

**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

City Hall

1528 Third Avenue, Rock Island IL

City Council Chambers, 3rd Floor

1/28/2019 - Minutes

1. Call to Order

Mayor Thoms called the meeting to order at 6:49 p.m. and welcomed everyone.

2. Roll Call

Mayor Thoms asked the City Clerk to call the roll.

Present: Mayor Mike Thoms, Alderman Joshua Schipp, Alderman Dave Geenen, Alderman Ivory D. Clark, Alderman Virgil J. Mayberry, Alderman James Spurgetis, Alderman Stephen L. Tollenaer, and Alderman Dylan Parker

Staff: City Manager Randy Tweet, City Attorney Dave Morrison, City Clerk Judith Gilbert, 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 January 14, 2019 meeting.

MOTION:

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

VOTE:

Motion passed on a 7-0-0 voice vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

6. Minutes of the Executive Session of January 14, 2019.

MOTION:

Alderman Parker moved to approve the Executive Session minutes; Alderman Schipp seconded.

VOTE:

Motion passed on a 7-0-0 voice vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

7. Update Rock Island by Mayor Thoms

Extreme Temperatures – With dangerous and extreme cold temperatures, certain departments for the City of Rock Island will have shortened hours or be will closed over the next 48 to 72 hours. It is anticipated that the MLK Community Center, RIFAC and library branches will close Tuesday, January 29 at 5:00 p.m. and remain closed Wednesday, January 30. All scheduled classes, activities and calendar events have been cancelled. It is our hope that citizens call or visit our website; WWW.RIGOV.ORG, for an updated list of closings and re-openings.

Citizen Survey – The City of Rock Island is continuing its efforts with Polco, an innovative survey platform for residents to provide input into city government. Residents can answer questions and make comments in regards to City matters and the direction of departments. Residents must register by visiting WWW.RIGOV.ORG, under Popular links, and click on “Citizen Survey Platform.” Answers and comments will remain anonymous. The service is free to all residents.

42nd Builders & Remodelers Home Show – The Quad Cities Builders & Remodelers Association Home Show is scheduled for February 8 through 10, 2019 at the QCCA Expo Center. Friday hours are 12:00 p.m. to 8:00 p.m., Saturday 10:00 am to 8:00 p.m. and Sunday 10:00 a.m. to 4:00 p.m. Ticket prices are \$8.00 and youth, 16 years and under get in free with paying adult. On Friday, seniors 60 years old or older, admission is only \$5.00. Visit WWW.QCBBR.ORG for more information.

8. Presentation of the 2018 Commercial Beautification Awards

Mayor Thoms gave the following comments regarding the 2018 Commercial Beautification Awards. "This program was created to honor business owners for their efforts in improving the facades and landscaping of their properties. This year, the Beautification Commission will honor four businesses and an artist with a traveling plaque or trophy. There were 13 nominees and the quality of each project made the selection process difficult. Each of this year's projects has helped beautify the business, surrounding neighborhood, and the City of Rock Island at large. The Beautification Commission commends your efforts." The Mayor also thanked the businesses for their efforts.

Honorable Mentions were awarded to the following businesses: Ballet Quad Cities at 617 17th Street; Riverfront Grille at 4619 34th Street; Good Shepherd Presbyterian Church at 2324 18th Avenue; Trinity Anglican Church at 1818 6th Avenue; Grell Enterprises at 4330 11th Street; Discount Auto Body Supply at 601 4th Street; Quilt Addicts Anonymous at 1232 30th Street; and Dr. Gyros at 2519 18th Avenue.

The winners of the 2018 Commercial Beautification Awards were presented by Mr. Towler, Chairman of the Beautification Commission. The winners were: Mayor's Award to Fred & Ethel's Fifties Retro Antiques & Heidi Sallows for 1326 30th Street (not in attendance); City Council Award to Crawford Brewing Equipment for 730 31st Avenue (owner Jim Maynard accepted the award); Beautification Commission Award to Olivet Baptist Church for 1115 21st Avenue (Rev. Allen J. Shuler, Jr. accepted the award); and the overall winner for the Rotary Trophy Award

went to Friendship Manor for 1209 21st Avenue (Ted Pappas, the President and CEO of Friendship Manor, and Jeff Condit, Development Director, accepted the award).

