

**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

**March 21, 2016
MINUTES**

The Rock Island City Council met in Study Session at 6:15 pm in City Council Chambers at Rock Island City Hall. Present were Mayor Dennis E. Pauley presiding, and Aldermen Charles O. Austin III, Virgil J. Mayberry, P.J. Foley, Stephen L. Tollenaer and Kate Hotle. Also present were City Manager Thomas Thomas, Community and Economic Development Director Jeff Eder, other City staff and City Attorney Dave Morrison. Aldermen Ivory D. Clark and Joshua Schipp were absent.

At this time, various staff and others left Council Chambers and returned after the Executive Session concluded.

EXECUTIVE SESSION

A motion was made by Alderman Foley and seconded by Alderman Tollenaer 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 Austin, Alderman Mayberry, Alderman Foley, Alderman Tollenaer and Alderman Hotle; those voting No, none. The meeting was recessed at 6:16 pm.

Mayor Pauley reconvened the regular meeting at 6:37 pm.

ADJOURNMENT

A motion made by Alderman Tollenaer and seconded by Alderman Mayberry to adjourn the meeting carried by the following Aye and No vote. Those voting Aye being; Alderman Austin, Alderman Mayberry, Alderman Foley, Alderman Tollenaer and Alderman Hotle; those voting No, none. The meeting was adjourned at 6:38 pm.

Aleisha L. Patchin, City Clerk

**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

**March 21, 2016
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 Charles O. Austin III, Virgil J. Mayberry, P.J. Foley, Stephen L. Tollenaer, Kate Hotle and Joshua Schipp. Also present were City Manager Thomas Thomas and City Attorney Dave Morrison. Alderman Ivory D. Clark was absent.

Introductory Proceedings

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

Agenda Item #5

Minutes of the meeting of March 14, 2016.

A motion was made by Alderman Austin and seconded by Alderman Tollenaer to approve the Minutes of the meeting of March 14, 2016 as printed. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Austin, Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle and Alderman Schipp; those voting No, none.

Agenda Item #6

Update Rock Island by Mayor Pauley.

Mayor Pauley stated that refuse and recycling collection will be on the normal collection schedule during the week of Good Friday Holiday. The Drop-Off Center located at Millennium Waste; 13606 Knoxville Road, Milan will be open on Saturday, March 26, 2016 from 7:00 am to 12:00 pm. City of Rock Island offices will be open on Good Friday, March 25, 2016.

Mayor Pauley advised that the City is providing free leaf collection for its residential refuse customers starting Monday, April 4, 2016 through Friday, April 22, 2016. In addition to the leaf collection, the City will also furnish bags for this program at no cost. Mayor Pauley commented that the free bags will be available for pick-up starting Monday, March 28, 2016 at various locations. Please visit www.rigov.org for additional details and locations.

Mayor Pauley stated that Highland Springs and Saukie Golf Courses are now open for the 2016 season. Dust off your clubs and come enjoy great season specials. Golf lessons, couple's events, outings and leagues are also available. Visit www.rigov.org for more details or call (309) 732-2278 or (309) 732-7277.

Mayor Pauley stated that the City's Main Library is putting on Popcorn and a Movie Saturday, March 26, 2016 from 11:00 am to 1:00 pm in the Community Room. This is a free family event. For more information, please call (309) 732-7323.

Mayor Pauley advised that the 2016 Flower & Garden Show is coming to the Quad City Expo Center April 1 through April 3, 2016. Hours are Friday, 10:00 am - 8:00 pm, Saturday 10:00 am - 8:00 pm and Sunday from 10:00 am - 4:00 pm. Great fun and value for the whole family.

Mayor Pauley commented that adult tickets are \$8.00, children 6-15 are \$1.00 and children under 6 are free. Senior Day is Friday from 10:00 am to 4:00 pm for \$6.00.

Agenda Item #7

Proclamation declaring April 2016 as Child Abuse Prevention Month.

Mayor Pauley read the proclamation. Lindsey Hornbaker and another representative (no name given) from the Child Abuse Council accepted the proclamation. Ms. Hornbaker stated that child abuse and neglect are very present in the community and child abuse and neglect are 100% preventable. Ms. Hornbaker added that it takes a community to fix this problem. Ms. Hornbaker thanked Council for committing to being a part of that solution.

Alderman Mayberry stated that the Child Abuse Council does great things. Alderman Mayberry commented that he and five other people started counseling children at risk 30 years ago, which is now the Child Abuse Council. Alderman Mayberry thanked the Child Abuse Council for doing wonderful work.

Agenda Item #8

Public Hearing on a request from Nicole Appelquist for a Special Use Permit to operate a hair salon out of her residence at 4419 7th Avenue.

