1/27/2020 - Minutes

1. Call to Order

Mayor Thoms called the meeting to order at 6:47 p.m. and welcomed everyone.

2. Roll Call

Mayor Thoms asked the Deputy Clerk to call the roll.

Present: Mayor Mike Thoms, Alderwoman Jenni Swanson, Alderman Dylan Parker, Alderman Mark Poulos, Alderman Dave Geenen, Alderman Randy Hurt, and Alderman James Spurgetis

Absent: Alderman Ivory D. Clark

Staff: City Manager Randy Tweet, City Attorney Dave Morrison, Deputy Clerk Josh Adams, and other City staff

3. Pledge of Allegiance

Mayor Thoms led in the saying of the Pledge of Allegiance.

4. Moment of Silence

Mayor Thoms asked for a moment of silence. A moment of silence was observed.

5. Public Comment

Mayor Thoms asked resident Mike Williams of Moline to speak. Mr. Williams discussed the 11th Street property. He gave the example of a town in Flagler, Colorado that allows up to 480 acres of land to the public to be developed for business. He asked Council to consider the same type of option as Flagler. He said he spoke with Mr. Poole of the Development Association to provide figures on how flea markets perform in the Midwest. He said he wished to open a southern-style flea market. He said he spoke with Mayor Thoms, and per his recollection said the Mayor wished to put buildings on the property for tax purposes. He said the Mayor also told him that the purchase price of the property in question would be $153,000. Mr. Williams said the property should be public property because the owners are the citizens of the County and City, and expressed concerned that three years after his first inquiry, nothing had been done to it. He said the neighborhood was not attractive to businesses due to problems in the area that he has
He expressed concern that in his time in the city, there were many streets that had never been blacktopped, and he wondered where the tax money has gone, opining that the money has gone to people that work for the City. He encouraged Council to again consider his request to open a flea market business on the 11th Street property. Alderman Spurgetis remarked that Mr. Williams was out of time. Mayor Thoms concurred, and replied that he disagreed with Mr. Williams' statement about the condition of the neighborhood.

Mayor Thoms called Justin Farley for comment. Mr. Farley told Council he was a Moline resident that recently purchased property on 7th Avenue and 44th Street in Rock Island, at which he would like to open a banquet hall. He said he hopes to have many activities there, including quinceaneras, jazz concerts, and vendor shows. He said the purpose for coming was to introduce himself and take a first step to opening his business. Mayor Thoms remarked that he met Mr. Farley in the lobby, and praised the positivity of this activity. Mr. Farley said he looked forward to showing his business to Council, and hoped for a variance for parking.


MOTION:

Alderman Spurgetis moved to approve the minutes as printed; Alderman Hurt seconded.

VOTE:

Motion passed on a 6-0-1 voice vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

7. Update Rock Island by Mayor Thoms

Sunday Funday Tropical Paradise - Visit the Quad City Botanical Center February 2, 2020 from 1 p.m. to 3 p.m. for their tropical paradise on Sunday Funday. Warm up in our sun garden and learn about both tropical plant and the migrant animals that flourish in the lush tropical paradise. The sun garden is home to flower varieties that are common where their unique animals live. No RSVP is required. Please contact the Quad City Botanical Center at 309-794-0991 for the hours and admission prices.

Tax Preparation Assistance - The Martin Luther King, Jr. Center is a drop-in site for United Way's VITA program. United Way is offering qualifying individuals and families free tax preparation assistance. Services will begin on Tuesday, February 14, 2020, and will finish on April 11, 2020. Hours are 5 p.m. to 8 p.m. on Tuesday, Wednesday, and Thursday, and 9:00 a.m. to noon on Saturday.

Valentine's Wine Dinner - Enjoy a gourmet dinner with someone special and sample six wines from Dmitri wine and spirits at the Hauberg Estate. The Valentine dinner is at 6:30 p.m. Tickets are $50 each and advance purchase is required. Tickets may be purchased online at www.eventbrite.com or by calling 309-737-5080.

Support Your Community - Census results are used to determine your representation in Congress. They help inform how billions of dollars are distributed to hospitals, schools, roads, and more. Help ensure that everyone in your community is counted in the 2020 Census. Temporary positions in Rock Island County are paying $22 an hour. To apply online, visit www.2020census.gov.
8. Mayor Thoms will close the regular meeting and open a Public Hearing regarding the Request for a Special Use Permit at 3635 15th Street, Rock Island.

