

The Rock Island City Council met in Study Session at 5:30 pm in City Council Chambers at Rock Island City Hall. Present were Mayor Dennis E. Pauley presiding, and Aldermen P.J. Foley, Stephen L. Tollenaer, Kate Hotle, Joshua Schipp, Charles O. Austin III, Ivory D. Clark and Virgil J. Mayberry. Also present were City Manager Thomas Thomas, Community and Economic Development Director Jeff Eder and other City staff. City Attorney Dave Morrison arrived at 5:33 pm.

### **REAL ESTATE DISPOSITION POLICY**

Community and Economic Development Director Jeff Eder presented the proposed property disposition guidelines policy to Council. Mr. Eder stated that staff receives a lot of questions on various pieces of City-owned properties and staff would like to establish some guidelines with the ability to ask citizens and developers some very good questions in regards to seeking qualified applicants to purchase those properties.

Mr. Eder advised that the purpose of the guidelines is to establish a uniform evaluation process to sell real estate owned by the City. Mr. Eder added that the decisions to sell real estate should be in support of neighborhood or community planning and revitalization efforts; it should support the City's Comprehensive Plan, Downtown Plan and other plans. Mr. Eder pointed out that the decisions to sell City real estate would be made on a case by case basis; properties will be sold as is; and Council has final authority to sell any property.

Mr. Eder discussed the types of properties that would be available to sell and reasons for selling City-owned properties. Various types and reasons discussed included; property that is not currently used by the City, a City department and/or does not have a municipal function; property that is vacant and has no foreseeable use by the City; property that is a non-performing or under-performing asset and value can be generated by selling it; and economic development opportunities can be generated by selling the property. Mr. Eder and Council further discussed this subject.

Mr. Eder discussed several factors in regards to determining whether or not to sell a property. Various factors discussed included; would the City be relieved of liabilities and/or costs associated with maintaining property that does not generate income or provide public benefits; would the proposed use comply with the Comprehensive Plan and other City plans; is there a development proposal for the site; and would the sale of the property result in returning the property to the tax rolls.

Mr. Eder advised that staff compiled a list of eligibility requirements in regards to the purchaser. The eligibility requirements discussed included; whether the applicant is current on property taxes and has no outstanding special assessments; does the applicant have zoning, health, building, or other municipal code violations on any properties owned in the City; has the applicant owned property that the City has acquired by means of property-tax foreclosure; and does the applicant have adequate financing to acquire and maintain the property. Mr. Eder, Council and City Attorney Morrison further discussed these eligibility requirements as it related to whether City staff would be eligible to apply.

Mr. Eder advised that when negotiating sale prices for properties, it is typically based on several factors including; the condition of the property; appraisal value; the amount of taxes due on the property; and the cost to the City to acquire the property. Mr. Eder commented that it may also depend on what the applicant wants to do with the property. Mr. Eder stated that an applicant that wants to purchase a property from the City should provide a development proposal for the site. Mr. Eder added that if it is an economic development project, it could have potential incentives with it if the City is selling that piece of property. Mr. Eder noted that development agreements come back to Council for consideration.

Mr. Eder discussed side-yard and backyard expansions. Mr. Eder indicated that side-yard expansions involve the sale of a whole or partial nonconforming lot to an adjacent owner, which results in the creation of a conforming lot of adequate size. Mr. Eder added that a residential side-yard expansion can allow an addition, deck or yard expansion, and a commercial side-yard expansion can expand or add to the current use and potentially increase revenue of a business. Mr. Eder explained that side-yard and backyard expansions may be permitted if several conditions are met. The conditions that Mr. Eder discussed included; the adjoining owner is an owner-occupant of the adjacent property; the adjoining owner is in good standing with the City; and the vacant lot has no current development proposals or lacks future development potential. Mr. Eder further discussed side-yard and backyard expansions. Mr. Eder also provided examples and discussed several types of expansions as it related to applicants wishing to purchase an adjacent lot for various reasons including new home construction, new garage, and lot split for side-yard expansions and backyard expansions. Council discussed these examples.

Mr. Eder discussed the application and approval process. Mr. Eder advised that in regards to the property disposition guidelines, staff would create a formal application and there would be a small nonrefundable fee that would be implemented to cover some of the administration costs. Mr. Eder explained that some properties may not be advertised so public notices in the newspaper are a good way to notify people and it lets the neighbors be aware of what is going on. It was noted that preliminary approval would go through the executive session process and final approval would be through an ordinance.

Council discussed the nonrefundable application fee as it related to whether or not the fee would cover publication costs. Council discussed the notification component as it related to the application process. Council also discussed City-owned lots as it related to appraisals. In addition, Council discussed the overall proposed guidelines. Mr. Eder stated that staff would like to start working on getting some of the pieces of property back on the tax rolls. It was a consensus among Council to move forward with the guidelines policy. Mr. Eder commented that he would put the guidelines policy into the correct format.

