

**CITY COUNCIL, CITY OF ROCKFORD  
JOURNAL OF PROCEEDINGS  
MARCH 18, 2013  
COUNCIL CONVENED AT 6:11 P.M.**

1. The invocation was given by Chaplain Wayne Ahrens, Five Gates Church, and the Pledge of Allegiance was led by the City Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, McNeely -10-  
Absent: Mark, Thompson-Kelly, Beck -3-
3. Alderman Hervey moved to accept the Journal of Proceedings of March 11, 2013 seconded by Alderman Wasco. MOTION PREVAILED (Ald. Mark, Thompson-Kelly, Beck absent).

**PUBLIC PARTICIPATION**

4. Pastor Melvin Brown believes with the right leadership the City of Rockford can turn itself around and move forward in a positive direction. He again called for a federal investigation of the recent officer involved shootings of African American men.
5. Prophet Yusef declared the west side of town is the best side and explained that the black community holds the key to their own destiny.
6. John Brantley recited scripture and spoke about government benefits. He also proposed building a mall at the corner of South Main and Harrison.
7. Roland Poska urged community members to plan an economic conference.

**PETITIONS AND COMMUNICATIONS**

8. Alderman Wasco submitted an e-mail from Bruce and Deb Anderson requesting pothole patching on Bucknell Drive. Referred to Public Works Department.
9. Alderman Durkee submitted the Rockford Traffic Commission minutes from the meeting held on March 13, 2013. Referred to Code and Regulation Committee.
10. Alderman Durkee submitted a Memorandum from Julia Valdez, Director of Human Resources, regarding Upcoming Special Events:
  1. Red Shoe Run – 4/13/13
  2. Cinco de Mayo Festival – 5/4-5/13
  3. MELD July 4<sup>th</sup> Run/Walk – 7/4/13

Referred to Code and Regulation Committee.

11. Alderman Elyea submitted two letters concerning snow removal in the public parking lot behind the Just Goods Store. Referred to Public Works Department.
12. Alderman Johnson submitted an e-mail from Dawn Lawrence requesting pothole patching and cleanup in the alley behind the 1200 block of 15th Avenue. Referred to Community Development/Code Enforcement and Public Works Department.
13. Alderman Johnson submitted an e-mail from a concerned constituent regarding garbage/trash in his neighbor's yard and garbage collection. Referred to Community Development/Code Enforcement.

### **NEW COMMITTEE REPORTS**

14. Alderman Wasco read a Finance and Personnel Committee Report recommending the Change Order: North Main and Auburn Demos – Pkg. B – 2013 be made to N-TRAK Group for an additional \$12,950.00 for a total not-to-exceed cost of \$126,620.00 for disconnection of water services. The funding source is WRIA. LAID OVER.

#### **2013-114CR**

15. Alderman Wasco read a Finance and Personnel Committee Report recommending the approval of the joint purchasing contract with Wright Automotive, of Hillsboro, Illinois for two 15-Passenger Vans for the Early Head Start Program. The funding source is Early Head Start Grant Funds.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely voted no; Ald. Mark, Thompson-Kelly, Beck absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, McNeely-10-  
 Nays: -0-  
 Absent: Mark, Thompson-Kelly, Beck -3-

#### **2013-115CR**

16. Alderman Wasco read a Finance and Personnel Committee Report having considered the matter of a contingency fee agreement for recovery of On-Line Travel Revenue with Robert K. Finnell, the Bird Law Group, P.O., the Crongeyer Law Firm, P.O., the Clifford Law offices and the law firm of Peterson, Johnson & Murray Chicago, LLC for Legal Services, recommends the City Council authorize the Mayor and City Legal Director to enter into an agreement consistent with the draft attached hereto.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely voted no; Ald. Mark, Thompson-Kelly, Beck absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, McNeely-10-  
 Nays: -0-  
 Absent: Mark, Thompson-Kelly, Beck -3-

**2013-116CR**

17. Alderman Wasco read a Finance and Personnel Committee Report recommending the Engineering agreement: Blackhawk Park Avenue and Seminary Street Rehabilitation Phase II be made to Homer L. Chastain & Associates, LLP to perform design engineering for a total not to exceed cost of \$24,500. The funding for this project will come from EDP and Sales Tax funds.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely voted no; Ald. Mark, Thompson-Kelly, Beck absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, McNeely-10-  
Nays: -0-  
Absent: Mark, Thompson-Kelly, Beck -3-

**2013-117CR**

18. Alderman Wasco read a Finance and Personnel Committee Report recommending City Council approve the proposed collective bargaining agreement between the City of Rockford and Council 31, AFSCME Local 1058, to be effective January 1, 2012 to December 31, 2014.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely voted no; Ald. Mark, Thompson-Kelly, Beck absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, McNeely -9-  
Nays: Johnson -1-  
Absent: Mark, Thompson-Kelly, Beck -3-

