

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
APRIL 7, 2008  
COUNCIL CONVENED AT 6:12 P.M.**

1. The invocation was given by Pastor Robert Jones, St. Luke Missionary Baptist Church/Police Chaplain and the Pledge of Allegiance was led by Mercedes Martinez, Council Page.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Timm, Beach, Holt, McNeely, Conness -12-  
Absent: Johnson, Beck -2-
3. Alderman Mark moved to accept the Journal of Proceedings of March 31, 2008, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Johnson, Beck absent).

**UNFINISHED BUSINESS**

4. Alderman Curran moved that Mr. John E. Miller, Crowe Chizek and Company LLC, be permitted to address the City Council regarding the \$12,150,000 General Obligation Bonds, Series 2008 Bond Sale. Said motion was seconded by Alderman Timm. MOTION PREVAILED (Ald. Johnson, Beck absent).

Mr. Miller reported that bids were received covering \$9,000,000 General Obligation Bonds, Series 2008A. There were five bids received. He recommended accepting the bid of Harris N.A. at par less a discount of \$71,322.50 plus accrued interest being at a net interest rate of 4.481240%.

Mr. Miller reported that bids were received covering \$1,300,000 General Obligation Bonds, Series 2008B. There were two bids received. He recommended accepting the bid of UBS Securities LLC at par less a discount of \$3,692.00 plus accrued interest being at a net interest rate of 3.862789%.

He also reported that bids were received covering \$1,850,000 General Obligation Parking System Bonds, Series 2008C. There were five bids received. He recommended accepting the bid of Bernardi Securities Inc. at par less a discount of \$14,800.00 plus accrued interest being at a net interest rate of 5.5456%.

**2008-065-O**

5. Alderman Curran moved the adoption of an Ordinance confirming the sale of an aggregate principal amount of \$12,150,000 in General Obligation Bonds Series 2008, of the City of Rockford, Winnebago County, Illinois, consisting of \$9,000,000 General Obligation Water Bonds (Waterworks System Alternate Revenue Source), Series 2008A; \$1,300,000 General Obligation Redevelopment Bonds (Sales Taxes Alternate Revenue Source), Series 2008B;

and \$1,850,000 Taxable General Obligation Parking System Bonds (Sales Taxes Alternate Revenue Source), Series 2008C.

Alderman Curran moved to amend the Ordinance as follows:

"The bid tabulation for the bonds shall be inserted as Exhibit A and, the Successful Official Bond Bid Forms showing: Harris N.A., as purchaser of the Bonds, Series 2008A; and UBS Securities LLC, as purchaser of the Bonds, Series 2008B; and Bernardi Securities Inc., as purchaser of the Bonds, Series 2008C, shall be inserted as Exhibit B."

Said motion to amend was seconded by Alderman Mark. MOTION PREVAILED (Ald. Johnson, Beck absent). The Ordinance, as amended, was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

**2008-066-O**

6. Alderman Curran moved the adoption of an Ordinance authorizing and providing for the issue of \$3,150,000 General Obligation Bonds, Series 2008 (Sales Taxes Alternate Revenue Source), of the City of Rockford, Winnebago County, Illinois, consisting of \$1,300,000 General Obligation Redevelopment Bonds (Sales Taxes Alternate Revenue Source), Series 2008B; and \$1,850,000 Taxable General Obligation Parking System Bonds (Sales Taxes Alternate Revenue Sources), Series 2008C; for the purpose of defraying the costs of certain improvements within the City, prescribing the details of said bonds and providing for the imposition of taxes to pay the same, and for the collection, segregation and application of certain sales tax receipts to pay said bonds.

Alderman Curran moved to amend the Ordinance as follows:

"to add the appropriate interest rates, the amount of the tax levy and other necessary and relevant information to the successful bid per the ordinance submitted by Bond Counsel."

Said motion to amend was seconded by Alderman Mark. MOTION PREVAILED (Ald. Johnson, Beck absent). The Ordinance, as amended, was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

**2008-067-O**

7. Alderman Curran moved the adoption of an Ordinance authorizing and providing for the issue of \$9,000,000 General Obligation Water Bonds (Waterworks System Alternate

Revenue Source), Series 2008A, of the City of Rockford, Winnebago County, Illinois, for the purpose of defraying the cost of improving and extending the waterworks system of said City, prescribing the details of said bonds, and providing for the imposition of taxes to pay the same, and for the collection, segregation and application of the waterworks system revenues to pay said Bonds.

Alderman Curran moved to amend the Ordinance as follows:

“to add the appropriate interest rates, the amount of the tax levy and other necessary and relevant information to the successful bid per the ordinance submitted by Bond Counsel.”

