

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
FEBRUARY 11, 2008  
COUNCIL CONVENED AT 6:22 P.M.**

1. The invocation was given by Pastor L.D. Tate, United Faith Missionary Baptist Church/ Police Chaplain and the Pledge of Allegiance was led by Council Page Karla Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Holt, Beck, McNeely, Conness -14-  
Absent: -0-
3. Alderman Timm moved to accept the Journal of Proceedings of February 4, 2008, seconded by Alderman Jacobson. MOTION PREVAILED.

**PUBLIC PARTICIPATION**

4. Kevin Seuring addressed Council opposing the removal of the Downtown Mall.
5. John Weaver announced the next Violence Prevention Townhall meeting will be held on February 16, 2008 from 1:00 p.m. to 3:00 p.m. at the Pilgrim Baptist Church, 1703 South Central Avenue.

**PETITIONS AND COMMUNICATIONS**

6. Alderman Timm submitted a letter from the Aldersgate Church, 4055 North Rockton Avenue, concerning the reconstruction of Rockton Avenue. Referred to Public Works Department/Brad Moberg.
7. Alderman Beach submitted a letter from Cindy Harris concerning potholes on Charles Street near the intersection of Alpine and Charles. Referred to Mayor Morrissey's Office and Public Works Department.
8. Alderman Johnson submitted three (3) Requests for Service. Referred to Neighborhood Standards.
9. Alderman Johnson submitted an e-mail from Ronn Gordon concerning the effectiveness and enforcement of the odd/even parking ordinance. Referred to Public Works Department/Bill Keith
10. Alderman Bell read a Memorandum from Richard M. May, Commercial Development Coordinator, regarding Approval of Amended Development Agreements with the Zion Development Corporation for the residential portion of the Lantow Lofts' condominium development and Katie's Cup Coffee Shop and Bookstore to extend the completion date to July 1, 2008. Referred to Planning and Development Committee.

11. Alderman Curran submitted a Memorandum from Patrick Hayes, Legal Director regarding RMTD Line of Credit. Referred to Finance and Personnel Committee.
12. Alderman Curran reminded the aldermen of the Memorandum from Aldermen Sosnowski and Wasco, requesting they consider the listed items for discussion on the proposed 2008 Budget. Placed on file.
13. Alderman Mark submitted a letter concerning the support of the underpass on 6<sup>th</sup> Street and the overpass on 2<sup>nd</sup> Street. Referred to Public Works Department.
14. Alderman Mark submitted a request from Lisa Pass, Junior League of Rockford Designer Showcase Home (fundraiser) requesting permission for sixteen (16) square foot freestanding banner in front yard of residential neighborhood on February 15<sup>th</sup> through 25, 2008 and April 25, 2008 through May 19, 2008 at 1806 National Avenue. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Bell. MOTION PREVAILED.
15. Alderman Mark submitted a request from Janice Bartik, in conjunction with Youth Events, requesting barricades and police assistance for traffic and pedestrian control (children and buses) on February 13<sup>th</sup>, 20<sup>th</sup>, 28<sup>th</sup>, March 12<sup>th</sup>, 13<sup>th</sup>, April 24<sup>th</sup> and May 1<sup>st</sup>, 2008 at the Coronado Theatre. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Timm. MOTION PREVAILED.
16. Alderman Mark submitted a Memorandum from Jessica Roberts, Planner II, regarding the Replat of Lot 8 and B.F. Banks Subdivision (Extraterritorial). Referred to Code and Regulation Committee.

#### **COMMITTEE REPORTS**

17. Alderman Mark read a Code and Regulation Committee Report recommending the annexation of 3212 South Main Street. LAID OVER.
18. Alderman Mark read a Code and Regulation Committee Report recommending the annexation of 3118 South Main Street. LAID OVER.
19. Alderman Mark read a Code and Regulation Committee Report recommending that City Council DENY the claim of Reginald and Laurelle Tyler for property damage in the amount of \$2,710.88. LAID OVER.
20. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Tentative Plat of Stenstrom Plat #6. LAID OVER.
21. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Final Plat of Martin Hawkinson Company's Mulford Heights Little Farm Plat #2. LAID OVER.
22. Alderman Mark read a Code and Regulation Committee Report recommending the Final Plat of Ashwynd Subdivision at Kerasotes #4. LAID OVER.

23. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the annexation agreement for 3118 and 3212 South Main Street. LAID OVER.
24. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for installation of five lighted outdoor palm trees in a C-3, Commercial General District at 3725 East State Street.

Denial is based on the Findings of Fact (LAD 3/24/08, ZBA #119-07). LAID OVER.

25. Alderman Curran read a Finance and Personnel Committee Report recommending the Tentative Agreement with the International Fire Fighters Association, #413 be approved and also that upon receipt of the Arbitrator's decision on remaining terms that the terms of the Tentative Agreement be incorporated in the Collective Bargaining Agreement. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
26. Alderman Curran read a Finance and Personnel Committee Report regarding the financing of various economic development and governmental projects, recommends authority be given for the issuance of \$1,850,000 in General Obligation Bonds (Sales Tax Alternate Revenue Source) for the Parking system, consisting of:
  - a. Purchase of Metro Parking Deck \$1,575,000; and
  - b. Parking payment equipment \$275,000.

The Legal Director shall prepare the appropriate ordinance. LAID OVER.

27. Alderman Curran read a Finance and Personnel Committee Report regarding financing of various economic development and governmental projects, recommends authority be given for the issuance of \$1,100,000 in General Obligation Bonds (Sales Tax Alternate Revenue Source) for the Anderson Packaging Project. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
28. Alderman Curran read a Finance and Personnel Committee Report regarding financing of various economic development and governmental projects, recommends authority be given for the issuance of \$200,000 in General Obligation Bonds (Sales Tax Alternate Revenue Source) for the Swedish American Foundation housing rehabilitation project in the Jackson School TIF area. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
29. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of February 11, 2008 in the amount of \$4,155,713.06. MOTION PREVAILED by a Roll Call vote of:

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

## OFFICERS REPORTS

30. Mayor Morrissey thanked Adam Smith, Director of Education and Lifelong Learning, City and County Staff, the United Way, District 205 and several private citizens for collaborating on the Truancy Intervention Report presented for review to the Finance and Personnel Committee. Tomorrow night the City will make a presentation to all partners involved in the Truancy effort.
31. Mayor Morrissey called attention to the Memorandum and map from Julia Valdez-Scott, Assistant City Administrator, which provides data of City crew's manhours, count and mapping of their pothole activity generated from the Rockstat reporting system. He announced a letter has been drafted today requesting IDOT to declare Alpine Road an emergency situation for immediate repair.
32. Mayor Morrissey expressed sympathy and sadness in the death of Rockford Attorney Greg Clark, who was shot while snowblowing his sidewalk and offered his condolences to his family and friends. He thanked the Police Department and State's Attoreney's Office for their continued efforts to investigate this crime.
33. Mayor Morrissey commented on the tragedy near St. Louis, Missouri where five people were killed during a City Council meeting. He mentioned staff has met and will continue discussion regarding security concerns. He requested Chief Epperson prepare a report with input from Council and City staff.
34. Mayor Morrissey mentioned he presented a Proclamation this morning to Andy Gannon for twenty-five (25) years of service at WIFR, Channel 23 and thanked him for his dedication to the community.
35. Mayor Morrissey welcomed back Alderman McNeely after caring for a sick family member.
36. Alderman Thompson-Kelly noted that she had some serious concerns regarding the potholes and wished to include West State Street to the list of state highways in need immediate repair. She advised citizens to take caution when driving through the City.
37. Alderman Thompson-Kelly commended the Public Works Department for their snow removal efforts from the last snow storm.
38. Alderman Beach thanked Mayor Morrissey for recognizing the security concerns of Staff and appreciates his efforts to address this issue.
39. Alderman McNeely thanked Mayor Morrissey for welcoming her back and wished everyone a Happy New Year.
40. Alderman McNeely expressed her sympathy to Mayor Morrissey for the passing of his son, Michael Joseph.
41. Alderman McNeely announced to her constitutents she is now back and may be called with any concerns.

## PETITIONS AND COMMUNICATIONS

42. Alderman Mark submitted a letter from Richard Behr, Joseph Behr and Sons, Inc., concerning scrap theft, licensing of scrap businesses and enforcement of the ordinance. Alderman Mark requested discussion with the State to begin the process of licensing scrap businesses.