Mayor Thoms called Greg Ballard up to speak about the Special Use Permit at his home, 3635 15th Street. Mr. Ballard asked Council to understand that he was not starting a business in his home. He gave an overview of the educational project he is working on. He said he has been working on the project for over a year, and asked for a Special Use Permit to extend his project for two additional years to help a friend. He introduced Emily Starr, a fourth grade teacher that received a grant to do an educational project that she is working on with Mr. Ballard. He understood there were concerns from neighbors regarding the project, including parking and traffic for the three women involved in his project.

He described the street traffic and surroundings of his home. He said the usual recording time is three hours or less because of vocal fatigue. He restated there is no business in his home, and he is helping a friend finish a project. He gave a description of the studio in his home and those involved with recording the scripts for Ms. Starr's project. Mr. Ballard said those involved in the project would be careful to abide by business rules. Mayor Thoms thanked him and said that Council may have additional questions.

Mayor Thoms called up Mr. Ballard's neighbors Lisa and Tim Sparkman to speak. Mr. Sparkman said they had no issue with the project, but expressed concern about rezoning as a result of a possible business. Mayor Thoms replied that the Special Use Permit was specific to this scenario, including a time limit. He said typically this type of permit last indefinitely until a change occurs, but that this permit was for a specific period of time. City Attorney Dave Morrison explained what this type of permit covered. Mr. Sparkman said he thinks he misunderstood the situation, and provided Mr. Ballard would keep cars off of the street, there would be no additional concern. Mrs. Sparkman said her concern was that if one business is allowed, additional businesses may be as well. Mayor Thoms said this is why public hearings were held so all parties could learn about the facts.

Mr. Ballard said the reason he applied for the permit was due to an inquiry or complaint about his activities as well as a notice from the City. Mayor Thoms said since someone contacted the City, proper procedure was followed to address the issue. Alderman Geenen said this is why these sessions occur so neighbors can clear things up, and that this appeared to be a misunderstanding.

Mayor Thoms asked if anyone else wanted to speak that was opposed. Mr. Ballard's additional neighbor Randy Haggen came to the front and detailed his issues with the proposed permit. He said Mr. Ballard called him to answer questions regarding the situation. He said Mr. Ballard misled him, and that he did not approve of the proposed permit. He said since Mr. Ballard received money for the project, it was a business. His additional concerns were increased traffic for non-residents in a residential neighborhood, and Mr. Ballard's notification of only his direct neighbors failed to let other homeowners know of the project. He said an additional neighbor told him that one of the project's participants asked them to halt mowing while recording was taking place. He said the traffic to Mr. Ballard's home had not been accurately presented. He finished by saying the proposed permit was a bad idea.

Mayor Thoms asked if anyone else opposed to the permit wished to speak. No one came forward, and he asked Mr. Ballard for a rebuttal to Mr. Haggen. Mr. Ballard said he was the one to ask his neighbors to halt mowing, and they had no problem. He said he understood why Mr. Haggen did not want the permit to be allowed, but said his facts were not completely accurate. Mayor Thoms asked Council if they had questions for Mr. Ballard. Alderman Spurgetis said City staff recommended the approval of this permit with six stipulations, and asked Mr. Ballard if he agreed to abide by them. Mr. Ballard confirmed he would. Alderman Poulos asked Mr. Ballard if
Alderman Hurt expressed concern that this was an actual business. Alderman Geenen replied that it is well within the ramifications of a grant to hire someone for recording. Ms. Starr confirmed that was correct. Alderman Hurt asked about a stipulation of the permit regarding a maximum of seven days per calendar month for recording, and asked how the City would be able to enforce that. Mr. Ballard explained the challenges inherent in finding a time to record, including the schedules of all involved. Alderman Parker said the recording dates were limited to Mondays and Tuesdays. Mr. Ballard confirmed that was correct. Alderman Parker detailed the ways to enforce the permit based on its restrictions. Mr. Ballard said he was limited in his mobility and could not move the project to another building.

