



**CITY COUNCIL, CITY OF LOVES PARK, ILLINOIS**  
Journal of Proceedings  
Regular Meeting, Monday, March 29, 2010  
Loves Park City Hall

Mayor Darryl Lindberg called the meeting to order at 6:15 P.M.

City Clerk Robert Burden opened the meeting with an invocation, followed by the Pledge of Allegiance.

Present: Mayor Darryl Lindberg

Aldermen Mike Owens, John Jacobson, Greg Jury, Clint Little, Charles Frykman, Mark Peterson, A. Marie Holmes, Richard Brinker, Janet Novak

Absent: Alderman John Pruitt

Also Present: City Clerk Robert Burden  
City Attorney Gino Galluzzo

1. Approve Minutes 3/22/10 The Journal of Proceedings for the regular meeting of March 22, 2010 was approved as per typewritten copies submitted by the city clerk on a motion by Alderman Little. Second by Alderman Peterson. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt)
2. Comcast Rate Increases Received a letter to Mayor Lindberg from Joan Sage, Government Affairs Manager for Comcast Cable, announcing monthly rate increases for video services and packages, equipment and installation rates and service charges, effective April 24, 2010. Placed on file.
3. Youth Groundwater Festival Received a letter to Mayor Lindberg from Jackie Hatfield of the Winnebago County Health Department, thanking the City of Loves Park for the support of the 16<sup>th</sup> Annual Youth Groundwater Festival. Placed on file.
4. Jax Pub Received a request from Jax Pub, 4160 Perryville Road, to hold a benefit in their parking lot on Saturday, June 12, 2010, from 11:00 a.m. to dusk, with live music, alcohol and food. Referred to Alderman Owens of the Codes and Regulations Committee.
5. Glawe SEP Received a Special Event Permit application submitted by Gerald Glawe to hold a benefit sale on his property at 6602 Nimitz Road, on June 19-20, 2010, from 11:00 a.m. to 5:00 p.m. Referred to Alderman Owens of the Codes and Regulations Committee.
6. Amusement Arcade License Renewal Received renewal Amusement Arcade License application submitted by Apollo Amusements for Hope and Anchor, Indoor Sports Center and Vic and Jim's. Referred to Alderman Peterson of the Codes and Regulations Committee.
7. License Renewal Approved Alderman Owens of the Codes and Regulations Committee moved to approve the Amusement Arcade License application submitted by Apollo Amusements for Hope and Anchor, Indoor Sports Center and Vic and Jim's. Second by Alderman Peterson. Motion carried by voice vote.

8. VFW Poppy Day Received a request from Loves Park VFW 9759 to hold the annual Spring Poppy Distribution on May 28-29, 2010. Referred to Alderman Owens of the Codes and Regulations Committee.
9. VFW Poppy Day Approved Alderman Owens of the Codes and Regulations Committee moved to approve the request from Loves Park VFW 9759 to hold the annual Spring Poppy Distribution on May 28-29, 2010. Second by Alderman Peterson. Motion carried by voice vote.
10. Thanks From Milestone Inc Received a letter from Shawn Way of Milestone, Inc. thanking the Loves Park Fire Department and firefighter Jerry Caskey for designating Milestone resident Albert Vestal as an honorary firefighter. Placed on file.
11. City Offices Closed Mayor Lindberg announced that city offices will be closed on Friday, April 2, 2010, in observance of Good Friday.
12. John Gilbert Resignation Mayor Lindberg received a letter of resignation from John Gilbert from the Metro Centre Authority Board, to be effective immediately.
13. Send Letter Of Appreciation Alderman Owens moved to send John Gilbert a letter of appreciation for his time served on the Metro Centre Authority Board. Second by Alderman Little. Motion carried by voice vote.
14. Water Dept. 3/22/10 Alderman Brinker presented the Water Department bills dated March 22, 2010, in the amount of \$28,038.55, and moved that they be paid. Second by Alderman Jury. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt)
15. General Fund 3/22/10 Alderman Brinker presented the General Fund and all other bills dated March 22, 2010, in the amount of \$35,647.41, and moved that they be paid. Second by Alderman Jury. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt)
16. Public Safety Report Alderman Little presented the Fire Department report dated March 28, 2010; presented the Police Department Report dated March 29, 2010, to be placed on file.
17. Public Works Reports Alderman Jacobson presented the Water Department report dated March 29, 2010; presented the Street Department report dated March 29, 2010, to be placed on file.
18. Finance & Admin Committee Alderman Brinker of the Finance and Administration Committee presented the General Fund and all other bills dated March 29, 2010 in the amount of \$65,381.25, for consideration at next week's city council meeting; presented the committee minutes for the meeting held March 22, 2010, to be placed on file.
19. Public Safety Committee Alderman Little of the Public Safety Committee presented the minutes from the committee meeting held March 22, 2010, to be placed on file.
20. Public Works Committee Alderman Jacobson of the Public Works Committee presented the Water Department list of bills dated March 29, 2010 in the amount of \$5,627.44, for consideration at next week's city council meeting.
21. Community Development Alderman Novak of the Community Development Committee reminded council of the committee meeting to be held on Wednesday, March 31, 2010 at 6:00 p.m.
22. Tom Walsh Presented For Appointment Mayor Lindberg presented the name of Tom Walsh for appointment to the position of Metro Centre Authority Board to fill the unexpired term of John Gilbert, with term to expire June 30, 2011. He added that Mr. Walsh is the Managing Director of the Bank Center and is very active in Rockford community civic groups.

