

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
FEBRUARY 4, 2008
COUNCIL CONVENED AT 6:05 P.M.**

1. The invocation was given by Chaplain David Sorrell, First Church of the Nazarene /Police Chaplain and the Pledge of Allegiance was led by Cub Scout Troop 712, Rockford Lutheran Academy.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Holt, Beck, -12-
Absent: McNeely, Conness -2-
3. Alderman Mark moved to accept the Journal of Proceedings of January 28, 2008, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely, Conness absent).

PETITIONS AND COMMUNICATIONS

4. Alderman Beach submitted a Request for Service at 402 Rockford Avenue. Referred to Neighborhood Standards.
5. Alderman Thompson-Kelly submitted a letter from Rev. Earl Dotson, Sr., Progressive West Rockford Community Development Corporation, regarding an inspection of the Church School. Referred to Community Development Department and Building Department.
6. Alderman Bell submitted a Memorandum from Richard M. May, Commercial Development Coordinator, regarding Resolution setting the Public Hearing Date and the Meeting Date for the Joint Review Board in order to designate an Assisted Living/River Housing Redevelopment Project Area in the area of South Main and Harrison. Referred to Planning and Development Committee.
7. Alderman Johnson submitted three (3) Requests for Service. Referred to Neighborhood Standards.
8. Alderman Curran submitted a Memorandum from Andres Sammul, Finance Director, regarding the Spring Bond Sale. Referred to Finance and Personnel Committee.
9. Alderman Curran submitted a Memorandum from Bill Keith, Property and Equipment Superintendent regarding an Emergency Equipment Repair of the Vaccon machine in the amount of \$12,860.00. Placed on file.
- 9a. Alderman Timm submitted two (2) letters from John Schmidt regarding RMTD routes and passenger safety. Referred to Mayor Morrissey's Office and RMTD.

10. Alderman Beach submitted a letter from Bradley Seago regarding his water bill. Referred to Mayor Morrissey's Office, Public Works Department/Water Division.
11. Alderman Mark submitted three (3) Requests for Service. Referred to Neighborhood Standards and Police Department.
12. Council Clerk submitted a letter from Comcast announcing the completion of the transaction agreement which Comcast now owns 100% of the cable systems serving this community. Placed on File.
13. Council Clerk submitted a letter from Insight regarding the fourth quarter franchise fee payment of \$344,603.96 for the months of October, November and December. Place on File.

NEW COMMITTEE REPORTS

14. Alderman Curran read 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. LAID OVER.

2008-050CR

15. Alderman Curran read a Finance and Personnel Committee Report recommending the award of contract for Interactive Voice Response system be made to AT & T for an amount not to exceed \$35,417.57 with annual maintenance at \$4,960.20. The funding source is Water Division Operating Budget.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely, 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-Kelly, Johnson, Timm, Beach, Holt, Beck -12-
 Nays: -0-
 Absent: McNeely, Conness -2-

2008-051CR

16. Alderman Curran read a Finance and Personnel Committee Report recommending the award of contract for Family Support Specialist for Head Start be made to Dee Ann Whittington, of Rockford, Illinois at a rate of \$20.00 per hour. The funding source is State of Illinois Grant.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely, 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-Kelly, Johnson, Timm, Beach, Holt, Beck -12-

Nays: -0-
Absent: McNeely, Conness -2-

2008-052CR

17. Alderman Curran read a Finance and Personnel Committee Report recommending approval of Task Order #11 with McMahon Associates, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$379,000. The task order will be completed under a Master Agreement with McMahon Associates, Inc. Funding for the project will come from Water Bonds.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely, 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-Kelly, Johnson, Timm, Beach, Holt, Beck -12-
Nays: -0-
Absent: McNeely, Conness -2-

2008-053CR

18. Alderman Curran read a Finance and Personnel Committee Report recommending approval of Task Order #7 with MWH Americas, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$471,600. The task order will be completed under a Master Agreement with MWH Americas, Inc. Funding for the project will come from Water Bonds.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. McNeely, 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-Kelly, Johnson, Timm, Beach, Holt, Beck -12-
Nays: -0-
Absent: McNeely, Conness -2-

19. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of February 4, 2008 in the amount of \$2,283,956.50. MOTION PREVAILED by a Roll Call vote of:

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

20. Alderman Curran read 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. LAID OVER.

21. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council DENY the Zoning Map Amendment from 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). LAID OVER.

22. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a 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 to the 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). LAID OVER.

23. Alderman Mark read 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). LAID OVER.

24. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a 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). LAID OVER.

25. Alderman Mark read 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 28th 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). LAID OVER.

26. Alderman Mark read 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). LAID OVER.

27. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Final Plat of Hutchins Park Plat #2. LAID OVER.
28. Alderman Mark read 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. LAID OVER.
29. Alderman Mark read 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. LAID OVER.
30. Alderman Mark read 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. LAID OVER.
31. Alderman Mark read 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. LAID OVER.
32. Alderman Bell read 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. LAID OVER.