Said motion to amend was seconded by Alderman Mark. MOTION PREVAILED (Ald. Johnson, Beck absent). The Ordinance, as amended, was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

#### **PUBLIC PARTICIPATION**

8. Christine Hintzsche addressed Council expressing her concerns for the safety of her children and neighbors with the recent events of violence and criminal activity in her neighborhood.

#### **PETITIONS AND COMMUNICATIONS**

9. Alderman Bell submitted a Memorandum from Cynthia Powers Hall, Director Mayor’s Office of Tourism, Culture & Special Events, regarding Lifescape Community Service request for free parking. Referred to Planning and Development Committee.
10. Alderman Bell submitted a Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding Healthy Neighborhoods Program Funding Recommendation Rockford Urban Ministries - \$29,900. Referred to Planning and Development.
11. Alderman Bell submitted a Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding South West Ideas for Today and Tomorrow (SWIFTT) First Quarter Progress Report. Referred to Planning and Development Committee.
12. Alderman Bell submitted a Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding Healthy Neighborhoods Program Funding Recommendation Booker Washington Center - \$37,500. Referred to Planning and Development Committee.

13. Alderman Bell submitted a letter from Jose Medrano for consideration to build a deck/patio at his business located at 1701 S. Main Street. Referred to Code and Regulation Committee.
14. Alderman Curran submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding Intergovernmental Agreement: Springfield Avenue and Auburn Street Intersection Improvements. Referred to Finance and Personnel Committee.
15. Alderman Curran submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding Intergovernmental Agreement: South Main Street Railroad Trestle. Referred to Finance and Personnel Committee.
16. Alderman Curran submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding Intergovernmental Agreement: I-90/East State Street Multi-Use Path. Referred to Finance and Personnel Committee.
17. Alderman Curran submitted a Memorandum from Barry Fitz, Fire Equipment/Safety Manager, regarding an Emergency P.O. for repairs to Quint #1258 in the amount of \$13,595.46 to repair the transmission. Placed on file.
18. Alderman Curran submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding Emergency P.O.: Lyran Court Drainage and Reconstruction. Rockford Blacktop was contracted to perform the work in the amount of \$22,500. The funding source is Capital Projects Drainage Fund. Placed on file.
19. Alderman Wasco submitted a request from Kelly Schultz, in conjunction with American Cancer Society Relay for Life of Winnebago County South, requesting permission to hold an overnight event with some participants camping outside. Lights and sound will be minimized after 10:00 pm by only using lights and that shine away from homes and bringing the walk inside after the remembrance ceremony at Rockford First Assembly/Christian Life High School, 5950 Spring Creek Road from June 20, 2008 at 6:00 pm to June 21, 2008 at 6:00 am. Alderman Wasco moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Johnson, Beck absent).
20. Alderman Mark submitted an e-mail from Jerry Kortman requesting potholes filled in the parking lot at Wyman and Mulberry and a traffic control concern at the intersection of Y Blvd. and 251. Referred to Public Works Department.
21. Alderman Mark submitted a Memorandum from Jessica Roberts, Planner II, regarding the Tentative Plat of Faith Center. Referred to Code and Regulation Committee.
22. Alderman Mark submitted a Memorandum from Ronald Schultz, City Attorney, regarding Amendments to Annexation Agreements. Referred to Code and Regulation Committee.
23. Alderman Conness submitted a Request for Service to replace a light by the Hilander located at Alpine Road and Louisiana. Referred to Public Works Department.

- 23a. Alderman Conness submitted a request from John Donovan, in conjunction with Kentucky Derby Tent Party, requesting permission for liquor, entertainment and food outdoors within a confined space and approval for a tent at Trackside, 5011 E. State Street on May 3, 1008 from 11:00 am to 8:00 pm. Alderman Conness moved to grant the Prayer of the Petitioner, seconded by Alderman Beach. MOTION PREVAILED (Ald. Johnson, Beck absent).

### **NEW COMMITTEE REPORTS**

24. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Sidewalk, Curb & Gutter, & ADA Ramps, be made to the low bidder, Campos Construction Company, of Rockford, Illinois for their total bid of \$243,755.50. The funding source is Sales Tax. LAID OVER.
25. Alderman Curran read a Finance and Personnel Committee Report recommending the award for the Data Center Core Switch be made to Sentinel Technologies, of Downers Grove, Illinois for a total cost of \$114,694.00. The funding source is Information Technology Operating Budget. LAID OVER.
26. Alderman Curran read a Finance and Personnel Committee Report recommending that the bids received for Paint Supplies and Materials be rejected and new bids be taken as soon as possible. The funding source is Property Fund. LAID OVER.