A slide show was shown of the winning entries. Pictures were taken of the winners with Mayor Thoms and Mr. Towler.

9. Presentation of the 2018 Holiday Lighting Awards

Mayor Thoms gave the following comments regarding the 2018 Commercial Beautification Awards. "This was the 33rd year that the Beautification Commission has held its annual Holiday Lighting Contest. The contest is intended to recognize Rock Island residents and businesses who craft seasonal displays that are enjoyed by many throughout the holidays. This year, over 19 lighting displays were nominated. Displays were viewed by the Commission during a bus tour the evening of December 17th. Winners were selected in both Residential and Commercial categories. Each display was truly outstanding and the Commission and I would like to thank everyone who participated in this year's contest. I will begin by reading the names of the nominees who have already received their Honorable Mention Certificates."

The following businesses received an Honorable Mention in the Commercial category: 124 18th Street – ICON's; 1824 3rd Avenue – Circa 21; and 1808 3rd Avenue – Vintage Varieties. Homes at the following addresses received an Honorable Mention in the Residential category: 1534 25th Street; 3401 26th Avenue; 3319 26th Avenue; 3238 26th Avenue; 2513 31st Street Court; 2507 31st Street Court; 2200 30th Street; 2116 22nd Avenue; and 2223 17th Street.

Commercial Winners were: 3rd Place: 1623 2nd Avenue – Patricia Belvel for Coleman Florist; and 2nd Place: 3900 14th Avenue – Darryl Lamp for Lamps Flower Shop (both not in attendance). Mr. Towler presented the 1st Place Award to Tim Fanella, Facilities Manager for Modern Woodmen of America, at 1701 1st Avenue.

Residential winners were: 3rd Place (tie): 1443 42nd Street – Mark Russell; 3rd Place (tie): 3212 14th Street – J. Kimberly Reda; 2nd Place: 2910 22nd Avenue – Thomas Strontz; and 1st Place: 2815 44th Street – Andrew and Brandi Love.

A slide show was shown of the winners' holiday lighting display. Picture were taken with Mayor Thoms and Mr. Towler.

10. Proclamation declaring January 2019 as Human Trafficking Awareness Month.

City Clerk Judith Gilbert read the proclamation. Maggie Tinsman, founder of Braking Traffik, accepted the proclamation. She thanked the Mayor and Council for recognizing the problem of human trafficking. She said the average age of a victim is 13 years old. Braking Traffik served 68 survivors of trafficking in 2018; the organization serves Scott and Rock Island and other counties. She asked Council to consider an ordinance to license massage parlors to assure the public the businesses are safe. Des Moines and Cedar Rapids found human trafficking in massage parlors in their communities.

11. Mayor Thoms will close the regular meeting and open a Public Hearing on a request from Deborah Freiburg for a Special Use Permit to maintain the operation of a bed and breakfast business at her residence at 2702 30th Avenue.

Mayor Thoms closed the regular meeting and opened the Public Hearing at 7:08 p.m. He asked requester Deborah Freiburg to make her statement first. Ms. Freiburg read a biographical statement. She stated her family and friends visit often and she always recommends Rock

Island amenities to her guests. She said they are looking for something different from a hotel stay or something less expensive.

Mayor Thoms asked if there was anyone who wished to speak against the request. Chad Doran stated they live a few doors down from Ms. Freiburg. He shared their concerns with it being a dead end street and the traffic; he and his wife have three children and there are other families on the block. He would also like to know the impact on the property values. He said it is a short-term rental situation and a business being run at the end of the street.

Mayor Thoms asked again if anyone wished to speak against the request; no one came forward. Mayor Thoms informed the audience that Frank Skafidas brought a letter with a petition to City Council against the request. Alderman Spurgetis said five households were represented on the petition.

Mayor Thoms asked twice if anyone in favor of the request wished to speak; no one came forward.

Council discussed the request. Alderman Geenen said it is a sharing economy today; he noted there are 14 positive comments on Airbnb for Ms. Freiburg. Alderman Parker asked Finance Director Stephanie Masson where the City is on regulating Uber, Airbnb, etc. He noted there is a City hotel/motel tax; he wanted to know if the City was receiving any revenues from Airbnb. Ms. Masson replied the City is not receiving any revenue from the Airbnb properties in the City. She said they receive hotel/motel tax from two VRBO properties in the city. She added the use does fall under the City's hotel/motel tax ordinance. The local homeowners of the VRBO properties collect and pay the tax. Ms. Freiburg stated that Airbnb paid the tax for her Airbnb property when she lived in DC. Alderman Parker asked for clarification if staff is researching and updating ordinances related to the sharing economy. Ms. Masson replied yes.

