

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
MARCH 10, 2008
COUNCIL CONVENED AT 6:11 P.M.**

1. The invocation was given by Vaughn Gilmore, Ebenezer Missionary Baptist Church/Police Chaplain and the Pledge of Allegiance was led by Girl Scout Troop #180, Alpine Academy.
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 Mark moved to accept the Journal of Proceedings of March 3, 2008, seconded by Alderman Jacobson. MOTION PREVAILED.

PUBLIC HEARING

4. Mayor Morrissey called upon Alderman Curran to conduct a public hearing. Alderman Curran called the hearing to order at 6:14 pm, stated that it was being held pursuant to requirements of the IEPA for the Environmental Impact of Improvements to the City of Rockford's Public Water Supply System. He asked for questions or comments from the public, and then from council members, and closed the public hearing at 6:17 pm.

The Meeting returned to the regular Order of Business at 6:17 pm.

PUBLIC PARTICIPATION

5. John Weaver called upon the citizens of Rockford to "step up" and make positive changes in the community and announced the next Violence Prevention Town Hall meeting will be held on Thursday, March 27, 2008 at 6:00 pm at Patriot's Gateway Center, 615 South 5th Street. He encouraged all to attend.

PETITIONS AND COMMUNICATIONS

6. Alderman Mark submitted a Request for Service at 142 Sheridan. Referred to Neighborhood Standards.
7. Alderman Mark submitted a Memorandum from Victory Bell, 5th Ward Alderman, regarding Hopson Family Request - Honorary Street Name Change. Referred to Code and Regulation Committee.
8. Alderman Mark submitted a request from Paul Hare, in conjunction with the 31st Annual St. Patrick's Day Parade, requesting barricades for closures and detours and police assistance

with the standard parade route on Saturday, March 15, 2008. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED.

9. Alderman Mark submitted a request from Gerrie Gustafson, in conjunction with OSF Heritage Run, requesting barricades for street closures and police assistance from Downtown, Harlem Blvd. to Madison Street on April 27, 2008. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED.
10. Alderman Timm submitted an e-mail from Larry Wendland regarding intermittent gunfire from Rockford Country Club on Sunday. Referred to the Legal Department.
11. Alderman Wasco submitted two (2) Requests for Service. Referred to Public Works Department.

NEW COMMITTEE REPORTS

12. Alderman Bell read a Planning and Development Committee Report recommending approval of the Development Agreement with the Swedish American Medical Foundation for \$200,000 of Jackson School TIF Funds to acquire and rehabilitate 15 homes over 5 years. LAID OVER.
- 12a. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the front yard setback from the existing eight (8) feet along North Main Street, in a C-1, Limited Office Zoning District at 711 North Main Street. Approval is subject to the following conditions:
 1. If approved by the City Council, staff recommends that the addition is in conformation with the color renderings and site plan (Exhibits D, E, I and J).
 2. That the applicant provides a hold harmless agreement to the City (terms and conditions to be approved by the Legal Department).

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #001-08). LAID OVER.

13. Alderman Mark read a Code and Regulation Committee Report recommending the approval of the Final Plat of Vista Close #2. LAID OVER.
14. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for packaged liquor sales in a C-2, Commercial Community Zoning District at 627 & 629 Montague Street. The Legal Director is hereby instructed to prepare the necessary ordinance.

Approval is based on the Findings of Fact (LAD 4/21/08; #08-LAB-004). LAID OVER.

15. 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 for a store expansion greater than the

allowable ten percent (10%) of existing building and related parking lot in a C-2, Commercial Community Zoning District at 627 & 629 Montague Street. Approval is subject to the following conditions:

1. Prior to issuance of planning clearance for a Building Permit, the applicant shall submit a civil site plan for Staff review and approval.
2. Submittal of a final landscaping plan including site-obscuring fence and material for Staff's review and approval.
3. Submittal of building elevations for Staff's review and approval.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #120-07). LAID OVER.

16. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for sale of alcohol by the drink in conjunction with a nightclub (entertainment venue) in a C-4, Commercial Old Town Zoning District at 317-325 West Jefferson Street. Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of a security plan for Staff review and approval.
4. The sale of alcohol shall be limited to the interior site plan submitted.

Approval is based on the Findings of Fact (LAD 4/21/08; 08-LAB-006). LAID OVER.