**2013-118CR**

19. Alderman Wasco read a Finance and Personnel Committee Report recommending City Council approve the proposed collective bargaining agreement between the City of Rockford and Council 31, AFSCME Local 1058B, to be effective January 1, 2012 to December 31, 2014.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely voted no; Ald. Mark, Thompson-Kelly, Beck absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, McNeely -9-  
Nays: Johnson -1-  
Absent: Mark, Thompson-Kelly, Beck -3-

20. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of March 18, 2013 in the amount of \$2,616,483.22. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach,  
Elyea, McNeely -10-  
Nays: -0-  
Absent: Mark, Thompson-Kelly, Beck -3-

### **OFFICERS REPORTS**

21. Mayor Morrissey thanked the St. Patrick's Day committee for organizing the parade and festive after party at the Clock Tower Resort.
22. Mayor Morrissey also mentioned attending St. Joseph's Altar at St. Anthony's Church this past Sunday.
23. Mayor Morrissey congratulated Rock Valley College Women's Basketball Team for winning the Division III Junior College National Championship for the second year in a row and also congratulated the Rock Valley College Men's Basketball Team for finishing seventh at the national tournament.
24. Mayor Morrissey spoke about the terrible crime spree in the Broadway area and commended the efforts of the Rockford Police Department working with US Postal service to apprehend and arrest the suspects.
- 24a. Mayor Morrissey announced on March 27, 2013 is the first forum for the Prisoner Re-entry Program.
25. Mayor Morrissey announced Alderman Durkee will be traveling to Springfield on Wednesday to attend the hearing on HB2233 introduced by Representative Sosnowski regarding open arbitration hearings.
26. Alderman Beach asked where the Prisoner Re-entry Program meeting will be held.  
  
Deputy Chief Hopkins informed Alderman Beach the meeting will be held at Henrietta School on March 27, 2013 at 5:15 pm.
27. Alderman Elyea commended Rockford Police Chief Epperson for his department's diligence in apprehending and arresting the two suspects involved in the violent crime spree at businesses on Broadway and thanked him for increasing bike and foot patrols in that area.
- 27a. Alderman Elyea also shares the Mayor's concern about the release of parolee's in Rockford and looks forward to discussion with him about that issue.

### **UNFINISHED BUSINESS**

#### **2013-119CR**

28. Alderman Durkee moved the adoption of a Code and Regulation Committee Report recommending the approval of the Final Plat of North Towne Mall Plat #2. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, McNeely -10-  
Nays: -0-  
Absent: Mark, Thompson-Kelly, Beck -3-

**2013-039-O**

29. Alderman Durkee moved the adoption of an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to reduce the required average yard setback from 19 feet to 12 feet along Vermont Street in an R-1, Single-Family Residential Zoning District at 3304 Gilbert Avenue. Approval is subject to the following conditions:

1. Construction of single-family home to be consistent to Exhibit D.

Approval is based on the findings of fact. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, McNeely -10-  
Nays: -0-  
Absent: Mark, Thompson-Kelly, Beck -3-

**2013-040-O**

30. Alderman Durkee 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 issue a Liquor License to the following person:

**Jay Gessner d/b/a Miss Jill's** for the sale of beer and wine by the drink in conjunction with a tavern in a C-2, Limited Commercial Zoning District at 4343 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes
2. Compliance with all City of Rockford Liquor and Tobacco Codes
3. Submittal of Building Permit for Staff review and approval.
4. The sale of beer and wine shall be limited to the interior site plan that was submitted as Exhibit D
5. Should the existing free-standing sign be modified in design with a sign face change or other modification, the sign must be brought into conformance with the Ordinance.
6. Window display signage is limited to 30% of window area
7. The tavern shall not have a cover charge
8. The tavern shall not have a dance floor
9. The tavern shall not have any DJ's
10. The tavern shall not have any live entertainment
11. The tavern shall not operate as a nightclub

MOTION PREVAILED by a Roll Call vote of:

Ayes: Curran, Wasco, Jacobson, Johnson, Timm, Elyea, McNeely, Mayor Morrissey -8-  
Nays: Durkee, Hervey, Beach -3-  
Absent: Mark, Thompson-Kelly, Beck -3-

**2013-120CR**

31. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for Engineering Agreement Amendment: Traffic Sign and Pavement Condition Inventory be made to TransMap Corporation for an additional \$61,904.88 for a total not to exceed cost of \$293,916.20 for traffic signage, pavement condition and sidewalk inventories. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea -9-  
Nays: McNeely -1-  
Absent: Mark, Thompson-Kelly, Beck -3-

