

CITY OF ROCK ISLAND
CITY COUNCIL MEETING

City Hall

1528 Third Avenue, Rock Island IL

City Council Chambers, 3rd Floor

2/28/2022 - Minutes

1. Call to Order

Mayor Thoms called the meeting to order at 6:45 p.m. and welcomed everyone.

2. This meeting will also be conducted by audio and video conference without the requirement of a physically present quorum of the Rock Island City Council due to the disaster declaration issued by Governor Pritzker.

3. Roll Call

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

Present: Mayor Mike Thoms, Alderpersons Moses Robinson, Judith Gilbert, Mark Poulos, and Bill Healy. Alderpersons Randy Hurt, Jenni Swanson, and Dylan Parker were present via remote connection in accordance with Governor Pritzker's Executive Order.

Absent: None

Staff: Interim City Manager John Gripp, Attorney Dave Morrison, City Clerk Samantha Gange, and other City Staff.

4. Pledge of Allegiance

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

5. Moment of Silence

Mayor Thoms requested a moment of silence. A moment of silence was observed.

6. Public Comment

Bill Handel, retired architect came to the podium to address Council regarding the Rock Island

County Courthouse demolition. He noted when he toured the courthouse a few years ago he was surprised by the good condition and historical aspect of the building including hand-laid mosaics and Tennessee marble. He advocated that the courthouse not be demolished and a virtual dome be added to it. He provided Council with a visual of the proposed dome. He remarked on the Civil War veterans that built the courthouse and what it meant to them and that discarding the courthouse would be a terrible loss for the community. He proposed the City of Rock Island and Rock Island County partner to help fund the proposed dome and keep the courthouse as it represents Rock Island.

Tamara Felden, resident of Rock Island came to the podium to address Council on race relations and the recent African American grant. She noted the heated and contentious debate surrounding the grant and that this experience can be an opportunity for learning. She suggested to the Mayor and City Council that they make a concerted effort to unpack what transpired in regards to the grant with the intent not to point fingers, but to truly understand where communication, collaboration, and decisions could have been handled differently leading to a more promising outcome.

Ray Lind, resident of Rock Island came to the podium to address Council on the Blackhawk statue. He opined there was a lack of transparency associated with the donation of the statue and was pushed through Council without a lot of thought. He remarked that the citizens of Rock Island should be afforded a public hearing on the statue. He noted that it was said the Mayor did an interview with a news channel prior to the donation of the statue being placed on the agenda, however he did research and did not find videos from the news channels interviewing Mayor Thoms on the donation prior to February 14, 2022. He added that there was also a Facebook post from an Alderperson regarding the statue that has since been deleted. He remarked there seems to be lots of mixed feelings among Council members on whether the statue should be donated and public input should have been sought before making the decision. He indicated the statue means something to him and has been there throughout his entire life and serves as a symbol of hope that someday the land next to it would be developed. He asked Council members to reconsider the decision to donate the statue and look at the possibility of relocating the iconic landmark to Schwiebert Park. He remarked that if this landmark can be easily declared surplus property and be given away, then citizens should be provided with a list of all City surplus property to be afforded the opportunity to secure the property for themselves. He asked City Council to allow a public hearing.

7. Minutes from the February 14, 2022 Study Session and City Council Meeting.

MOTION:

Alderperson Gilbert moved to approve the minutes as printed; Alderperson Healy seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

8. Minutes from the February 14, 2022 Closed Session.

MOTION:

Alderperson Gilbert moved to approve the Closed Session minutes; Alderperson Poulos seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

9. Update Rock Island

QCCA Expo Center – to host its spring antique spectacular vintage market Friday, March 4th through Sunday, March 6th, 2022. The event will feature a sold-out line up of 70 vendors with antiques and vintage items galore. Featured will be select antique vendors with unique merchandise from around the world. For more information visit <HTTPS://WWW.QCCAEXPOCENTER.COM/>

The St. Patrick Society Grand Parade XXXVI to be held on Saturday, March 12, 2022. The parade begins at 11:30 am at the corner of 4th Avenue and 23rd Street in Rock Island and winds its way west thru downtown Rock Island to the Centennial Bridge, where it crosses the Mississippi River to Gaines St. in Davenport and then north to 3rd Street in downtown Davenport. Come join the fun in downtown Rock Island!