17. 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 nightclub (dance hall) that does not satisfy the Performance Criteria of 600 feet away from a residential district in a C-4, Commercial Old Town Zoning District at 317-325 West Jefferson Street. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. Meeting all applicable Building and Fire Codes.
3. Submittal of a security plan for Staff review and approval.
4. The nightclub will be limited to the interior site plan submitted.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #002-08). LAID OVER.

18. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Special Use Permit for a Planned Mixed-Use Development consisting of a bowling alley/billiard hall/amusement arcade/bar/lounge and other associated commercial/retail uses; APPROVE the (B) Variation to allow dumpster enclosures within the front yard setback along Chandham Drive for the proposed 15,000 square foot buildings; APPROVE the (C) Special Use Permit for an off-premise freestanding business sign on lot #9; APPROVE the (D) Special Use Permit for an off-premise freestanding business sign on lot #6; DENY the (E) Variation to increase the maximum height from twenty (20) feet to forty (40) feet for the off-premise freestanding business sign on lot #9 and to APPROVE a Variation to increase

the maximum height from twenty (20) feet to thirty-four (34) feet as measured from the grade of East State Street for the off-premise freestanding business sign on lot #9; APPROVE the (F) Variation to increase the maximum square footage from two hundred forty (240) square feet to two hundred ninety (290) for the off-premise freestanding business sign on lot #9; DENY the (G) Variation to increase the maximum height from twenty (20) feet to thirty-five (35) feet for the off-premise freestanding business sign on lot #6; and APPROVE a Variation to increase the maximum height from twenty (20) feet to thirty-four (34) feet as measured from the grade of East State Street for the off-premise freestanding business sign on lot #6; APPROVE the (H) Variation to increase the square footage from two hundred forty (240) square feet to two hundred ninety (290) square feet for the off-premise freestanding business sign on lot #6; APPROVE the (I) Special Use Permit to increase the size of an electronic graphic display sign from thirty-six (36) square feet to fifty-one (51) square feet for the off-premise freestanding business sign on lot #9; APPROVE the (J) Special Use Permit to increase the size of an electronic graphic display sign from thirty-six (36) square feet to fifty-one (51) square feet for the off-premise freestanding business sign on lot #6; APPROVE the (K) Variation from the required four (4) feet to zero (0) green space between property lines; and APPROVE the (L) Variation to eliminate the required Type "A" buffer between the C-3 and C-2 boundary, in a C-2, Commercial Community District and a C-3, Commercial General Zoning District at 83xx-84xx East State Street. Approval is subject to the following conditions:

1. That the subject property will be reviewed and regulated by the requirements of the 1993 Zoning Ordinance, including building setbacks, parking requirements, signage, landscaping and other development standards unless specifically identified and varied with this request.
2. Submittal of a civil site plan for Staff review and approval.
3. Submittal of a landscaping plan for Staff review and approval. Said landscaping plan shall satisfy all landscaping requirements with the exception of the Type A buffer requirements between the C-2 and C-3 district and the four (4) foot open green space between property lines if 8% interior landscaping is provided over multiple lots in the same area. The proposed 15,000 square foot building proposed on Lot 49 may proceed with interior landscaping as shown on the submitted concept plan provided the overall interior landscaping of the area bounded by East State, Showplace, University and Chandam has 8% interior landscaping.
4. Submittal of an illumination (photometrics) plan for Staff review and approval.
5. Submittal of elevation plans for Staff review and approval. Consistent design elements such as brick or stone shall be included with buildings.
6. Submittal of a Final Plat for Lot #10 for City review and approval. The future street shall be designed to support the commercial development constructed.
7. The development of Lot #9 shall require Modification of the Special Use Permit to be approved by City Council. At that time, a soils report is required per state law.
8. That the sign height shall be limited to thirty-four (34) feet as measured from the grade of East State Street adjacent to property where the sign is installed, for the off-premise business signs on Lot #6 and #9. All other freestanding signs on the property shall be monument style and not exceed eight (8) feet in height.
9. Submittals of sign permit applications for Staff review and approval, prior to the installation of signage.
10. Meeting all applicable Building and Fire Codes.

11. Submittal of a pedestrian plan for Staff review and approval inclusive of cross walks and vehicle stop signs integrating the public and private pedestrian system.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #007-08). LAID OVER.

