

**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

City Hall

1528 Third Avenue, Rock Island IL

City Council Chambers, 3rd Floor

3/9/2020 - Minutes

1. Call to Order

Mayor Thoms called the meeting to order at 6:46 p.m. and welcomed everyone.

2. Roll Call

Mayor Thoms asked the Deputy Clerk to call the roll.

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

Absent: Alderman Dave Geenen and Alderman Ivory 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. Minutes of the February 24 and February 28, 2020 meetings.

MOTION:

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

VOTE:

Motion passed on a 5-0-2 voice vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

6. Public Comment

Rock Island resident Michelle Royal came to the front to talk about the proposed cannabis cafe ordinance. She thanked Council members that came by and those that planned to come by her business and discuss this measure, and said she had some answers to Council's previous questions. She said she had a statement from the Fraternal Organization of Sheriffs and Chiefs of Police about what is considered a sealed container, and what is considered legal to carry or have in the car. She said sealed containers can be purchased that are odorless and lockable that can be zipped shut. She reminded Council about a hookah bar that was previously opened on Blackhawk Road and was not freestanding. She said she had to contact the State, which forced the business to close their doors.

Ms. Royal said there is a short window of opportunity with the month of April and the potential to do a lot of business. She said she does not want to rush things, but feels it is close enough to happen. She said she is hoping for this measure to come to a vote soon, and is open to having discussions regarding the proposal. She asked why not for Rock Island to be the leaders, and said the City needs something to say about being progressive. She concluded by saying she hoped to bring this to a vote in the near future, and thanked Council.

7. Update Rock Island by Mayor Thoms

St. Patrick's Day Parade - The 2020 St. Patrick's Day Parade will be Saturday, March 14th at 11:30 a.m., starting at 23rd Street and 4th Avenue in Rock Island. Parade floats, bands, vehicles, and walkers will head through downtown Rock Island, across Centennial Bridge, and continue its course through Davenport. The Grand Parade is the only bi-state St. Patrick's Day Parade in the U.S. Visit www.stpatsqc.com for updates and more information.

Post Parade Parties - After the St. Patrick's Day Parade has concluded, stay in Rock Island and enjoy the post parade festivities. Some of the various outdoor festivities include Steve's Old Time Tap at 17th Street between 2nd & 3rd Avenues from 9:00 a.m. Daiquiri Factory will hold their annual Shamrock Shakedown on the downtown plaza from 9:00 a.m. to 12:30 a.m., and Kavanaugh's Hilltop Tap's annual Paddy O'Party at 1228 30th Street will be from 12:00 p.m. to midnight. And new to festivities is Brandon's Pub and Grill, who will have an outdoor tented event with live music from 10:30 a.m. to 9 p.m. with the party continuing indoors until 12:30 a.m. at 3008 7th Avenue. Be safe and enjoy all the festivities.

Tax preparation assistance - The MLK Center is a drop-in site for United Way's VITA program. United Way is offering qualifying individuals and families free tax preparation assistance. These services will run through April 11th. Hours are 5-8 p.m. on Tuesdays, Wednesdays, and Thursdays, and 9 a.m. to noon on Saturdays.

2020 Census -Beginning later this week, homes everywhere will begin receiving invitations to complete the 2020 Census. Once the invitation arrives, please respond in one of three ways: online, by phone, or by mail. Currently we have 58 non-profit organizations in the community who are actively working to guarantee everyone in our area gets counted. Kiosks will be popping up around the city for residents who need assistance in filling out the census online. A directory listing of these locations and their hours can be found at WWW.WECOUNTQC.ORG.

8. Proclamation declaring Saturday, March 21, 2020 as Royal Neighbors of America Day.

Deputy Clerk Josh Adams read the proclamation. Mayor Thoms presented the proclamation to Amy Jones of Royal Neighbors of America and posed for photos.

9. Mayor Thoms will close the regular meeting and open a Public Hearing on a request from Sean Kaiser and Nicole Stoneking to apply for a Special Use Permit for the two vacant lots west of

812 47 Avenue to maintain an outside equipment and wood splitting/recycling storage yard for their tree trimming business.

Planning and Redevelopment Administrator Miles Brainard told Council that the agenda item for a Public Hearing was a mistake, as this was meant to be a report to approve moving forward with the application for a Special Use Permit. He explained why the item was designed for the first step in the process. City Attorney Dave Morrison clarified that the language is what needs to be changed to be less restrictive or involved. He said intent of notice was given on the agenda for residents to speak on the matter, and therefore the measure could proceed.

