 Blaisdell at a minimum bid of three hundred fifty dollars (\$350.00) with preference given to the adjoining property owner. LAID OVER.
74. Alderman Jacobson moved that the City Council go into closed session to discuss pending police, fire and AFSCME negotiations, duly seconded. MOTION PREVAILED (Ald. Thompson, Beck, Conness absent).

The meeting went into closed session at 7:32 pm. The meeting returned to open session at 9:15 pm and found the following present:

Aldermen Sosnowski, Mark, Wasco, Bell, Jacobson, Timm, Beach, Holt, McNeely (Ald. Curran, Thompson, Johnson, Beck, Conness absent).

75. Upon motion duly made and seconded, the meeting was adjourned at 9:15 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**  
**July 17, 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 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**

**A. LAID OVER JULY 10, 2006**

1. Jacobson – Finance and Personnel - Recommending the amending the agreement with the Illinois Commerce Commission Railroad Crossing Safety Improvements for Horsman St., Auburn, St., and School St. for a preliminary estimate amount of \$493,015, with a City share estimated at 5% (approximately \$24,650). The funding for this project will come from Motor Fuel Taxes.
2. Jacobson - Finance and Personnel - Recommending re-authorizing the First Lady's Wildflower Program for an amount up to \$35,000, with a requirement for the City to provide up to \$5,000 in matching funds or services. The funding for this project will come from Motor Fuel Taxes.
3. Bell - Planning and Development - Recommending that the City Council approve the amended request for 2006 Community Assistance Program (CAP) Funding Recommendations.
4. Mark - Code and Regulation - Recommending the approval of the annexation of 4775 Linden Road.

5. Mark - Code and Regulation - Recommending the approval of the agreement between the City of Rockford and the Illinois Department of Transportation for temporary street signage in conjunction with the second annual Great River Ride. IDOT will create, erect and remove all signage at no cost to the City.
6. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Zoning Map Amendment from C-2, Commercial Community Zoning District to I-1, Light Industrial Zoning District and APPROVE the Special Use Permit for a Planned Mixed Use Development for warehouse storage, automobile storage, and repair in an I-1, Light Industrial District at 3210 Williams Avenue. Approval is subject to the following conditions:
  1. The site must be developed as per the approved site plan.
  2. A parking lot permit showing the required parking must be submitted for staff review and approval.
  3. A landscaping plan must be submitted for staff review and approval.
  4. Overnight storage of passenger vehicles is limited to (4) four.
  5. Outside storage of trailers, boats and trucks is prohibited.
  6. All vehicles awaiting repair must have current and valid license plates.
  7. The property must be combined to one lot.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #042-06).

7. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Special Use Permit for a church and church related facilities in a R-1, Single-Family Residential Zoning District at 2106 Sandy Hollow Road.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #041-06).

8. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Modification of Special Use Permit #118-05 (Ordinance 2006-43-O) to allow passenger vehicle sales, sale of wheels and a car wash in a C-3, Commercial General Zoning District at 1326 Kilburn Avenue. Approval is subject to the following conditions:
  1. The site be limited to no more than twelve (12) vehicles for sale at any one time.
  2. Cars waiting for wheel installation or detailing/washing be limited to the area at the southeast portion or the site near the bay entrance.
  3. All landscaping be maintained and replaced as needed.
  4. No additional services be provided at this site without approval of a Modification of the Special Use Permit.
  5. No automobile parts or inoperable vehicles be stored outside at any time.
  6. No automotive repair be conducted at the site other than the installation of wheels and tires.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #040-06).

9. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Modification of Special Use Permit #156-91 (Ordinance 1991-312-O) for the sale of liquor by the drink indoors and outdoors in conjunction with a restaurant in a C-2, Commercial Community District at 3929 Broadway. Approval is subject to the following conditions:
  1. Meeting all applicable liquor laws of the City of Rockford.
  2. Meeting all applicable Building and Fire Codes.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #039-06).

10. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that the City Council APPROVE the Annexation Agreement and Zoning Map Amendment from County CG, Commercial General and County R-3, Multi-Family Residential to City C-2, Commercial Community Zoning District for Parcel 1 and Parcel 2 and City R-3, Multi-Family Residential Zoning District for Parcel 3 at 4775 Linden Road. Approval is subject to the following conditions:
  1. Subject to the terms of the Annexation Agreement and City of Rockford Codes and Regulations.

Approval is based on the Findings of Fact (LAD 8/21/06, ZBA #032-06).

**B. HELD OUT JULY 10, 2006**

1. Jacobson - Finance and Personnel - Recommending participation in the National Citizen Survey and membership to the ICMA Center for Performance Management (International City/County Management Association) for a combined estimated cost of \$20,600.

**II. ORDINANCES LAID OVER JULY 10, 2006**

1. Jacobson - Ordinance - Recommending compensation for the Employees of the City of Rockford who are not represented by any Union or Association, for the period January 1, 2006, to December 31, 2006.
2. Jacobson - Ordinance - Recommending Chapter 21, Police, Article I, General Section 21-6 of the Code of Ordinance of the City of Rockford, IL be amended to the police department shall contain up to five (5) bureaus and a chaplains' division.
3. Mark - Ordinance - For the sale of City owned property at 1202 Blaisdell at a minimum bid of three hundred fifty dollars (\$350.00) with preference given to the adjoining property owner.

**III. MISCELLANEOUS**

**A. LAID OVER JULY 10, 2006**

1. Mayor Morrissey - Appointment to the Historic Preservation Commission, Michael G. Pauly, for a term to end June, 2009. (Pursuant to Rule 18, this appointment will be up for passage August 14, 2006).

**B. HELD OUT JULY 10, 2006**

- 1.\* Mayor Morrissey - Appointment to the Metro Authority Board, Virgil M. Woods, for a term to end June, 2009. (Pursuant to Rule 18, this appointment will be up for passage July 17, 2006).
- 2.\* Mayor Morrissey - Appointment to the Board of Fire and Police Commission, Gary Caruana, for a term to end June, 2009. (Pursuant to Rule 18, this appointment will be up for passage July 17, 2006).

\* same action taken before

- Motions and Resolutions
- New Business (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).
- Adjournment

\* \* \* \* \*

**POSSIBLE ADDITIONAL ITEMS:**

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

**CODE AND REGULATION COMMITTEE**  
**Monday, July 17, 2006, 4:45 p.m.**  
**CD Conference Room, City Hall 2<sup>nd</sup> floor**  
**AGENDA**

1. C & R 06-139 Street Vacation – Rio Vista/2214 Linda Vista Court
2. C & R 06-137 Resolution from Ald. Daniel Conness re: Officer’s Reports
3. C & R 06-140 Claim of Kenneth Williams in the amount of \$5000.67
4. C & R 06-141 Annexation Agreement – Water connection for 4860 Spring Brook Road

5. C & R 06-143 Agreement for pedestrian walkway with Anderson Packaging
6. C & R 06-142 Truancy Ordinance
7. C & R 06-116 ZBA#038-06 Special Use Permit for the sale of liquor by the drink outdoors in conjunction with a restaurant in a Commercial Zoning District at 510 South Perryville Road

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, July 17, 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 1056 West Jefferson
  - B. Award of Bid: Demolition of 210 Tay Street
  - C. Award of RFP: Benefits Consulting
  - D. Resolution to take Bids
  - E. Vouchers
    - √ Training/Travel for the Finance Department
    - √ Training/Travel for the Human Services Department
2. Acquisition of Armory Building
3. Barnes International (Exchange of Property)
4. Informational Technology Department
5. Intergovernmental Agreement with RMTD
6. 2<sup>nd</sup> Quarter Investment Report
7. Financial Discussion
8. Union Negotiation Update – Closed Session

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, July 17, 2006, 5:30 p.m.**

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

**AGENDA**

No Meeting Scheduled.