### **EXECUTIVE SESSION**

A motion was made by Alderman Foley and seconded by Alderman Hotle at 5:54 pm to recess to Executive Session on matters of Personnel, Property Acquisition and Litigation. The motion carried on a roll call vote. Those voting Aye being; Alderman Foley, Alderman Tollenaar, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

**CITY OF ROCK ISLAND  
CITY COUNCIL MEETING**

**November 9, 2015  
MINUTES**

Mayor Pauley reconvened the regular meeting at 6:30 pm.

**ADJOURNMENT**

A motion made by Alderman Foley and seconded by Alderman Clark to adjourn the meeting carried by the following Aye and No vote. Those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none. The meeting was adjourned at 6:31 pm.

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Aleisha L. Patchin, City Clerk

**CITY OF ROCK ISLAND  
CITY COUNCIL MEETING**

**November 9, 2015  
MINUTES**

Rock Island City Council met in regular session at 6:45 pm in Council Chambers of Rock Island City Hall. Present were Mayor Dennis E. Pauley presiding, and Aldermen P.J. Foley, Stephen L. Tollenaer, Kate Hotle, Joshua Schipp, Charles O. Austin III, Ivory D. Clark and Virgil J. Mayberry. Also present were City Manager Thomas Thomas and City Attorney Dave Morrison.

**Introductory Proceedings**

Mayor Pauley called the meeting to order and led in the Pledge of Allegiance. Alderman Foley gave the Invocation.

**Agenda Item #5**

**Minutes of the meeting of November 2, 2015.**

A motion was made by Alderman Hotle and seconded by Alderman Schipp to approve the Minutes of the meeting of November 2, 2015 as printed. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

**Agenda Item #6**

**Update Rock Island by Mayor Pauley.**

Mayor Pauley stated that City of Rock Island facilities will be open on Veteran's Day, November 11, 2015. Refuse, recycling and yard waste will be collected as normal.

Mayor Pauley stated that the Martin Luther King, Jr. Community Center and Kiwanis Club of Rock Island will be sponsoring the 39<sup>th</sup> Annual Children's Christmas Party on December 16, 2015 at 5:00 pm. The Mayor added that the program provides wrapped gifts, books and treats for Rock Island/Milan children, ages 3 to 12 yrs, whose families are in need of assistance during the holiday season. Interested parents need to register at the Martin Luther King, Jr. Community Center, 630 9<sup>th</sup> Street, from now until Thursday, December 10. Mayor Pauley stated that you must be able to show identification for proof of your child and residency. Sign-up times will be at the Center's Office from 9:00 am – 4:30 pm, Monday through Friday during this sign-up period only. For more information, please contact Kristia LeShoure at (309) 732-2999.

Join the Rock Island Public Library Foundation for our 11<sup>th</sup> annual Food for Thought celebrating "American Classics" on Thursday, November 12<sup>th</sup>, from 5:00 pm to 7:30 pm at the main library located at 401 19<sup>th</sup> Street. Mayor Pauley stated that a \$40.00 admission includes complimentary appetizers, craft beer, wine, soft drinks, silent auction bidding, music and sparkling conversation. You can pay at the door with cash, check, or credit card. To register or get more information, please contact Kathy Lelonek at [RIPLFoundation@gmail.com](mailto:RIPLFoundation@gmail.com) or call (309) 752-3014.

Mayor Pauley advised that the Martin Luther King, Jr. Community Center is delighted to invite the community to our Thanksgiving Holiday Dinner on Sunday, November 22, 2015 at the King Center, 630 – 9<sup>th</sup> Street. We look forward to serving our guests from 11:00 am to 3:00 pm. Please

come enjoy a hot holiday meal and warm neighborhood fellowship. Mayor Pauley commented that if you are interested in volunteering between the times of 7:00 am – 3:00 pm, we have a variety of opportunities. Please come on that day, sign-up, and we will have someone available to assist you as you share your talents and time as a valued volunteer.

Mayor Pauley stated that T-REX PLANET will land at the QCCA Expo Center, 2621 4<sup>th</sup> Avenue, Saturday, November 14<sup>th</sup> from 10:00 am to 9:00 pm and Sunday, November 15<sup>th</sup> from 10:00 am to 7:00 pm. The Mayor added that there will be a range of fun and engaging activities designed to appeal to all members of the family. This event simulates what it would be like to experience the Jurassic, Triassic, and Cretaceous periods first hand. Mayor Pauley noted that the main exhibit features over 40 life size ultra-realistic animatronic dinosaurs. General admission for adults is \$17 per adult and for children ages 1 and older is \$19 per child and it includes the Dino exhibit, unlimited access to our Fossil Dig, basketball game, Dinosaur Band, Dino Theatre and Dino Bounce Castles area. It also includes a free game: Dino Soar!, which can be downloaded from the Apple Store and Google Play Store. Kids under 1 are free.