#### **2008-159CR**

27. Alderman Curran read a Finance and Personnel Committee Report recommending the award for an Ambulance for the Fire Department be made to the sole bidder, Taylor Made Ambulance, of Newport, Arkansas for their base bid of \$157,145.66 plus \$5,680.69 for items 5 & 6 on Appendix A, a total award of \$162,826.35. The funding source is Fire Department Capital Budget.

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

#### **2008-160CR**

28. Alderman Curran read a Finance and Personnel Committee Report recommending the Engineering Agreement: Storm Water Management – Storm Water Quality Analysis be made to Baetis Environmental Services, Inc. at a not to exceed cost of \$120,000 for storm water quality sampling and analysis. The funding for this project will come from the 2008 General Revenue Fund.

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

29. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 7, 2008 in the amount of \$1,502,716.77. MOTION PREVAILED by a Roll Call vote of:

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

30. Alderman Mark read a Code and Regulation Committee Report recommending that City Council DENY the Claim of Vernon and Cynthia Furney. LAID OVER.

31. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board recommending that City Council APPROVE the sale of alcoholic liquor by the drink in conjunction with a sit-down restaurant in a C-2, Commercial Community District at 1132 Auburn Street. Approval is subject to the following conditions:

1. The sale of alcoholic beverages shall be in conjunction with a sit-down restaurant.
2. Compliance with the Liquor Ordinance.
3. Hours of operation for the sale of alcohol are Monday, Tuesday and Sunday from 7:00 am to 10:00 pm; Wednesday and Friday from 7:00 am to 12:00 midnight.

Approval is based on the Findings of Fact (LAD 5/19/08, 08-LAB-008). LAID OVER.

**2008-161CR**

32. Alderman Mark read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #076-05 (Ordinance #2005-244-O) for a Planned Residential Development including a high-rise residential structure, to increase the number of dwelling until to seventy-six (76) to reduce the building height from one hundred seventy-three (173) feet to one hundred fifty (150) feet, to reduce the side yard setback for the north property line from fifty-three (53) feet to thirty (30) feet, and to reduce the side yard setback for the south property line from fifty-three (53) feet to thirty (30) feet in an R-4, Multi-family Residential District at 977, 993, 995 North Main Street. Approval is subject to the following conditions:

1. A civil site plan shall be submitted for staff review and approval.
2. The building/garage/terrace shall be located no closer than fifty (50) feet to the existing sea wall, with the sea wall extended in a straight line south.
3. A pedestrian river walk [minimum ten (10) feet wide] shall be accommodated on the development site.

4. A Tentative and Final Plat shall be prepared for the entire property, and recordation of the Final Plat is required prior to issuance of a building permit.
5. Detailed elevations shall be submitted to staff for review and are subject to Staff approval.
6. A detailed landscaping plan shall be submitted for staff review and approval.
7. An illumination (photometrics) plan shall be submitted for staff review and approval.
8. The property shall develop in general conformance with the submitted plans.
9. That there shall be no access to Franklin Place.
10. That condominium regulations are submitted for staff review and approval inclusive of regulations restricting the rental of the units.

Approval is based on the Findings of Fact (LAD 5/19/08, ZBA #013-08).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. Johnson, Beck absent; Ald. Holt abstained). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Johnson, Beck absent; Ald. Holt abstained).

**2008-162CR**

33. 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 medical office to provide outpatient rehabilitation therapy in an R-2, Two-Family Residential Zoning District at 4139-4143 Albright Lane. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. The Public Works Department must approve proposed parking spaces.
3. Submittal of a revised landscape plan for staff's review and approval.
4. If garages were to be eliminated, an elevation plan would be required for staff's review and approval of replacement.

Approval is based on the Findings of Fact (LAD 5/19/08; ZBA #012-08).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. Johnson, Beck absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Johnson, Beck absent).

**2008-163CR**

34. Alderman Mark read a Code and Regulation Committee Report recommending that City Council APPROVE the adoption of the Code entitled "Code of Ordinances of the City of Rockford, Illinois," published by Municipal Code Corporation, consisting of Chapters 1 through 121, each inclusive. The Legal Director shall prepare the appropriate ordinance.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Ald. Johnson, Beck absent). The Committee Report was placed on passage. MOTION PREVAILED (Ald. Johnson, Beck absent).