19. Alderman Mark read a Code and Regulation Committee Report recommending that the City Council DENY the claim of Debra Bealon in the amount of \$650.00. LAID OVER.
20. Alderman Mark read a Code and Regulation Committee Report recommending that City Council of the City of Rockford APPROVE the release of the following closed session minutes:

April 2, 2007	July 16, 2007
April 9, 2007	November 26, 2007

LAID OVER.

2008-107CR

21. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Zoning Map Amendment from C-2, Commercial Community District to C-3, Commercial General District; and APPROVE the Special Use Permit for a Performance Use of heavy equipment that cannot satisfy the minimum distance of 600 feet to a residential district in a C-3, Commercial Community District at 5832 Columbia Parkway. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
 2. Submittal of a site plan for Staff review and approval.
 3. Submittal of a landscaping plan and an illumination plan will be required for Staff review and approval.
 4. The proposed access drive shall be paved with recycled asphalt pavement (RAP)
 5. Removal of the access drive that was proposed on the adjacent lot #8 that would cross the detention pond.
 6. Combination of Lots #7 and #8 of Plat No. 2 of Harrison Park North Subdivision.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #003-08).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED.

2008-108CR

22. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation from the Type C buffer to a standard perimeter landscape strip along Manheim Road in a C-3, Commercial General Zoning District at 110 South Alpine Road. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.

2. Submittal of a site plan for Staff review and approval.
3. Submittal of a landscaping plan for Staff review and approval.
4. Submittal of an illumination plan for Staff review and approval.
5. Submittal of an elevation plan and final building materials for Staff review and approval.
6. Approval from the Illinois Department of Transportation allowing the proposed right-in, right-out on East State Street.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #108-07).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED.

2008-109CR

23. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that the City Council APPROVE the request for sale of packaged liquor in conjunction with a retail pharmacy in a C-3, Commercial General Zoning District at 110 South Alpine Road. Approval is subject to the following conditions:
 1. Meeting all applicable Liquor Codes.
 2. No alcohol sales shall be permitted thru the drive-thru window.

Approval is based on the Findings of Fact (LAD 4/21/08; #08-LAB-002).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED. The Committee Report was placed on passage. MOTION PREVAILED.

24. Alderman Curran read a Finance and Personnel Committee report recommending approval of the award of contract with Bennett Construction of Pecatonica, IL for Water Treatment Improvements – Group 1-NT in an amount not to exceed \$3,625,800. Funding for the contract will come from Water Bonds. LAID OVER.
25. Alderman Curran read a Finance and Personnel Committee report recommending approval of Task Order #17 with Strand Associates, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$656,474. The task order will be completed under a Master Agreement with Strand Associates, Inc. Funding for the project will come from Water Bonds. LAID OVER.

2008-110CR

26. Alderman Curran read a Finance and Personnel Committee report recommending the award for Water Division Furniture be made to the sole bidder, Mid-City Office Products, of Loves Park, IL for their total bid of \$27,064.78. The funding source is Water Fund Capital Outlay Budget.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED. 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, McNeely, Conness -14-
Nays: -0-
Absent: -0-

27. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of March 10, 2008 in the amount of \$3,062,381.82. 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

28. Mayor Morrissey presented a Proclamation proclaiming the week of March 9, 2008 to be "Girl Scout Week" in Rockford, Illinois and called upon all citizens to support the mission and programs of Girl Scouting.
29. Mayor Morrissey presented a Proclamation proclaiming the week of March 10, 2008 to be "Irish Marching Society Week" in Rockford, Illinois and urged all citizens to recognize and support the Irish Marching Society's enthusiastic efforts to celebrate and preserve their Celtic Heritage.
30. Mayor Morrissey congratulated Pat Hoey and Mike Dalke of the Rockford Police Department on their promotion to the rank of Sergeant.
31. Mayor Morrissey announced the Legislative Lobbying Committee will be meeting on Thursday, March 13, 2008 at 4:00 pm in Conference Room B, City Hall 2nd floor.
32. Mayor Morrissey commented on the chronic truancy problem in the Rockford Schools and the consequences it has on our economy, criminal justice system and quality of life. He expressed frustration with the Rockford School District's delay in submitting truant student's names so they can be issued citations and he ordered Rockford Police Officers to cite students for truancy if they are in the hallways and not in class.
33. Alderman Beach thanked Mayor Morrissey for his continued efforts with the truancy problem.
34. Alderman Beach mentioned a letter he received from Rev. George Poole thanking the Police and Fire Departments for their quick response to a medical emergency at this residence. Rev. George Poole also extended his condolences to Mayor and Stacy Morrissey.
35. Alderman Thompson-Kelly announced the Rock River Training Corporation in partnering with the Ellis Heights Weed-n-Seed will be hosting an open house for the Workforce Act Employment and Training Services in the Heights community on March 12, 2008 from

