

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
SEPTEMBER 8, 2008  
COUNCIL CONVENED AT 6:16 P.M.**

1. The invocation was given by Chaplain Anthony Wilson, Faith Walker Assembly/Police Chaplain and the Pledge of Allegiance was led by Council Page Carla Centeno.
2. Roll Call:  
Mayor Lawrence J. Morrissey  
Aldermen: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Holt, McNeely, Conness -13-  
Absent: Beck -1-
3. Alderman Mark moved to accept the Journal of Proceedings of September 2, 2008, Seconded by Alderman Wasco. MOTION PREVAILED (Ald. Beck absent).

**PETITIONS AND COMMUNICATIONS**

4. Alderman Beach submitted a request from Andria Canada, in conjunction with business identification sign for Black Widow Halloween Store, requesting permission for banner for approximately five (5) weeks for holiday store at 5830 East State Street from September 15, 2008 through October 31, 2008. Alderman Beach moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck absent).
5. Alderman Beach submitted a letter from constituents suggesting changes to parking on East Ridge Drive from Crosby Street to Wood Road. Referred to Mayor Morrissey's Office and the Public Works Department/Traffic.
6. Alderman Jacobson submitted a request from Angela Cleaver, Jefferson High School, in conjunction with the Homecoming Parade, requesting police assistance for annual homecoming parade from Jefferson to Samuelson to 20<sup>th</sup> Street to Harrison to Montague to Pierpont and end at Auburn High School on October 3, 2008 from 3:45 to 4:45 pm. Alderman Jacobson moved to grant the Prayer of the Petitioner, seconded by Alderman Bell. MOTION PREVAILED (Ald. Beck absent).
7. Alderman Bell submitted a request from Susan Lewandowski, Ethnic Heritage Museum, in conjunction with "Celebrate Our Heroes" event, requesting barricades and permission for closure of South Main from Morgan to Loomis for the event at 1129 South Main Street on October 19, 2008 from 1:00 pm – 4:00 pm. Alderman Bell moved to grant the Prayer of the Petitioner, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck absent).

8. Alderman Curran submitted a Memorandum from Patrick Keehnen, regarding EMS Cardiac Equipment Agreement between the City of Rockford and Swedish American Hospital. Referred to Finance and Personnel Committee.
9. Alderman Curran submitted a memorandum from Patrick Zuroske, Capital Program Manager, regarding an Intergovernmental Agreement: Kent Creek Trunk Sewer, Phase 2. Referred to Finance and Personnel Committee.
10. Alderman Curran submitted a request from Kim Winters, Our Savior's Church, in conjunction with the Centennial Picnic, requesting barricades and permission to partially close Corbridge between Fairview and Winthrop allowing only local traffic through for the event at 3300 Rural Street on September 14, 2008 from 12:30 pm – 4:00 pm. Alderman Curran moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck absent).
11. Alderman Wasco submitted a Memorandum from Ronald Schultz, City Attorney, regarding the Kentucky Data Link Agreement. Referred to Code and Regulation Committee.
12. Alderman Wasco submitted a Memorandum from Jessica Roberts, Planner II, regarding the Final Plat of Reload Center. Referred to Code and Regulation Committee.
13. Alderman Conness read a Memorandum from Regina Farrar, Administrative Assistant, Legal Department, regarding the RACVB Quarterly Report. Referred to Planning and Development Committee.
14. Alderman Conness submitted a request from Lyle Crowley, in conjunction with business identification sign for Spirit Halloween Store, requesting permission for banner for approximately five (5) weeks for holiday store at 6363 East State Street from September 20, 2008 through October 31, 2008. Alderman Conness moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck absent).
15. Alderman Timm submitted a request from Lorden Slade, in conjunction with Great Clips Haircut Sale, requesting permission to erect a balloon for advertising purposes for twenty-one (21) days at 3818 West Riverside Boulevard, Suite 142 from September 10, 2008 through October 1, 2008. Alderman Timm moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck absent).
16. Alderman Mark submitted a request from James Hood, in conjunction with Lite the Night Walk, requesting permission to erect a tent on property owned by the City at Davis Park (south side) on September 17-18, 2008. Alderman Mark moved to grant the Prayer of the Petitioner, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Beck absent).
17. Alderman Sosnowski submitted a request from Rita Hooley, Flamingo Kid Signs, in conjunction with business identification sign for Halloween USA, requesting permission for banner for approximately five (5) weeks for holiday store at 6290 East State Street from September 26, 2008 through October 31, 2008. Alderman Sosnowski moved to grant the Prayer of the Petitioner, seconded by Alderman Mark. MOTION PREVAILED (Ald. Beck absent).

