

**CITY OF ROCK ISLAND
CITY COUNCIL STUDY SESSION
January 9, 2023 - 6:00 p.m.**

**City Council Chambers, City Hall, 3rd Floor
1528 Third Avenue, Rock Island, IL**

1/9/2023 - Minutes

CALL TO ORDER

Mayor Thoms called the meeting to order at 6:00 p.m. and welcomed everyone.

THIS MEETING WILL BE CONDUCTED BY AUDIO AND VIDEO CONFERENCE WITHOUT A PHYSICALLY PRESENT QUORUM OF THE ROCK ISLAND CITY COUNCIL DUE TO THE DISASTER DECLARATION ISSUED BY GOVERNOR PRITZKER.

ROLL CALL

Mayor Thoms asked City Clerk Samantha Gange to call the roll.

Present: Alderpersons Moses Robinson, Judith Gilbert, Jenni Swanson (virtual), Dylan Parker, Mark Poulos, Bill Healy, and Mayor Mike Thoms.

Absent: Alderperson Randy Hurt.

Staff: City Manager Todd Thompson, City Attorney Dave Morrison, City Clerk Samantha Gange, and other City staff.

PUBLIC COMMENT

Mayor Thoms asked if anyone in the public or virtually wished to address Council. No residents volunteered to speak.

FOOD TRUCK ORDINANCE PRESENTATION

Community and Economic Development Director Miles Brainard presented an updated proposal for Mobile Food Units (MFUs). This term is used to identify establishments that are both motorized (food trucks) and non-motorized (food carts) units. He said many communities already have applicable ordinances, as it is a popular trend. Currently, there is no regulation in Rock Island, and having it would ensure a continuous presence in the community. He noted the need for consistency in licensing through the City. Currently, the MFU type of establishment requires only a food and beverage permit.

Mr. Brainard said the neighboring communities have all adopted similar ordinances, and the proposed City ordinance was based on them. He noted characteristics of existing local ordinances versus the proposed City ordinance, including a required distance of 200 feet from an established food service location, and 40 feet from intersections and bike lanes. Alderperson Gilbert asked how many feet one block faces versus the proposed 200 feet. Mr. Brainard replied block sizes vary depending on the community. Alderperson Healy asked if a waiver would be considered for the distance. Mr. Brainard said that could be explored once the topic of MFU zones is discussed.

Alderperson Poulos asked for clarification regarding the proposed hours of operation. Mr. Brainard said the hours indicated in the presentation are the proposed hours to not be in operation, from 1:00 a.m. to 6:00 a.m. Alderperson Robinson asked if a waiver was also possible in reference to the proposed 40-foot distance from intersections and bike lanes, considering certain locations in the First Ward. Mr. Brainard said if additional waivers are desired, that will be considered. He added that the proposed distance considers the potential hazard of people congregating at a business activity near an intersection.

Alderperson Gilbert asked if there was a visual that would show what 40 feet from an intersection or bike lane would be. Mr. Brainard said that is not a part of the presentation, but one could be generated. He added that staff did not envision many businesses wishing to operate directly in the public right-of-way along 7th Avenue. He noted that an additional restriction of 200 feet of distance would be required of MFUs from any approved special events within the City.

Alderperson Poulos noted there had been previous conversations regarding MFUs at Floatzilla, and said there would be a benefit to providing waivers at such events. Mr. Brainard said language could be added to the ordinance with regards to MFUs operating at City parks, although the Parks Department does already have a separate permitting process.

Alderperson Gilbert asked if there was a map that would indicate where the proposed MFU zones would be. Mr. Brainard said the regular zoning map would assist in indicating where they would be, but a map could be created to show the business zones. Alderperson Poulos asked if it were possible to have a waiver for food trucks at a location such as Skylark Lounge. Mr. Brainard noted that because the ordinance is not completed, anything could be changed. He added that Skylark already has MFU use as part of their Special Use Permit agreement.

Mr. Brainard discussed MFU zones in the City, which are designed to allow MFUs to operate without the usual separation requirements from food service establishments. Staff views MFU zones as an opportunity to activate and increase the use of civic space. The two proposed zones are currently located at 1328 30th Street, known as the Pocket Park, and 1719 through 1721 2nd Avenue, or Arts Alley. Alderperson Gilbert asked whether that indicated MFUs would be in Arts Alley or on 2nd Avenue. Mr. Brainard said it would be in Arts Alley.

Mr. Brainard discussed alcohol sales as it pertains to MFUs. Staff drafted language to allow MFUs to sell alcohol when it is associated with a brick and mortar food establishment in the City that already has a liquor license in good standing. They would only be allowed for special events, or catering, and follows what is currently being done for certain events already taking place in the City. Alderperson Robinson asked if staff had considered how to utilize MFUs such as pedal pubs. Mr. Brainard said Mayor Thoms, the City's Liquor Commissioner, could address that issue. Mayor Thoms said pedal pubs fall under the bring-your-own-beverage (BYOB) category, as they do not have their own liquor license and do not supply the liquor. He added that mobile carts or trailers selling liquor are not allowed in the City unless they have an established liquor license. Alderperson Healy asked if it would be required that an alcohol MFU sell food. Mr. Brainard suggested that staff further discuss the proposed ordinance.

Mr. Brainard discussed potential fees, noting the variance amongst local communities. The proposal would impose an annual flat business fee of \$100 for registration. This would help understand where MFUs are located, keep them current with health requirements, and collect food and beverage tax. He noted the potential for a seasonal permit or a special event fee, and reminded Council that there is also the choice to not charge fees. He said a system does need to be in place in order to track the businesses.

Mr. Brainard invited Council to ask questions regarding the proposed ordinance. City Clerk Samantha Gange noted that the timing of the discussion would coincide well with the license renewal period coming in the following months. Alderperson Robinson said he would like consideration given to 7th Avenue. Mayor Thoms added that there may be issues with open alcohol containers to consider.

MOTION TO ADJOURN

MOTION:

Alderperson Parker moved to adjourn; Alderperson Poulos seconded.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Gilbert, Swanson, Parker, Poulos, Healy, and Robinson. Nay: None. Absent: Hurt.

The meeting adjourned at 6:35 p.m.



Josh Adams, Deputy City Clerk