Alderman Tollenaer said Ms. Freiburg's property is in the 4th Ward; it is on a one block dead-end street. He stated there is a high amount of disapproval for the operation. He will not be supporting it. He discussed the first complaint he received.

Alderman Clark asked Ms. Freiburg if she had a list of support from the neighbors. She responded that she didn't know there was a petition going around and did not have a chance to do that. Alderman Clark said his decision would be based on the impact on the neighborhood and there are an overwhelming number of neighbors against the request.

Mayor Thoms spoke in favor of the request although he does not have a vote. He said there has not been a high volume of visitors. He does not think there has been high traffic due to the Airbnb operation. Ms. Freiburg stated she has had only seven guests since July. The Airbnb rooms are in her basement and there is a separate entrance. She charges \$70 per night. Discussion continued.

Alderman Schipp said he has advocated for homeowners' rights in the past. He said there was a favorable staff recommendation after Ms. Freiburg went through the process. He thought it is time to have the conversation on the City's policy for this type of business. Alderman Tollenaer insisted it did not conform to the City's zoning. Alderman Geenen asked about other Airbnb properties in the city. City Manager Randy Tweet replied this came up because a neighbor brought it to the City's attention. Alderman Parker said there is an actual bed and breakfast in his neighborhood and people like it. He asked about the impact of an ordinance change. City Attorney Dave Morrison responded an ordinance change would change the manner in which the requests would be made; it would not preclude Ms. Freiburg from coming back unless the ordinance change is to not allow any of this type of business. Alderman Spurgetis said the neighborhood residents oppose the request and they have rights too. He is not in favor of the

request. Discussion continued. Alderman Mayberry said he was not in favor of it.

Mayor Thoms was going to close the meeting when several attendees indicated they wished to speak. Diane Overstreet, Rock Island resident and friend of Ms. Freiburg, said she always has her relatives stay with Ms. Freiburg. She stated there is an issue with the sign location for the dead-end street contributing to the traffic on that street.

Alderman Parker asked if the decision could be delayed to give staff time to research other communities' regulations and how quickly the research could be done; he thinks the policy needs to be decided first. Mr. Tweet thought it could be done at a study session in March.

Rock Island resident Bob Brown said he and his wife operate an Airbnb property. Ian Harris said shutting down Airbnb is a terrible way to move the city forward. The City should figure out how to get money out of the situation. Discussion continued.

Mayor Thoms closed the Public Hearing at 7:45 p.m., reconvened the regular meeting, and entertained a motion.

MOTION:

Alderman Parker moved to approve the special use permit as recommended, subject to the stipulations as stated in the report, and refer to the City Attorney for an ordinance; Alderman Schipp seconded.

Alderman Spurgetis said he is all for reviewing the policy, but they are working with the current system and supporting the neighbors on that block. Alderman Geenen said he hoped anyone can feel like they can come to Council and engage on any issue.

VOTE:

Motion did NOT pass on a 3-4-0 roll call vote. Aye: Schipp, Geenen, and Parker. Nay: Clark, Mayberry, Spurgetis, and Tollenaer. Absent: None.

12. A Special Ordinance removing a handicapped parking space at 716 30th Street.

MOTION:

Alderman Parker moved to consider, suspend the rules, and pass the ordinance; Alderman Spurgetis seconded.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

13. Claims

- a. Report from the Information Technology Department regarding payment in the amount of \$11,427.06 to DLT Solutions, Inc. of Herndon, VA for the Autodesk annual subscription.
- b. Report from the Public Works Department regarding payment in the amount of \$12,615.36 to CJ Now Plumbing of Rock Island, IL for a water service repair at 1717 25th Street.

- c. Report from the Public Works Department regarding payment in the amount of \$38,525.06 to the Illinois Department of Transportation of Springfield, IL for the 18th Avenue Resurfacing: 17th Street to 46th Street Project.

MOTION:

Alderman Schipp moved to accept the reports and authorize payment as recommended for Claims items a through c; Alderman Parker seconded.