23. Tom Walsh  
Appointment  
Approved
- Alderman Jury moved to approve the appointment of Tom Walsh to the position of Metro Centre Authority Board, with a term to expire June 30, 2011. Second by Alderman Owens. Motion carried by voice vote.
24. Local 150  
Memorandum Of  
Agreement
- Alderman Jury presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that Mayor Darryl F. Lindberg, Dan Jacobson, Director of Public Works and Development, and Jerry Sowers, Public Works Manager, are hereby authorized to sign the attached Memorandum of Agreement regarding the wage reopener provision contained in Section 23.1 of the Collective Bargaining Agreement, covering the period between May 1, 2010 until April 30, 2011, between the City of Loves Park and the International Union of Operating Engineers Local 150, AFL-CIO. Second by Alderman Jacobson. *Discussion: Mayor Lindberg commented that this is the second year the Local 150 has agreed to not request an increase in wages and in return the city has agreed to not lay off any public works employees. The Mayor extended his appreciation to the Public Works Department for approving the agreement.* Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt)  
**Resolution No. 10-25**
25. Seek Bids For  
Riverside Blvd.  
Corridor Planning  
Study
- Alderman Jury presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution authorizing the City of Loves Park to retain alternate conflict counsel, **WHEREAS**, the City of Loves Park (“City”) is a duly organized and existing municipality created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, as supplemented and amended; and **WHEREAS**, the City has retained the attorneys of Nicolosi & Associates, LLC, as its general corporate counsel; and **WHEREAS**, from time to time the City requires alternate conflict counsel to handle certain issues; **WHEREAS**, the City desires to retain conflict counsel for an upcoming hearing. **NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Loves Park, Illinois, that by the adoption of this resolution, whose recitals are incorporated herein, that the City hereby agrees:
1. That the City hereby retains Attorney James C. Thompson of Shriver, O’Neill and Thompson, as alternate conflict counsel.
  2. That the Mayor is authorized to sign any documents necessary to effectuate said retentions.
- Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt)  
**Resolution No. 10-26**
26. Final Payment  
For Harvest Hills  
Special Service  
Area Project
- Alderman Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that the City Treasurer is authorized to pay Schlichting and Sons Excavating, 8966 E. State St., Rockford, IL 61108, the amount of Twenty-Two Thousand Nine Hundred Eighteen dollars and Twenty-Five cents (\$22,918.25) as final payment for work performed as part of the Harvest Hills Special Service Area Project. Funds shall be taken from the Harvest Hills Special Service Area No. 1 account. Second by Alderman Novak. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt)  
**Resolution No. 10-27**