## NEW COMMITTEE REPORTS

18. Alderman Conness read a Planning and Development Committee Report recommending approval of the Development Agreement with River Housing Development, LLC, approving the TIF Funding for a Mixed-use New Construction Project at S. Main & Harrison. LAID OVER.
19. Alderman Conness read a Planning and Development Committee Report recommending approval of the Rockford Area Economic Development Commission (RAEDC) 2009-2012 Contract. LAID OVER.
20. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for passenger vehicles sales that could not satisfy Performance Standards; and REVERSE the action of the Zoning Board of Appeals to APPROVE a modified Variation to allow landscaping per site plan submitted in a C-3, General Commercial Zoning District at 3335 11<sup>th</sup> Street. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. No outside storage of any auto parts, equipment, materials or inoperable vehicles.
  3. All conditions must be met prior to establishment of use.
  4. That the property is developed as per Exhibit E, and that no more than sixty (60) vehicles shall be displayed for sale or stand outside.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

21. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Renewal of Special Use Permit #9045-06 for a Planned Residential Development for homes for the ages/independent living for residents over the age of sixty (60) for Parcel 1 and 2 in an R-1, Single-family Residential District and R-3, Multi-family Residential District at 69xx Hiatt Drive. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. Submittal of a detailed landscaping plan and illumination plan for staff's review and approval.
  3. Submittal and approval of a tentative and final plat prior to issuance of a building permit.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

22. Alderman Wasco 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 #124-89 for a building addition of 956 square feet which is greater than ten percent (10%) of the existing building; and APPROVE the Variation to reduce parking

to thirty (30) spaces in a C-3, General Commercial Zoning District at 3427 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. There shall be no overnight storage or vehicles on the property.
3. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
4. Site plan showing dumpster enclosure and material that must be approved by Staff.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

23. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Renewal of Special Use Permit #061-06 (Ordinance #2006-195-O) for a Planned Mixed-Use Development consisting of a long-term care hospital and parking in a C-1, Limited Office District at 1390 North Mulford Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a tentative and final plat for Staff review prior to the issuance of a building permit.
3. Submittal of a landscaping plan for Staff review and approval with the addition of a four (4) foot high beam that does not interfere with the preservation of the existing tree line along the north property line.
4. All lighting shall be facing downward, shall be directed away from residential, and shall not exceed twenty (20) feet in height. There will be no freestanding light poles north of the proposed building.
5. Only two (2) access drives shall be allowed for this site that included one from Guilford Road and the second from Mulford Road.
6. All uses restricted to those in the C-1, Limited Office Zoning District, except for the proposed long-term care hospital.
7. That a revised site plan be submitted that includes a 50' (fifty) foot minimum setback from the north property line to the edge of the curb as shown on the submitted site plan.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

24. Alderman Wasco 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 #051-93 (Ordinance #1993-170-O) for a Precise Plan Development to allow two (2) additional outlots (Lots 5&6) for a fast food restaurant on Lot 5 and additional retail on Lot 6, to allow an increase in gross square footage from 110,000 square feet approved in July, 1993 to a maximum of 120,000 square feet to allow parking based on current code allowing for shared parking, and updating the perimeter landscape along Riverside Boulevard in an R-1, Single-family Residential District at 5825-5947 East Riverside Boulevard. Approval is subject to the following conditions:

1. A full service fast food restaurant on Lot 6 shall be prohibited.
2. Compliance with Special Use Permit #051-03 conditions of approval, specifically signage regulations.
3. A civil site plan shall be submitted for Staff review and approval.
4. Detailed elevations shall be submitted for Staff review and are subject to Staff approval.
5. A detailed landscaping plan shall be submitted for Staff review and approval.
6. An illumination (photometric) plan shall be submitted for Staff review and approval.
7. The property shall develop in general conformance with the submitted plans.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

25. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Final Plat of Maywood Manor Plat #8. LAID OVER.
26. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the annexation agreement for 22xx & 2601 North Bell School Road. LAID OVER.
27. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the annexation of 22xx & 2601 North Bell School Road. LAID OVER.
28. Alderman Wasco read a Code and Regulation Committee Report recommending the approval of the Tentative Plat of Canis Major Subdivision. Approval is subject to the following conditions:
  1. The typical pavement shall be modified to carry the commercial development proposed and must be reviewed and approved by the Public Works Department as part of each final plat phase.
  2. Stormwater final size and location shall be reviewed and approved by the Public Works Department as part of each final plat phase.
  3. Each subsequent final plat shall conform with the approved annexation agreement for the property.
  4. Each subsequent final plat shall conform with the approved annexation agreement for the property.
  5. Direct access to North Bell School Road shall be prohibited from Lots 1, 4 & 5 and access to Lot 6 shall conform with the approved annexation agreement.
  6. Final street profiles shall be reviewed and approved by Public Works Department as part of each final plat phase.

LAID OVER.

29. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Annexation Agreement and Zoning Map Amendment from County AG to City C-3, General Commercial District for Parcel I and II, and APPROVE a Special Use Permit for a Planned Unit Development consisting of retail, professional office, and medical buildings for Parcel I

(40.50 acres) in a C-3, General Commercial District at 22XX & 2601 North Bell School Road. Approval is subject to the following conditions:

1. The terms of the Annexation Agreement.
2. Submittal of a PUD/Final Plat for review and approval.
3. That the PUD/Final Plat conform with the requirements of Public Works to accommodate an interchange at I-90 and the extension of Perry Creek to accommodate an interchange at I-90 and the extension of Perry Creek.
4. Submittal of a detailed site plan for staff review and approval.
5. Submittal of a detailed landscaping plan including size and botanical name of species for staff review and approval. The landscaping plan shall include a Type "A" Buffer around the perimeter of the site.
6. Submittal of elevation drawings and floor plans for staff review and approval.
7. Submittal of a detailed detention and drainage plan for Public Works review and approval.
8. Submittal of the Owner's Association Document for staff review and approval.
9. Submittal of an illumination (photometric plan) for staff review and approval.
10. Future development on Parcel II will require a submittal of a tentative/PUD and final/PUD for review and approval.
11. Compliance with all Building and Fire Codes.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

30. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Two (2) Dump Trucks – Water Division be made to the low bidder, Trans Chicago Truck Group, of Elmhurst, IL for their total bid of \$244,828.00. The funding source is: Water Division Capital Outlay Budget. LAID OVER.

**2008-418CR**

31. Alderman Curran read a Finance and Personnel Committee Report recommending the award for Human Services Department Energy Division phone system upgrades be made to the sole source provider, AT&T at a cost of \$15,522.00. The funding source is: State Funds.

Alderman Curran moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED (Ald. 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,  
Johnson, Timm, Beach, Holt, McNeely, Conness -13-  
Nays: -0-  
Absent: Beck -1-

32. Alderman Curran read a Finance and Personnel Committee Report recommending approval of the contract for purchase of a Mobil Collector Lite (MCLITE) from Itron at an estimated cost of \$13,985.00. The funding source is Water Fund. LAID OVER.

33. Alderman Curran read a Finance and Personnel Committee Report recommending approval of the Engineering Agreement Amendment for Barber Colman Asbestos Abatement in the amount of \$60,000.00 to Fehr-Graham & Associates. The funding source is USEPA Assessment Grant funding. LAID OVER.

**2008-419CR**

34. Alderman Curran read a Finance and Personnel Committee Report recommending the bids received for City-Wide Alleys, Phase 2, 2007 be rejected and new bids taken as soon as possible.