Alderman Parker asked if a list of contractors was maintained for the Water Service Repair Program. Interim Public Works Director Mike Bartels responded that the City initiates the contractor and they are currently revamping the emergency contractor repair list for this type of work. He said they will soon be bringing a list of contractors to Council for approval. Mr. Tweet added that the contractor was also the cheapest bid.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

- d. Report from the Public Works Department regarding payment in the amount of \$37,263.60 to Valley Construction Company of Rock Island, IL for an emergency sewer repair on 27th Street and 18th Avenue.
- e. Report from the Public Works Department regarding payment #1 in the amount of \$330,713.75 to Langman Construction Co. of Rock Island, IL for the 2018 MFT Funded Parkway Repair Project for services provided from October 8, 2018 through November 30, 2018.
- f. Report from the Public Works Department regarding payment #10 in the amount of \$81,884.57 to Centennial Contractors of the Quad Cities, Inc. of Moline, IL for the 2017/2018 Sidewalk and Pavement Patching Program for services provided from January 1, 2019 through January 15, 2019.

MOTION:

Alderman Schipp moved to accept the reports and authorize payment as recommended for Claims items d through f; Alderman Spurgetis seconded.

Alderman Mayberry asked for an explanation of (e) payment #1 and (f) payment #10 and the varying amounts. Mr. Tweet replied that it depends on how much work is done in a given period of time; it varies in the number of payments and the amounts.

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

VOTE:

Motion passed on a 6-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, and Tollenaer. Nay: None. Absent: None.

- 14. Claims for the weeks of January 11 through January 17 in the amount of \$1,540,031.71 and January 18 through January 24 in the amount of \$466,252.80; and payroll for the weeks of December 31, 2018 through January 13, 2019 in the amount of \$1,484,327.37.

MOTION:

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

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

15. Report from the Fire Department regarding the sole source purchase of two Bullard thermal imaging cameras from Dinges Fire Company of Amboy, IL in the amount of \$16,200.00.

MOTION:

Alderman Spurgetis moved to approve the purchase as recommended; Alderman Parker seconded.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

16. Report from the Public Works Department regarding bids for the purchase of a Fecon FMX36 Excavator Mulcher, recommending the bid be awarded to Pillar Equipment of Silvis, IL in the amount of \$14,900.00.

MOTION:

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

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

17. Report from the Community and Economic Development Department regarding the sale of City-owned property at 1316 10th Street to Mildred Huff for \$5.00 plus closing costs.

MOTION:

Alderman Parker moved to pass Agenda Items #17, #18, #19, and #20 via consent agenda; Alderman Clark seconded.

VOTE:

Motion passed 7-0-0 on a voice vote.

Mr. Morrison said a roll call vote is needed in order to suspend the rules and pass the ordinances which requires a supermajority vote.

MOTION:

Alderman Schipp 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 for items #17, #18, #19 and #20; Alderman Tollenaer seconded.

Alderman Spurgetis asked for an explanation for the audience. Alderman Parker said for efficiency, Council wants to pass the group of items together for the sale of small parcels. Mr. Morrison said they are buying parcels that are adjacent to their current property; these sales have been done before.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

18. Report from the Community and Economic Development Department regarding the sale of City-owned property at 2100 1st Street to Debra Bernauer for \$5.00 plus closing costs.

See MOTION and VOTE under Item #17.

19. Report from the Community and Economic Development Department regarding the sale of City-owned property at 1217 9th Avenue to Shirley Clark for \$5.00 plus closing costs.

See MOTION and VOTE under Item #17.

20. Report from the Community and Economic Development Department regarding the sale of City-owned property at 1014 6th Avenue to Cathy Terrell for \$5.00 plus closing costs.

See MOTION and VOTE under Item #17.

21. Report from the Public Works Department regarding the surplus of approximately 700 48-gallon refuse containers, recommending that the items be declared as surplus.

MOTION:

Alderman Parker 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 of Rock Island; Alderman Schipp seconded.

Alderman Mayberry asked what the containers had been used for. Mr. Tweet replied they were used when the City started the recycling program about ten years ago before the City went to bigger carts due to demand. Alderman Mayberry asked how they will get rid of them. Mr. Tweet said ideally someone will purchase them.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

22. Report from the Traffic Engineering Committee regarding two requests from Lance Clark, Principal of Frances Willard School:
 - a. For removal of the one-way for eastbound traffic on 25th Avenue between 9th and 11th Streets on school days between the hours of 7:15 a.m. to 8:15 a.m. and 2:30 p.m. to 3:30

p.m.