Mayor Pauley stated that on December 4, 2015, Bent River Brewing Company along with the U.S. Marine Corps will be hosting its annual evening benefit to raise funds and collect toys for Quad Cities Toys for Tots. There will be live music, hors d'oeuvres, a silent auction, raffle prizes, and a special release of a limited batch of a Bent River Brew from 5:00 pm to 2:00 am at 512 24<sup>th</sup> Street. Mayor Pauley commented that donations of new unwrapped toys are needed.

Agenda Item #7

**Presentation of the Financial Management Report for September 2015.**

Finance Director Cynthia Parchert highlighted various pages of the Financial Management Report. Ms. Parchert commented that the report reflects January 1, 2015 through September 30, 2015. Ms. Parchert noted that the target is 75%. Ms. Parchert pointed out that in the General Fund as of September 30<sup>th</sup>, there was a loss of \$96,308.00. Ms. Parchert added that she expects a turn around before the end of the year. Ms. Parchert indicated that cash in the housing and community development fund is a negative \$461,064.00; this is due to the City not being able to draw down the block grant. Ms. Parchert commented that she expects to have a draw down before the end of the year and that will put the cash balance back in the positive.

Ms. Parchert discussed the impact of the State of Illinois' budget in regards to three taxes that the City has not received yet; the taxes include video gaming at \$46,145.00, riverboat gaming at \$1.2 million dollars and motor fuel tax at \$340,000.00. Ms. Parchert noted that the motor fuel tax amount is an estimate based on what the City has received in the past.

Ms. Parchert advised that the City's investment policy states that there should be no more than 20% in any one institution. Ms. Parchert added that the City is running into problems with this because interest rates are so low that banks are not wanting to bid on the City's money for CD's and as a result, the City has almost 32% with American Bank and about 29% at First National Bank. Ms. Parchert added that both of those are secured with investments. However, the City is not in compliance with the investment policy. Ms. Parchert pointed out that Council will see in the December report that the City has made some treasury note purchases through American

Bank in their trust department, and as a result, the City should be back in compliance before the end of the year.

Council discussed Ms. Parchert's Financial Management Report presentation.

Agenda Item #8

**Presentation of the Calendar Year 2016 Budget.**

Finance Director Cynthia Parchert presented to Council an overview of the Calendar Year 2016 Budget.

Ms. Parchert stated that this budget reflects no property tax increase; a balanced General Fund; services maintained at the level that citizens expect; the City's continued good financial strength; and continued progress towards accomplishing the strategic goals developed by Council.

Ms. Parchert advised that for Calendar 2016, the total budget is \$131,711,743.00 and it captures the total spending over nine departments and 58 funds. Ms. Parchert referred to the chart and stated that the largest fund budgets include the General Fund, water fund, sewer fund and stormwater fund. Ms. Parchert indicated that personnel costs make up 36% of total expenditures followed by services at 20% and capital at 15%. Ms. Parchert indicated that the total budgeted revenue is \$125,960,332.00. Ms. Parchert commented that revenues are slightly less than expenditures. It was noted that charges for services account for 20% of revenues and the debt proceeds category reflects loan proceeds from the IL EPA loan program for the water treatment filter building. Ms. Parchert stated that total revenues are less than expenditures and the difference is being funded by cash on hand and is derived from carryover projects.

Ms. Parchert stated that State and local taxes make up almost 20% of total revenue; gaming makes up \$4.9 million dollars; utility taxes are \$2.2 million dollars; telecom taxes are \$1.0 million dollars; income tax is at \$4.0 million dollars; and replacement and sales taxes are almost \$3.0 million dollars each. Ms. Parchert stated that property tax revenue is projected at \$10,953,363.00 and it is the same as it has been for the last four years. Ms. Parchert commented that 52% of this revenue is allocated to support Police and Fire pensions, which is \$5.7 million dollars. Ms. Parchert added that this is up 2.0% from 2015 and 9.0% from 2014. Ms. Parchert commented that General Fund support at \$1.21 million dollars receives 11% property tax, which is down 2.0 % from 2015 and 9.0% from 2014.

Ms. Parchert stated that General Fund expenses are at \$37,120,914.00. Ms. Parchert added that Police constitutes the largest share at \$13 million dollars or 35%; Fire is at 29% or \$10.6 million dollars of the budget; and Public Works is at 20% or \$7.2 million dollars. Ms. Parchert commented that 80% of General Fund spending is on the core services of Police, Fire and Public Works. Ms. Parchert noted that 67% of General Fund expenses are for personnel expenses; these expenses are for services such as Police and Fire protection, street repair and snow removal.

Ms. Parchert discussed various enterprise funds. Ms. Parchert advised that the budget for the water fund is \$18,383,250.00 and \$11.3 million dollars is for capital. Ms. Parchert commented that capital makes up the majority of this budget; this is for work that is scheduled to be done on

the water treatment filter building. Ms. Parchert advised that the waste water budget is \$15,270,350.00 and about \$7.0 million dollars is for capital. It was noted that the capital includes projects such as the Blackhawk Lift Station and Storm Water Separation. Ms. Parchert pointed out that debt service is about 25% or \$3.81 million dollars and that is for the loans from the EPA that the City borrowed in order to complete the Long Term Control Plan.