Alderman Geenen asked Ms. Starr about the content of the recording. She said she had a small business innovation research grant from the USDA to develop customizable, informational text for kindergarten through fifth grade students in science. She gave an example of the type of recordings recently completed. Alderman Geenen asked about the purpose of the recordings after the project was finished. Ms. Starr said she would be selling the finished project for use in schools. Alderman Hurt said he was still unsure about the limitations of recording on Mondays and Tuesdays. Mr. Tweet clarified that Staff recommended certain times and days of the month in the proposal, and that it could be amended based on Council's stipulations. Alderman Parker asked if the specific days would limit the project. Mr. Ballard said that it was fine provided it allowed for changes over time. Alderman Parker asked if a limitation of two days a week would cause hardship on the project, and Mr. Ballard said no, and he asked Council to take his word that they would abide by the stipulations.

Alderman Parker said that Council needed to respect all parties involved. Mayor Thoms added that they needed to be sure the neighbors were ok with the project as well. Alderman Poulos asked if the proposal was passed, would Council have the ability to bring the permit back and cancel it. Mayor Thoms confirmed this was correct. Mr. Morrison added that the language could be altered to reflect changes in the project. Alderman Poulos asked if the discussed parameters would be amenable to Mr. Haggen. Mr. Haggen came to the podium and said that if Council believed it would be scaling back, the decision would be up to them. Mayor Thoms asked Mr. and Mrs. Sparkman if the language was amenable to them, and they confirmed yes. Alderwoman Swanson said she was set to vote against the permit, but her concerns were alleviated after further investigation. Alderman Poulos agreed that he was set to vote against the permit, but since the neighbors are ok with the agreement and Council votes yes, he was ok. He thanked Mr. Ballard and Ms. Starr for answering questions. Ms. Starr said she could provide session dates back to the beginning of the project, as her grant stipulates she keep a record.

Alderman Spurgetis said the permit request is located in the Third Ward, of which he is familiar. He said the request was reasonable, Staff stipulations were attainable, and he would be supporting the request.

MOTION:

Alderman Hurt moved to approve the request as recommended; Alderwoman Swanson seconded.

VOTE:
Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

9. Claims for the week of January 3 through January 9, 2020 in the amount of $477,231.53, for January 10 through January 16, 2020 in the amount of $1,426,138.65, for January 17 through January 23, 2020 in the amount of $936,440.46, and payroll for the week of December 30, 2019 through January 12, 2020 in the amount of $1,510,481.36.

MOTION:

Alderman Poulos moved to allow the claims and payroll; Alderman Spurgetis seconded.

Alderman Spurgetis asked for clarity regarding the numbering of the agenda. Mayor Thoms explained the error.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

10. ACH Payments for the month of December 2019 in the amount of $1,949,930.97.

MOTION:

Alderman Spurgetis moved to approve the ACH payments; Alderwoman Swanson seconded.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

11. Purchase Card Claims for the period of November 27, 2019 through December 26, 2019 in the amount of $69,694.72.

MOTION:

Alderwoman Swanson moved to approve the request as recommended; Alderman Poulos seconded.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

12. Report from the Community and Economic Development Department regarding a request for a variance of the Sign Ordinance for 2252 24th Street.

MOTION:

Alderman Spurgetis moved to approve the request as recommended by the Board of Zoning Appeals for both variants of the sign; Alderwoman Swanson seconded.

Alderman Parker questioned why Council was asked to vote on something Staff did not
recommend. Planning and Development Administrator Miles Brainard came to the podium and said the BZA makes the recommendation to Council and not Staff. He also said when a site like this is over 20,000 square feet, it needs to come to Council for approval due to the scale and importance. Mr. Brainard clarified that even though Staff had a different recommendation than the BZA, Staff always recommends the option that is in conformance with code, and so they do not consider anything else but that. The BZA came to a different conclusion, and since they make the recommendation, it moved forward. He said Staff always includes their position to give Council a chance to make as informed a choice as possible. Alderman Poulos said the only difference he saw from the proposed sign from the previous sign is the size of the box. Mr. Brainard said the current sign is non-conforming, and this matter is addressed in the City’s Sign Ordinance. Alderman Parker asked if the sign would be the same height and size. Mr. Brainard said there were minor differences but would be about the same. Alderwoman Swanson said she appreciated Staff’s input without any withholding. She said she would vote for the changes and feels fortunate that a business would want to move into the space. She said Council should be welcoming to new businesses. Mayor Thoms clarified that the sign would not just be for Dollar Tree, but there would be space to include additional businesses on the sign, as preferred by the owners. Alderman Poulos asked if additional businesses would need to go through this process, Mayor Thoms confirmed they would not because this measure had already taken place. Mr. Brainard also clarified that signage on the building itself would need to conform. Alderman Spurgetis thanked Mayor Thoms for his efforts in bringing a business to the location.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