MOTION:

Alderman Spurgetis moved to approve the request as recommended and refer to the City Attorney for an ordinance; Alderman Mayberry seconded.

Alderman Clark and Alderman Parker both asked if the item had been recently voted on. Alderman Spurgetis said it did not work out.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

- b. For removal of the "No Parking, Stopping or Standing" signs from the south side of 25th Avenue from 9th Street to the gymnasium and for the installation of these signs on the north side of 25th Avenue from 9th Street to 10th Street during school days from 7:30 a.m. to 3:30 p.m.

MOTION:

Alderman Spurgetis moved to deny the request as recommended; Alderman Clark seconded.

Alderman Spurgetis said in the packet there is a map and a letter from Aunt Bea's Cafe with a petition opposing the request. He said it would adversely affect the neighborhood and the restaurant.

VOTE:

Motion passed on a 6-1-0 roll call vote. Aye: Schipp, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: Geenen. Absent: None.

23. Report from the Traffic Engineering Committee regarding a request from Gervaise Mangrum for the installation of a handicapped parking space in front of her home at 726 24th Street.

MOTION:

Alderman Parker moved to approve the request as recommended and refer to the City Attorney for an ordinance; Alderman Geenen seconded.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

24. Report from the Traffic Engineering Committee regarding a request from Doug Moslehi for the installation of a parking space in front of 1625 2nd Avenue.

MOTION:

Alderman Clark moved to approve the installation of one 4-hour parking space in front of 1625

2nd Avenue as recommended and refer to the City Attorney for an ordinance; Alderman Tollenaer seconded.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

25. Report from the Mayor regarding an appointment to the Bi-State Regional Commission.

MOTION:

Alderman Spurgetis moved to approve the appointment as recommended; Alderman Geenen seconded.

Alderman Dylan Parker is being appointed to a vacancy on the Bi-State Regional Commission.

VOTE:

Motion passed on a 7-0-0 voice vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

26. Report from the City Clerk 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 16, 2019 from 9:00 a.m. to 5:00 p.m. with street closures of 17th Street between 2nd Avenue and 3rd Avenue and 3rd Avenue between 17th Street and 18th Street; with sound amplification; and the sale and consumption of alcohol in the fenced-in area.

MOTION:

Alderman Parker moved to approve the event and requests as recommended, subject to complying with all Plaza and liquor license regulations and subject to being shut down early if complaints are received; Alderman Clark seconded.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

27. Other Business / Public Comment

OTHER BUSINESS

Alderman Mayberry commended the King Center for their celebration of Dr. King. He requested the City Manager look into Dr. King's birthday being a holiday for the City by 2020; it is a national holiday. Alderman Geenen asked who would run the memorial service if all of the employees have the day off. Mr. Tweet responded it is a Council decision. Alderman Parker asked if home rule authority can create a holiday. Mr. Tweet said if they are asking employees to trade the holiday for a personal day, that would require union negotiations; if it's just giving employees an extra holiday, it is up to Council. Alderman Schipp said Alderman Mayberry has brought the matter up for several years in a row; it just needs four Council members in support of the holiday. Discussion continued. Mr. Tweet said they will put together the financial impact and then see how Council wants to proceed.

Alderman Parker asked why people have to sit through an entire Council meeting before they can speak at Public Comment. He said during the study session on Public Comment rules, the consensus was to move Public Comment up to the beginning of the meeting. Mr. Tweet responded that once the recommendation for Public Comment rules comes to Council, then Public Comment will be moved to the beginning of the meeting and Council will be able to vote on the rules.

Alderman Mayberry commented that the public may have confusion about City and County collections for deposits. He asked Finance Director Stephanie Masson to explain the City's procedures. Ms. Masson explained the City's deposit and collection procedures for deposits including cash. Ms. Masson stated good internal controls are practiced by the City. She said there are multiple people involved in the chain of custody which is a good practice. Alderman Mayberry said people often confuse the two governments.