Mayor Thoms closed the Public Hearing and reconvened the regular meeting for a motion.

MOTION:

Alderman Poulos moved to allow them to move forward with applying for a Special Use Permit as recommended; Alderwoman Swanson seconded.

VOTE:

Motion passed on a 5-0-2 roll call vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

10. An Ordinance amending Chapter 7, Article VI, Division 4 of the Code of Ordinances regarding Urban Chickens.

MOTION:

Alderman Spurgetis moved to suspend the rules and pass the ordinance; Alderman Poulos seconded.

Alderman Parker said he had an inquiry from the public regarding this update and asked Mr. Brainard to state what the modifications were. Mr. Brainard said the main thing was that the ordinance is simpler and easy to understand. He said it eliminates the 25-foot separation requirement from the rear of a house, and defines what is meant by the enclosure and the coop. It also adjusts the number of chickens per coop one can have proportional to the size of the coop. Alderman Parker asked if there were restrictions on having chickens in the front yard, and Mr. Brainard confirmed yes, unless the property is over an acre in size.

Mr. Morrison said it takes five out of seven Council members to suspend the rules and passing the ordinance, and a four to one vote would not pass.

VOTE:

Motion passed on a 5-0-2 roll call vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

11. An Ordinance establishing certain requirements for Urban Beekeeping in the City of Rock Island.

MOTION:

Alderman Parker moved to consider the ordinance; Alderman Spurgetis seconded.

Alderwoman Swanson asked why the rules would be suspended. Alderman Parker said the

measure would not pass if he didn't. Alderwoman Swanson said that was manipulating the ordinance, and wanted to go on record as saying Council was manipulating the vote. Alderman Spurgetis said the measure would come back to Council if it passed consideration.

VOTE:

Motion failed on a 2-3-2 roll call vote. Aye: Spurgetis and Parker. Nay: Poulos, Hurt, and Swanson. Absent: Geenen and Clark.

12. Claims

- a. Report from the Human Resources Department regarding payment in the amount of \$4,059.56 to MidAmerican Energy Company, Davenport, Iowa, for a general liability claim.
- b. Report from the Human Resources Department regarding payment in the amount of \$15,616.76 to David Morrison of Rock Island, IL for legal services rendered from January 31, 2020 through February 25, 2020.
- c. Report from the Public Works Department regarding payment #2 in the amount of \$51,371.10 to Utility Dynamic Corp., of Oswego, IL for the 11th Street Sidewalk / Lighting Repairs, Project 2822, for services provided from October 25, 2019 through February 21, 2020.
- d. Report from the Public Works Department regarding payment in the amount of \$15,168.79 to McClintock Trucking & Excavating, Inc., of Silvis, IL for the Sewer Lateral Repair Program, Project 2564, for services provided at 5 Knoll Court and 2370 39 Street.

MOTION:

Alderman Parker moved to accept the reports and authorize payment as recommended for claims a through d; Alderman Poulos seconded.

Alderman Spurgetis said he had asked the City Attorney a question regarding his billing, and that Mr. Morrison had answered to his satisfaction. Alderman Poulos said he also had a question regarding one of the charges on the billing, which he asked the City Manager about, and was satisfied with the answer. Mr. Morrison said he would clarify for the public. He said for a civil lawsuits in the Federal District Court, the plaintiff designated experts in the area of accommodation and floatation devices, and he sought independent consultation of a counter expert. He said he spoke with the City Manager for permission, and his office fronted the cost, and is now looking to be reimbursed.

Alderman Parker asked about item C regarding street lights. He noticed that some of those lights had been out again, and asked for an update. Public Works Director Mike Bartels came to the front and said it was not up to date, and there was a section on the south end of the City near the Watchtower site that had been out. He said it was no fault of the contractor or the City, only that the scope of the work had changed. He said not all lights received new lighting due to affordability. He said he aimed for the contractor to come in and install new conduits under the same contract, and the issues should be solved. Alderman Parker asked if there was a concern that the work would not be completed after giving the contractor the money. Mr. Bartels said no, and that there is still retainage on the project.