Take the Rock Island Polar Plunge to Support the Athletes of Special Olympics Illinois – Plunge OUR Way and join the challenge at Bally's Casino and Hotel in Rock Island on March 13th, 2022. Registration begins at 12:30 pm with the plunge beginning at 2:00 pm in a pool on the back patio of Bally's. For more information visit <WWW.SOILL.ORG>.

10. Proclamation declaring March 6 through March 12, 2022 as Women in Construction Week.

City Clerk Samantha Gange read the proclamation. Mayor Thoms read his declaration. A member of the NAWIC Quad Cities Chapter No. 50 came forward to accept the proclamation and speak on women in construction. A picture was taken with Mayor Thoms.

11. Presentation from Fire Chief Jeff Yerkey on Life Saving Awards.

Fire Chief Yerkey came to the podium to present life saving awards. He read the following statement. "On behalf of the Rock Island Fire Department, I would like to take this opportunity to formally recognize some of our first responders, as well as an extremely brave family member, who made a difference in saving the life of a male patient who suffered a cardiac arrest event last summer.

On the morning of August 27th, 2021, Joseph Hammond went for a run with his daughter, Erin. When the two of them returned, Mr. Hammond suddenly collapsed into Erin's arms. She laid him on the ground and immediately called 9-1-1. Telecommunicator (T/C) Kaelynn Sikardi took the 9-1-1 call, and based on her Emergency Medical Dispatching protocols, T/C Sikardi instructed Erin to begin CPR on her father, and guided her through the process. As you can imagine, this was a stressful situation for her, but she performed this critical life-saving effort until crews from the Rock Island Fire Department arrived on scene, which included Firefighter/Paramedics from A33, E33, and R31. Fire Department personnel continued to perform CPR while also initiating advanced life support measures. After several minutes of life-saving measures by those on scene, Mr. Hammond regained a pulse and started to breathe on

his own. He was stabilized on scene and quickly transported to the hospital where he continued to receive care from staff in the Emergency Department, and cardiology staff in the cath lab.

Because of the life-saving efforts of those involved, Mr. Hammond is here with us tonight, as he wanted to thank each of the first responders in person, and assist me in presenting them with awards."

Mr. Hammond came to the front to present the awards with Fire Chief Yerkey. They presented the life saving awards to: Erin Hammond, T/C Kaelynn Sikardi, Firefighter Aaron Darwin, Firefighter Brennan Kennedy, Firefighter Sean Hanson, Firefighter Jacob Kelly, Lieutenant Eric Bolts, and Lieutenant David Wolfe. Pictures were taken with Mayor Thoms.

12. Presentation of the 2021 Bob Towler Memorial Residential Beautification Award.

Mayor Thoms gave the following comments regarding the 2021 Bob Towler Memorial Residential Beautification Award. "The award honors Bob Towler through the recognition of a Rock Island resident for their exceptional attention to the overall property esthetics of their home, thus beautifying our Rock Island community.

Mr. Bob Towler worked for the City of Rock Island as Chief Horticulturist for twenty-six years where he worked continually to involve community in both public and private gardens. He taught gardening classes as well as utilizing volunteers for improvement of public gardens. After retiring in 2005 he continued with his activities to beautify Rock Island for an additional sixteen years. He was a founding member of the Rock Island Horticulture Club and a founding member of the Quad City Botanical Center. He was an avid volunteer for both Living Lands and Waters and Keep Rock Island Beautiful. He was also an active member of the Rock Island Beautification Commission for sixteen years and he chaired the Commission for many of those years.

There were several nominees submitted for 2021. I had the honor of selecting this first recipient of the Bob Towler Memorial Residential Beautification Award and would like to announce that Ruby Rocha-Rylander, for her home at 3621 23rd Avenue, is this year's winner. Congratulations, and please come to the front to receive your award and my thanks for your labors." Ms. Rocha-Rylander and members of the Bob Towler family came to the front for a picture with Mayor Thoms.

13. Presentation of the 2021 Commercial Beautification Award.

Mayor Thoms gave the following comments regarding the 2021 Commercial Beautification Award. "This long-standing annual award presentation began in 1980. The Commercial Beautification Award serves to recognize a Rock Island organization or businesses for its outstanding landscaping, exterior renovations, or new construction. There were 14 nominees submitted for 2021. Each of these businesses have helped to beautify not only their own property, but also the surrounding neighborhoods and City at large. I had the honor of selecting the recipient of this award for 2021 and would like to announce that Bike and Hike at 3913 14th Avenue, is this year's Commercial Beautification Award winner. Congratulations, and please come to the front to receive your award and our sincere appreciation for your efforts." Pictures were taken of the winner with Mayor Thoms.