Alderman Schipp offered his thoughts on the Special Use Permit vote; he compared it to the crematorium vote. The decision should be based on the facts; he said now all Airbnb properties need to be shut down since a precedent was set. Alderman Tollenaer responded that the matter came before Council because there was a complaint and he represents the 4th Ward. He convinced three other aldermen and that was the vote. Alderman Schipp said they need to have a debate about Airbnb. Alderman Tollenaer responded that was not the issue tonight.

Alderman Spurgetis wondered if other aldermen were getting calls about the deer population. No one had.

PUBLIC COMMENT

Mayor Thoms announced he was limiting each speaker to five minutes since there were so many signed up for Public Comment. He asked them to please not repeat the same points to be most productive with the time. Mayor Thoms informed the audience that the City's involvement is strictly limited to issuing a permit for demolition of the courthouse; the City has no decision-making authority in the matter. He added the City is relying on their City Attorney to advise them in the matter. Mayor Thoms said Council has no decision in the matter; it is the Inspection Division that will issue the permit.

Diane Oestreich, Rock Island resident, asked the City to offer the resources of the City's Economic Development Department for development of the courthouse. She said everyone would benefit if the building went back on the tax rolls.

Bridget Ehrmann, Rock Island resident, said there has been a lot of circumventing of the law, putting the taxpayers at risk for lawsuits.

Michael Williams, Moline resident, suggested selling pieces of the building. He was also concerned about the public's exposure to asbestos over the years.

Mike Baxter, Muscatine resident, said his group is trying to preserve the building for a Rapids River Museum.

Alderman Parker commented that the Chief Judge is arguing the City's demolition permit doesn't apply in this situation.

City Attorney Dave Morrison stated the City of Rock Island adopted the 2015 International Building Code and owners must make application for a demolition permit (section 105.3). He read from the Code the requirements: "The building official shall examine or cause to be

examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable." Mr. Morrison explained what the code means; Council does not vote on the demolition permit application; it is decided by the building official. He also added "laws and ordinances" would also include of the laws of the State of Illinois and U.S. laws.

Mr. Baxter asked if an application has been submitted and if the public can see the application. Mayor Thoms said an application has not been submitted yet. Alderman Schipp said a copy of the application can be requested through the City Clerk and the FOIA process. Mr. Tweet said there is only a company name and address on the application.

Tom Sparkman, Rock Island resident, said he opposes demolition as the building is a great asset. He would like to see a little bit more leadership from the City.

Joe Lemon, Rock Island property owner, said he is requesting the City talk to the County; he would like to see a Blue Ribbon Task Force established.

Aiden Landman, Rock Island resident, would like to see the City enter into an intergovernmental agreement with the County to use the City's economic development staff to develop the building.

Ian Harris, Rock Island resident, said the City should do everything to stop the demolition.

Jody Zwiebel, Rock Island resident, said he has made an investment in three Rock Island properties and the courthouse is an asset for the community.

Megan Quinn, Rock Island resident, said as an artist, it is a terrible waste to deprive future generations of the craft in the courthouse building.

Mayor Thoms said he met with the Chief Judge this afternoon, but they did not reach agreement. Mayor Thoms said the Chief Judge feels he does not need DNR's permission for the demolition. Mayor Thoms said the City codes require EPA and DNR approval and the City is waiting for them to make a decision. He explained further that the City Council has no authority to make a decision. He added if EPA and DNR give their approval, then the City will have to issue the permit.

Mr. Morrison said there are two issues: 1) the EPA groundwater permit; and 2) compliance with the Preservation Act and any adverse effect as a result of the demolition.

Discussion continued.

28. Executive Session:

MOTION:

Alderman Spurgetis moved to go into Executive Session for the exceptions cited; Alderman Schipp seconded.

5 ILCS 120/2 (c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

5 ILCS 120/2 (c)(2) Collective negotiating matters between the public body and its employees or their representatives.

VOTE:

Motion passed on a 7-0-0 roll call vote. Aye: Schipp, Geenen, Clark, Mayberry, Spurgetis, Tollenaer, and Parker. Nay: None. Absent: None.

29. Motion to Adjourn

MOTION:

Alderman Parker moved to adjourn; Alderman Spurgetis seconded.

VOTE:

Motion passed on a 5-0-2 voice vote. Aye: Schipp, Geenen, Mayberry, Spurgetis, and Parker. Nay: None. Absent: Clark and Tollenaer.

The meeting adjourned at 9:58 p.m.

Judith H. Gilbert, City Clerk