

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
NOVEMBER 19, 2012
COUNCIL CONVENED AT 6:15 P.M.**

1. The Clerk called the meeting to order in the absence of the Mayor, and recognized Alderman Johnson who moved that Alderman Elyea serve as Mayor Pro Tem for the meeting. Said motion was seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck absent).
2. The invocation was given by Retired Father Ron Montanye, St. Sebastian Orthodox Church/ Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
3. Roll Call:
Alderman Elyea, Mayor Pro Tem
Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, (Elyea), McNeely, Robertson -13-
Absent: Beck -1-
4. Alderman Mark moved to accept the Journal of Proceedings of November 13, 2012 seconded by Alderman Wasco. MOTION PREVAILED (Ald. Beck absent).

PUBLIC PARTICIPATION

5. Prophet Yusef wished Roland Poska happy birthday and spoke about justice and what it represents.
6. Melvin Brown called for a federal investigation of the Demetrius Bennett case, asked for the resignation of the chief of police and asked him to give a public apology to the Bennett family for statements he made.
7. John Groh thanked the Finance Committee members for deliberating and supporting the Reclaiming First Initiative, which provides for upgrades of Sports Core I & II, ISC and complete renovation of the Ingersoll Building. He looks forward to council support next week when the matter is up for vote.
8. Tim Dimke also spoke in support of the Reclaiming First Initiative which will bring economic growth, revitalization of downtown Rockford and reclaiming Rockford as the leading destination for youth sporting events.
9. Antar Baker called for the resignation of the chief of police and a federal investigation of recent officer involved shootings.

PETITIONS AND COMMUNICATIONS

10. Alderman Beach submitted a letter and pictures from Vicki Stallman concerning accidents on Guilford Road. Referred to Legal Department and Mayor's Office.

11. Alderman Mark referred the Multi-family Registration and Chronic Nuisance ordinance to the Code and Regulation Committee for discussion at the November 26, 2012 meeting. Referred to Code and Regulation Committee.
12. Alderman Mark submitted the Rockford Traffic Commission Minutes from the meeting held on November 14, 2012. Referred to Code and Regulation Committee.
- 12a. Alderman Mark requested a review the public intoxication ordinance. Referred to Legal Department.

NEW COMMITTEE REPORTS

13. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Water Treatment Plant Residuals Management be made to MWH, Inc. for a total not to exceed cost of \$25,000. The funding for this project will come from the Water Division Operating Budget. LAID OVER.
14. Alderman Wasco read a Finance and Personnel Committee Report having considered the matter of an Intergovernmental Agreement between the City of Rockford and the Rockford Park District for the improvements to the Ingersoll Building as the first phase of Reclaiming First, recommends the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the renovation of the Ingersoll building and funding for the project as set forth in the agreement. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

2012-413CR

15. Alderman Wasco read a Finance and Personnel Committee Report recommending the award for Bituminous Patching be made to the low bidder, Stenstrom Excavation and Blacktop Group, of Rockford, Illinois for their total bid of \$137,870.00. The funding source is Divisional Operating Budgets.

Alderman Wasco moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Beck absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, McNeely, Robertson -13-
 Nays: -0-
 Absent: Beck -1-

16. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of November 19, 2012 in the amount of \$1,861,573.77. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, McNeely, Robertson -13-
 Nays: -0-
 Absent: Beck -1-

OFFICERS REPORTS

17. Alderman Jacobson reported the passing of Jim Shelden, Sr., civic leader, member of several charitable organizations and past chairman of the Zoning Board of Appeals. He offered condolences to the Shelden family. A moment of silence was observed in his memory.
18. Alderman Thompson-Kelly announced the Ellis Heights/Fairgrounds Neighborhood meeting will be held Tuesday, November 20th from 5:30 pm – 7:30 pm at Banner of Truth International, 1401 West State Street. She encouraged the residents of the community to attend.
19. Alderman Thompson-Kelly announced the Comcast Coat Give-Away will be held on Tuesday, November 20th at 1:30 pm at Washington Park Community Center, 3617 Delaware Street. They are donating 100 coats to residents living in properties managed by the Winnebago County Housing Authority.
20. Alderman Thompson-Kelly reported the West Gate Coalition meeting for November 21, 2012 has been cancelled.
21. Alderman Thompson-Kelly wished everyone a happy Thanksgiving.
22. Alderman Thompson-Kelly encouraged discussion between city leaders and the community concerning race relations.
23. Alderman Hervey reported today a significant piece of steel was erected on the Morgan Street Bridge. She encouraged citizens to see the incredible transformation.
24. Alderman Hervey responded to community frustration with recent officer involved shootings stating she supports Chief Epperson and the transformation he has made, bringing enhanced training and policy to the police department. She too believes there needs to be dialogue and greater understanding. She also does not believe our police officers treat individuals differently based on the color of their skin.