## OFFICERS REPORTS

35. Mayor Morrissey presented a Proclamation proclaiming the month of April 2008 to be "Fair Housing Month" in Rockford, Illinois and urged all citizens to join him in reaffirming the obligation and commitment to fair housing opportunities for all people.
36. Mayor Morrissey presented a Proclamation proclaiming the week of April 7, 2008 to be "Boys and Girls Club Week" in Rockford, Illinois and called upon all citizens to recognize and commend the Boys and Girls Club organizations in our city for providing comprehensive, effective services to the young people in our communities.
37. Mayor Morrissey reported with sadness the death of Ed Henry, Bonnie Henry's husband. He offered prayers and words of condolences to the family.
38. Mayor Morrissey submitted an appointment to the Zoning Board of Appeals, Mr. Scott Sanders, to replace Thomas Przytulski, Jr., who resigned, to a term to expire June 2011. LAID OVER.
39. Mayor Morrissey reported on the success of the hallway citation process as it relates to the truancy efforts in the Rockford schools and mentioned tomorrow is the first day of hearings for those citations.
40. Mayor Morrissey reported there has been some discussion with the Rockford School Board members and State Officials about Legislative Proposals for changes in Springfield that will impact our local Truancy Ordinance. Any questions may be directed to Mayor Morrissey, Jim Ryan, City Administrator, or Patrick Hayes, Legal Director.
41. Mayor Morrissey announced the City of Rockford, Chamber of Commerce, Economic Development Council and Golden Apple Foundation are sponsoring a INCS Public Charter School Forum on April 15, 2008 at Rockford College campus beginning at 5:30 pm. He encouraged all to attend this informational meeting regarding this very important issue.
42. Mayor Morrissey announced Steve Ernst, Director of the Metropolitan Planning Organization and City Traffic Engineer/Public Works Department, will be making a presentation on the future of the Rockford Area Transportation Study (RATS) Organization and their goals at the end of tonight's meeting.
43. Mayor Morrissey commented he and a few staff members attended a Planning Conference in Austin, Texas this past week and found the meetings and workshops to be very informative as we look at a new direction for our regional planning.
44. Mayor Morrissey thanked the Metro Centre for hosting the Rockford IceHogs vs. San Antonio hockey game Saturday night for City and County employees and County Board and City Council members. He congratulated the IceHogs on their victory, for clinching a spot a AHL in the playoffs, and wished them continued success.

45. Mayor Morrissey commented on the successful bond sale today and reaffirmation by Moody's Investor's Service of the City's A1 rating.
46. Mayor Morrissey mentioned the Mayor's Youth Advisory Council/nFactor is sponsoring an event at the Coronado Theatre with Sista Souljah, author of the " The Coldest Winter Ever" on Saturday April 19<sup>th</sup> beginning with a Meet and Greet at 4:30 pm and Program at 6:00 pm. and mentioned the first one hundred girls with a valid high school id will receive a free copy of her book.
47. Alderman Thompson-Kelly also mentioned the passing of Bonnie Henry's husband, Ed, and offered condolences to her and her family.
48. Alderman Thompson-Kelly wished Alderman Frank Beach a happy birthday as well as her husband Paul Kelly.
49. Alderman Thompson-Kelly noted she passed out two (2) Bills, House Bill 5612 and Senate Bill 1239 for review and discussion at the next Legislative Lobbying Committee meeting on April 10, 2008 at 4:00 pm.
50. Alderman Bell mentioned he attended the Neighborhood Network Spring Open House on April 5, 2008 at the Trinity Lutheran Learning Center.
51. Alderman Bell thanked Thomas Przytulski, Jr. for his service on the Zoning Board of Appeals.
52. Alderman Bell commended Mayor Morrissey for his commitment to improve the education of all of our students and affirmed his support for the Mayor's proposed legislation to our Truancy Ordinance.
53. Alderman Bell recognized the 40<sup>th</sup> Anniversary of the assassination of Martin Luther King Jr. in Memphis, Tennessee.
- 53a. Alderman Bell noted his appreciation of Jesse Jackson's comments regarding education in the United States and his concern with the building of sophisticated correctional institutions while the number of dilapidated schools continues to grow. He believes society as a whole needs to invest in our schools and our children, or we will be destined to fail.
54. Alderman Mark agreed with Alderman Bell's comments and added that education is a key component to keep our community and country moving forward.
- 54a. Alderman Mark mentioned Saturday night was his last performance of Cinderella with the Rockford Dance Company at the Coronado Theatre and commented on all the activity in the downtown district.
55. Alderman Mark announced this coming weekend is the spring art show downtown and throughout the community. He encouraged all to support our local artists.