Ms. Parchert advised that the recreation fund has received some attention due to the continued deficit spending in this fund. Ms. Parchert added that personnel expenses are \$3.07 million dollars and make up almost 50% of the Parks and Recreation budget; the deficit that is budgeted for 2016 is \$893,000.00.

Ms. Parchert stated that General Fund carryover is \$1,778,686.00, which is one of the funding sources for capital projects. Ms. Parchert added that per policy, the City has to maintain a fund balance in the General Fund of 90 day reserves and anything in excess of that gets transferred to the Capital Improvement Plan.

Ms. Parchert advised that overall, the tax rate has remained relatively stable since 2011. Ms. Parchert indicated that the decrease seen in recent years is the result of the equalized assessed value (EAV) coming in higher than originally expected; the rate has decreased slightly. Ms. Parchert further discussed the tax rate and equalized assessed value (EAV). Ms. Parchert discussed property tax. Ms. Parchert advised that the Police pension and Fire pension is taking more of the property tax. Ms. Parchert further discussed the tax rate history, property tax and the equalized assessed value (EAV).

Ms. Parchert concluded that the budget review sessions will be held on Monday, November 16<sup>th</sup> and Monday, November 23<sup>rd</sup>. Ms. Parchert added that the budget will be presented for approval on December 7<sup>th</sup>, and it will be adopted prior to the beginning of the budget year that starts on January 1, 2016.

Mayor Pauley stated that the budget will be reviewed the next two Monday nights and regular Council meetings will not be held. Mayor Pauley added that the budget sessions are open and anyone can attend; each department will be presenting their budget.

Council discussed Ms. Parchert's presentation.

Agenda Item #9

**Public Hearing on a request from Sheila Parker for a Special Use Permit to operate a non-perishable food store (candy, beverages, chips and packaged frozen items) out of the former residence at 1215 6<sup>th</sup> Street.**

Mayor Pauley closed the regular meeting and opened a Public Hearing at 7:13 pm on a request from Sheila Parker for a Special Use Permit to operate a non-perishable food store (candy, beverages, chips and packaged frozen items) out of the former residence at 1215 6<sup>th</sup> Street.

Sheila Parker stepped forward. Mayor Pauley advised that Alderman Clark stated that Ms. Parker wanted to remove this item from the Agenda and come back at a later time. Mayor Pauley commented that it is up to Ms. Parker as to whether or not she wants to remove it now and come back at a later time and present the issue. Mayor Pauley inquired upon Ms. Parker as to whether she wanted to remove the item. Ms. Parker stated yes. Mayor Pauley stated that it will be taken off the Agenda for today. Mayor Pauley then closed the public hearing and reconvened the regular meeting at 7:14 pm.

Agenda Item #10

**A Resolution approving an agreement with the City Manager and authorizing the Mayor to execute the contract documents.**

It was moved by Alderman Schipp and seconded by Alderman Clark to adopt the Resolution.

Discussion followed. Alderman Schipp stated that he appreciates the work the City Manager has done for the 6<sup>th</sup> Ward and the work he has done throughout the City. Alderman Schipp commented that he has full faith and confidence in the City Manager to do the job that Council has asked him to do.

Alderman Clark stated that the City Manager is working hard and is doing a wonderful job in regards to working with staff and Council in trying to do what is best for Rock Island. Alderman Clark commended City Manager Thomas on the job he has done in this last year.

After discussion, the motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

Agenda Item #11

**CLAIMS**

It was moved by Alderman Austin and seconded by Alderman Foley to accept the following reports and authorize payments as recommended. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

- a. Report from the Human Resources Department regarding payment in the amount of \$14,166.89 to Dave Morrison for legal services rendered for the month of October.
- b. Report from the Human Resources Department regarding payment in the amount of \$4,000.00 to Jackson Square Lofts LLC and Jeffrey Roessler for General Liability claim.
- c. Report from the Human Resources Department regarding payment in the amount of \$4,356.51 to Pekin Insurance Company for General Liability claim.

d. Report from the Public Works Department regarding payment in the amount of \$10,168.40 to Ferguson Waterworks for the purchase of repair clamps.

e. Report from the Public Works Department regarding payment #1 in the amount of \$25,575.00 to Midwest Mudjacking Service for services provided for the Mudjacking Program project.

f. Report from the Public Works Department regarding payment #3 in the amount of \$209,209.51 to Valley Construction for services provided for the 11<sup>th</sup> Street Improvements at 47<sup>th</sup> Avenue project.

g. Report from the Public Works Department regarding payment #23 in the amount of \$1,510,448.62 to Gilbane Building Company for construction services provided for the Rock Island Police Station project.

h. Report from the Public Works Department regarding payment in the amount of \$173,709.18 to Office Solutions for the delivery of office furniture for the Rock Island Police Station project.