Alderman Mark exited the meeting at 6:45 pm.

25. Alderman Wasco called for a budget meeting on Saturday, December 1, 2012 from 8:30 am – 12:30 pm in Council Chambers.
26. Alderman Wasco offered support and expressed trust and confidence in the members of the police department and the Winnebago County Integrity Task Force investigation of the recent shootings.
27. Alderman Johnson, on behalf of Alderman Beck, invited the community and council members to attend the holiday tree lighting at the Nicholas Conservatory on Sunday, November 25th from 3:30 pm – 5:00 pm. Any aldermen planning on attending should contact him to reserve a VIP parking pass.

28. Alderman Johnson reported last Friday was the grand opening of the Rockford Rescue Mission Thrift Store. She thanked several people for coordinating the event and also thanked fire department personnel for tending to a shopper that had fallen in the store.
29. Alderman Robertson believes there is much to discuss and significant questions that need to be addressed concerning the 2013 budget. He is concerned about manpower and strength of the police department and suggested inviting Police and Fire Commissioners to the meeting to discuss the process of hiring officers.
30. Alderman Robertson echoed Alderman Thompson-Kelly's concerns and agrees the issue of racism deserves an in depth honest and open discussion. He mentioned the YWCA offers an excellent class on racism and suggested contacting them to help move the discussion forward. He offered 100% support of the Rockford police officers.
31. Alderman Timm requested Chris Black, Finance Director provide him with a copy of all the Redevelopment Fund expenses for the year 2012 and projections for 2013.
32. Alderman McNeely stated she was very pleased with the voting process here in Rockford and that the country elected President Obama for a second term.
33. Alderman McNeely she reported visiting all the polling sites in her ward and was thrilled to see the long lines.
34. Alderman McNeely announced Anthony Foreman has written a book which is now available for sale on Amazon.com. She thanked him for giving her a copy of the book.
35. Alderman McNeely thanked the speakers and supporters at tonight's meeting for expressing community concerns and also agrees there needs to be honest discussion with city leaders and the community concerning race relations.
36. Alderman Wasco acknowledged former 5th Ward Alderman Victory Bell at the meeting tonight.

UNFINISHED BUSINESS

2012-414CR

37. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for City-Wide Vehicles be made to the lowest bidder meeting specifications, Anderson Rock River Ford, of Rockford, Illinois for their total bid of \$1,183,787.14. The funding source is Public Works, Fire, Police & CD 2013 Capital Budgets. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,
Timm, Beach, Elyea, Robertson -11-

Nays: McNeely -1-

Absent: Mark, Beck -2-

2012-415CR

38. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the award for (4) Ambulances be made to the lowest bidder meeting specifications, Fire Service (Wheeled Coach), of St. John, Indiana for their total bid of \$982,928.42. The funding source is 2014 Fire Dept. Capital Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, McNeely, Robertson -12-
Nays: -0-
Absent: Mark, Beck -2-

2012-416CR

39. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending approval of the agreement between City of Rockford Human Services Department Head Start and Circles of Learning Child Care Centers. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, McNeely, Robertson -12-
Nays: -0-
Absent: Mark, Beck -2-

2012-417CR

40. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the matter of Continued Funding of the Head Start/Early Head Start program for the budget period 4/1/2013 through 6/30/2013 be approved. The application is due by January 1, 2013. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, McNeely, Robertson -12-
Nays: -0-
Absent: Mark, Beck -2-

2012-418CR

41. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending that the 2012 Tax Levy Ordinance be prepared by the Finance Department in accordance with the memorandum from the Finance Director on November 13, 2012, and accepted in the amount of \$52,512,619 for the levies in the General, Sanitation, Tuberculosis Sanitarium, Library, Library Maintenance, Illinois Municipal Retirement, Unemployment Compensation, Worker's Compensation, and Auditing Funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, McNeely, Robertson -12-
Nays: -0-
Absent: Mark, Beck -2-

42. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommend increasing the 2012 tax levy for street and bridge purposes from .06% of the value as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford to .10% of the value, as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford, hereby recommends:

That the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Dept. of Revenue for street and bridge purposes and that the Finance Department shall prepare the appropriate ordinance. MOTION FAILED by a Roll Call vote of:

Ayes: Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Elyea, Robertson -8-
Nays: Durkee, Timm, Beach, McNeely -4-
Absent: Mark, Beck -2-

(see matter #53)