13. A Special Ordinance to remove a handicapped parking space at 1504 25th Street.

MOTION:

Alderwoman Swanson moved to consider, suspend the rules and pass the ordinance; Alderman Hurt seconded.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.


MOTION:

Alderwoman Swanson moved to approve the contract extension as recommended and authorize the City Manager to execute the agreement subject to minor attorney modifications; Alderman Spurgetis seconded.

Alderman Hurt asked if this item was something that could be put up for bid. Public Works Director Mike Bartels came to the podium and explained that this item is cannot be put up for bid. He said the extension is something done when Public Works is pleased with the performance of a contractor. Alderman Hurt stated he still wanted this measure to be put out for bid. Alderman Poulos asked if there were any contractors in Rock Island capable of the work. Mr. Tweet replied that local contractors previously did bid on this contract, and if the contractor
give the same price, the agreement is extended. Alderwoman Swanson asked Alderman Hurt why this particular contract should be up for bid. He said he believed there were other qualified people in Rock Island to do the job. Mr. Bartels confirmed that local contractor Langman previously bid for the job. Alderwoman Swanson asked if McClintock was chosen because of the lowest bid, and Mr. Bartels confirmed yes. He also said this type of job was done on a force account basis for time and material.

VOTE:


Alderman Parker recused himself due to the nature of his employment.


MOTION:

Alderwoman Swanson moved to award the bid as recommended and authorize the City Manager to execute the contract documents; Alderman Parker seconded.

Alderman Spurgetis asked about an clerical error regarding the motion, which both Mr. Bartels and Mayor Thoms corrected.

Alderman Parker withdrew his second, and Alderwoman withdrew her motion. She then remade the motion to approve the contract extension and authorize the City Manager to execute the agreement, which Alderman Parker seconded.

Alderman Hurt asked how many companies bid on this contract in 2019. Alderwoman Swanson noted that this was the sole bid.

VOTE:

Motion passed on a 5-0-1 roll call vote. Aye: Swanson, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

Alderman Parker recused himself due to the nature of his employment.

16. Report from the Public Works Department regarding a request to add outdoor seating at QC Coffee and Pancake House, located at 1831 3rd Avenue.

MOTION:

Alderman Hurt moved to approve the request as recommended; Alderman Spurgetis seconded.

Alderman Spurgetis asked for clarification on the language in the memo regarding outdoor seating. Mr. Bartels confirmed that the request was about temporary, portable seating within the enclosure noted in the memo. Mr. Tweet added that the business originally had a design for built-in seating, but the memo was for the inclusion of a fence that the business can fill as desired. Alderman Spurgetis asked about the option for a swinging gate on the proposed fencing. Mr. Bartels confirmed that a gate is planned for access. Alderman Spurgetis expressed
The meeting adjourned 8:25 p.m.

MOTION:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, Spurgetis. Nay: None. Absent: Clark.

17. Report from the Public Works department requesting the addition of McClintock Trucking & Excavating of Colona, IL to the Emergency Contractor Rotation.

MOTION:

Alderman Spurgetis moved to table until the Illinois Department of Labor case is resolved; Alderman Hurt seconded.

City Attorney Dave Morrison added that the intent of the motion was to table to a certain date after the issue has been resolved. Alderman Spurgetis cited a case number that he did not have, and Mr. Morrison restated that he was asking for clarification. Alderwoman Swanson said she asked for information about the case but was refused information. Regarding their performance, Mr. Bartels said the company's performance has been great. Alderman Spurgetis did not dispute the performance, but he would like to see the result of the case with the State before acting on the proposal.