27. A.B.A.T.E.  
Motorcycle  
Parade

Alderman Owens presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that **WHEREAS**, A.B.A.T.E. is sponsoring a parade in the City of Loves Park, which event constitutes a public purpose; and **WHEREAS**, this parade will require temporary regulation of Highway 251, a state highway in the City of Loves Park, from Cottage Avenue to Windsor Road; and **WHEREAS**, Section 4-408 of the Illinois Highway Code authorizes the Department of Transportation to issue permits to local authorities to temporarily regulate portions of state highways for such public purposes; **NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Loves Park that permission to temporarily regulate Highway 251, a state highway in the City of Loves Park, from Cottage Avenue to Windsor Road; be requested of the Department of Transportation **BE IT FURTHER RESOLVED**, that this regulation shall occur during the approximate time period between 12:00 noon and 1:00 p.m. on May 15, 2010. **BE IT FURTHER RESOLVED**, that this regulation is for the public purpose of holding a Motorcycle Awareness Parade. **BE IT FURTHER RESOLVED**, that traffic from that regulated portion of highway shall be detoured over routes with an all weather surface that can accept the anticipated traffic which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the state highway (The parking of vehicles shall be prohibited on the detour routes to allow an uninterrupted flow of two-way traffic when appropriate). The detour route shall be as follows: No detour will be required. The Winnebago County Sheriff’s Department will regulate traffic at intersections as required. **BE IT FURTHER RESOLVED**, that all debris shall be removed by A.B.A.T.E. of Illinois prior to reopening the state highway. **BE IT FURTHER RESOLVED**, that the regulation and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices. **BE IT FURTHER RESOLVED**, that an occasional break shall be made when necessary so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions noted above. **BE IT FURTHER RESOLVED**, that A.B.A.T.E. of Illinois, Inc. hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described. **BE IT FURTHER RESOLVED**, that A.B.A.T.E. of Illinois, Inc. shall provide a comprehensive general liability insurance policy or an additional insured endorsement in the amount of \$100,000 per person and \$500,000 aggregate which has the Illinois Department of Transportation and its officials, employees, and agents as insureds and which protects them from all claims arising from the requested road regulation. **BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to the Department of Transportation to serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission. Second by Alderman Peterson. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt)

**Resolution No. 10-28**

28. 1<sup>st</sup> Reading  
Municipal Utility  
Tax On Electric

Alderman Jury presented for first reading an ordinance imposing a Municipal Utility Tax on electric use or consumption within the City of Loves Park, IL, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Owens. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt) Laid over

29. 1<sup>st</sup> Reading  
Municipal Utility  
Tax On Gas

Alderman Jury presented for first reading an ordinance imposing a Municipal Utility Tax on gas use or consumption within the City of Loves Park, IL, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Owens. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt) Laid over

30. Review Executive Session Minutes Alderman Brinker moved to enter executive session pursuant to 5 ILCS 120-2.06 to review executive session minutes. Second by Alderman Jury. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt)
31. Enter Session The Council entered executive session at 6:34 p.m.
32. Reconvene To Regular Order Alderman Brinker moved to reconvene and return to the regular order of business at 6:39 p.m. Motion carried. 9 Ayes (Aldermen Owens, Jacobson, Jury, Little, Frykman, Peterson, Holmes, Brinker, Novak) 1 Absent (Alderman Pruitt)
33. Adjourn Alderman Jacobson moved that the meeting be adjourned. Second by Alderman Jury. Motion carried by voice vote. The meeting was adjourned at 6:40 p.m.

**APPROVED:**

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**Robert J. Burden, City Clerk**

**COMMITTEE MEETINGS:**

Community Development: Wednesday, March 31, 2010

**STANDING COMMITTEE MEETINGS:**

Finance and Administration: Prior to Council Meeting  
5:45 p.m.

Public Works: Prior to Council Meeting  
5:30 p.m.

Codes and Regulations: Following Council Meeting  
2<sup>nd</sup> and 4<sup>th</sup> Mondays