2012-419CR

43. Alderman Wasco moved the adoption of a Finance and Personnel Committee Report recommending the approval of an Intergovernmental Agreement between the City of Rockford and the Rockford Park District for the Prairie Street Parking Facility, providing for the maintenance of the parking facility if future events require, as set forth in the agreement. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Robertson -11-
Nays: McNeely -1-
Absent: Mark, Beck -2-

2012-180-O

44. Alderman Wasco moved the adoption of an Ordinance making supplemental appropriations for the City of Rockford, a municipal corporation, to finance those functions pertaining to its government and affairs including the General Fund, Water Fund, Parking Fund, Sanitation Fund, South Rockford Tax Increment Financing District Fund, Seventh Street Tax Increment Financing District Fund, East River Tax Increment Financing District Fund, East Side Tax Increment Financing District Fund, West Side #1 Tax Increment Financing District Fund, Redevelopment Fund, Tourism Fund, CIP Fund, Information Technology Fund, Community Development Block Grant Fund, and Human Services Fund, for the fiscal year 2012. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, McNeely, Robertson -12-
Nays: -0-
Absent: Mark, Beck -2-

2012-420CR

45. Alderman Mark moved the adoption of a Code and Regulation Committee Report REVERSING the Liquor Advisory Board, thereby recommending that City Council DENY the

sale of packaged liquor in conjunction with a grocery store and the sale of liquor by the drink in conjunction with a restaurant in the name of Pedro Silva d/b/a Guanajyato, Supermercado in a C-3, Commercial General Zoning District at 519 Marchesano Drive. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, McNeely, Robertson -12-
Nays: -0-
Absent: Mark, Beck -2-

46. Alderman Mark moved the adoption of a Code and Regulation Committee Report REVERSING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink in conjunction with a bar and grill (tavern and restaurant) and the sale of liquor by the drink in conjunction with an outdoor seating area in the name of **Konrad Kallenbach d/b/a KMARCO, Inc.** in a C-2, Limited Commercial District and R-1,, Single-Family Residential Zoning District at 3835 Broadway. Approval is subject to the following conditions:

1. Must meet all applicable liquor codes.
2. Must meet all applicable building and fire codes.
3. Submittal of a site plan including landscaping frontage along Broadway and striping of parking spaces to meet current code for Staff's review and approval.
4. Installation of landscape units along Log Cabin Avenue and Broadway to be completed by May 1, 2013.
5. Removal of free-standing sign along Broadway to be replaced with one (1) landmark style sign.
6. That there shall be no cover charge, DJ or live entertainment
7. Hours are limited to Monday through Sunday 11:00 am to 2:00 am
8. That the premises have (1) security staff for every fifty (50) customers provided by a security firm licensed by the Illinois Department of Professional Regulations.
9. That the property not function as a night club with a cover charge, dance floor/ stage area over 150 square feet.
10. That the outdoor seating area to close by 10:00 pm during the weekdays and midnight on weekends.
11. The plan for the outdoor seating area must be submitted for Staff's review and approval prior to issuance of a building permit.
12. That the sale of alcohol shall not exceed sixty-five percent (65%) of the total sales.

The Legal Director shall prepare the necessary Ordinance. MOTION FAILED by a Roll Call vote of:

Ayes: Curran, Wasco, Jacobson, Timm, Elyea -5-
Nays: Curran, Hervey, Thompson-Kelly, Johnson, Beach, McNeely, Robertson -7-
Absent: Mark, Beck -2-

47. Alderman Mark moved the adoption of a Code and Regulation Committee Report recommending the approval to vacate the right-of-way adjacent to 3330 11th Street, subject to the following conditions:

1. The existing watermain present within portion of the right-of-way shall be maintained in an easement with the language:

"Easement reserved City of Rockford Water and their successors and assigns the right to operate, maintain, construct, replace and renew underground cables and pipes and associated equipment for the distribution of services under, over and along the vacated right-of-way along with the right of ingress and egress access to the same and the right, from time to time to trim or remove trees, bushes and saplings and to clear all obstructions from the surface and subsurface as many be required.

The Legal Director shall prepare the necessary ordinance. REFERRED BACK TO CODE AND REGULATIONS COMMITTEE

MOTIONS AND RESOLUTIONS

2012-163R

48. Alderman Mark, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution directing the Zoning Officer to file an application for a text amendment to allow Wildlife Rehabbers the means of a special use permit in residential districts. Said application will be subject to the notice and hearing requirements described in Section 62-005-B of the zoning ordinance. MOTION PREVAILED (Ald. McNeely voted no; Ald. Mark, Beck absent).