## OFFICERS REPORTS

43. Alderman Jacobson mentioned a meeting to discuss the on-going problem of scrap theft and scrap yards will be re-scheduled with Senator Syverson and others which was cancelled last week due to the weather.
44. Alderman Jacobson thanked Alderman Beach for voicing his concerns with security at City Council meetings and requested the City Legal Director research and review the current ordinances establishing what is appropriate decorum, including public display of signs at council meetings.
45. Alderman Jacobson thanked Adam Smith, Director of Education and Lifelong Learning, for providing a report to the Aldermen regarding the Truancy effort.
46. Alderman Jacobson also mentioned his concerns with the potholes and thanked Tim Hanson, Interim Director of Public Works, for calling him about problem areas in his ward.
47. Alderman Jacobson requested Jim Ryan, City Administrator, contact him with an update of the current flood emergency plan. Mayor Morrissey indicated the Fire Department and emergency personnel will be consulted for possible revisions to the current plan.
48. Alderman Bell agrees with Alderman Mark that a meeting with the State needs to be scheduled to address scrap theft and scrap business licensing.
49. Alderman Bell requested discussion with City staff concerning the problem of home foreclosures and possible assistance from the City.

## UNFINISHED BUSINESS

### 2008-068CR

51. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for Carpeting Floors 3,5,6 & Revenue, be made to the low bidder, Rockford Carpetland, of Rockford, Illinois for their total bid of \$57,903.90. The funding source is Property Fund. MOTION PREVAILED by a Roll Call vote of:

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

**2008-069CR**

52. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the revisions to the City of Rockford Personnel Rules & Regulations (as presented) to reflect current changes in the law and our current practices. MOTION PREVAILED by a Roll Call vote of:

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

**2008-017-O**

53. Alderman Curran moved the adoption of an Ordinance directing the application of pledged revenues and other moneys in Bond Funds and Escrow Bond Funds of Various Bond Ordinances for the Payment of Principal and Interest on the Bonds issued pursuant to said Ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2008-070CR**

54. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval of the attached Development Agreement with Dr. Gautam Gupta for the rehabilitation of 408, 412, and 414 East State Street. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2008-018-O**

55. Alderman Bell moved the adoption of an Ordinance recommending approval of the attached Agreement between Eckburg & Bates Agency, Inc. and the City of Rockford. MOTION PREVAILED by a Roll Call vote of:

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

**2008-071CR**

56. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Zoning Map Amendment from C-1, Limited Office Zoning District to C-2, Commercial Community Zoning District and APPROVE the Special Use Permit for a

breakfast/coffee shop and other retail uses at 2222 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. The subject property must develop according to site plan and landscaping plans dated September 27, 1982.
3. A building elevation plan and illumination plan must be submitted for Staff review and approval.

Approval is based on the Findings of Fact (LAD 3/24//08; ZBA #118-07). MOTION PREVAILED by a Roll Call vote of:

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

### **2008-072CR**

57. Alderman Mark moved the adoption of 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 retail outlet mall, other associated commercial/retail uses, and performance uses, including up to three (3) fast food restaurants with drive-up windows and up to two (2) financial institutions with drive-up windows and ATMs that cannot satisfy the performance criteria, an overflow parking areas within a retail lot, a comprehensive sign package with deviations from regulations, and a comprehensive landscaping plan with deviations from regulations in a C-3, Commercial General District and R-3, Multifamily Residential District at 37XX North Bell School Road. Approval is subject tot he following conditions:

1. PMUD shall develop with substantial conformance to submitted site plan (Exhibit D) with final review and approval by Staff.
2. Landscaping shall be as per Exhibit E. with final review and approval by Staff.
3. Submittal of an illumination (photometrics) plan for Staff review and approval.
4. Submittal of a Final Plat for City review and approval.
5. Final size and height of freestanding signs along tollway to be reviewed and approved by Staff.
6. Submittals of sign permit applications for Staff review and approval, prior to the installation of signage.
7. Outlot #1 shall comply with stormwater detention requirements and landscaping requirements when developed.
8. Meeting all applicable building and fire codes.
9. That the proposed street connection from the commercial development to Springwheat shall be designed, constructed and posted with signage so that the street connection is "one-way", in that the commercial traffic may not enter the residential subdivision westbound. The street connection East of the existing Springwheat shall be two-way to accommodate traffic to the proposed development.