Agenda Item #12

**Claims for the week of October 30 through November 5 in the amount of \$1,536,591.09.**

Alderman Tollenaer moved and Alderman Foley seconded to allow the claims. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

Agenda Item #13

**Purchase Card Claims for the month of October in the amount of \$53,070.25.**

It was moved by Alderman Clark and seconded by Alderman Schipp to approve the purchase card claims. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

Agenda Item #14

**Report from the Public Works Department regarding the uniform lease/maintenance agreement with Phelps Uniform Service Company, recommending to extend the lease agreement for three additional years.**

Alderman Schipp moved and Alderman Foley seconded to approve the extension as recommended. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

Agenda Item #15

**Report from the Community and Economic Development Department regarding the Citizen's Advisory Committee recommendations for 2016-2017 Community Development Block Grant (CDBG) monies and Gaming Grant fund allocations.**

It was moved by Alderman Hotle and seconded by Alderman Austin to approve the allocations as recommended.

Discussion followed. Alderman Hotle thanked the citizens that served on the committee. Alderman Hotle added that this is a great opportunity for non-profits to be able to receive some additional funding from the City and go and do good things in Rock Island.

Alderman Schipp thanked Jumer's for having their business in Rock Island. Alderman Schipp added that this is another way the City benefits from their presence here in this community.

After discussion, the motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

Agenda Item #16

**Report from the Finance Department regarding the proposed downtown parking changes effective January 1, 2016.**

Alderman Hotle moved and Alderman Foley seconded to approve the proposed changes as recommended and refer to the City Attorney for an ordinance.

Discussion followed.

Alderman Foley stated that this is something that he pushed for a year or two ago. Alderman Foley stated that he is excited to see this happen. Alderman Foley commented that the four hour parking will help take the impediments away from people going and parking downtown. Alderman Foley further discussed this item.

Alderman Hotle advised that this is really the first big step the City is taking from the plan that was approved in May. Alderman Hotle added that parking was brought up a lot by the community. Alderman Hotle commented that this will help people feel that it is easier to park in the downtown; it will be more welcoming and friendly. Alderman Hotle indicated that there will be no more meters in the downtown and eventually the idea will be to keep those meters as a downtown fundraising piece for downtown arts or some other idea that has been proposed. Alderman Hotle indicated that the permitted lots C and E will be free unlimited parking except for some reserved spaces for people that live in the downtown, and all of the timed lots will be four hours. Alderman Hotle added that street parking will be four hours with a few specific 30 minute spots. Alderman Hotle stated that she is really excited to see this happen.

**CITY OF ROCK ISLAND  
CITY COUNCIL MEETING**

**November 9, 2015  
MINUTES**

After discussion, the motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

At this time, Mayor Pauley moved item #18 up on the Agenda.

Agenda Item #18

**Report from the Traffic Engineering Committee regarding a request to install stop signs at the intersections of 45<sup>th</sup> Street, 9<sup>th</sup> Avenue and 45<sup>th</sup> Street, 10<sup>th</sup> Avenue.**

Alderman Schipp requested that Mr. James Larrabee speak on this item prior to Council making a motion.

Mr. Larrabee stated that he represents the Keystone neighborhood where this project is going on. Mr. Larrabee added that he didn't dispute the numbers from the Traffic Engineering Committee review. Mr. Larrabee discussed 45<sup>th</sup> Street and the intersections. Mr. Larrabee stated that the intersection that is being looked at goes directly over the hill into the park. Mr. Larrabee added that traffic is significantly higher when soccer games are going on during the weekend and that is also when all of the children in the neighborhood are using that street with no sidewalk as the right of way to get to the playground in the park. Mr. Larrabee commented that since the Traffic Engineering Committee stated that it was a low cost project, the neighborhood is asking Council to rethink the report when considering the request.

Alderman Schipp moved and Alderman Hotle seconded to approve the request and refer to the City Attorney for an ordinance.

**Note:** the original motion on the Agenda was to deny the request.

Discussion followed. Alderman Foley stated that he is in favor of the stop signs and the safety component.

Alderman Mayberry thanked Mr. Larrabee for following up and coming to the meeting and for the letter that he sent about this item.

Alderman Schipp stated that there are some great people in the Keystone neighborhood; they care about the neighborhood and Council is happy to help out.

After discussion, the motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none.

Agenda Item #17

**Report from the City Attorney regarding rescinding the September 14, 2015 motion approving the final plat for the Blackhawk Crematory Addition at 4205 30<sup>th</sup> Street, recommending not to rescind the approval.**

Alderman Tollenaer moved to approve rescinding the approval of the final plat, Alderman Mayberry seconded.

Mayor Pauley stated that tonight, we are considering a motion to reverse the approval of the plat for the proposed crematorium; the zoning for the crematorium has already been approved by the Board of Zoning Appeals. Mayor Pauley advised that if the decision on the plat is reversed, the cemetery cannot sell the property to the developers. Mayor Pauley added that the developers would have other options such as leasing the property or a lawsuit. The Mayor pointed out that a motion to reverse does not keep the crematorium from being built.