2:30 pm – 6:00 pm at the Ellis Heights United Neighborhood, 1810 W. State Street. She encouraged all to attend.

36. Alderman Thompson-Kelly also expressed frustration with the Rockford School Board's lack of cooperation with their part of the Intergovernmental Agreement reached last year.
37. Alderman Thompson-Kelly wished former Alderman Betty Cleary a happy birthday and congratulated her husband, Paul Kelly on his retirement.
38. Alderman Jacobson thanked everyone for their phone calls and cards after having emergency eye surgery, expressed gratitude to his wife for driving him around and thanked Tim Hanson, Interim Director of Public Works, for all his help.
39. Alderman Jacobson announced the Licensed Beverage Association has a meeting and requested the Legal Department contact him before the meeting to answer some questions regarding the new Liquor Ordinance.
40. Alderman Jacobson mentioned a Rockford native, Ed Viskars, one of the nation's top athlete's who has been featured in several magazines is once again featured in the Outsider Magazine. Alderman Johnson read the article about Ed from that magazine.
41. Alderman Bell commended Mayor Morrissey for his leadership and vision to partner with several agencies to combat the truancy problem and expressed frustration with the lack of parental support and involvement in their children's education and family values. He suggested looking into the concept of Charter Schools or vouchers for the education of the children of this community.
42. Alderman Johnson thanked the Rockford Area Development Counsel and Swedish Historical Society for inviting her to join them downtown at the new "Triumph Tower". The event was a luncheon for the New Sweden Ambassador to the United States, Jonas Hafstrom.
43. Alderman McNeely commented she attended the Roller Derby last Saturday with her niece and nephew here in Rockford, and understands Alderman Curran was present too.
44. Alderman McNeely mentioned Saturday morning she was at Washington Park stuffing Easter eggs for the Annual Easter Egg Hunt hosted by the "Undertaker" which will be held on Saturday, March 22, 2008 at Anna Page Park.
45. Alderman Jacobson wished Alderman Bell a happy birthday.

UNFINISHED BUSINESS

2008-111CR

47. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the awarding two contracts for Asbestos Testing, one to Anderson & Egan for commercial property asbestos testing, and the other contract to Ironwood

Environmental for residential property asbestos testing for rates as shown on the attached pages. The funding source is CDBG Funds, Departmental Operating Budgets & Capital Improvement Funds. 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-

2008-112CR

48. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Application Amendment of RRWRD FPA for Southern Winnebago County be made to Fehr-Graham & Associates at a not to exceed cost of \$17,500.36 for required surveying, design, and IEPA FPA application completion and submission. The funding for this project will come from 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, McNeely, Conness -14-
Nays: -0-
Absent: -0-

2008-113CR

49. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of Task Order #12 with McMahon Associates, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$21,000. The task order will be completed under a Master Agreement with McMahon Associates, Inc. Funding for the project will come from Water Bonds. 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-

2008-114CR

50. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of Task Order #13 with McMahon Associates, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$24,000. The task order will be completed under a Master Agreement with McMahon Associates, Inc. Funding for the project will come from Water Bonds. 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-

2008-115CR

51. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of Task Order #14 with McMahon Associates, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$111,600. The task order will be completed under a Master Agreement with McMahon Associates, Inc. Funding for the project will come from Water Bonds. 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-

2008-116CR

52. Alderman Curran moved the adoption of a Finance and Personnel Committee Report regarding the Intergovernmental Agreement: Keith Creek – Alpine Dam Flood Risk Management feasibility Study recommends the City create and execute an ordinance that approves the Intergovernmental Agreement with the U.S. Army Corps of Engineers for the required data collection and review, data assessment, and preparation of the Feasibility Study. Funding for the City's portion of the project will come from 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, McNeely, Conness -14-
Nays: -0-
Absent: -0-

2008-117CR

53. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the 2008 budget be adopted as amended and that the Budget Officer be directed to prepare the necessary Appropriation Ordinance.