Approval is based on the Findings of Fact (LAD 3/24/08; ZBA #121-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-073CR**

58. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to allow a dumpster enclosure within the front yard setback in a C-3, Commercial General District at 83XX East State Street. Approval is subject to the following conditions:

1. The enclosure location must be in accordance with Exhibit E.
2. The enclosure material must be in accordance with Exhibit F.
3. That a landscaping plan is submitted for staff review and approval including landscaping between the dumpster and right-of-way.

Approval is based on the Findings of Fact (LAD 3/24/08; ZBA #122-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-074CR**

59. Alderman Mark moved the adoption of 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 restaurant with a drive-up window and a banquet facility in a C-2, Commercial Community District at 2601 McFarland Road. Approval is subject to the following conditions:

1. Submittal of a civil site plan for staff review and approval.
2. Submittal of a landscaping plan for staff review and approval.
3. Submittal of an illumination (photometrics) plan for Staff review and approval.
4. Submittal of an elevation plan for Staff review and approval.
5. Submittal of a Final Plat for City review and approval.
6. Meeting all applicable Building and Fire codes.
7. Alcohol shall not be sold out the drive-thru window.

Approval is based on the Findings of Fact (LAD 3/24/08; ZBA #123-07). MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-  
Absent: -0-

**2008-075CR**

60. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for the sale of liquor by the drink indoors and outdoors in conjunction with a restaurant and banquet facility in a C-2, Commercial Community District at 2601 McFarland Road. Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. The sale of liquor by the drink, indoors and outdoors, is in conjunction with a restaurant/banquet facility/lounge/bar.
3. The sale of packaged liquor is in conjunction with a restaurant/banquet facility/lounge/bar.
4. No alcohol sales shall be permitted thru the drive-thru window.
5. Hours of operation shall be provided to Staff by the January 28<sup>th</sup> date of the Code and Regulations meeting.

The Legal Director is hereby instructed to prepare the necessary Ordinance(s). Approval is based on the Findings of Fact (LAD 3/24/08; LAB# 08-005). MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson, Timm, Holt, Beck, McNeely, Conness -13-  
Nays: Beach -1-  
Absent: -0-

**2008-076CR**

61. Alderman Mark moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, recommending that City Council APPROVE the request for the sale of alcoholic beverages by the drink indoors and outdoors in conjunction with a restaurant within Anderson Gardens in an R-1, Single-family Residential District at 312, 318, 330, 340 Spring Creek Road and 2313 Stoneridge Close.

The Legal Director is hereby instructed to prepare the necessary Ordinance(s). Approval is based on the Findings of Fact (LAD 3/24/08; LAB# 08-003). MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson, Timm, Holt, Beck, McNeely, Conness -13-  
Nays: Beach -1-  
Absent: -0-

**2008-077CR**

62. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the Final Plat of Hutchins Park Plat #2. MOTION

PREVAILED by a Roll Call vote of:

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

**2008-078CR**

63. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the annexation of XXXX North Johnston Avenue (PIN #11-16-252-002), that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that, after passage of the annexation ordinance, the Legal Director shall record the ordinance, plat and affidavits of notice in the Recorder's Office and file a copy of the Annexation Ordinance with the County Clerk. MOTION PREVAILED by a Roll Call vote of:

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

**2008-079CR**

64. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the annexation of XXXX North Johnston Avenue (PIN #11-16-252-003), that the Legal Director be required to prepare the necessary ordinance and send all required notices, and that, after passage of the annexation ordinance, the Legal Director shall record the ordinance, plat and affidavits of notice in the Recorder's Office and file a copy of the Annexation Ordinance with the County Clerk. MOTION PREVAILED by a Roll Call vote of:

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

**2008-080CR**

65. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that City Council APPROVE the Streets and Sidewalks Fee Schedule. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2008-081CR**

66. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the Vacation of Drainage Easement Request for Lots 9 & 15 of the Final Plat of Buckley Commercial Center Plat. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