Alderman Curran moved to suspend Rule 11, seconded by Alderman McNeely. MOTION PREVAILED (Ald. 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,  
Johnson, Timm, Beach, Holt, McNeely, Conness -13-  
Nays: -0-  
Absent: Beck -1-

35. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouches for the week of September 8, 2008 in the amount of \$2,409,635.61. MOTION PREVAILED by a Roll Call vote of:

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

36. Alderman Wasco read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for the sale of liquor by the drink in conjunction with a restaurant/bar within an indoor dining area and the sale of alcohol by the drink in an outdoor area in the name of **Jeremy May Mattson Germano d/b/a Table 13** in a C-1, Limited Office Zoning District at 6957 Olde Creek Road, Suite 100. Approval is subject to the following conditions:

1. The sale of alcoholic beverages shall be in conjunction with a restaurant.
2. Compliance with the Liquor Ordinance.
3. The hours of operation are limited to 7:00 am to 1:00 am.
4. The outdoor seating area on the west side shall not have any music and/or television playing after 10:00 pm and must be closed by 11:00 pm.
5. The restaurant is limited to 30% liquor sales as indicated on the liquor application.
6. The sale of liquor is limited to Suite 100 and adjacent patios; any future expansion will require a modification of the liquor license.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

## OFFICERS REPORTS

37. Mayor Morrissey presented a Proclamation proclaiming September 9<sup>th</sup> and 10<sup>th</sup>, 2008 to be "ROCKFORD COMES TO IMTS DAYS" in Rockford, Illinois and urged all citizens to observe Rockford Comes to IMTS Days, by promoting continuing awareness of the importance of manufacturing to our economy and our relations with other nations.
38. Mayor Morrissey presented a Proclamation proclaiming September 13, 2008 to be "ROCKFORD AREA HABITAT FOR HUMANITY DAY" in Rockford, Illinois and urged all citizens to learn more about the important role of this organization in our community and to become involved with this worthwhile project.
39. Mayor Morrissey congratulated the Governor for recently signing into law a piece of legislation that will protect all of our public safety pensions. Any questions or concerns can be directed to Mayor Morrissey or Patrick Hayes, Legal Director.
40. Mayor Morrissey announced the 2008 City Council Retreat is scheduled for Wednesday, November 5, 2008 from 9:00 am – 5:00 pm to be held at the Hilton Garden Inn. Dinner will follow directly after the Retreat. Please contact Chris Washington, Mayor Morrissey's Office, if you have any questions.
41. Mayor Morrissey announced he will be absent the next two Council meetings due to his participation with the Sweden and China delegations leaving on September 13, 2008. He thanked everyone for their encouragement and support of this trip in an effort to secure Rockford's future of international economic development.
42. Mayor Morrissey commended the Rockford Firefighters Local 413 for hosting an excellent Fireman's Ball this past weekend.
43. Mayor Morrissey reported he spoke with Mayor Daley at the Chicago Metropolitan Mayor's Caucus Annual Dinner, having discussion about the 2016 Olympic bid, future transportation efforts and the Democratic National Convention in Denver where he met Alderman Bell.
44. Alderman Mark thanked Rockford Police Sgt. Marc Welsh and Officer Liz Hughes for attending two neighborhood meetings held this past week, to address their concerns of recent problems and assure them the department will continue to partner with the community to address those issues.
45. Mayor Morrissey called attention to a Memorandum designating the City Administrator, James R. Ryan to sign all ordinances, resolutions, contracts and applications that require the Mayor's signature during his absence from the City from September 13, 2008 through September 24, 2008. Placed on File.
46. Mayor Morrissey congratulated all involved in the successful application for the Cops Grant of \$750,000 which will allow the Rockford Police Department to hire ten (10) new officers.

## UNFINISHED BUSINESS

### 2008-420CR

47. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for fifteen (15) Minute Parking from 8:00 am to 5:00 pm, Monday through Friday, on the west side of North Main Street from thirty (30) feet to one hundred sixty-five (165) feet south of Park Avenue, in accordance with the provisions of Section 16-158 of the Code of Ordinances, thus repealing the existing One Hour Parking. MOTION PREVAILED by a Roll Call vote of:

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

### 2008-421CR

48. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance to designate Mandatory Left Turn Lane the western most curb lawn on 9<sup>th</sup> Street from Charles Street to East State Street, in accordance with the provisions of Section 16-201 of the Code of Ordinances. MOTION PREVAILED by a Roll Call vote of:

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

### 2008-422CR

49. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance repealing the No Parking 9:00-9:30 am and 3:00-4:00 pm on the west side of West Street from Montague Street to Knowlton Street, in accordance with the provisions of Section 16-142 of the Code of Ordinances. MOTION PREVAILED by a Roll Call vote of:

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

### 2008-423CR

50. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a Bus Stop zone on the north side of Linden Avenue from West Street to Clifton Avenue, in accordance with the provisions of Section 16-142 of the Code of Ordinances. MOTION PREVAILED by a Roll Call vote of:

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

**2008-424CR**

51. Alderman Wasco moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance repealing the Bus Stop zone on the west side of West Street from Montague Street to Lincoln Avenue, in accordance with the provisions of Section 16-142 of the Code of Ordinances. MOTION PREVAILED by a Roll Call vote of:

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

**2008-165-O**

52. Alderman Wasco moved the adoption of an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a Planned Unit Development to exclude sidewalks as required in the Subdivision Ordinance in an I-1, Light Industrial District at 3465 American Road, 50xx-51xx Sandy Hollow Road. Approval is subject to the following conditions:

1. The developer must deposit \$29,840 in the City's Sidewalk and Pedestrian Fund.

The approval is based on the Findings of Fact. MOTION PREVAILED by a Roll Call vote of:

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

**2008-166-O**

53. Alderman Wasco moved the adoption of an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford. Upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to adjust the number of liquor licenses after annual renewals. Said adjustment shall be accomplished by the following amendment:

Sec. 3-55. Issuance, renewal of licenses; number of licenses

- (a) Licenses for all retail sale of alcoholic liquor hereunder shall be issued by the mayor. The mayor may renew the license of all present licenses at the expiration of their license period; provided further that each applicant for a license or for the renewal thereof and the premises where such business is to be conducted comply fully with all the conditions and provisions of this chapter. However, the mayor shall not issue

more than 5A licenses; 31 AR licenses; 1 B license; 7 BC licenses; 28 C licenses; 8 Ctr licenses; 8 GV licenses; 4 WB licenses; 18 WBR licenses; 87 Z licenses and 108 ZR licenses for a total of 306 licenses hereunder.

- (b) Upon the surrender, revocation, or expiration without renewal of any liquor license issued pursuant to this chapter, the total number of liquor licenses permitted for the class under which the surrendered, revoked, or expired license was issued shall, upon the date of such surrender, revocation, or expiration, automatically reduce the number of licenses surrendered, revoked, or permitted to expire without renewal on that date.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Sosnowski, Curran, Mark, Wasco, Bell, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Holt, Conness -12-  
Nays: McNeely -1-  
Absent: Beck -1-

**2008-425CR**

- 54. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for a 5-year Consolidated Plan for Community Development (from 2010 through 2014) be made to Western Economic Services, LLC, of Portland, Oregon, for their proposal of \$77,738.50. The funding source is: CDBG Funds. MOTION PREVAILED by a Roll Call vote of:

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

**2008-426CR**

- 55. Alderman Curran moved the adoption of a Finance and Personnel Committee Report recommending the award for Ready-Mix Concrete be made to Meyer Material, of McHenry, Illinois, for their prices and estimated totals shown on the tabulation. The funding source is: Divisional Operating Budgets. MOTION PREVAILED by a Roll Call vote of:

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

**MOTIONS AND RESOLUTIONS**

**2008-085R**

- 56. Alderman Wasco, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution requesting permission from IDOT for temporary closures of Illinois Route 2 (South Main Street), a State Highway in the City of Rockford, from Morgan to Loomis for the Ethnic Heritage Festival on October 19, 2008. MOTION PREVAILED (Ald. Beck absent).

**2008-086R**

57. Alderman Curran, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution for Improvement under the Illinois Highway Code for use of Motor Fuel Tax funds for Kishwaukee Street Bridge over Keith Creek in the amount of \$300,000.00. MOTION PREVAILED by a Roll Call vote of:

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

**2008-087R**

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

Bid: Clinton Street Reconstruction, funding source: Sales Tax  
Bid: East State Street Sidewalk, funding source: Sales Tax & MFT  
MOTION PREVAILED by a Roll Call vote of:

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

**NEW BUSINESS**

59. Alderman Wasco introduced and read an Ordinance amending Chapter 28, of the Code of Ordinances of the City of Rockford for the amendments to Chapter 28 "Utilities" of the City of Rockford Code of Ordinances, which in part, implement monthly water billing and relief to customers in the event of a catastrophic water loss are hereby approved. LAID OVER.
60. Alderman Wasco introduced and read an Ordinance regarding the honorary designation of Campus Hills Boulevard to "Vince McGuire Boulevard" upon the terms and conditions contained in the City of Rockford Honorary Street Name Policy. LAID OVER.
61. Alderman Wasco introduced and read an Ordinance regarding the honorary designation of the 700-900 blocks of Hoban Avenue to "Kevin D. Rice Avenue" upon the terms and conditions of the City of Rockford Honorary Street Name Policy. LAID OVER.
62. Alderman Conness introduced and read an Ordinance recommending the Community Foundation for Northern Illinois be approved as a Designated Zone Organization under the Rockford River Edge Program and that the "Lighting Challenge" be approved as a Designated Zone Organization project. LAID OVER.
63. Alderman Conness introduced and read an Ordinance recommending that the City of Rockford be designated as a Designated Zone Organization under the Rockford Enterprise Zone Program and the project to accept a donation of 2025-2107 Kishwaukee

Street and its demolition be approved as a Designated Zone Organization project. LAID OVER.

64. Upon motion duly made and seconded, the meeting was adjourned at 6:54 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**  
**September 15, 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

**I. PUBLIC HEARING**

1. Annexation of 22xx & 2601 North Bell School Road

- 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**

**II. COMMITTEE REPORTS LAID OVER SEPTEMBER 8, 2008**

1. Conness - Planning and Development - Recommending approval of the Development Agreement with River Housing Development, LLC, approving the TIF Funding for a Mixed-use New Construction Project at S. Main & Harrison.
2. Conness - Planning and Development - Recommending approval of the Rockford Area Economic Development Commission (RAEDC) 2009-2012 Contract.
3. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for passenger vehicles sales that could not satisfy Performance Standards; and REVERSE the action of the Zoning Board of Appeals to APPROVE a modified Variation to allow landscaping per site plan submitted in a C-3, General Commercial Zoning District at 3335 11<sup>th</sup> Street. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. No outside storage of any auto parts, equipment, materials or inoperable vehicles.
  3. All conditions must be met prior to establishment of use.

4. That the property is developed as per Exhibit E, and that no more than sixty (60) vehicles shall be displayed for sale or stand outside.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

4. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Renewal of Special Use Permit #9045-06 for a Planned Residential Development for homes for the ages/independent living for residents over the age of sixty (60) for Parcel 1 and 2 in an R-1, Single-family Residential District and R-3, Multi-family Residential District at 69xx Hiatt Drive. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. Submittal of a detailed landscaping plan and illumination plan for staff's review and approval.
  3. Submittal and approval of a tentative and final plat prior to issuance of a building permit.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

5. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #124-89 for a building addition of 956 square feet which is greater than ten percent (10%) of the existing building; and APPROVE the Variation to reduce parking to thirty (30) spaces in a C-3, General Commercial Zoning District at 3427 East State Street. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. There shall be no overnight storage or vehicles on the property.
  3. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
  4. Site plan showing dumpster enclosure and material that must be approved by Staff.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

6. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Renewal of Special Use Permit #061-06 (Ordinance #2006-195-O) for a Planned Mixed-Use Development consisting of a long-term care hospital and parking in a C-1, Limited Office District at 1390 North Mulford Road. Approval is subject to the following conditions:
  1. Meeting all applicable Building and Fire Codes.
  2. Submittal of a tentative and final plat for Staff review prior to the issuance of a building permit.

3. Submittal of a landscaping plan for Staff review and approval with the addition of a four (4) foot high beam that does not interfere with the preservation of the existing tree line along the north property line.
4. All lighting shall be facing downward, shall be directed away from residential, and shall not exceed twenty (20) feet in height. There will be no freestanding light poles north of the proposed building.
5. Only two (2) access drives shall be allowed for this site that included one from Guilford Road and the second from Mulford Road.
6. All uses restricted to those in the C-1, Limited Office Zoning District, except for the proposed long-term care hospital.
7. That a revised site plan be submitted that includes a 50' (fifty) foot minimum setback from the north property line to the edge of the curb as shown on the submitted site plan.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

7. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Modification of Special Use Permit #051-93 (Ordinance #1993-170-O) for a Precise Plan Development to allow two (2) additional outlots (Lots 5&6) for a fast food restaurant on Lot 5 and additional retail on Lot 6, to allow an increase in gross square footage from 110,000 square feet approved in July, 1993 to a maximum of 120,000 square feet to allow parking based on current code allowing for shared parking, and updating the perimeter landscape along Riverside Boulevard in an R-1, Single-family Residential District at 5825-5947 East Riverside Boulevard. Approval is subject to the following conditions:
  1. A full service fast food restaurant on Lot 6 shall be prohibited.
  2. Compliance with Special Use Permit #051-03 conditions of approval, specifically signage regulations.
  3. A civil site plan shall be submitted for Staff review and approval.
  4. Detailed elevations shall be submitted for Staff review and are subject to Staff approval.
  5. A detailed landscaping plan shall be submitted for Staff review and approval.
  6. An illumination (photometric) plan shall be submitted for Staff review and approval.
  7. The property shall develop in general conformance with the submitted plans.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

8. Wasco - Code and Regulation - Recommending the approval of the Final Plat of Maywood Manor Plat #8.
9. Wasco - Code and Regulation - Recommending the approval of the annexation agreement for 22xx & 2601 North Bell School Road.
10. Wasco - Code and Regulation - Recommending the approval of the annexation of 22xx & 2601 North Bell School Road.

11. Wasco - Code and Regulation - Recommending the approval of the Tentative Plat of Canis Major Subdivision. Approval is subject to the following conditions:
  1. The typical pavement shall be modified to carry the commercial development proposed and must be reviewed and approved by the Public Works Department as part of each final plat phase.
  2. Stormwater final size and location shall be reviewed and approved by the Public Works Department as part of each final plat phase.
  3. Each subsequent final plat shall conform with the approved annexation agreement for the property.
  4. Each subsequent final plat shall conform with the approved annexation agreement for the property.
  5. Direct access to North Bell School Road shall be prohibited from Lots 1, 4 & 5 and access to Lot 6 shall conform with the approved annexation agreement.
  6. Final street profiles shall be reviewed and approved by Public Works Department as part of each final plat phase.
  
12. Wasco - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Annexation Agreement and Zoning Map Amendment from County AG to City C-3, General Commercial District for Parcel I and II, and APPROVE a Special Use Permit for a Planned Unit Development consisting of retail, professional office, and medical buildings for Parcel I (40.50 acres) in a C-3, General Commercial District at 22XX & 2601 North Bell School Road. Approval is subject to the following conditions:
  1. The terms of the Annexation Agreement.
  2. Submittal of a PUD/Final Plat for review and approval.
  3. That the PUD/Final Plat conform with the requirements of Public Works to accommodate an interchange at I-90 and the extension of Perry Creek to accommodate an interchange at I-90 and the extension of Perry Creek.
  4. Submittal of a detailed site plan for staff review and approval.
  5. Submittal of a detailed landscaping plan including size and botanical name of species for staff review and approval. The landscaping plan shall include a Type "A" Buffer around the perimeter of the site.
  6. Submittal of elevation drawings and floor plans for staff review and approval.
  7. Submittal of a detailed detention and drainage plan for Public Works review and approval.
  8. Submittal of the Owner's Association Document for staff review and approval.
  9. Submittal of an illumination (photometric plan) for staff review and approval.
  10. Future development on Parcel II will require a submittal of a tentative/PUD and final/PUD for review and approval.
  11. Compliance with all Building and Fire Codes.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare the necessary Ordinance.

13. Wasco – Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the request for the sale of liquor by the drink in conjunction with a restaurant/bar within an indoor dining area and the sale of alcohol by the drink in an outdoor area in the name of **Jeremy May Mattson Germano d/b/a Table 13** in a C-1, Limited Office Zoning District at 6957 Olde Creek Road, Suite 100. Approval is subject to the following conditions:
1. The sale of alcoholic beverages shall be in conjunction with a restaurant.
  2. Compliance with the Liquor Ordinance.
  3. The hours of operation are limited to 7:00 am to 1:00 am.
  4. The outdoor seating area on the west side shall not have any music and/or television playing after 10:00 pm and must be closed by 11:00 pm.
  5. The restaurant is limited to 30% liquor sales as indicated on the liquor application.
  6. The sale of liquor is limited to Suite 100 and adjacent patios; any future expansion will require a modification of the liquor license.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

14. Curran - Finance and Personnel - Recommending the award for Two (2) Dump Trucks – Water Division be made to the low bidder, Trans Chicago Truck Group, of Elmhurst, IL for their total bid of \$244,828.00. The funding source is: Water Division Capital Outlay Budget.
15. Curran - Finance and Personnel - Recommending approval of the contract for purchase of a Mobil Collector Lite (MCLITE) from Itron at an estimated cost of \$13,985.00. The funding source is Water Fund.
16. Curran - Finance and Personnel - Recommending approval of the Engineering Agreement Amendment for Barber Colman Asbestos Abatement in the amount of \$60,000.00 to Fehr-Graham & Associates. The funding source is USEPA Assessment Grant funding.