OFFICERS REPORTS

33. Mayor Morrissey presented a Proclamation proclaiming the month of February 2008 to be "nFactor Children's Hat and Mitten Drive Month" in Rockford, Illinois and urged all citizens to donate new hats, mittens, scarves and gloves at barrels located at all Rockford public and private schools and at City Hall through February 14, 2008 for dissemination to needy children in public schools and our Head Start program.
34. Mayor Morrissey submitted an Appointment to the Zoning Board of Appeals, Mr. Julio Salgado, to serve out Mr. David Petterson's term who resigned, term would expire June 2011. LAID OVER.

33. Mayor Morrissey mentioned a Memorandum on the Aldermen's desks from Glenn Trommels, Director of Information Technologies, and Julia Scott-Valdez, Assistant City Administrator, asking that they sign up for training on the Hanson Database.
35. Mayor Morrissey announced that each Alderman has been provided a Memorandum and IAFF Tentative Agreement from Patrick Hayes, Legal Director, for review.
37. Mayor Morrissey complimented the Public Works Department on a job well done with snow removal efforts from the last snowstorm.
38. Alderman Thompson-Kelly also thanked the Public Works Department for their excellent work this winter season.
38. Alderman Thompson-Kelly thanked Harry Noble, Public Works Department, for his professionalism in handling an incident for her.
39. Alderman Thompson-Kelly announced tomorrow is election day and encouraged everyone to vote.
40. Alderman Curran encouraged the Aldermen to review the proposed budget which will be presented to the Finance and Personnel Committee very shortly. Any questions or concerns should be directed to the appropriate department.
41. Alderman Bell mentioned he attended the RLDC Annual Meeting this past Thursday and was encouraged by the involvement of local companies and their projections for future growth.
43. Alderman Sosnowski announced the Republican caucus will meet at the Capri Restaurant tonight after Council.

UNFINISHED BUSINESS

2008-054CR

44. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following:
 1. Request from Tristan Johns, to either repeal the existing "No Parking 7:00 am-6:00 pm" or establish "Residential Parking Permits" for the 100-200 blocks of Summit Street.
 2. Request from Robert Korte, to repeal the one-way stop and change it to a three-way stop sign control at the intersection of Heather Drive and Wishart Drive.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Holt, Beck -12-

Nays: -0-

Absent: McNeely, Conness -2-

2008-055CR

45. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on 5th Street be required to Yield prior to entering the intersection of 17th Avenue. MOTION PREVAILED by a Roll Call vote of:

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

2008-056CR

46. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the City Council APPROVE the claim of Joseph Martin in the amount of \$3,026.89 with a release to be obtained. MOTION PREVAILED by a Roll Call vote of:

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

2008-057CR

47. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the City Council DENY the claim of Pamela Whiteside. MOTION PREVAILED by a Roll Call vote of:

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

2008-058CR

48. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the City Council DENY the claim of May Zeng. MOTION PREVAILED by a Roll Call vote of:

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

2008-059CR

49. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the Tentative Plat of Blackhawk Commons. MOTION PREVAILED by a Roll Call vote of:

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

2008-060CR

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

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

2008-061CR

51. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the Final Plat of Reid Farm Meadows #2. MOTION PREVAILED by a Roll Call vote of:

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

2008-062CR

52. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval of the Redevelopment Funds Recommendation for Funding – SWIFTT. MOTION PREVAILED by a Roll Call vote of:

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

2008-063CR

53. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for Demolition of 1625 West State Street be made to J.E. Mark, of Rockford, Illinois for their total bid of \$11,100. The funding source is CDBG. MOTION PREVAILED by a Roll Call vote of:

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

2008-064CR

54. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending Engineering Agreement: Springbrook Road Reconstruction be made to Municipal Design & Engineering Services, Inc. at a not-to-exceed cost of \$33,350 for design engineering and construction observation. The funding source is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

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

2008-065CR

55. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending Engineering Agreement: Downtown Streetscape be made to DLK Civil Design at a not-to-exceed cost of \$106,249 for design engineering. The funding source is Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

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

2008-066CR

56. Alderman Curran moved the adoption of a Finance and Personnel Committee Report regarding the tax abatement ordinance recommending the tax levied under the Bond issues referred to on the attached sheet be abated in the amounts as indicated. MOTION PREVAILED by a Roll Call vote of:

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

2008-067CR

57. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Riverwalk – Dickerman Drive, Mound Ave., Indian Terrace and the Armory Streetscape Improvements be made to McClure Engineering Associates, Inc. at a not to exceed cost of \$66,392.00 for design engineering. The funding source is General Fund. MOTION PREVAILED by a Roll Call vote of:

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

Alderman Thomspson-Kelly exited the meeting at 6:32 p.m.

MOTIONS AND RESOLUTIONS

2008-005R

58. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution to take bids/proposals for the following:

Bid: Office Furniture, funding source: Water Fund

Bid: Laundry Services for Fire Department, funding source: Fire Department Operating Budget

MOTION PREVAILED (Ald. Thompson-Kelly, McNeely, Conness absent).

Alderman Conness joined the meeting at 6:37 p.m.

Alderman Thompson-Kelly rejoined the meeting at 6:38 p.m.