Alderman Johnson made a motion to amend the committee report. The first amendment is to add the purchase of a second ambulance in the amount of \$180,000.00, seconded by Alderman Wasco. MOTION PREVAILED by a Roll Call vote of:

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

The second amendment is to add \$50,000.00 in funding for outside consulting for Aldermen for Lobbying and Legal Services, seconded by Alderman Thompson-Kelly. After discussion, a friendly amendment was made by Alderman Johnson to add "that all expenditures shall be approved by majority of the City Council", seconded by Alderman Wasco. MOTION PREVAILED by a Roll Call vote of:

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

The Committee Report as amended 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, Conness -13-
Nays: McNeely -1-
Absent: -0-

OFFICERS REPORTS

54. Mayor Morrissey called attention to a Memorandum from Tim Holderman, Water Superintendent, regarding Water System Improvement Project 1st Quarter 2008 Progress Report.

UNFINISHED BUSINESS

2008-118CR

55. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the City Council of the City of Rockford APPROVE the Claim of Edgewood Lakes Condominium Association in the amount of \$725.27 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, McNeely, Conness -14-
Nays: -0-
Absent: -0-

2008-119CR

56. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the City Council of the City of Rockford DENY the Claim of Southsy Sonthixay in the amount of \$600.00. 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-

2008-120CR

57. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the actions of the Zoning Commission be SUSTAINED, thereby recommending that City Council APPROVE the new Zoning Ordinance of the City of Rockford. The Legal Director is hereby instructed to prepare the necessary Ordinance.

MOTION PREVAILED by a Roll Call vote of:

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

2008-121CR

58. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval of the Extraterritorial Replat of Lot 8 of B.F. Banks 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-

2008-122CR

59. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the action of the Zoning Board of Appeals be SUSTAINED, thereby recommending that City Council APPROVE the text amendment to the Zoning Ordinance of 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, Conness -13-
Nays: McNeely -1-
Absent: -0-

2008-123CR

60. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that all traffic be required to Stop prior to entering the intersection of Puri Parkway and Puri Drive. 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-

2008-124CR

61. 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 Colorado Avenue be required to Stop prior to entering the intersection of Greendale Drive. 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-

2008-125CR

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

1. Request from Alderman Dan Conness, 14th Ward, to reduce the existing 45-mph speed limit on Harrison Avenue between 20th Street and Wentworth Avenue to 35 mph.
3. Request from Alderman Doug Mark, 3rd Ward, to repeal the existing 2-way stop sign control at the intersection of Madison Street and Market Street and change to 4-way stop sign control.

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-

2008-126CR

63. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval a Citywide Stormwater category be added to the 2008-2012 CIP. The funding amount for this category will be \$250,000 and will be supplied by the Sales Tax 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-

MOTIONS AND RESOLUTIONS

2008-013R

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

Bid: Painting Supplies & Materials, funding source Property Fund
Bid: Sidewalk, Curb & Gutter, and ADA Ramps, funding source: Sales Tax & Residents (50/50 Program)
Bid: City-Wide Inlet Repairs, funding source: Sales Tax
Bid: Pavement Marking, funding source: Sales Tax

MOTION PREVAILED.

NEW BUSINESS

2008-044-O

65. Alderman Mark introduced and read an Ordinance amending Chapter 37, Section 1604, of the City of Rockford Code of Ordinances for a Variation from the required Type C Buffer to a standard perimeter landscape strip along Manheim Road in a C-3, Commercial General Zoning District at 110 South Alpine Road. Approval is subject to the following conditions:
1. Meeting all applicable Building and Fire Codes.
 2. Submittal of a site plan for Staff review and approval.
 3. Submittal of a landscaping plan for Staff review and approval.
 4. Submittal of an illumination plan for Staff review and approval.
 5. Submittal of an elevation plan and final building materials for Staff review and approval.
 6. Approval from the Illinois Department of Transportation allowing the proposed right-in, right-out on East State Street.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #108-07).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED. The Ordinance 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, McNeely, Conness -14-
Nays: -0-
Absent: -0-

2008-045-O

66. Alderman Mark introduced and read an Ordinance amending Chapter 4, of the City of Rockford Code of Ordinances, upon all other requirements of the Liquor Ordinance having been met, this ordinance shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following Establishments:
1. CVS Pharmacy located at 110 South Alpine Road, subject to the following conditions:
 - a. Meeting all applicable liquor codes.
 - b. No alcohol sales shall be permitted through the drive-through window.