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

**2008-019-O**

67. Alderman Mark moved the adoption of an Ordinance regarding the Annexation of property commonly known as Redington Chase Subdivision. MOTION PREVAILED by a Roll Call vote of:

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

**2008-020-O**

68. Alderman Mark moved the adoption of an Ordinance regarding the Annexation of property commonly known as 1231 North Johnston Avenue. MOTION PREVAILED by a Roll Call vote of:

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

**2008-021-O**

69. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit to allow the installation of up to two (2) wind generators on the roof as permitted obstructions in a C-4, Commercial Oldtown Zoning District at 201 7<sup>th</sup> Street. Approval is subject to the following conditions:

- 1. Meeting all applicable Building and Fire Codes.
- 2. Final Building Elevations for Staff's review and approval.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #110-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-022-O**

70. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for eighty-three (83) foot high communication antenna support structure in a C-3, Commercial General District at 4242 Harrison Avenue. Approval is subject to the following conditions:

1. A new sidewalk shall be constructed along Harrison Avenue.

Approval is based on the Findings of Fact (LAD 3/3/08; ZBA #105-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-023-O**

71. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for the sale of passenger (used) vehicles that does not satisfy the Performance Criteria of being six hundred (600) feet away from a residential district in a C-3, Commercial General Zoning District at 2230 North Central Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. The outdoor sale of passenger vehicles shall be limited to ten (10) vehicles at one time.
3. No overnight storage of vehicles in display area and all vehicles for sale that are not in the display area must be parked on cement or blacktop.
4. Submittal of detailed site, landscaping, and parking plans for Staff's review and approval.
5. All vehicles on premises shall be currently licensed and registered.  
Staff to determine if any portions of the graveled area require paving after review and approval of a detailed site plan and parking plan.

Approval is based on the Finding of Fact (LAD 3/3/08, ZBA #112-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-024-O**

72. Alderman Mark moved the adoption of 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 30 feet to 24.7 feet for a porch in a R-1, Single-Family Residential District at 3240 Andover Drive. Approval is subject to the following conditions:

1. Proposed porch addition must be in accordance with Exhibit D.
2. The porch addition must compliment the existing elevation features of the home.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #113-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-025-O**

73. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for a Planned Mixed Use Development consisting of a parking lot in an R-2, two-family Residential District at 202 Williams Park. Approval is subject to the following conditions:

1. Submittal of a civil site plan for Staff review and approval.
2. Submittal of a landscaping plan for Staff review and approval.
3. Submittal of a drainage plan for Staff review and approval.
4. A parking lot permit is required prior to the construction of the parking lot.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #115-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-026-O**

74. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Modification of Special Use Permit #066-07 for outside storage that does not satisfy the Performance Criteria of being six hundred (600) feet away from a residential district in a I-1, Light Industrial Zoning District at 2605 Pamela Avenue.

1. All of the conditions of approval must be met before Staff will sign off on Building Permit.
2. Submittal of detailed site plan to include parking lot, and outdoor storage area including site-obscuring fence for Staff's review and approval.
3. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
4. Removal of gravel encroachment on the property to the east. The removed gravel must be replaced with topsoil and seeded with grass.
5. The outside storage will be limited to autos, motorcycles, vans and trucks with

passenger car or "B" plates, motor homes, campers, travel trailers, boats, snowmobiles, wave runners, jet skis, all-terrain vehicles and golf carts when upon trailers that were made for the purpose of hauling said vehicles.

6. All vehicles shall be currently licensed, registered, and operable.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #116-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-027-O**

75. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 800.4 and Section 1603, of the City of Rockford Code of Ordinances, for a Zoning Map Amendment from R-1, Single-Family Residential District to C-3, Commercial General District for Tract I; Modification of Special Use Permit #074-85 and #030-86 for a Performance Use consisting of a fast food restaurant that cannot satisfy performance criteria of six hundred (600) feet from a residential district in a C-3, Commercial General District for Tracts I and II at 4409 Mayflower Road and 3401 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Submittal of a landscape plan for staff review and approval.
3. Submittal of a revised site plan including three handicap spaces.
4. Sidewalks are required along South Alpine Road and Mayflower Avenue.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #114-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-028-O**

76. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 800.4 and Section 1603, of the City of Rockford Code of Ordinances for a Special Use Permit for off-site storage on a gravel lot; and a Variation to allow plastic slats through chain-link fencing as an enclosure for a dumpster in a C-1, Limited Office and C-3, Commercial General District at 1209 South Alpine Drive and 4301 Tonawanda Avenue. Approval is subject to the following conditions:

1. Outside storage shall be in accordance to Exhibit E.
2. This request shall expire in two years from the approval date by City Council.
3. When the approval expires, the gravel lot shall be replaced with topsoil and seed.
4. Dumpsters located on site shall be enclosed with the appropriate enclosure

material.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #117-07). MOTION PREVAILED by a Roll Call vote of:

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

**2008-029-O**

77. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 800.4, Section 1603 and Section 1604, of the City of Rockford Code of Ordinances for a Renewal of Special Use Permit #113-05 for a Planned Mixed Use Development in an R-1, Single-Family Residential District; a Variation to reduce the required parking from twenty-two (22) spaces to nineteen (19) parking spaces for a professional office in an R-1, Single-Family Residential District at 6982 Olde Creek Road. Approval is subject to the following conditions:

1. The land and structure shall be used as a realtor's office or low impact use upon review and approval by the Zoning Officer.
2. Business identification on the building shall be permitted upon staff review and approval. A freestanding sign shall be permitted with a review and approval. A freestanding sign shall be permitted with a maximum height of eight (8) feet and sixty-four (64) square feet in an area upon staff review and approval.
3. Cars shall park in the parking lot only and not on the surrounding streets.
4. The submittal of building elevations for staff review and approval. Building elevations shall be consistent with surrounding neighborhood with windows on all elevations.
5. That the existing trees along the western boundary remain and a "Type A" landscape buffer along the western and northern property lines be maintained.
6. That a site plan be submitted for staff review and approval in general conformance with Exhibit dated.

Approval is based on the Findings of Fact (LAD 3/3/08, ZBA #104-07). MOTION PREVAILED by a Roll Call vote of:

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

**MOTIONS AND RESOLUTIONS**

**2008-008R**

78. Alderman Bell, on behalf of the Planning and Development Committee, moved the adoption of a Resolution calling for a Public Hearing and convening a Joint Review Board in connection with approval of a Redevelopment Plan and Project for and the designation of the Assisted Living/River Housing Redevelopment Project Area. MOTION PREVAILED.

**2008-009R**

79. Alderman Curran moved the adoption of a Resolution to take bids/proposals for the following:

Bid: Water Treatment Improvements, Group 1-NT, funding source: Water Bonds  
MOTION PREVAILED.

**NEW BUSINESS**

80. Alderman Mark introduced and read an Ordinance amending Chapter 16, Section 293, of the City of Rockford Code of Ordinances to add the following:

That traffic on 5<sup>th</sup> Street be required to yield prior to entering the intersection of 17<sup>th</sup> Avenue.

LAID OVER.

81. Upon motion duly made and seconded, the meeting was adjourned at 7:18 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**  
**February 19, 2008**  
**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 LAID OVER FEBRUARY 11, 2008**

1. Mark - Code and Regulation - Recommending the annexation of 3212 South Main Street.
2. Mark - Code and Regulation - Recommending the annexation of 3118 South Main Street.
3. Mark - Code and Regulation - Recommending that City Council DENY the claim of Reginald and Laurelle Tyler for property damage in the amount of \$2,710.88.
4. Mark - Code and Regulation - Recommending the approval of the Tentative Plat of Stenstrom Plat #6.
5. Mark - Code and Regulation - Recommending the approval of the Final Plat of Martin Hawkinson Company's Mulford Heights Little Farm Plat #2.
6. Mark - Code and Regulation - Recommending the Final Plat of Ashwynd Subdivision at Kerasotes #4.
7. Mark - Code and Regulation - Recommending the approval of the annexation agreement for 3118 and 3212 South Main Street.
8. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Special Use Permit for installation of five lighted outdoor palm trees in a C-3, Commercial General District at 3725 East State Street.

Denial is based on the Findings of Fact (LAD 3/24/08, ZBA #119-07).

