



**CITY COUNCIL, CITY OF LOVES PARK, ILLINOIS**  
Journal of Proceedings  
Regular Meeting, Monday, June 29, 2009  
Loves Park City Hall

Mayor Darryl Lindberg called the meeting to order at 6:30 p.m.

Police Chief Patrick Carrigan opened the meeting with an invocation, followed by the Pledge of Allegiance.

Present: Mayor Darryl Lindberg

Aldermen Jan Novak, Mike Owens, John Jacobson, Greg Jury, Clint Little, Tom Laughlin, Mark Peterson, A. Marie Holmes, Richard Brinker

Absent: Alderman John Pruitt

Also Present: City Clerk Robert Burden  
City Attorney Paul Nicolosi

1. Approve Minutes 6/22/09

The Journal of Proceedings for the regular meeting of June 22, 2009 was approved as per typewritten copies submitted by the city clerk on a motion by Alderman Little. Second by Alderman Jury. Motion carried. 8 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Holmes, Brinker) 1 Present (Alderman Peterson) 1 Absent (Alderman Pruitt)
2. ComEd Hearing

Received a notice from the Illinois Commerce Commission of a hearing regarding Commonwealth Edison, to be held July 7, 2009, in the offices of the Commission, Chicago, IL. Placed on file.
3. Ordinance Amendment Request

Received a request from Kenneth and Jennifer Polhamus for an amendment to the City of Loves Park Code of Ordinances to allow operation of an ice cream vending truck on the streets of Loves Park. Referred to Alderman Owens of the Codes and Regulations Committee.
4. River Park Rd. Block Party Request

Received a block party request from Chris West for the 700 block of River Park Road, to include a DJ, on July 4, 2009, from 4:00 p.m. to 10:30 p.m. Referred to Alderman Owens of the Codes and Regulations Committee.
5. Block Party Approved

Alderman Owens of the Codes and Regulations moved to approve the block party request submitted by Chris West for the 700 block of River Park Road, to be held on July 4, 2009, from 4:00 p.m. to 10:30 p.m. with the DJ ending at 9:00 p.m. Second by Alderman Little. Motion carried by voice vote.
6. Renewable Energy Initiative

Received a letter to Mayor Lindberg from Winnebago County Board Chairman Scott Christiansen, reporting on progress for the Freedom Field Renewable Energy Initiative. Placed on file.
7. MADD

Received a letter to Mayor Lindberg from Susan McKeigue, Illinois Executive Director of Mothers Against Drunk Drivers (MADD), honoring Loves Park Police Department Officers for 111 DUI arrests in 2008. Placed on file.

8. DUI Arrests Mayor Lindberg commended the following Loves Park Police Officers for their efforts in making a tremendous number of DUI arrests in 2008; Sgt. Curt Wilson, Officers Brian Cascio, Josh Hecker, Jeff Petty, Terry Hayes, and Matthew Rankin.
9. Reduced Funding Received a letter to Mayor Lindberg from Warren Ribley, Director of the Illinois Department of Commerce and Economic Opportunity, notifying the City of Loves Park that under the current FY 2010 budget, funding for programs may be reduced or eliminated. Placed on file.
10. Rockford DeMolay Group Mayor Lindberg welcomed George Hursh and the Rockford DeMolay Group to the city council meeting.
11. City Offices Closed Mayor Lindberg announced that city offices will be closed on Friday, July 3, 2009, in observance of the Independence Day holiday.
12. Water Dept. 6/22/09 Alderman Brinker presented the Water Department bills dated June 22, 2009, in the amount of \$5,280.03, and moved that they be paid. Second by Alderman Jury. Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt)
13. General Fund 6/22/09 Alderman Brinker presented the General Fund and all other bills dated June 22, 2009, in the amount of \$65,409.26, and moved that they be paid. Second by Alderman Jury. Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt)
14. Public Safety Report Alderman Little presented the Weekly Activity Report for the Fire Department dated June 28, 2009; presented the Police Department Report dated June 29, 2009, to be placed on file.
15. Public Works Report Alderman Jacobson presented the Street Department Activity Report dated June 29, 2009; presented the Water Department Activity Report dated June 29, 2009, to be placed on file.
16. Finance & Admin Committee Alderman Brinker of the Finance and Administration Committee presented the General Fund and all other bills dated June 29, 2009 in the amount of \$61,737.26, for consideration at next week's city council meeting; presented the minutes from the committee meeting held June 22, 2009, to be placed on file.
17. Public Safety Committee Alderman Little of the Public Safety Committee urged everyone to exercise extreme caution this 4<sup>th</sup> of July holiday when handling fireworks.
18. Public Works Committee Alderman Jacobson of the Public Works Committee presented the Water Department list of bills dated June 29, 2009 in the amount of \$40,679.01, for consideration at next week's city council meeting.
19. Codes & Regulations Alderman Owens of the Codes and Regulations Committee presented the minutes from the committee meeting held on June 22, 2009, to be placed on file.
20. Community Development Alderman Novak of the Community Development Committee announced that the committee will meet on Wednesday, July 1, 2009 at 6:00 p.m.