Approval is based on the Findings of Fact (LAD 4/21/08; #08-LAB-002).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED. The Ordinance 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, McNeely, Conness -14-

Nays: -0-
Absent: -0-

2008-046-O

67. 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 C-2, Commercial Community District to C-3, Commercial General District and a Special Use Permit for a Performance Use of heavy equipment that cannot satisfy the minimum distance of 600 feet to a residential district in a C-3, Commercial Community District at 5832 Columbia Parkway. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a site plan for Staff review and approval.
3. Submittal of a landscaping plan and an illumination plan will be required for Staff review and approval.
4. The proposed access drive shall be paved with recycled asphalt pavement (RAP)
5. Removal of the access drive that was proposed on the adjacent lot #8 that would cross the detention pond.
6. Combination of Lots #7 and #8 of Plat No. 2 of Harrison Park North Subdivision.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #003-08).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Johnson. MOTION PREVAILED. The Ordinance 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, McNeely, Conness -14-
Nays: -0-
Absent: -0-

68. Alderman Curran introduced and read an Ordinance recommending approval of the attached Intergovernmental Agreement: City of Rockford and Winnebago County: Harrison Avenue (Mulford Road to Ohio Parkway). LAID OVER.

2008-047-O

69. Alderman Curran introduced and read the Appropriation Ordinance for the City of Rockford, a Municipal Corporation, to finance its services.

Alderman Curran moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely voted no). The Ordinance 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, Conness -13-
Nays: McNeely -1-
Absent: -0-

70. Alderman Bell introduced and read an Ordinance recommending approval of the Amended Development Agreement with the Zion Development Corporation for the residential portion of the Lantow Lofts' condominium development to extend the completion date to July 1, 2008. LAID OVER.
71. Alderman Bell introduced and read an Ordinance recommending approval of the Amended Development Agreement with the Zion Development Corporation for Katie's Cup Coffee Shop and Bookstore to extend the completion date to July 1, 2008. LAID OVER.
72. Alderman Bell introduced and read an Ordinance recommending approval of the request to extend the Brokered Training Agreement between the City of Rockford and Rock Valley College in the Tax Increment Financing Districts of the Rockford Global TradePark and the Kishwaukee Harrison Redevelopment Planning Areas. LAID OVER.
73. Upon motion duly made and seconded, the meeting was adjourned at 7:50 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
March 17, 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

I. PUBLIC HEARING

1. Hearing required by Bond Issue Notification Act on proposal to sell bonds in the amount of \$3,150,000.

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER MARCH 10, 2008

1. Bell - Planning and Development - Recommending approval of the Development Agreement with the Swedish American Medical Foundation for \$200,000 of Jackson School TIF Funds to acquire and rehabilitate 15 homes over 5 years.
2. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Variation to reduce the front yard setback from the existing eight (8) feet along North Main Street, in a C-1, Limited Office Zoning District at 711 North Main Street. Approval is subject to the following conditions:
 1. If approved by the City Council, staff recommends that the addition is in conformation with the color renderings and site plan (Exhibits D, E, I and J).
 2. That the applicant provides a hold harmless agreement to the City (terms and conditions to be approved by the Legal Department).

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #001-08).

3. Mark - Code and Regulation - Recommending the approval of the Final Plat of Vista Close #2.
4. Mark - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for packaged liquor sales in a C-2, Commercial Community Zoning District at 627 & 629 Montague Street. The Legal Director is hereby instructed to prepare the necessary ordinance.

Approval is based on the Findings of Fact (LAD 4/21/08; #08-LAB-004).

5. 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 for a store expansion greater than the allowable ten percent (10%) of existing building and related parking lot in a C-2, Commercial Community Zoning District at 627 & 629 Montague Street. Approval is subject to the following conditions:
 1. Prior to issuance of planning clearance for a Building Permit, the applicant shall submit a civil site plan for Staff review and approval.
 2. Submittal of a final landscaping plan including site-obscuring fence and material for Staff's review and approval.
 3. Submittal of building elevations for Staff's review and approval.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #120-07).