### III. ORDINANCES LAID OVER SEPTEMBER 8, 2008

1. Wasco - Ordinance - Amending Chapter 28, of the Code of Ordinances of the City of Rockford for the amendments to Chapter 28 “Utilities” of the City of Rockford Code of Ordinances, which in part, implement monthly water billing and relief to customers in the event of a catastrophic water loss are hereby approved.
2. Wasco - Ordinance - Regarding the honorary designation of Campus Hills Boulevard to “Vince McGuire Boulevard” upon the terms and conditions contained in the City of Rockford Honorary Street Name Policy.
3. Wasco - Ordinance - Regarding the honorary designation of the 700-900 blocks of Hoban Avenue to “Kevin D. Rice Avenue” upon the terms and conditions of the City of Rockford Honorary Street Name Policy.

4. Conness - Ordinance - Recommending the Community Foundation for Northern Illinois be approved as a Designated Zone Organization under the Rockford River Edge Program and that the "Lighting Challenge" be approved as a Designated Zone Organization project.
5. Conness - Ordinance - Recommending that the City of Rockford be designated as a Designated Zone Organization under the Rockford Enterprise Zone Program and the project to accept a donation of 2025-2107 Kishwaukee Street and its demolition be approved as a Designated Zone Organization project.

- Motions and Resolutions

**IV. 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).

1. Wasco - Ordinance - For fifteen (15) Minute Parking from 8:00 am to 5:00 pm, Monday through Friday, on the west side of North Main Street from thirty (30) feet to one hundred sixty-five (165) feet south of Park Avenue, in accordance with the provisions of Section 16-158 of the Code of Ordinances, thus repealing the existing One Hour Parking.
2. Wasco - Ordinance – Designating a Mandatory Left Turn Lane the western most curb lawn on 9<sup>th</sup> Street from Charles Street to East State Street, in accordance with the provisions of Section 16-201 of the Code of Ordinances.
3. Wasco - Ordinance - Repealing the No Parking 9:00-9:30 am and 3:00-4:00 pm on the west side of West Street from Montague Street to Knowlton Street, in accordance with the provisions of Section 16-142 of the Code of Ordinances.
4. Wasco - Ordinance - For a Bus Stop zone on the north side of Linden Avenue from West Street to Clifton Avenue, in accordance with the provisions of Section 16-142 of the Code of Ordinances.
5. Wasco – Ordinance - Repealing the Bus Stop zone on the west side of West Street from Montague Street to Lincoln Avenue, in accordance with the provisions of Section 16-142 of the Code of Ordinances.

\* same action taken before

- 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, September 15, 2008, 4:45 p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

1. C & R 08-185 Final Plat of Reload Center
2. C & R 08-190 Kentucky Data Link Agreement
3. C & R 08-189 Code & Regulation Meeting Time

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, September 15, 2008, 5:15 p.m.  
Conference Room B, City Hall 2<sup>nd</sup> floor (south room)  
AGENDA**

1. Purchasing and Vouchers
  - A. Award of Bid: Public Works Vehicles – Suspend rules
  - B. Award of Bid: Fire Station #5 Window Replacement – Suspend rules
  - C. Award of Bid: Barber Colman Asbestos Abatement – Suspend rules
  - D. Award of Contract: Crime Analysis Software
  - E. Award of RFP: Network Appliance Filer and Disk
  - F. Resolution to take Bids/Proposals
  - G. Vouchers
2. Intergovernmental Agreement: Kent Creek Trunk Sewer Phase 2
3. EMS Cardiac Equipment Agreement
4. Financial Discussion
5. CIP Update

**PLANNING AND DEVELOPMENT COMMITTEE**

**CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

No Meeting Scheduled.

**LEGISLATIVE LOBBYING COMMITTEE**

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

No Meeting Scheduled.