Alderman Tollenaer stated that technically the zoning did not change; we are putting a variance on a variance that is already there; it is not a zoning change. Alderman Tollenaer stated that he brought this motion to Council because of alleged misinformation from the 4<sup>th</sup> Ward and 7<sup>th</sup> Ward constituents and procedural errors that happened.

Kevin Rafferty of 2545 13<sup>th</sup> Street, Moline, IL stepped forward. Mr. Rafferty stated that there has been some disconnect over some of the things that he has stated and what was intended to be stated. Mr. Rafferty discussed his answers in regards to the September 14<sup>th</sup> Council meeting and the Board of Zoning Appeals meeting. Mr. Rafferty stated that in regards to the September 14<sup>th</sup> meeting, the question was asked about contaminants coming out of the crematory and whether they were less than 10% of a typical fireplace. Mr. Rafferty indicated that he had said that it would be four times more. Mr. Rafferty explained that the fireplace emissions are four times more than what the emissions from a crematory machine (that they are purchasing) would be. Mr. Rafferty added that the handout stated that, and that is what I meant to say. Mr. Rafferty stated that during the BZA meeting, there were two residents that had concerns about being able to visually see the building. Mr. Rafferty stated that he said at that time that the neighbors would not see that building through the woods. Mr. Rafferty noted that he meant to say that the two neighbors that had objections would probably not visually see that building. Mr. Rafferty advised that he was not trying to misinform or mislead anybody. Mr. Rafferty further discussed this issue.

Alderman Hotle discussed the disconnection between Mr. Rafferty's business and the neighbors. Alderman Hotle commented that there was a crematory approval in her ward a few months ago and before Council even addressed it, the owner personally went out into the neighborhood and talked to the people. Alderman Hotle stated that she firmly believed that direct communication between business owner and community goes a long way in making a difference. Alderman Hotle stated that she would like to see Mr. Rafferty have a meeting with the residents to talk about the issues. Alderman Hotle further discussed this issue.

Alderman Schipp stated that Mr. Rafferty has done everything that the City has asked him to do in regards to the procedures. Alderman Schipp pointed out that the City Attorney has looked into the process on numerous occasions and from a procedural standpoint, the City Attorney has attested that everything was done correctly and there are no violations. Alderman Schipp further discussed this issue.

Alderman Clark thanked Mr. Rafferty for showing up and stated that the citizens have been concerned for a while as to what was going on. Alderman Clark stated that Mr. Rafferty has set the record straight and explained it. Alderman Clark commented that now he feels comfortable with the situation moving forward.

Attorney Jerry Pepping from Silvis and representing the developer stepped forward.

Mayor Pauley inquired as to whether there was litigation on this item. Attorney Pepping stated no. Mayor Pauley stated that this was not good for the attorney to present; it should be the owners making the presentation and not legal representation at this point.

Attorney Pepping stated that they hope Council will not vacate the decision that was already voted on where there is a recorded plat. Mr. Pepping advised that human health is not affected; the IL EPA and Department of Public Health would be all over this if that were the case. Attorney Pepping further discussed this issue as it related to emissions, odor and crematory equipment.

Dennis Heggen of 3204 39<sup>th</sup> Avenue stepped forward. Mr. Heggen discussed the issue of not being notified about the proposed crematorium. Mr. Heggen noted that he lives 530 feet from where the facility is going to be. Mr. Heggen discussed Chapter 65 of the Illinois Statutes as it related to municipalities, zoning and regulations. Mr. Heggen also discussed the requirements for the notification component as it related to 250 feet. Mr. Heggen commented that he had talked to over 60 people in a two block area within 250 feet of Memorial Park Cemetery and commented that not one person knew about the proposed crematorium prior to the announcement in the newspaper. Mr. Heggen discussed the Board of Zoning Appeals (BZA) meeting as it related to misleading statements and testimony given as well as the Board of Zoning Appeals process and requirements. In addition, Mr. Heggen discussed crematory equipment and the cremation process as it related to emissions and mercury concerning dental amalgam fillings. Furthermore, Mr. Heggen discussed cremation equipment studies as it related to the time component for cremations.

Alderman Tollenaer and Alderman Foley discussed Chippiannock Cemetery's crematorium as it related to the direction of the wind concerning emissions, odors and cremations.

Angela Daugherty of 4000 30<sup>th</sup> Street stepped forward. Ms. Daugherty expressed concerns about not being notified on this whole issue. Ms. Daugherty also voiced concerns in regards to the crematory as it related to emissions, mercury, odor, and the long term impact it would have on health, the environment and property values. Ms. Daugherty stated that she does not want this crematory in her neighborhood.