6. Mark - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for sale of alcohol by the drink in conjunction with a nightclub (entertainment venue) in a C-4, Commercial Old Town Zoning District at 317-325 West Jefferson Street. Approval is subject to the following conditions:
 1. Meet all applicable Building and Fire Codes.
 2. Compliance with all City of Rockford Liquor Codes.
 3. Submittal of a security plan for Staff review and approval.
 4. The sale of alcohol shall be limited to the interior site plan submitted.

Approval is based on the Findings of Fact (LAD 4/21/08; 08-LAB-006).

7. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a nightclub (dance hall) that does not satisfy the Performance Criteria of 600 feet away from a residential district in a C-4, Commercial Old Town Zoning District at 317-325 West Jefferson Street. Approval is subject to the following conditions:
 1. Compliance with all City of Rockford Liquor Codes.
 2. Meeting all applicable Building and Fire Codes.
 3. Submittal of a security plan for Staff review and approval.
 4. The nightclub will be limited to the interior site plan submitted.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #002-08).

8. Mark - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the (A) Special Use Permit for a Planned Mixed-Use Development consisting of a bowling alley/billiard hall/amusement arcade/bar/lounge and other associated commercial/retail uses; APPROVE the (B) Variation to allow dumpster enclosures within the front yard setback along Chandham Drive for the proposed 15,000 square foot buildings; APPROVE the (C) Special Use Permit for an off-premise freestanding business sign on lot #9; APPROVE the (D) Special Use Permit for an off-premise freestanding business sign on lot #6; DENY the (E) Variation to increase the maximum height from twenty (20) feet to forty (40) feet for the off-premise freestanding business sign on lot #9 and to APPROVE a Variation to increase the maximum height from twenty (20) feet to thirty-four (34) feet as measured from the grade of East State Street for the off-premise freestanding business sign on lot #9; APPROVE the (F) Variation to increase the maximum square footage from two hundred forty (240) square feet to two hundred ninety (290) for the off-premise freestanding business sign on lot #9; DENY the (G) Variation to increase the maximum height from twenty (20) feet to thirty-five (35) feet for the off-premise freestanding business sign on lot #6; and APPROVE a Variation to increase the maximum height from twenty (20) feet to thirty-four (34) feet as measured from the grade of East State Street for the off-premise freestanding business sign on lot #6; APPROVE the (H) Variation to increase the square footage from two hundred forty (240) square feet to two hundred ninety (290) square feet for the off-premise freestanding business sign on lot #6; APPROVE the (I) Special Use Permit to increase the size of an electronic graphic display sign from thirty-six (36) square feet to fifty-one (51) square feet for the off-premise freestanding business sign on lot #9; APPROVE the (J) Special Use Permit to increase the size of an electronic graphic display sign from thirty-six (36) square feet to fifty-one (51) square feet for the off-premise freestanding business sign on lot #6; APPROVE the (K) Variation from the required four (4) feet to zero (0) green space between property lines; and APPROVE the (L) Variation to eliminate the required Type "A" buffer between the C-3 and C-2 boundary, in a C-2, Commercial Community District and a C-3, Commercial General Zoning District at 83xx-84xx East State Street. Approval is subject to the following conditions:

1. That the subject property will be reviewed and regulated by the requirements of the 1993 Zoning Ordinance, including building setbacks, parking requirements, signage, landscaping and other development standards unless specifically identified and varied with this request.
2. Submittal of a civil site plan for Staff review and approval.
3. Submittal of a landscaping plan for Staff review and approval. Said landscaping plan shall satisfy all landscaping requirements with the exception of the Type A buffer requirements between the C-2 and C-3 district and the four (4) foot open green space between property lines if 8% interior landscaping is provided over multiple lots in the same area. The proposed 15,000 square foot building proposed on Lot 49 may proceed with interior landscaping as shown on the submitted concept plan provided the overall interior landscaping of the area bounded by East State, Showplace, University and Chandam has 8% interior landscaping.
4. Submittal of an illumination (photometrics) plan for Staff review and approval.
5. Submittal of elevation plans for Staff review and approval. Consistent design elements such as brick or stone shall be included with buildings.