VOTE:

Motion passed on a 5-0-2 roll call vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

- e. Report from the Public Works Department regarding payment #2 and final in the amount of \$120,263.15 to Langman Construction, Inc. of Rock Island, IL for the Pavement Patching Program, project 2140, for services provided from January 1, 2020 through February 19, 2020.
- f. Report from the Public Works Department regarding payment in the amount of \$19,165.90 to Langman Construction, Inc., Rock Island, IL for an emergency storm sewer repair at 8424 Ridgewood Road.
- g. Report from Public Works regarding payment #27 in the amount of \$115,793.17 to Civil Constructors, Inc. of East Moline, IL for the Water Filtration Facility, Project 2760, for services provided November 22, 2019 through December 21, 2019.

MOTION:

Alderman Hurt moved to accept the reports and authorize payment as recommended for claims e through g; Alderman Spurgetis seconded.

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

VOTE:

Motion passed on a 4-0-2 roll call vote. Aye: Poulos, Hurt, Spurgetis, and Swanson. Nay: None. Absent: Geenen and Clark.

- 13. Claims for the week of February 21, 2020 through February 27, 2020 in the amount of \$714,997.33; for the week of February 28, 2020 through March 5, 2020 in the amount of \$405,383.59, and payroll for the weeks of February 10, 2020 through February 23, 2020 in the amount of \$1,488,696.61.

MOTION:

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

VOTE:

Motion passed on a 5-0-2 roll call vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

- 14. Report from the Fire Department regarding the inventory of old SCBA equipment, recommending that the listed items be declared as surplus.

MOTION:

Alderman Hurt moved to approve the request as recommended, refer to the City Attorney for an ordinance, and authorize staff to dispose of the items in a manner that is most advantageous to the City; Alderwoman Swanson seconded.

Alderman Poulos asked Fire Chief Jeff Yerkey for clarification if the surplus items were the entire aluminum bottle and regulator or the carbon fiber that had a 15 year lifetime. Mr. Yerkey said the

cylinders and regulators had reached the end of their lifespan, and money would be needed to upgrade them. Alderman Poulos said the clarification was for Council's benefit.

VOTE:

Motion passed on a 5-0-2 roll call vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

15. Report from the Fire Department regarding the purchase and installation of a new warning siren from Braniff Communications of Crestwood, IL in the amount of \$11,885.00 as part of the Capital Improvement Plan.

MOTION:

Alderman Poulos moved to award the bid as recommended and authorize the purchase; Alderman Parker seconded.

VOTE:

Motion passed on a 5-0-2 roll call vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

16. Report from the Public Works Department regarding bids for the purchase of 213,840 paper yard waste bags for the 2020 Leaf Pickup Program, recommending the previous contract be extended and the bid be awarded to Pabco Industries, Inc. of Newark NJ in the amount of \$87,032.88.

MOTION:

Alderman Parker moved to award the bid as recommended and authorize the purchase; Alderwoman Swanson seconded.

Alderman Spurgetis said this is a topic that comes up each year, and asked if a sponsor could pay for all or some of the cost. Mr. Bartels said Public Works put it out for proposals but did not receive a legitimate response. Alderman Spurgetis said other methods may be needed, and he would share his ideas. He said the budgeted amount is \$76,000 but the cost of the bags is \$87,000. Mr. Bartels said the current company was the only bidder for the job, and extended the price to this year. He said the company wanted the City to receive the shipments of bags in two full semi loads totaling around 142,000 bags, and he did not feel comfortable having that inventory. He said he opted to go with a third shipment, with the intent on lowering the cost for the 2021 budget to offset that. Alderman Spurgetis asked if the full amount would cover the spring and fall cleanup. Mr. Bartels said it would, and there would be around 50,000 extra bags, and an internal budget adjustment was done internally to cover that cost.

Alderman Spurgetis said if a sponsor is not found, the program will cost the City a lot of money to pass bags out freely. He said he hopes the City can find a way to defer some cost if not all. City Manager Randy Tweet said the money comes from the enterprise fund and not from property taxes, and therefore it does not cost the City, but instead the users of the leaf bags. Alderwoman Swanson said instead of putting this up for bid, maybe fundraising or marketing could be utilized by reaching out to businesses for sponsorship. Mr. Bartels said because the season is short, the amount of exposure for businesses is limited. He said Staff has put thought into the matter, but have not received interest in sponsorship. Alderwoman Swanson asked if the City has looked into leaf vacuuming like Moline has. Mr. Bartels said they have, but the service is costly. Mayor Thoms added that there is a decent cost for printing on the bags.