56. Alderman McNeely mentioned she watched a documentary on 40<sup>th</sup> Anniversary of the assassination of Martin Luther King, Jr. leading her to reflect on issues such as fair housing, the Boys and Girls Club, truancy in our schools and the hope for change.
57. Mayor Morrissey advised he would set-up a meeting with Adam Smith, Director of Education and Lifelong Learning, and himself to review the truancy intervention process. Anyone interested should contact Mayor Morrissey's Office.
58. Alderman Jacobson thanked his constituents for their continued efforts to keep their neighborhoods safe and for calling the police when they observe criminal activity.
59. Alderman Jacobson also commended the Mayor for his commitment to education and proposed legislation to support his efforts.
60. Alderman Jacobson thanked the members of Local 413 for a wonderful evening last week and recognized Patrick Hayes, Legal Director, for attending on behalf of Mayor Morrissey. He thanked the Fire Fighters and Police Officers for their dedication to serving this community.
61. Alderman Beach asked Andres Sammul, Director of Finance, if the rates for today's bond sale were locked in or could they be refinanced if the rates become lower. Andres stated the bonds could be refinanced. Alderman Beach thanked Andres for this hard work and requested documentation concerning refinancing rates.
62. Alderman Beach thanked Mayor Morrissey for his comments at the Press Conference today welcoming the CVS Pharmacy to the southeast corner of Alpine Road and East State Street. He also thanked Jim Ryan, City Administrator, Rick May, Community Development and Reid Montgomery, Director of Community Development, for their efforts.
63. Alderman Beach expressed his gratitude to the community partners throughout the City that continue to invest money in the City of Rockford.
64. Alderman Beach announced Sonya, his wife, has made food for everyone to enjoy in celebration of his birthday.
65. Alderman Holt commented Mayor Morrissey and himself were in attendance at a Violence Prevention Town Hall meeting at Patriot's Gateway last week. He also reaffirmed his support for the truancy efforts by this administration and emphasized the need for parents to take responsibility for their own actions and the actions of their children.
66. Alderman Holt announced tomorrow is this 8<sup>th</sup> Wedding Anniversary.
67. Alderman Jacobson congratulated the Lions Club and thanked the volunteers for helping make Saturday another successful Rose Day.

## UNFINISHED BUSINESS

### 2008-164CR

68. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the City Council of the City of Rockford DENY the Claim of Tim Elswick in the amount of \$779.80. MOTION PREVAILED by a Roll Call vote of:

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

### 2008-165CR

69. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the City Council of the City of Rockford DENY the Claim of Kira Robins in the amount of \$259.47. MOTION PREVAILED by a Roll Call vote of:

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

### 2008-166CR

70. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the City Council of the City of Rockford DENY the Claim of Jeannie Byers in the amount of \$231.41. MOTION PREVAILED by a Roll Call vote of:

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

### 2008-167CR

71. 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 Richmond Street be required to Stop prior to entering the intersection of Greendale Drive, thus repealing the existing Yield sign control. MOTION PREVAILED by a Roll Call vote of:

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

### 2008-168CR

72. 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 Jason Thompson and Alderman Timm, 9<sup>th</sup> Ward, for the following:
  - a. Yield or stop sign control at the intersection of Grace Street and Grant Avenue.
  - b. Repeal the existing 2-way stop and replace with 4-way stop sign control at the intersection of Grant Avenue and Yonge Street.

MOTION PREVAILED by a Roll Call vote of:

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

73. Alderman Mark moved the adoption of an Ordinance amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use for a nightclub (dance hall) that does not satisfy the Performance Criteria of six hundred (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). HELD OUT.

74. Alderman Mark moved the adoption of an Ordinance amending Chapter 4, Section 4-28 of the City of Rockford Code of Ordinances that upon all requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following Establishments:

1. The unnamed establishment to be located at 317-325 West Jefferson Street, subject to the following conditions:
  - a. Meet all applicable Building and Fire Codes.
  - b. Compliance with all City of Rockford Liquor Codes.
  - c. Submittal of a security plan for Staff review and approval.
  - d. 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). HELD OUT.