6. Submittal of a Final Plat for Lot #10 for City review and approval. The future street shall be designed to support the commercial development constructed.
7. The development of Lot #9 shall require Modification of the Special Use Permit to be approved by City Council. At that time, a soils report is required per state law.
8. That the sign height shall be limited to thirty-four (34) feet as measured from the grade of East State Street adjacent to property where the sign is installed, for the off-premise business signs on Lot #6 and #9. All other freestanding signs on the property shall be monument style and not exceed eight (8) feet in height.
9. Submittals of sign permit applications for Staff review and approval, prior to the installation of signage.
10. Meeting all applicable Building and Fire Codes.
11. Submittal of a pedestrian plan for Staff review and approval inclusive of cross walks and vehicle stop signs integrating the public and private pedestrian system.

Approval is based on the Findings of Fact (LAD 4/21/08; ZBA #007-08).

9. Mark - Code and Regulation - Recommending that the City Council DENY the claim of Debra Bealon in the amount of \$650.00.
10. Mark - Code and Regulation - Recommending that City Council of the City of Rockford APPROVE the release of the following closed session minutes:

April 2, 2007	July 16, 2007
April 9, 2007	November 26, 2007
11. Curran - Finance and Personnel - Recommending approval of the award of contract with Bennett Construction of Pecatonica, IL for Water Treatment Improvements – Group 1-NT in an amount not to exceed \$3,625,800. Funding for the contract will come from Water Bonds.
12. Curran - Finance and Personnel - Recommending approval of Task Order #17 with Strand Associates, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$656,474. The task order will be completed under a Master Agreement with Strand Associates, Inc. Funding for the project will come from Water Bonds.

III. ORDINANCES LAID OVER MARCH 10, 2008

1. Curran - Ordinance - Recommending approval of the attached Intergovernmental Agreement: City of Rockford and Winnebago County: Harrison Avenue (Mulford Road to Ohio Parkway).
2. Bell - Ordinance - Recommending approval of the Amended Development Agreement with the Zion Development Corporation for the residential portion of the Lantow Lofts' condominium development to extend the completion date to July 1, 2008.

3. Bell - Ordinance - Recommending approval of the Amended Development Agreement with the Zion Development Corporation for Katie's Cup Coffee Shop and Bookstore to extend the completion date to July 1, 2008.
4. Bell - Ordinance - Recommending approval of the request to extend the Brokered Training Agreement between the City of Rockford and Rock Valley College in the Tax Increment Financing Districts of the Rockford Global TradePark and the Kishwaukee Harrison Redevelopment Planning Areas.

IV. MISCELLANEOUS HELD OUT MARCH 3, 2008

1. Mayor Morrissey – Re-appointment – Human Services CCA Board – Mr. Joshua D. Pickens, to a three-year term, which would expire January, 2011. (Pursuant to Rule 18, this re-appointment is up for passage on April 7, 2008).
- 2.* 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, March 17, 2008, 4:45 p.m.

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

AGENDA

1. C & R 08-41 Amendment to Rule 23
2. C & R 08-49 Honorary Street Name Change – Hopson Family

FINANCE AND PERSONNEL COMMITTEE

Monday, March 17, 2008, 5:15 p.m.

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

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Tree Removal
 - B. Award of Contract: Water Treatment Chemicals
 - C. Resolution to take Bids/Proposals

D. Vouchers

2. Compensation Review Work-Study Group (Laid over 3/10)
3. 2008 License and Fee Schedule
4. Compensation for Non-represented Employees
5. CIP Project Update

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, March 17, 2008, 5:15 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA**

1. Memorandum from Rob Lamb, Industrial Development Manager regarding a Referral of a Development Agreement with Tandem Development Group, LLC to construct a new air freight facility at the Chicago Rockford International Airport.

LEGISLATIVE LOBBYING COMMITTEE

**Thursday, March 13, 2008, 4:00 p.m.
Conference Room B, City Hall 2nd floor (south room)
AGENDA**

1. Federal Appropriations
2. Pension Issues from Illinois Municipal League
3. Truancy Initiatives
4. Modifying the time and date of future committee meetings
5. Report on 2008 Legislative items and any modifications or additions
6. Illinois Municipal League's Legislative Goals
7. State Capital Program