14. Claims

- a. Report from the Public Works Department regarding payment #8 in the amount of \$503,000.00 to Johnson Controls, Inc. of Moline, IL for work on various projects.
- b. Report from the Information Technology Department regarding payment in the amount of \$52,704.16 (5% increase) to Harris Computer System of Chicago, IL for the annual maintenance contract renewal for the utility billing system NorthStar for the term April 1, 2022 through March 31, 2023.
- c. Report from the Information Technology Department regarding payment in the amount of \$74,745.55 (8% increase) to Harris Computer System of Chicago, IL for the annual maintenance contract for GEMS financial and human resources software for the term April 1, 2022 through March 31, 2023.

MOTION:

Aldersperson Robinson moved to approve claim items a through c; Aldersperson Poulos seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

15. Claims for the week of February 4, 2022 through February 10, 2022 in the amount of \$614,329.77; week of February 11, 2022 through February 17, 2022 in the amount of \$2,616,948.82; and payroll for the weeks of January 24, 2022 through February 6, 2022 in the amount of \$1,483,692.11.

MOTION:

Aldersperson Healy moved to allow the claims and payroll; Aldersperson Robinson seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

16. ACH Report for January 2022 in the amount of \$2,542,030.00.

MOTION:

Aldersperson Poulos moved to approve the ACH payments; Aldersperson Healy seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

17. Purchase Card Claims for the period of December 28, 2021 through January 26, 2022 in the amount of \$61,260.32.

MOTION:

Aldersperson Robinson moved to approve the purchase card claims; Aldersperson Poulos seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

18. Report from the Police Department regarding the purchase of a GrayKey investigative tool in the amount of \$28,070.00 from Grayshift, LLC.

MOTION:

Aldersperson Poulos moved to approve the purchase as recommended; Aldersperson Healy seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

19. Report from the Police Department regarding bids for the purchase of handguns, recommending the bid be awarded to Acme Sports, Inc. of Seymour, IN in the amount of \$14,715.00.

MOTION:

Aldersperson Robinson moved to approve the bid as recommended; Aldersperson Poulos seconded.

Aldersperson Healy confirmed with Interim Police Chief Rich Landi that these are the guns that the Police Department wants.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

20. Report from the Community & Economic Development Department regarding a Cultural Liaison Contract.

MOTION:

Aldersperson Gilbert moved to approve the contract and authorize the Interim City Manager to execute the documents; Aldersperson Poulos seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

21. Report from the Human Resources Department regarding contract negotiations with Assured Partners/Benefit Staff for Health Insurance Consultancy for a three-year term.

MOTION:

Aldersperson Gilbert moved to allow the Human Resources department to negotiate a contract with Assured Partners/Benefit Staff; Aldersperson Robinson seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

22. Report from the Human Resources Department regarding contract negotiations with Genesis for the City Medical Clinic for a three-year term.

MOTION:

Aldersperson Gilbert moved to allow the Human Resources department to negotiate a contract with Genesis for the City Medical Clinic; Aldersperson Poulos seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

23. Report from the Public Works Department regarding a First Amendment to the site license agreement with AT&T for lease additional ground space for a diesel generator at the 2215 16th Avenue water tower site.

MOTION:

Aldersperson Healy moved to approve the amendment to the agreement and authorize the Interim City Manager to execute the document; Aldersperson Robinson seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

24. Report from the Community & Economic Development Department regarding an an adjustment to the Arts Program Services Agreement with Quad City Arts.

MOTION:

Aldersperson Robinson moved to approve the agreement and authorize the Interim City Manager to execute the documents; Aldersperson Gilbert seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

25. Report from the Community & Economic Development Department recommending the approval of a Landbank Intergovernmental Agreement.

MOTION:

Aldersperson Healy moved to approve the agreement subject to minor attorney modifications and authorize the Interim City Manager to execute the documents; Aldersperson Poulos seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

26. Report from the Community & Economic Development Department regarding a TIFiQ Software Agreement to assist with Tax Increment Financing (TIF) requirements.

MOTION:

Aldersperson Robinson moved to approve the agreement and authorize the Interim City Manager to execute the documents; Aldersperson Gilbert seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

27. Report from the Community & Economic Development Department regarding the Commercial Industrial Revolving Loan Fund (CIRLF) program Policies and Procedures.