**2008-169CR**

75. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for City-Wide Mowing/Grounds Maintenance be made to the low bidders as summarized:

Marisella Rodriguez

SGC/Universal  
Rozco Landscaping  
Sharpe Maintenance  
Jose Rodriguez  
ADV Lawn & Landscape  
Comprehensive Community Solutions  
Carol Burns Mowing  
Atlas Mowing

The funding source is Departmental Operating Budgets. MOTION PREVAILED by a Roll Call vote of:

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

**2008-170CR**

- 75a. Alderman Curran moved the adoption of a Finance and Personnel Committee Report Recommending the award for Gasoline and Diesel Fuel be made to the low bidder for each category as summarized:

Kelley Williamson Mobil	No Lead & Diesel #2 (tank wagon only)
Blake Oil	Diesel #1 & Diesel #2 (transport only)

The funding source is Departmental Operating Budgets. MOTION PREVAILED by a Roll Call vote of:

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

- 75b. Alderman Curran moved the adoption of the re-appointment to the Human Services CAA Board, Mr. Joshua D. Pickens, to a three-year term, which would expire January, 2011. MOTION PREVAILED by a Roll Call vote of:

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

**2008-171CR**

76. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval of the attached Assisted Living/River Housing Redevelopment Plan and Project. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED (Ald. Johnson, Beck absent).

**2008-172CR**

77. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval of the Assisted Living/River Housing Redevelopment Project Planning Area. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED (Ald. Johnson, Beck absent).

**2008-173CR**

78. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending that the County Clerk be instructed to implement tax increment financing per statute within the AssistedLiving/River Housing Redevelopment Area. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED (Ald. Johnson, Beck absent).

**2008-174CR**

79. Alderman Bell moved the adoption of a Planning and Development Committee Report recommending approval of a draft of 2008 Amendments to the City of Rockford's 2020 Plan for purposes of holding a Public Hearing on Monday, April 28, 2008 and subsequent approval of said 2008 Amendments. The Legal Director shall prepare the appropriate Ordinance. MOTION PREAILED (Ald. Johnson, Beck absent).

**MOTIONS AND RESOLUTIONS**

**2008-018R**

80. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids for the following:

Bid: Water, Street, Sewer, Forestry PCC Patching, funding source: Divisional Operating Budgets

Bid: Water Annual Quality Report, funding source: Water Division Operating Budget

Bid: Water Treatment Chemicals, funding source: Water Division Operating Budget

Bid: Floor Mats, Towels, & Mops, funding source: Departmental Operating Budgets

Bid: Kishwaukee Street Watermain Improvements, funding source: WRIA and Sales Tax

Bid: City-Wide Residential Resurfacing, funding source: Sales Tax

Bid: South Main Street Railroad Trestle Painting, funding source: Sales Tax

MOTION PREVAILED by a Roll Call vote of:

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

Nays: -0-

Absent: Johnson, Beck -2-

**2008-019R**

81. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution to approve an Agreement between the City of Rockford and the Illinois Commerce Commission Transportation Division/Rail Safety for the safety improvements at the Winnebago Street highway-grade crossings of the Union Pacific

Railroad Company's track. MOTION PREVAILED by a Roll Call vote of:

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

### NEW BUSINESS

82. 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 retail sales and a carryout restaurant in an I-1, Light Industrial District at 2904 West State Street. Approval is subject to the following conditions:

1. Submittal of a revised landscaping plan prior to issuance of a building permit and completion of all required landscaping prior to issuance of certificate of occupancy.
2. Meeting all applicable Building and Fire Codes.
3. Obtain all required permits through IDOT and Public Works.
4. That there shall be no storage of inoperable or unlicensed vehicles on the property.

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

83. Alderman Mark introduced and read an Ordinance for the approval of amendment to Chapter 2, Section 2-42, Rule 23. LAID OVER.

#### **2008-068-O**

84. Alderman Mark introduced and read an Ordinance for the adoption and enacting a new code for the City of Rockford, Illinois; Providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Johnson, Beck absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

#### **2008-069-O**

85. 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 medical office to provide outpatient rehabilitation therapy in an R-2, Two-Family Residential Zoning District at 4139-4143 Albright Lane. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. The Public Works Department must approve proposed parking spaces.
3. Submittal of a revised detail landscape plan for Staff's review and approval.
4. If garages were to be eliminated, an elevation plan would be required for Staff's review and approval of replacement.

Approval is based on the Findings of Fact (LAD 5/19/08; ZBA #012-08).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Johnson, Beck absent). The Ordinance was placed on passage. MOTION PREVAILED by a Roll Call vote of:

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

**2008-070-O**

86. 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 #076-05 (Ordinance #2005-44-O) for a Planned Residential Development including a high-rise residential structure, to increase the number of dwelling units to seventy-six (76), to reduce the building height from one hundred seventy-three (173) feet to one hundred fifty (150) feet, to reduce the side yard setback for the north property line from fifty-three (53) feet to thirty (30) feet, and to reduce the side yard setback for the south property line from fifty-three (53) feet to thirty (30) feet in an R-4 Multi-Family Residential District at 997, 993, 995 North Main Street. Approval is subject to the following conditions:

1. A civil site plan shall be submitted for staff review and approval.
2. The building/garage/terrace shall be located no closer than fifty (50) feet to the existing sea wall, with the sea wall extended in a straight line south.
3. A pedestrian river walk [minimum ten (10) feet wide] shall be accommodated on the development site.
4. A Tentative and Final Plat shall be prepared for the entire property, and recordation of the Final Plat is required prior to issuance of a building permit.
5. Detailed elevations shall be submitted to staff for review and are subject to staff approval.
6. A detailed landscaping plan shall be submitted for staff review and approval.
7. An illumination (photometrics) plan shall be submitted for staff review and approval.
8. The property shall develop in general conformance with the submitted plans.
9. That there shall be no access to Franklin Place.
10. That condominium regulations are submitted for staff review and approval inclusive of regulations restricting the rental of the units

Approval is based on the Findings of Fact (LAD 5/19/08; ZBA #013-08).

Alderman Mark moved to suspend Rule 11, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Johnson, Beck absent; Ald. Holt abstained). The Ordinance was placed

on passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Timm,  
Beach, Holt, Conness –9-  
Nays: Curran, McNeely –2-  
Absent: Johnson, Beck –2-  
Abstain: Holt –1-

87. Alderman Bell introduced and read an ordinance recommending approval of the an Amended Development Agreement Approving TIF Funding for the Rehabilitation of 401-403, 405-411 and 414 Seventh Street and 1019 Third Avenue by Mid Town Lofts LLC. LAID OVER.

**2008-071-O**

88. Alderman Bell introduced and read an ordinance recommending approval of the 2008 Annual Fee for Service Contract between the City of Rockford and River District Association for a total of \$40,000 in TIF funds.

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

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

**OFFICERS REPORTS**

89. Alderman Jacobson also thanked Jim Ryan, City Administrator, for attending the Local 413 event on behalf of Mayor Morrissey.
90. Mayor Morrissey called upon Steve Ernst, Director of the Metropolitan Planning Organization and City Traffic Engineer/Public Works Department, to make a presentation on the future of the Rockford Area Transportation Study (RATS) Organization and their goals.
91. Upon motion duly made and seconded, the meeting was adjourned at 8:04 p.m.

Respectfully submitted,

Diane Reed  
City Council Clerk

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

**CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS**  
**City Council Chambers, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**April 14, 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 APRIL 7, 2008**

1. Curran - Finance and Personnel - Recommending the award for Sidewalk, Curb & Gutter, & ADA Ramps, be made to the low bidder, Campos Construction Company, of Rockford, Illinois for their total bid of \$243,755.50. The funding source is Sales Tax.
2. Curran - Finance and Personnel - Recommending the award for the Data Center Core Switch be made to Sentinel Technologies, of Downers Grove, Illinois for a total cost of \$114,694.00. The funding source is Information Technology Operating Budget.
3. Curran - Finance and Personnel - Recommending that the bids received for Paint Supplies and Materials be rejected and new bids be taken as soon as possible. The funding source is Property Fund.
4. Mark - Code and Regulation - Recommending that City Council DENY the Claim of Vernon and Cynthia Furney.
5. Mark - Code and Regulation - SUSTAINING the Liquor Advisory Board recommending that City Council APPROVE the sale of alcoholic liquor by the drink in conjunction with a sit-down restaurant in a C-2, Commercial Community District at 1132 Auburn Street. Approval is subject to the following conditions:
  1. The sale of alcoholic beverages shall be in conjunction with a sit-down restaurant.
  2. Compliance with the Liquor Ordinance.

4. Hours of operation for the sale of alcohol are Monday, Tuesday and Sunday from 7:00 am to 10:00 pm; Wednesday and Friday from 7:00 am to 12:00 midnight.

Approval is based on the Findings of Fact (LAD 5/19/08, 08-LAB-008).

## **II. ORDINANCES**

### **A. LAID OVER APRIL 7, 2008**

1. 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 retail sales and a carryout restaurant in an I-1, Light Industrial District at 2904 West State Street. Approval is subject to the following conditions:

1. Submittal of a revised landscaping plan prior to issuance of a building permit and completion of all required landscaping prior to issuance of certificate of occupancy.
2. Meeting all applicable Building and Fire Codes.
3. Obtain all required permits through IDOT and Public Works.
4. That there shall be no storage of inoperable or unlicensed vehicles on the property.