9. Curran - Finance and Personnel - Recommending the Tentative Agreement with the International Fire Fighters Association, #413 be approved and also that upon receipt of the Arbitrator's decision on remaining terms that the terms of the Tentative Agreement be incorporated in the Collective Bargaining Agreement. The Legal Director shall prepare the appropriate ordinance.
10. Curran - Finance and Personnel - Regarding the financing of various economic development and governmental projects, recommends authority be given for the issuance of \$1,850,000 in General Obligation Bonds (Sales Tax Alternate Revenue Source) for the Parking system, consisting of
  - a. Purchase of Metro Parking Deck \$1,575,000; and
  - b. Parking payment equipment \$275,000. The Legal Director shall prepare the appropriate ordinance.
11. Curran - Finance and Personnel - Regarding financing of various economic development and governmental projects, recommends authority be given for the issuance of \$1,100,000 in General Obligation Bonds (Sales Tax Alternate Revenue Source) for the Anderson Packaging Project. The Legal Director shall prepare the appropriate ordinance.
12. Curran - Finance and Personnel - Regarding financing of various economic development and governmental projects, recommends authority be given for the issuance of \$200,000 in General Obligation Bonds (Sales Tax Alternate Revenue Source) for the Swedish American Foundation housing rehabilitation project in the Jackson School TIF area. The Legal Director shall prepare the appropriate ordinance.

## **II. ORDINANCES LAID OVER FEBRUARY 11, 2008**

1. Mark - Ordinance - Amending Chapter 16, Section 293, of the City of Rockford Code of Ordinances to add the following:

That traffic on 5<sup>th</sup> Street be required to yield prior to entering the intersection of 17<sup>th</sup> Avenue.

## **III. MISCELLANEOUS HELD OUT FEBRUARY 11, 2008**

1. Mayor Morrissey - Appointment - Zoning Board of Appeals, Mr. Julio Salgado, to serve out Mr. David Peterson's term who resigned, term would expire June 2011. (Pursuant to Rule 18, this appointment will be up for passage on 3/10/08).
- 2.\* Mayor Morrissey - Re-appointments - Directors of their Municipal Departments in the City of Rockford.

\* 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, February 19, 2008, 4:30 p.m.**

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

**AGENDA**

1. C & R 08-37 Replat of Lot 8 of B.F. Banks Subdivision (Extraterritorial)
2. C& R 08-30 Claim of Debra Bealon in the amount of \$650.00
3. C & R 08-36 Claim of Southsy Sonthixay
4. C & R 07-272 Revised City of Rockford Zoning Ordinance

**FINANCE AND PERSONNEL COMMITTEE**

**Tuesday, February 19, 2008, 5:15 p.m.**

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

**AGENDA**

1. Purchasing and Vouchers
  - A. Rejection of Bid: Tree Removal – Suspend rules
  - B. Approval of Lease: Police Department Weapons
  - C. Award of RFP: Code Violation Hearing Officer
  - D. Award of Bid: Air Bottles & Air Packs for Fire Department – Suspend rules
  - E. Award of Bid: Demolition of 518 Catlin Street
  - F. Award of Bid: Laundry Services for Fire Department
  - G. Emergency Repair of Bucket Truck

- H. Vouchers
- 2. RMTD Line of Credit
- 3. 2008 Budget

**PLANNING AND DEVELOPMENT COMMITTEE**

**Tuesday, February 19, 2008, 5:15 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

- 1. Memorandum from Richard M. May, Commercial Development Coordinator, regarding Approval of Amended Development Agreements with the Zion Development Corporation for the residential portion of the Lantow Lofts' condominium development and Katie's Cup Coffee Shop and Bookstore to extend the completion date to July 1, 2008.

**LEGISLATIVE LOBBYING COMMITTEE**

**Thursday, February 21, 2008, 8:15 a.m.  
Legal Department Law Library, City Hall 7th floor  
AGENDA**

- 1. Call to Order & Roll Call
- 2. Approval of February 7, 2008 Minutes
- 3. Old Business
  - a. City of Rockford Aldermanic Legislative Agenda
  - b. City of Rockford Budget Allocation for RGA and/or Independent Lobbyist
  - c. City of Rockford Supplemental Budget Request for Legislative Lobbying Expenses of Aldermen
  - d. October 9, 2007 Minutes