MOTION:

Aldersperson Healy moved to approve the CIRLF Policies and Procedures; Aldersperson Poulos seconded.

Aldersperson Gilbert asked Miles Brainard, Community and Economic Development Department to come to the podium to answer a few questions. Aldersperson Gilbert asked who would be the point staff person for the CIRLF program. Mr. Brainard responded it would Tarah Sipes, Economic Development Manager.

Aldersperson Gilbert asked for a brief summary of how the CIRLF program will be different than it was before, which will result in hundreds of thousands of dollars of loans being written off. Mr. Brainard remarked that the proposed policies and procedures bring the program into compliance with current HUD standards of operation as well as puts into place safety measures to ensure that at every stage of the CIRLF process there is an appropriate level of review to ensure that lending out the loan makes sense. Additional efforts from staff will be made to ensure borrowers pay on time, collection steps are in place when a borrower defaults, as well as extensive record-keeping procedures that weren't in place in the past.

Aldersperson Gilbert asked if the City would receive a report on all of the previous loans and the status of them. Mr. Brainard responded the department could put that information together now and that they have a good idea of what is still owed, what they think they can collect on, and what will be written off. The department has been working hard to put a list together and they are close to having a full list that they will provide to Council.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

28. Report from the Community & Economic Development Department regarding an ordinance amending Chapter 8, Licenses and Business Regulations, adding Article XXII, Commercial Industrial Revolving Loan Fund (CIRLF) Committee. (First Reading)

MOTION:

Aldersperson Robinson moved to consider the ordinance; seconded by Aldersperson Poulos.

Aldersperson Gilbert asked if Mayor Thoms would be appointing a Council member to the Committee as indicated in the ordinance. Mayor Thoms said he was not aware that this was added to the ordinance language, but indicated he would appoint a Council member to the Committee.

Aldersperson Parker made a motion to amend the motion and suspend the rules and pass the ordinance.

City Attorney Dave Morrison remarked that there is already a motion and a second and that they would need to withdraw that motion before proceeding with a new one.

Alderspersons Robinson and Poulos withdrew their motions to consider the ordinance.

Aldersperson Robinson moved to suspend the rules and pass the ordinance; seconded by Aldersperson Poulos.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and

Swanson. Nay: None. Absent: None.

29. Report from General Administration recommending an amendment to Article III, Sec. 6-48. of the Code of Ordinances regarding the Fire Pension Fund Board. (First Reading)

MOTION:

Aldersperson Gilbert moved to consider the ordinance; Aldersperson Healy seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

30. Report from General Administration regarding amendments to Chapter 8 of the Code of Ordinances regarding video gaming licenses. (First Reading)

Mayor Thoms announced this item has been removed from the agenda.

31. Report from the Community & Economic Development Department regarding a request from Good Shepard Presbyterian to vacate a segment of a City north/south alley adjacent to a church owned dwelling at 1822 24th Street on the East and a church parking lot on the West.

MOTION:

Aldersperson Gilbert moved to deny the request as recommended; Aldersperson Poulos seconded.

Mr. Brainard came to the podium to address Council on why they are recommending the request be denied. He noted that when the department receives these requests, they notify fire, police, public works, and the utility companies at least two weeks in advance of the item being placed on the agenda for Council consideration. He noted they received feedback from MidAmerican after the agenda item was already posted. MidAmerican has requested that this item be denied as there is infrastructure running through the alleyway that they are concerned would be interrupted. Additionally, MidAmerican is concerned that the proposed solar panels are too close to their infrastructure and could impede on their ability to provide service to adjacent property owners.

Dave Stockdale from Good Shepard Presbyterian Church came to the podium to address Council. He remarked that if Council denies the request, there is a chance the church would give up the solar panel project entirely as the only other option is to take away parking.

Aldersperson Robinson asked if there was a way to work with the church to explore other locations and options. Mr. Brainard indicated that the church explored other options, but it would take away prime parking spots.

Aldersperson Robinson remarked he would like further clarification from MidAmerican on what properties service could potentially be interrupted as the church owns adjacent properties. Mr.

Brainard indicated he could not speak for MidAmerican, but thought their concern was with the other homes that are along the alley network on the block.

Aldersperson Healy remarked he wished there was a way to help the church make this work. Mr. Brainard responded that it is unusual for a utility company to ask that a vacation request be denied.