Alderman Swanson asked if the bags could be sold similar to Iowa. Mr. Bartels said the City has looked into making it a revenue source or eliminating the program, but those ideas have not moved forward. Mr. Tweet said the issue comes up with each new Council, and it had previously been decided that the City would continue the program since leaf burning is banned. He said the Council can make a decision otherwise at any time. Alderman Hurt asked how many bags are picked up that are not used. Mr. Tweet said one time the City recorded how many bags were picked up by residents and how many bags were picked up at homes, with the result being most people picked out the same amount as they put out.

Alderman Parker asked if the bid was not awarded in the meeting, how many bags on hand would the City have. Mr. Bartels replied 25,000 bags, which would take the City through the Spring season. Alderman Swanson said since it is late for this year, Council should go ahead, but would like to pursue other avenues in the future. Mayor Thoms said some people are paying for extra bags beyond the free pickup throughout the year for yard waste subscribers.

VOTE:

Motion passed on a 4-1-2 roll call vote. Aye: Poulos, Hurt, Swanson, and Parker. Nay: Spurgetis. Absent: Geenen and Clark.

17. Report from the Public Works Department regarding bids for the 2020 Pavement Marking Program, recommending the contract be extended and the bid awarded to Precision Pavement Marking of Pingree Grove, IL in the amount of \$100,000.00

MOTION:

Alderman Parker moved to extend the bid as recommended, authorize the City Manager to execute the contract documents, and authorize the Public Works Department to execute the necessary change orders; Alderman Poulos seconded.

VOTE:

Motion passed on a 5-0-2 roll call vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

18. Report from the Community and Economic Development Department regarding the sale of 15 City owned parcels located along 11th Street, between 5 and 7 Avenues to Gorman and Company.

MOTION:

Alderman Spurgetis moved to approve the purchase agreement as recommended, authorize the City Manager to execute the contract documents, and consider, suspend the rules, and pass the ordinance.; Alderman Poulos seconded.

Alderman Spurgetis asked if the purchasing company had submitted conceptual drawings. Mr. Tweet said he just handed a packet to him with the information he requested, and he will get copies to the rest of Council. He said the plan is to have townhomes similar to the ones on 11th Street and 3rd Avenues. Alderman Spurgetis said the similar homes are nice and provide affordable housing. Alderman Parker asked how the purchase price was determined. Economic Development Manager Tarah Sipes came to the front. She said the price was suggested to the City as it worked in their financing scheme, and based on the holding costs for the property and City investment, the price was fair. Mayor Thoms said the gentleman involved with this sale wanted to be at the meeting but was ill. Ms. Sipes said the information Mr. Tweet provided is

from the company's PUD, or Planned Unit Development application, and Council would have more time later to ask specific questions. Mr. Brainard said the PUD process was used to ensure a high quality of urban design, and Staff will discuss each step as the process continues and goes through the Planning Commission. Ms. Sipes reminded Council that these were preliminary plans.

Alderman Parker asked where the money made from the sale would go. Ms. Sipes said the City incurs costs for holding properties, and some would cover that, but the remainder would go into the 207 fund, or the fund for the Community and Economic Development Department for use on other projects.

VOTE:

Motion passed on a 5-0-2 roll call vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

19. Report from the Mayor regarding the appointment of Deb Kuntzi and the reappointments of Linda Anderson, Robert Braun and John Daley to the Rock Island Preservation Commission.

MOTION:

Alderman Parker moved to approve the appointment and reappointments as recommended; Alderman Poulos seconded.

VOTE:

Motion passed on a 5-0-2 voice vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

20. Other Business

Mayor Thoms said he spoke with Alderman Ivory Clark and wished him well as he recovers from major surgeries.

He also read a letter from a City resident praising the Public Works Department for their professionalism in completing a curb repair and enhancement at 2905 31st Avenue.

Mayor Thoms discussed an update on what the City is doing to prepare for the COVID-19 virus. He said the City is doing everything they can to stay on top of the issue, including working with other municipalities and preparing with health organizations. He summarized the recommendations provided to the City.

Alderwoman Swanson said she was bothered about the previous vote on beekeeping. She said she ran for Council because of perceived gamesmanship going on, and that she was offended that on a vote the motion was manipulated because one would vote against it. She said she hopes going forward there will be no more manipulative gamesmanship, as she is irritated by it.

21. Motion to Adjourn

MOTION:

Alderman Poulos moved to adjourn the meeting; Alderman Hurt seconded.

VOTE:

Motion passed with a 5-0-2 voice vote. Aye: Poulos, Hurt, Spurgetis, Swanson, and Parker. Nay: None. Absent: Geenen and Clark.

The meeting adjourned at 7:44 p.m.

Josh Adams, Deputy Clerk