2012-164R

49. Alderman Wasco, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution and Declaration of Official Intent that JP Morgan Chase Bank, N.A. is expected to act as the lessor under the Equipment Leases. The Principal amount expected to be financed is \$3,357,834.40. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Robertson -10-
Nays: Hervey, McNeely -2-
Absent: Mark, Beck -2-

- 49a. Alderman McNeely clarified that unfinished business item I.A.9 failed by a vote of 5-7.
50. Alderman Beach asked for clarification on unfinished business item I.A.6.

Chris Black, Finance Director, explained the .10% rate is a reflection of what has been done on an annual basis for many years. The .10 limit is a combination of the township levies for streets and bridges as well as the city's levy. The levy is actually going down in the dollar amount basis because our property values have continued to decrease.

Jim Ryan also advised the rate has been the same for the last thirty (30) years.

51. Alderman Jacobson advised the American Legion move to the new location on Alpine is contingent upon the approval of the liquor license and sale of the building located at 3835 Broadway.

NEW BUSINESS

52. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Agreement between City of Rockford Human Services Department Head Start and Circles of Learning Child Care Centers. LAID OVER.

2012-181-O

53. Alderman Wasco introduced and read an Ordinance authorizing the Mayor and Legal Director to execute the attached Intergovernmental Agreement between the City of Rockford and the Rockford Park District for the Prairie Street Parking Facility, providing for the maintenance of the parking facility if future events require, as set forth in the agreement.

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

Ayes: Durkee, Curran, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Robertson -11-
Nays: McNeely -1-
Absent: Mark, Beck -2-

54. Alderman McNeely made a motion to reconsider unfinished business item I.A.6, seconded by Alderman Robertson.

Alderman McNeely withdrew her motion to reconsider and Alderman Robertson withdrew his second.

Alderman Thompson-Kelly made a motion to lay the committee report over, seconded by Alderman Jacobson.

Finance and Personnel Committee Report recommend increasing the 2012 tax levy for street and bridge purposes from .06% of the value as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford to .10% of the value, as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford, hereby recommends:

That the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Dept. of Revenue for street and bridge purposes and that the Finance Department shall prepare the appropriate ordinance. LAID OVER.

55. Upon motion duly made and seconded, the meeting was adjourned at 7:38 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, 2ND floor City Hall
425 E. State Street, Rockford
November 26, 2012
6:00 P.M.
AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

I. COMMITTEE REPORTS LAID OVER NOVEMBER 19, 2012

1. Wasco - Finance and Personnel – Recommending the award for Engineering Agreement: Water Treatment Plant Residuals Management be made to MWH, Inc. for a total not to exceed cost of \$25,000. The funding for this project will come from the Water Division Operating Budget.
2. Wasco - Finance and Personnel - Intergovernmental Agreement between the City of Rockford and the Rockford Park District for the improvements to the Ingersoll Building as the first phase of Reclaiming First, recommends the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the renovation of the Ingersoll building and funding for the project as set forth in the agreement. The Legal Director shall prepare the appropriate ordinance.
3. Wasco - Finance and Personnel - Recommend increasing the 2012 tax levy for street and bridge purposes from .06% of the value as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford to .10% of the value, as equalized or assessed by the Dept. of Revenue of all taxable property in the City of Rockford, hereby recommends:

That the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Dept. of Revenue for street and bridge purposes and that the Finance Department shall prepare the appropriate ordinance.

II. ORDINANCES LAID OVER NOVEMBER 19, 2012

1. Wasco - Ordinance - Authorizing the Mayor and Legal Director to execute and attest the attached Agreement between City of Rockford Human Services Department Head Start and Circles of Learning Child Care Centers.

- Motions and Resolutions

III. 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 – Intergovernmental Agreement between the City of Rockford and the Rockford Park District for the improvements to the Ingersoll Building as the first phase of Reclaiming First, recommends the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the renovation of the Ingersoll building and funding for the project as set forth in the agreement.

* 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, November 26, 2012, 5:15 p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

1. C & R 12-195 November Traffic Commission Minutes
2. C & R 12-196 Multi-Family Registration & Chronic Nuisance Ordinance

FINANCE AND PERSONNEL COMMITTEE

Monday, November 26, 2012, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

1. Purchasing and Vouchers
 - A. Engineering Agreement: 7th Street Lighting & Traffic Control – Suspend rules

- B. Engineering Agreement: SCADA Telemetry Conversions
- C. Engineering Agreement: Electronic Operations & Maintenance Manual
- D. Resolution to take Bids
- E. Vouchers

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, November 26, 2012, 5:30 p.m.
CD Conference Room, City Hall 2nd floor**

AGENDA

1. Memorandum from John Giliberti, City Attorney, regarding the RACVB Third Quarter Report for 2012.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, November 26, 2012, ____ p.m.
Conference Room A, City Hall 2nd floor (north room)**

AGENDA

No Meeting Scheduled.