Aldersperson Gilbert asked if they considered placing the solar panels further to the western end of the parking lot. Aldersperson Robinson indicated he would like to hear directly from MidAmerican on their opposition to the vacation request. Mayor Thoms and Aldersperson Gilbert noted that MidAmerican has a public relations person that could possibly come and speak directly to Council. Mr. Brainard suggested Council table the consideration of this request to allow staff to reach out to MidAmerican to see if they would be willing to offer more comment on the matter.

Alderspersons Gilbert and Poulos withdrew their motions to deny the vacation request.

Aldersperson Healy moved to postpone the request until the March 28, 2022 meeting; Aldersperson Robinson seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

32. Report from the Finance Department regarding a budget adjustment for the Martin Luther King Community Center increasing the MLK Activity Fund (901) revenues by \$195,000.00 and expenditures by \$232,037.00 for the West End Community Assessment.

MOTION:

Aldersperson Robinson moved to approve the budget adjustment; Aldersperson Poulos seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

33. Report from General Administration recommending an amendment to the Internal Operations Policy on Council Pay and Expenses.

MOTION:

Aldersperson Hurt moved to approve the amendments to the policy as recommended; Aldersperson Poulos seconded.

Aldersperson Gilbert suggested that Council members who need more money in their

representation fund be allowed to transfer into that fund. As the currently policy stands, these amounts are set and transferring is not allowed.

Aldersperson Swanson remarked the reason why they added the stipulation of not being allowed to transfer was because of previous misuse and the perception by residents of being a slush fund. She noted she opposed being able to transfer from fund to fund.

Aldersperson Gilbert remarked that Council could stipulate that the they can only transfer into the representation fund.

Aldersperson Robinson asked if all spending of these funds needs prior approval . Aldersperson Gilbert indicated that any Council expenses have to be approved by the City Manager and Finance Director.

Aldersperson Robinson asked Aldersperson Swanson if she would reconsider the transfer into representation funds only if there was a stipulation that it had to be approved by the City Manager and Finance Director. Aldersperson Swanson responded affirmatively.

Alderspersons Hurt and Poulos withdrew their motions.

Aldersperson Robinson asked for clarification on the proposed change. Mayor Thoms responded that it would be adding the ability to transfer from the educational fund to the representation fund only as requested by a member of Council and approved by the City Manager and Finance Director.

Aldersperson Hurt made a motion to approve the revised amendments to the policy as recommended; seconded by Aldersperson Poulos.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

34. Report from the City Clerk's office regarding a request from Steve's Old Time Tap to hold an outdoor event with music for the St. Patrick's Day Parade on Saturday, March 12, 2022 from 9:00 a.m. to 5:00 p.m. with street closures on 17th Street between 2nd and 3rd Avenues, and 3rd Avenue between 17th and 18th Streets; a request for the outdoor consumption of alcohol in the fenced-in area in the adjacent parking lots; and a request for sound amplification.

MOTION:

Aldersperson Robinson moved to approve the event and requests, subject to complying with all Plaza and liquor license regulations and subject to being shut down early if complaints are received; Aldersperson Gilbert seconded.

Aldersperson Healy recused himself from the vote due to a conflict of interest.

VOTE:

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

35. Report from the City Clerk's office regarding a request from Kavanaugh's Hilltop Tavern for an outdoor fenced event with live music for the Saint Patrick's Day Parade on Saturday, March 12, 2022 from 2:00 p.m. to 11:00 p.m.

MOTION:

Aldersperson Healy moved to approve the event and requests, subject to complying with all liquor license regulations, contacting the Fire Department for fire and safety considerations, and subject to being closed down early if complaints are received; Aldersperson Hurt seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

36. Report from the City Clerk's office regarding a Plaza Activity/Event application from The Smoking Dog for an outdoor tented event for the annual Gamma Alpha Beta Fraternity Buckethead fundraiser benefitting Camp Kesem on Saturday, April 2, 2022 from 11:00 a.m. to 5:00 p.m., recommending approval of the permit fee waiver and the outdoor consumption of alcohol.

MOTION:

Aldersperson Robinson moved to approve the event and requests, subject to complying with all liquor license regulations, contacting the Fire Department for fire and safety considerations, and subject to being closed down early if complaints are received; Aldersperson Healy seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

37. Other Business

Aldersperson Parker made a request to add an agenda item at the next City Council meeting to reconsider the City donating the Blackhawk statue.