Linda Chandler of 3 Knoll Court stepped forward. Ms. Chandler voiced concerns in opposition to the crematorium, and expressed concern in regards to the City Council not being concerned about the residents of Rock Island and the neighborhood where the crematory will be built.

Ametra Carrol-Castaneda of 2950 Valley Drive stepped forward. Ms. Carrol-Castaneda expressed concerns about the mismanagement and misinformation in regards to the crematory.

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Ms. Carrol-Castaneda also voiced concerns in regards to property values. Ms. Carrol-Castaneda stated that she was not notified about the crematorium and was opposed to the crematorium.

Jim Brandmeyer of 2324 29 ½ Street stepped forward. Mr. Brandmeyer stated that he wasn't on either side of the issue in regards to the crematorium and was glad that Council was letting everyone talk.

Kevin Finnelly from Cremation Systems at 15660 LaSalle Street, South Holland, IL. stepped forward. Mr. Finnelly stated that most of the information that he has heard is misguided in regards to the mercury emissions. Mr. Finnelly advised that as a manufacturer, they are required to submit to the EPA their standards for stack emissions. Mr. Finnelly also explained the cremation process as it related to three phases, which includes ignition, burning and calcination. Mr. Finnelly also discussed cremation equipment as it related to the whole process and mercury emissions. Mr. Finnelly commented that there is not a measureable exposure in regards to mercury emissions.

Mr. Dennis Heggen stepped forward again and discussed human cremations as it related to mercury emissions and chemical emissions.

Heather Elliott of 24 Knoll Court stepped forward. Ms. Elliott read a letter from one of the neighbors opposing the crematory. Ms. Elliott discussed emissions and odor in regards to the proposed crematory on 30<sup>th</sup> Street. Ms. Elliott also expressed concerns about some of the testimony from the Board of Zoning Appeals meeting as it related to whether or not it was factual information.

Mr. Finnelly stepped forward again and discussed the chemical composition of cremated remains as it related to emissions.

Mr. Rafferty stepped forward again and discussed the scientific evidence in regards to crematories and emissions. Mr. Rafferty stated that he wants to bring business to Rock Island and pay taxes. Mr. Rafferty also discussed the process for the notification requirement. Mr. Rafferty stated that they did everything that the City asked them to do. Mr. Rafferty indicated that he is not coming to Rock Island to make money; he is coming to Rock Island to be a businessman, to support his family, and to offer services that are needed. Mr. Rafferty added that he would love to have the business in Rock Island.

Mr. Larry Hunter of 1213 15<sup>th</sup> Street stepped forward. Mr. Hunter stated that these neighbors are trying to protect their neighborhood and the majority should rule.

Dennis Heggen stepped forward again and discussed testing of the cremation systems as it related to the time component for cremations.

Heather Elliott stepped forward again and discussed moving the crematory from a residential area to an industrial area.

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Mr. Finnelly stepped forward again and discussed a report on testing that was not affiliated with their company's equipment systems.

Pauline Hartung of 3900 32<sup>nd</sup> Street stepped forward. Ms. Hartung suggested that they build the crematory on the other side of the cemetery near Blackhawk Road and not up on the hill in their neighborhood.

At 8:50 pm, Mayor Pauley called for a five minute break. At 8:55 pm, the meeting resumed.

Robin Stone of 5 Knoll Court stepped forward. Ms. Stone voiced concerns in regards to the crematory and was concerned for the safety of the neighbors and her family. Ms. Stone discussed the crematory as it related to moving it to a different location.

Linda Chandler stepped forward again and inquired as to whether there would be any emissions or odors.

Mr. Finnelly stepped forward again and stated that he was unaware of any odors, but there are emissions.

Ms. Chandler also voiced concerns about her disappointment over this whole issue.

Mr. Rafferty stepped forward again and stated that he did not expect the neighborhood to be this volatile as it is to this project. Mr. Rafferty added that he would never put anyone at risk and this is only based on scientific evidence; there are no health risks that have been found. Mr. Rafferty commented that if there were health risks, this project would be pulled off the table. Mr. Rafferty advised that he was invited by Memorial Park Cemetery to their property. Mr. Rafferty further discussed this issue.

Alderman Austin inquired upon the City Attorney to discuss the procedures.

City Attorney Morrison discussed the whole timeline as it related to the process, procedures and requirements concerning the crematorium. After much discussion on this issue, City Attorney Morrison advised that he could not find anything from a procedural standpoint that was not followed according to the City's ordinances. Council and City Attorney Morrison further discussed this issue.

City Attorney Morrison stated that the basis for his recommendation to not rescind was that all procedures were followed correctly and it would put the City in jeopardy in regards to individuals that have relied on going through the process. City Attorney Morrison further discussed this issue.

Alderman Schipp stated that we are obligated as policy makers to respect the procedures and to respect the best scientific information there is in regards to the health of the citizens, and that has been done by this Council. Alderman Schipp commented that all of the requirements were met with this process. Alderman Schipp further discussed this issue.

Council discussed scientific evidence and property values.