VOTE:


Alderman Parker asked for clarification on the passing to table the vote. Mr. Morrison and Mr. Tweet confirmed that the motion to table passed.

Alderman Parker recused himself due to the nature of his employment.

18. Report from the Public Works Department regarding a request to change 35th Street from 6th to 7th Avenue into a one-way for northbound traffic to help with the traffic flow for the Augustana College aquatic center.

MOTION:

Alderman Parker moved to approve the request as recommended; Alderwoman Swanson seconded.

Alderman Poulos asked for more information about the two objections to the proposal. Mr. Tweet explained that some on 6th Avenue objected, and most properties that agreed are owned by Augustana College. Alderman Poulos expressed concern that their would be higher traffic, and asked if the street could handle that. Mr. Tweet said the same amount of traffic would be inbound, but the one-way traffic would allow for easier access. He mentioned a possible future public/private partnership with Augustana College to split the cost of reconstruction on this street. Alderman Spurgetis asked when that would take place. Mr. Tweet said the agreement
was not completed, so he did not know, as they are in discussion. Alderman Spurgetis brought up objectors comments, which included a rejection of the proposal unless repairs are made to 34th Street and 6th Avenue. Mr. Tweet confirmed that the streets in question do need repair. Alderman Parker asked if both streets were part of the private section of the public/private partnership discussed earlier. Mr. Tweet confirmed it would be part of ongoing discussions.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

19. Report from the Public Works Department regarding a request from Othea Stevenson of Shiloh, Illinois to give Glenhurst Court, Rock Island, Illinois, the honorary name of De'Mar's Way.

MOTION:

Alderman Parker moved to approve the request as recommended and direct the City Attorney to prepare the necessary paperwork; Alderman Poulos seconded.

Alderman Spurgetis asked about the petition, and said some signatures were from Glenhurst Court residents, but many were not Rock Island or Illinois residents.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

20. Report from the Public Works Department regarding a submission by Keep Rock Island Beautiful to allow Mu Chi Lambda Chapter of Alpha Phi Alpha Fraternity, Inc. to adopt 9th Street from 18th to 31st Avenue as part of the Adopt-A-Highway Program.

MOTION:

Move to approve the request and have the City Manager sign the Adopt-A-Highway Program agreement; Alderman Poulos seconded.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

21. Report from the City Clerk's office regarding a street closure with sound amplification for Steve's Old Time Tap on Saturday, March 14, 2020 from 9:00 a.m. to 5:00 p.m. at 223 17th Street.

MOTION:

Alderman Hurt moved to approve the event as recommended; Alderman Poulos seconded.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.
22. Report from the City Clerk’s office regarding a street closure for The Daiquiri Factory on July 24 & 25, 2020, and July 31 & August 1, 2020 from 1:00 p.m. to 11:30 p.m.

   MOTION:

   Alderman Poulos moved to approve the event as recommended; Alderwoman Swanson seconded.

   VOTE:

   Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.


   MOTION:

   Alderman Hurt moved to approve the appointment as recommended; Alderman Poulos seconded.

   VOTE:

   Motion passed on a 6-0-1 voice vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

24. Report from the Mayor regarding the appointment of Tanja Whitten to the Board of Zoning Appeals.

   MOTION:

   Alderman Parker moved to approve the appointment as recommended; Alderwoman Swanson seconded.

   VOTE:

   Motion passed on a 6-0-1 voice vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

25. Other Business

   Alderman Poulos said he had coffee with Justin Farley from the public comment. He said he gave Mr. Farley suggestions regarding working with Council and City Staff, and thanked Council for making him feel welcome.

26. Executive Session:

   5 ILCS 120/2 (c)(11) Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
MOTION:

Alderman Poulos moved to go into Executive Session for the exception cited; Alderman Parker seconded.

VOTE:

Motion passed on a 6-0-1 roll call vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

27. Motion to Adjourn

MOTION:

Alderman Parker moved to adjourn; Alderman Poulos seconded.

VOTE:

Motion passed on a 6-0-1 voice vote. Aye: Swanson, Parker, Poulos, Geenen, Hurt, and Spurgetis. Nay: None. Absent: Clark.

The meeting adjourned 8:25 p.m.

________________________________________
Josh Adams, Deputy Clerk