Mayor Pauley closed the regular meeting at 6:51 pm and opened a Public Hearing on a request from Nicole Appelquist for a Special Use Permit to operate a hair salon out of her residence at 4419 7th Avenue.

Ms. Nicole Appelquist stepped forward. Mayor Pauley swore in Ms. Appelquist.

Ms. Appelquist stated that she would like to open a hair salon out of the residence at 4419 7th Avenue. Ms. Appelquist added that she would be offering basic hair care needs (cuts, colors and highlighting) for men, women and children. Ms. Appelquist noted that she will be the only employee. Ms. Appelquist stated that there is on street parking on 7th Avenue and there are two private parking spaces in the back of the residence.

Alderman Austin read the stipulations, which included that the business shall employ one resident employee; hours of operation shall be 11:00 am to 7:00 pm, Tuesday through Friday and 9:00 am to 5:00 pm on Saturdays; a minimum of three off-street parking spaces shall be maintained; a unlit 3' by 3' freestanding sign located in the south front yard shall be allowed; and the use shall meet all other applicable codes and ordinances.

Alderman Austin stated that if Ms. Appelquist finds out that those hours are not adequate, then she can come back to Council and ask permission as opposed to simply just doing it and finding out later that she should have asked for permission.

Alderman Schipp stated that he appreciated Ms. Appelquist's interest in doing this in the Keystone neighborhood. Alderman Schipp indicated that a letter of support was received from

former Alderman Joy Murphy and her husband. Alderman Schipp stated that Ms. Appelquist has a great plan and hopes that she has a lot of success with the business.

Mayor Pauley inquired as to whether there was anyone who wished to speak in favor of the special use permit. No one stepped forward. Mayor Pauley stated that there is a letter from Joy and Joe Murphy stating that they are in support of the business. Mayor Pauley stated that if they were here, they would speak in favor of the special use permit.

Mayor Pauley then inquired as to whether there was anyone who wished to speak in opposition to the special use permit. No one stepped forward. With no person present to speak in favor of or in opposition to the special use permit, Mayor Pauley closed the Public Hearing and reconvened the regular meeting at 6:55 pm.

It was moved by Alderman Schipp and seconded by Alderman Foley to approve the special use permit as recommended, subject to the stipulations that the business shall employ one resident employee; hours of operation shall be 11:00 am to 7:00 pm, Tuesday through Friday and 9:00 am to 5:00 pm on Saturdays; a minimum of three off-street parking spaces shall be maintained; a unlit 3' by 3' freestanding sign located in the south front yard shall be allowed; the use shall meet all other applicable codes and ordinances; and refer to the City Attorney for an ordinance. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Austin, Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle and Alderman Schipp; those voting No, none.

Agenda Item #9

A Special Ordinance amending a zoning district and zoning map at 2033-2035 9th Street.

It was moved by Alderman Hotle and seconded by Alderman Foley to consider, suspend the rules and pass the ordinance.

Discussion followed. Alderman Austin discussed all of the residentially zoned businesses or former businesses in that area (18th Ave. and 9th St.) as it related to the comprehensive plan and the zoning ordinance. Alderman Austin stated that there was only one business that had a B-3 designation in that area. Alderman Austin stated that it was clear to him that everything Mr. Clay wants to do can be done with a special use permit. Alderman Austin added that he believed the direction Mr. Clay should go is with a special use permit. Alderman Austin stated that a special use permit would give Council some say as to what happens in the neighborhood.

Mayor Pauley advised that he would like to see the Council follow the lead as the rest of them and leave it as residential and go with a special use permit. Mayor Pauley stated that the new zoning would give Mr. Clay a lot more latitude for things such as signage and lighting and the City would really not have any control over it. Mayor Pauley added that if it is left residential and special use then the City has a lot of control over it.

Alderman Foley stated that this is in his ward and the neighbors have very minimal complaints about this business. Alderman Foley stated that it had been a problem property for many years. Alderman Foley further discussed this item.

After more discussion, Alderman Tollenaer stated that he is in support of this B-3 zoning. Alderman Tollenaer further discussed this item.

After more discussion, the motion carried by the following Aye and No vote; those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle and Alderman Schipp; those voting No, Alderman Austin.

Agenda Item #10
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 Austin, Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle and Alderman Schipp; those voting No, none.

- a. Report from the Public Works Department regarding payment #2 and final in the amount of \$80,207.71 to Brandt Construction Company for services provided for the Seal Coat Program project.
- b. Report from the Public Works Department regarding payment #2 and final in the amount of \$35,635.46 to Walter D. Laud, Inc. for services provided for the Brick Street Repair Program project.
- c. Report from the Public Works Department regarding payment #7 in the amount of \$49,245.06 to Centennial Contractors of the Quad Cities, Inc. for services provided for the 2015/2016 Sidewalk and Pavement Patching Program projects.
- d. Report from the Public Works Department regarding payment in the amount of \$3,300.00 to Bob Westpfahl for the 2016 annual land set aside.