**MOTIONS AND RESOLUTIONS**

**2013-033R**

32. Alderman Wasco moved the adoption of a Resolution authorizing an Intergovernmental Agreement between the City of Rockford and the Rock River Water Reclamation District for the improvements to IL Route 2/South Main St. (from south of Pond St. to just north of Cedar St.), FAP Route 742, State Section (32,33) R-1 in the City of Rockford, Winnebago County, Illinois. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, McNeely -10-  
Nays: -0-  
Absent: Mark, Thompson-Kelly, Beck -3-

**NEW BUSINESS**

**2013-041-O**

33. Alderman Wasco moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute a contingency fee agreement with Robert K. Finnell, the Bird Law Group, P.C., the Crongeyer Law Firm, P.C., the Clifford Law Offices and the law firm of Peterson, Johnson & Murray Chicago, LLC, for legal services regarding the recovery of On-Line Hotel Revenue.

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

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Johnson, Timm, Beach, Elyea, McNeely-10-  
Nays: -0-  
Absent: Mark, Thompson-Kelly, Beck -3-

**2013-042-O**

34. Alderman Wasco moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute the Collective Bargaining Agreement between the Council 31, AFSCME Local 1058 and the City of Rockford dated January 1, 2012, through December 31, 2014, consistent with the Tentative Agreement of the parties dated February 28, 2013, a copy of which is attached hereto.

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

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, McNeely-9-  
Nays: Johnson -1-  
Absent: Mark, Thompson-Kelly, Beck -3-

**2013-043-O**

35. Alderman Wasco moved the adoption of an Ordinance authorizing the Mayor and Legal Director to execute the Collective Bargaining Agreement between the Council 31, AFSCME Local 1058B and the City of Rockford dated January 1, 2012, through December 31, 2014, consistent with the Tentative Agreement of the parties dated February 28, 2013, a copy of which is attached hereto.

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

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Timm, Beach, Elyea, McNeely-9-  
Nays: Johnson -1-  
Absent: Mark, Thompson-Kelly, Beck -3-

36. Upon motion duly made and seconded, the meeting was adjourned at 6:58 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**  
**March 25, 2013**  
**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
- Petitions and Communications
- Committee Reports
- Officers Reports

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS LAID OVER MARCH 18, 2013**

1. Wasco - Finance and Personnel – Recommending the Change Order: North Main and Auburn Demos – Pkg. B – 2013 be made to N-TRAK Group for an additional \$12,950.00 for a total not-to-exceed cost of \$126,620.00 for disconnection of water services. The funding source is WRIA.

**II. 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).

\* 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, March 25, 2013, 5:15 p.m.**

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

**AGENDA**

1. C & R 13-47 March Traffic Commission Minutes
2. C & R 13-48 Special Events: 1) Red Shoe Run 4/13/13  
2) Cinco de Mayo Festival 5/04/13 & 5/05/13  
3) MELD July 4<sup>th</sup> Run/Walk 7/04/13
3. C & R 13-49 Closed Session for Purposes of Pending and/or Threatened Litigation

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, March 25, 2013, 5:15 p.m.**

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

**AGENDA**

1. Purchasing and Vouchers
  - A. Award of RFP: Parking Hearing Officer
  - B. Award of Sole Source Contract: Rockford Area High Schools 2013 Parent/Guardian Survey (Human Services) – Suspend rules
  - C. Award of Bid: Tree Purchase and Planting
  - D. Award of Bid: City-Wide Grounds Maintenance – Suspend rules
  - E. Award of Bid: Traffic Sign Blanks, Posts & Finished Signs
  - F. Award of Bid: N. Main & Auburn Street Roundabout – Suspend rules
  - G. Award of Bid: South Industrial Park Water Main Extension
  - H. Award of Bid: City-Wide Sidewalk & ADA Package A – 2013
  - I. Award of Bid: City-Wide Street Repairs Group 1 - 2013
  - J. Engineering Agreement: Morgan Street Bridge – Overhead Utility Relocation (AT&T) – Suspend rules
  - K. Emergency P.O. for Cold Mix – **Info only**
  - L. Resolution to take Bids
  - M. Vouchers

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, March 25, 2013, 5:30 p.m.  
CD Conference Room, City Hall 2<sup>nd</sup> floor  
AGENDA**

1. Memorandum from Reid Montgomery, Director of Community & Economic Development, regarding River Edge Redevelopment Zone (RERZ) Amendment to expand boundaries/Jackson School Development project.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, March 25, 2013, \_\_\_\_\_ p.m.  
Conference Room A, City Hall 2<sup>nd</sup> floor (north room)  
AGENDA**

No Meeting Scheduled.