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

2. Mark - Ordinance - For the approval of amendment to Chapter 2, Section 2-42, Rule 23.
3. Bell - Ordinance - Recommending approval of the an Amended Development Agreement Approving TIF Funding for the Rehabilitation of 401-403, 405-411 and 414 Seventh Street and 1019 Third Avenue by Mid Town Lofts LLC.

### **B. HELD OUT APRIL 7, 2008**

- 1.\* Mark - Ordinance - Amending Chapter 37, Section 1603, of the City of Rockford Code of Ordinances for a Special Use for a nightclub (dance hall) that does not satisfy the Performance Criteria of six hundred (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).

- 2.\* Mark - Ordinance - Amending Chapter 4, Section 4-28 of the City of Rockford Code of Ordinances that upon all requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following Establishments:

1. The unnamed establishment to be located at 317-325 West Jefferson Street, subject to the following conditions:
  - a. Meet all applicable Building and Fire Codes.
  - e. Compliance with all City of Rockford Liquor Codes.
  - f. Submittal of a security plan for Staff review and approval.
  - g. 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).

### III. MISCELLANEOUS LAID OVER APRIL 7, 2008

1. Mayor Morrissey - Appointment – Zoning Board of Appeals – Mr. Scott Sanders, to replace Thomas Przytulski, Jr. who resigned, to a term to expire June 2011. (Pursuant to Rule 18, this appointment is up for passage on May 12, 2008).

\* same action taken before

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

\* \* \* \* \*

#### POSSIBLE ADDITIONAL ITEMS:

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

#### CODE AND REGULATION COMMITTEE

**Monday, April 14, 2008, 4:45 p.m.**

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

#### **AGENDA**

1. C & R 08-72            Special Event Fees
2. C & R 08-75            Resolution for Zoning Ordinance Text Amendment for Department Reorganization
3. C & R 08-76            Amendment to Annexation Agreement for 18xx-20xx North Perryville Road
4. C & R 08-77            Amendment to Annexation Agreement for 6771-6899 Mill Road (Pippel Tract)

5. C & R 08-78 Amendment to Annexation Agreement for 2102-2238 North Perryville Road
6. C & R 08-74 Tentative Plat of Faith Center
7. C & R 08-61 Annexation of 4006 Samuelson Road
9. C & R 08-62 Annexation of 9xx US 20 Bypass
10. C & R 08-63 Annexation of 7595 Walton Street
11. C & R 08-64 Annexation of 39xx Samuelson Road

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, April 14, 2008, 5:15 p.m.**

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

**AGENDA**

1. Purchasing and Vouchers
  - A. Rejection of Bid: Pavement Marking – Suspend rules
  - B. Award of Bid: PCC Patching – Suspend rules
  - C. Award of Bid: Applewood Sidewalk, Phase I – Suspend rules
  - D. Award of Bid: Montrose Drainage & Reconstruction – Suspend rules
  - E. Award of Contract: Premier MDC System
  - F. Resolution to take Bids/Proposals
  - G. Emergency P.O. New Towne Road Replacement
  - H. Emergency P.O. Water Main Work - Kishwaukee/Harrison Intersection
  - I. Change Order: Demolition of Old Case Plant Buildings
  - J. Vouchers
2. Well 42 Expansion Project/Acquisition of School District Property – Suspend rules
3. Intergovernmental Agreement: Springfield Avenue & Auburn Street Intersection Improvements
4. Intergovernmental Agreement: South Main Street Railroad Trestle
5. Intergovernmental Agreement: I-90/East State Street Multi-Use Path

6. First Quarter Investment Report

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, April 14, 2008, 5:15 p.m.  
CD Conference Room , City Hall 2<sup>nd</sup> floor  
AGENDA**

1. Memorandum from Richard M. May, Commercial Development Coordinator, regarding the 2008 Marketing Management Agreement between the City of Rockford and Riverfront Development Group for a total of \$75,000 in TIF funds for Arts, Housing, and Lifestyle Marketing Group.
2. Memorandum from Cynthia Powers Hall, Director Mayor's Office of Tourism, Culture & Special Events regarding Lifescape Community Service request for free parking.
3. Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding Healthy Neighborhoods Program Funding Recommendation Rockford Urban Ministries - \$29,900.
4. Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding South West Ideas for Today and Tomorrow (SWIFTT) First Quarter Progress Report.
5. Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding Healthy Neighborhoods Program Funding Recommendation Booker Washington Center - \$37,500.

**LEGISLATIVE LOBBYING COMMITTEE**

**Thursday, April 10, 2008, 4:00 p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

1. Lobbyist Selection Process
2. Consideration of Legislative Agenda items and Legislative calendar
3. New Business