21. Rockford Park District Agreement

Alderman Jury presented the following resolution authorizing an Intergovernmental Agreement between the City of Loves Park and Rockford Park District, **WHEREAS**, the Rockford Park District is the owner of certain land commonly known as Sand Park, which is the subject of ongoing litigation under environmental legislation of the State of Illinois; and **WHEREAS**, Sand Park is located within the corporate limits of the City of Loves Park; and **WHEREAS**, the State of Illinois has suggested that citizens of the City of Loves Park may be at risk for the possibility of water pollution from private wells due to environmental issues related to Sand Park; and **WHEREAS**, the parties hereto desire to accomplish steps which will or may serve to protect the public interest by the closing of private wells and the more widespread furnishing of public potable water; and **WHEREAS**, the parties hereto have come to an accord as to the terms and conditions upon which the closing and testing of said private wells shall be accomplished; and **WHEREAS**, the parties hereto have memorialized said terms and conditions in an Intergovernmental Agreement, a copy of which is attached hereto as Exhibit A and incorporated herein; and **WHEREAS**, the City of Loves Park has determined that entering into the Intergovernmental Agreement is in the best interest of the City and its citizens. **NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVES PARK, WINNEBAGO COUNTY, ILLINOIS, AS FOLLOWS:**

1. The above recitals are hereby incorporated into this Resolution as if fully stated herein.
2. That the attached Intergovernmental Agreement between the City of Loves Park and Rockford Park District is hereby authorized and accepted.
3. That the Mayor and City Clerk are authorized to sign said Intergovernmental Agreement and any other documents necessary for the effectuation of this Resolution.
4. That this Resolution shall be in full force and effect from and after its adoption as provided by law.

Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt)

**Resolution No. 09-68**

22. Memorandum Of Understanding With IEPA

Alderman Jury presented the following resolution authorizing a Memorandum of Understanding between the City of Loves Park and Illinois Environmental Protection Agency, **WHEREAS**, the City of Loves Park, Illinois desires to satisfy the requirements of 35 Ill. Adm. Code 742.1015 for the use of groundwater or water well ordinances as environmental institutional controls; and **WHEREAS**, the Illinois Environmental Protection Agency has submitted a Memorandum of Understanding to regulate the installation and use of new potable water supply wells; and **WHEREAS**, the Committee has examined and discussed the Memorandum and deem it fair and reasonable and recommend the acceptance of said Memorandum. **NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVES PARK, WINNEBAGO COUNTY, ILLINOIS, AS FOLLOWS:**

1. The above recitals are hereby incorporated into this Resolution as if fully stated herein.
2. That the Memorandum of Understanding between the City of Loves Park and Illinois Environmental Protection Agency to regulate the installation and use of new potable water supply wells is hereby accepted.
3. That the Mayor and City Clerk are authorized to sign said Memorandum and any other documents necessary for the effectuation of this Resolution.