Aldersperson Robinson remarked he agreed and added that citizens should be given the opportunity to voice their opinion on the matter.

Aldersperson Healy indicated he is all for transparency, and if the item is placed back on the agenda then it should be March 28, 2022 if possible as he is out of town on March 14, 2022. Aldersperson Parker indicated that date works for him as long as Blackhawk Bank & Trust doesn't have a contract to move the statue by then.

Mayor Thoms remarked he has heard from a number of different people and heard three different viewpoints on the statue.

Aldersperson Robinson remarked they need to do a better job of communicating with citizens on these issues and all viewpoints should be heard.

Mayor Thoms remarked that Council needs to be mindful that they were elected to make these decisions for their constituents and holding public hearings on everything they make a decision on is not feasible. He noted public opinion should be sought on the large issues such as whether or not to sell the public water and sewer. The Blackhawk statue is not a landmark and is not registered as such. The statue was originally designed to be a sign for the Watchtower strip mall.

Aldersperson Robinson noted that no matter how small or big the issue is, it is public business and we should provide additional time for public input.

Aldersperson Gilbert remarked she received feedback from two people; one for and one against donating the statue. The one for the donation indicated they were glad that it was going someplace where it would be maintained.

Mayor Thoms indicated that it usually takes four Council members to move something forward and legal counsel will also need to provide an opinion as to whether or not they can bring the item back on the agenda. City Attorney Dave Morrison remarked that he provided Council with a brief memo on whether a gift can be rescinded and that until the gift is delivered you can. Aldersperson Gilbert indicated there are special rules on whether or not an item can be reconsidered for vote by Council.

Aldersperson Parker asked if Council could get a legal opinion on whether or not four Council members have to agree to bring it forward and whether the vote can be reconsidered. Mr. Morrison referenced the rule on reconsideration of an item and noted he needed to do further research to clarify whether or not this is possible and get back to Council.

Aldersperson Gilbert asked Mr. Brainard to confirm whether or not the Blackhawk statue was designated as a landmark. Mr. Brainard responded that it is not a designated landmark or of any historic preservation and is a remnant of a sign on the Watchtower site. He advised the City call the bank as soon as possible as they might have plans in place already to move the statue. He noted Community and Economic Development staff received feedback from the public as well and that some expressed they wanted it to stay, some expressed they were excited to see it being used, and some expressed they wanted the statue destroyed.

Aldersperson Healy noted he received feedback from four individuals, of which two were for donating it to the bank and two were against it. He remarked he understood what the Mayor said about not being able to get public opinion on everything, but still wanted to ensure transparency. Aldersperson Gilbert indicated that is why the agenda is posted on the Thursday prior to Monday Council meetings so that the public has an opportunity to see what Council is voting on and attend the meeting and speak during public comment.

Aldersperson Poulos said he would like to hear from legal first before deciding on whether or not bring the item back on the agenda.

Aldersperson Hurt remarked he agreed with Aldersperson Gilbert in that the agenda was published in advance and the public had the opportunity to view it. He would like the City Attorney to check on the legalities of it first and then have the City Manager reach out to each Council member to determine if the item should be placed back on the agenda for reconsideration.

Alderswoman Swanson said a decision has already been made by Council to donate the statue to the bank and that it's bad form to go back and rescind on a decision as it makes Council look foolish. She noted she received an email from the Native American Coalition indicating the statue should be destroyed.

Mayor Thoms indicated that once legal provided an opinion, the Interim City Manager would reach out to each Council member as to whether or not to place the item back on the agenda.

38. Closed Session.

MOTION:

Aldersperson Gilbert moved to enter into Closed Session for the exceptions cited; Aldersperson Poulos seconded.

VOTE:

Motion PASSED on a 7-0-0 roll call vote. Aye: Parker, Poulos, Healy, Robinson, Hurt, Gilbert, and Swanson. Nay: None. Absent: None.

Upon entering the Closed Session, roll call was taken. Aldersperson Hurt was absent for the Closed Session.

39. Motion to Adjourn.

Upon re-entering the regular meeting, roll call was taken. Aldersperson Hurt was absent.

MOTION:

Aldersperson Healy moved to adjourn; Aldersperson Poulos seconded.

VOTE:

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

The meeting concluded at 8:54 p.m.

Samantha Gange, City Clerk