Mr. Heggen stepped forward again and discussed property values. Mr. Heggen also inquired about what was the correct process for having a crematorium in Rock Island. City Attorney Morrison explained the correct process and requirements. Mr. Heggen further discussed his concerns in regards to the crematorium.

Alderman Hotle stated that she believed the City followed the procedures and inquired to Mr. Heggen that if the City would do this all over again step by step as to how Mr. Heggen feels it should be handled, would it change the way he felt about the situation. Mr. Heggen stated that he didn't know, and he could not answer for everyone.

Alderman Hotle and Mr. Heggen discussed the notification requirement as it related to 250 feet.

Alderman Austin stated that neighbors from both the 4<sup>th</sup> and 7<sup>th</sup> wards have contacted him, and some people had positive comments and some people had negative comments. Alderman Austin stated that the scientific evidence tips the scales in favor of not being a health concern but at the same time, Mr. Rafferty's willingness to talk and meet with the neighbors is going to allow for me to support the motion to put this on hold and not kill it; when it is ready to come back, it will come back.

Alderman Foley, Alderman Austin and City Attorney Morrison discussed the motion on the floor.

Alderman Foley advised that Council voted for the crematorium on 21<sup>st</sup> Street and 7<sup>th</sup> Avenue in a very condensed neighborhood. Alderman Foley added that there are two crematoriums in his ward. Alderman Foley stated that if this item is voted on tonight to rescind, Council may want to go back and rescind the vote for the crematorium in the Broadway district. Alderman Foley commented that he will support this crematory and he has never been made aware of any issue with the crematoriums in his ward. Alderman Foley further discussed this issue. Alderman Foley reiterated that he will be voting to not rescind this item.

Alderman Hotle stated that she cares about every citizen in Rock Island. Alderman Hotle stated that if there were any health risks or issues or if the process was not handled correctly then she would vote to rescind this item. Alderman Hotle commented that going back and redoing the process would not change the concerns that people have. After more discussion on this subject, Alderman Hotle stated that she will be voting with Alderman Foley to not rescind this item.

Alderman Clark stated that the science does not warrant rescinding this item. Alderman Clark added that he didn't think anyone's health will be at risk. Alderman Clark stated that he will vote with Alderman Foley to not rescind this item.

Alderman Mayberry stated that he has listened to the pros and cons; these people have come here because they are hurting and have a situation. Council needs to listen to the people in the City. Alderman Mayberry stated that he will be voting to rescind this item.

After much discussion, the motion to rescind failed by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Austin and Alderman Mayberry; those voting No, Alderman Foley, Alderman Hotle, Alderman Schipp and Alderman Clark.

Agenda Item #19

**Other Business.**

Alderman Mayberry stated that he has been in the newspaper four times. It was noted that Alderman Mayberry was not asking that he receive a raise. Alderman Mayberry stated that he could not get a raise until 2019 in which the newspaper did not state that. Alderman Mayberry advised that the people who will get a raise will be the people that get elected in 2017. Alderman Mayberry further discussed this subject.

At 9:55 pm, Alderman Tollenaer excused himself from the meeting.

City Attorney Morrison discussed the motion that was made to rescind item #17, which was defeated. City Attorney Morrison advised that Alderman Schipp believes that it would be appropriate for him and from a procedural standpoint to make a motion in the affirmative to follow the recommendation and not rescind. City Attorney Morrison stated that it would be for clarification purposes and this would be appropriate.

At this time, Alderman Schipp moved to not rescind the approval of the final plat, Alderman Foley seconded. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Hotle, Alderman Schipp and Alderman Clark; those voting No, Alderman Austin and Alderman Mayberry. Alderman Tollenaer was absent.

Heather Elliott stepped forward again and discussed Article 5 of the zoning ordinance as it related to the Board of Zoning Appeals process concerning the proposed crematorium on 30<sup>th</sup> Street. Ms. Elliott also expressed concerns in regards to odors concerning the crematorium. In addition, Ms. Elliott discussed crematory equipment.

City Attorney Morrison discussed the procedures as it related to the Board of Zoning Appeals.

Alderman Foley discussed Chippiannock Cemetery as it related to their crematory equipment.

Angela Daugherty stepped forward again and stated to Council that they should be sympathetic to what the neighbors will go through in regards to the proposed crematorium.

Mr. Brandmeyer stepped forward again and thanked Alderman Mayberry for clarifying the wage issue.

Robin Stone stepped forward again and voiced concerns in regards to the tax money that the City will lose if the crematory is built.

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Agenda Item #20

**Executive Session on Personnel, Property Acquisition and Litigation.**

The Executive Session was held prior to the Regular Meeting.

Agenda Item #21

**Recess**

A motion was made by Alderman Foley and seconded by Alderman Schipp to recess to 6:30 pm, Monday, November 16, 2015. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Foley, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark and Alderman Mayberry; those voting No, none. The meeting was recessed at 10.00 pm.

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Aleisha L. Patchin, City Clerk