23. Memorandum Of Understanding With IEPA (Cont.)
4. That this Resolution shall be in full force and effect from and after its adoption as provided by law.
- Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt)
- Resolution No. 09-69**
24. Lease With Hendricks Commercial Properties, LLC
- Alderman Jury presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that the Mayor is authorized to sign a lease made by and between the City of Loves Park and Hendricks Commercial Properties, LLC for the storage of two new fire trucks at the property known as 1200 Windsor Road per the attached proposed lease. Second by Alderman Brinker. *Discussion: Mayor Lindberg commented that the facility will be used to equip the new fire trucks and to store the old trucks for reserve.* Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt)
- Resolution No. 09-70**
25. Rockford Mass Transit 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 is authorized to enter into an Intergovernmental Agreement with the Rockford Mass Transit District for fixed route and paratransit service for the City of Loves Park for a period of time from July 1, 2009 to June 30, 2010. Estimated cost for service is Two Hundred Forty-Four Thousand Nine Hundred and Thirty dollars (\$244,930.00). Actual costs shall be offset by State of Illinois financial assistance and collected fares in accordance with the terms of the Agreement. A copy of the Agreement is attached to and made a part of this Resolution. Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt)
- Resolution No. 09-71**
26. Resurfacing Portions Of Riverside Blvd. & Windsor Road
- Alderman Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that the Mayor and Director of Public Works and Development are authorized to appropriate additional Motor Fuel Tax funds for engineering services, IDOT Section No. 09-00070-00RS, with R. K. Johnson & Associates, 1515 Windsor Rd., Loves Park, IL 61111, for the resurfacing of portions of Riverside Boulevard and Windsor Road. Total cost for the reappropriation of additional MFT funds for engineering services shall not exceed Five Thousand dollars (\$5,000.00). Funds are hereby appropriated and shall be drawn from Account No. 05-00-5000 (Expenditures – Motor Fuel Tax) for the expense. Second by Alderman Holmes. Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt)
- Resolution No. 09-72**
27. Pay IEPA For Annual National Pollutant Discharge Elimination System Fee
- Alderman Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this resolution, that the Director of Public Works and Development and City Treasurer are authorized to pay the Illinois Environmental Protection Agency (IEPA) the amount of One Thousand dollars (\$1,000.00) for the annual National Pollutant Discharge Elimination System (NDDDES) fee. Funds shall be drawn from Account No. 01-01-6290 (General Administration) for the expense. Second by Alderman Holmes. Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt)
- Resolution No. 09-73**

28. Ordinances First Reading Alderman Owens presented for first reading Agenda Items 1-2, from Ordinances First Reading.
29. 1<sup>st</sup> Reading  
Prohibit Use Of Groundwater As Potable Water Supply Alderman Owens presented for first reading an ordinance prohibiting use of groundwater as potable water supply regarding Sand Park, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt) Laid over
30. 1<sup>st</sup> Reading  
Amend Liquor License For 5040 North Second Street Alderman Owens presented for first reading an ordinance providing for an amendment to Ordinance No. 3533-09 to provide for the consumption of alcohol in an outdoor seating area for the property commonly known as 5040 North Second Street, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Brinker. Motion carried. 9 Ayes (Aldermen Novak, Owens, Jacobson, Jury, Little, Laughlin, Peterson, Holmes, Brinker) 1 Absent (Alderman Pruitt) Laid over
31. 4<sup>th</sup> Of July Mayor Lindberg wished everyone a happy and safe 4<sup>th</sup> of July holiday.
32. Adjourn Alderman Brinker moved that the meeting be adjourned. Second by Alderman Peterson. Motion carried by voice vote. The meeting was adjourned at 6:51p.m.

**APPROVED:**

Robert J. Burden, City Clerk

**STANDING COMMITTEE MEETINGS:**

Finance & Administration:	Prior to Council Meeting 5:45 p.m.
Public Works:	Prior to Council Meeting 5:30 p.m.
Codes and Regulations:	Following City Council 2 <sup>nd</sup> and 4 <sup>th</sup> Mondays