2008-006R

59. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution requesting permission from IDOT for regulation of Highway 251 in conjunction with the annual A.B.A.T.E. of Illinois, Inc. motorcycle parade on May 10th. MOTION PREVAILED (Ald. McNeely absent).

2008-007R

60. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution requesting permission from IDOT for closures and detours in conjunction with the annual St. Patrick's Day Parade on March 15th. MOTION PREVAILED (Ald. McNeely absent).

NEW BUSINESS

61. Alderman Curran introduced and read 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. LAID OVER.

OFFICERS REPORTS

62. Alderman Jacobson announced the Legislative Lobbying Committee will meet on Thursday, February 7, 2008 at 8:00 a.m. in Conference Room B at City Hall.

NEW BUSINESS

63. Alderman Mark introduced and read an Ordinance for the annexation of property commonly known as Redington Chase Subdivision. LAID OVER.

64. Alderman Mark introduced and read an Ordinance for the annexation of property commonly known as 1231 North Johnston Avenue. LAID OVER.
65. Alderman Mark introduced and read 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 7th 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). LAID OVER.

66. Alderman Mark introduced and read 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). LAID OVER.

67. Alderman Mark introduced and read 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.
 6. 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). LAID OVER.

68. Alderman Mark 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 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). LAID OVER.

69. Alderman Mark introduced and read 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). LAID OVER.

70. Alderman Mark introduced and read 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 an 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). LAID OVER.

71. Alderman Mark introduced and read 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). LAID OVER.

72. Alderman Mark introduced and read 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). LAID OVER.

73. Alderman Mark introduced and read 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). LAID OVER.

74. Alderman Bell introduced and read an Ordinance recommending approval of the attached Agreement between Eckburg & Bates Agency, Inc. and the City of Rockford. LAID OVER.

75. Upon motion duly made and seconded, the meeting was adjourned at 6:48 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, 2ND floor City Hall
425 E. State Street, Rockford
February 11, 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 4, 2008

1. Curran - Finance and Personnel - 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.
2. Curran - Finance and Personnel - Recommending approval of the revisions to the City of Rockford Rules & Regulations (as presented) to reflect current changes in the law and our current practices.
3. Mark - Code and Regulation - 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).

4. Mark - 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 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).

5. Mark - Code and Regulation - 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).

6. Mark - 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 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).

7. Mark - Code and Regulation - 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 28th 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).

8. Mark - Code and Regulation - 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).

9. Mark - Code and Regulation - Recommending the approval of the Final Plat of Hutchins Park Plat #2.
10. Mark - Code and Regulation - 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.

11. Mark - Code and Regulation - 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.
12. Mark - Code and Regulation - Recommending that City Council APPROVE the Streets and Sidewalks Fee Schedule. The Legal Director shall prepare the appropriate ordinance.
13. Mark - Code and Regulation - 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.
14. Bell - Planning and Development - 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.

II. ORDINANCES LAID OVER FEBRUARY 4, 2008

1. Curran - 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.
2. Mark - Ordinance - Annexation of property commonly known as Redington Chase Subdivision.
3. Mark - Ordinance - Annexation of property commonly known as 1231 North Johnston Avenue.
4. Mark - 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 7th 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).

5. Mark - 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).

6. Mark - 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).

7. Mark - 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).

8. Mark - 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).

9. Mark - 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).

10. Mark - 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).

11. Mark - 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).

12. Mark - 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.
3. 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).

13. Bell - Ordinance - Recommending approval of the attached Agreement between Eckburg & Bates Agency, Inc. and the City of Rockford.

III. MISCELLANEOUS

A. LAID OVER FEBRUARY 4, 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).

B. HELD OUT FEBRUARY 4, 2008

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

* * * * *

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, February 11, 2008, 4:00 p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

1. C & R 08-34 Claim of Vernon & Cynthia Furney
2. C & R 08-35 Claim Amvelee Macklin
3. C & R 08-36 Claim/Ice on Tree(s) that caused damage
4. C & R 07-272 Revised City of Rockford Zoning Ordinance

FINANCE AND PERSONNEL COMMITTEE

Monday, February 11, 2008, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

1. Purchasing and Vouchers
 - A. Resolution to take Bids/Proposals
 - B. Change Order: City Audit Contract
 - C. Vouchers
2. Approval of Tentative Agreement with IAFF #413
3. Spring Bond Sale
4. 2008 Budget
5. Truancy Eradication Effort Mid-Year Report (Laid over 1/28)

PLANNING AND DEVELOPMENT COMMITTEE

Monday, February 11, 2008, 5:15 p.m.

CD Conference Room, City Hall 2nd floor

AGENDA

1. Memorandum from Richard M. May, Commercial Development Coordinator, regarding Resolution setting the Public Hearing Date and the Meeting Date for the Joint Review Board in order to designate an Assisted Living/River Housing Redevelopment Project Area in the area of South Main and Harrison.

LEGISLATIVE LOBBYING COMMITTEE

**Conference Room B, City Hall 2nd floor (south room)
AGENDA**

No Meeting has been scheduled.