Agenda Item #11

Claims for the week of March 11 through March 17 in the amount of \$740,896.55 and payroll for the weeks of February 29 through March 13 in the amount of \$1,417,117.72.

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

Agenda Item #12

Purchase Card Claims for the month of February in the amount of \$65,038.09.

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

Agenda Item #13

Report from the Public Works Department regarding the 2015 Mowing contract, recommending to extend the Mowing contract with Finer Finish Grounds Care for the next three years in the amount of \$121,142.00 per year in order to perform the required mowing through 2018.

Alderman Hotle moved and Alderman Austin seconded to approve the extension as recommended.

Discussion followed. Alderman Mayberry inquired as to whether a three year contract is typical or if this is something new.

Public Works Director Randy Tweet advised that this is something new; they were awarded the contract in 2015 and there was a clause in the contract where it could be extended for a year at the same prices. Mr. Tweet stated that Finer Finish Grounds Care came back to the City and offered three years at the same prices. Mr. Tweet commented that staff thought it would be worthwhile to extend it for another three years. Mr. Tweet advised that previously, mowing was an in-house program and it was done with seasonal employees. Mr. Tweet added that instead of having seasonal employees, it was outsourced. Mr. Tweet and Council further discussed this item.

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

Agenda Item #14

Report from the Community and Economic Development Department regarding a request from Sheila Parker to apply for a Special Use Permit to operate a non-perishable food store out of a residential structure located at 1215 6th Street.

It was moved by Alderman Foley and seconded by Alderman Tollenaer to allow for the application of the special use permit as recommended.

Discussion followed. Alderman Austin stated that last time, there were some serious concerns. Alderman Austin inquired as to whether this application is going to be significantly different enough to warrant Ms. Parker going through the expense and trouble of doing it again.

Community and Economic Development Director Jeff Eder stated that the only difference in the application from the last one was that she identified where the off-street parking spaces would be. Alderman Austin inquired as to whether that was enough to change what the City can expect to see moving forward. Mr. Eder stated no; it is very similar to what it was previously.

Alderman Foley stated that there is parking now. Mr. Eder advised that technically, the parking spaces should be on the same parcel; they are down the alley, which is down a parcel. Council further discussed this item.

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Mayor Pauley inquired to Ms. Parker as to whether she sees any substantial difference to this application than what it had been in the past. Ms. Parker stated that the last information she received was about parking. Ms. Parker commented that she has family property that can be used for parking. Ms. Parker stated that she was advised that she would need one private parking spot for the employee and two parking spaces for customers. Ms. Parker noted that she has about five parking spaces.

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

Agenda Item #15
Other Business.

No one signed up to address Council to speak on a topic.

Alderman Tollenaer encouraged Ms. Parker to bring as many folks as she can to the Public Hearing to support the initiative. Alderman Tollenaer cautioned Ms. Parker that if a couple of close neighbors are really against this special use, it was his opinion that Council will not let you interfere with that neighborhood.

Alderman Schipp stated that in this past election cycle, there was a wide range of mailers coming out and attacking Alderman Hotle for votes and actions she did not take in terms of raising taxes and things like that. Alderman Schipp stated that it is a disgrace to the process of informing voters about who their candidates are and what their issues are. Alderman Schipp added that Alderman Hotle's record and any other elected official who chooses to run for another office is all fair game. Alderman Schipp stated that he would really like to see if other municipalities are setting ordinances where if there is something totally false and it is sent out to people, can it be restricted in any way.

Alderman Schipp also discussed a newspaper style piece of propaganda called Rock Island Today that was sent out by Governor Rauner's Liberty PAC to voters in Rock Island, Moline, East Moline and Milan. Alderman Schipp stated that his concern is that people get this paper and they think it is the actual newspaper. Alderman Schipp stated that this paper contains a two page hit sheet about the area's firemen and their pensions. Alderman Schipp stated that he takes offense of it because it is attempting to pit us against those who do public service in this community. Alderman Schipp further discussed this item.

Mayor Pauley stated that he agreed with Alderman Schipp. Mayor Pauley advised that nobody on this Council and at this front table has ever said one negative thing about the Police or Fire pensions. Mayor Pauley added that it is something they have earned; it is something they deserve. Council further discussed this issue.

City Attorney Dave Morrison stated that he would be happy to look into this matter. City Attorney Morrison advised that being Home Rule gives the City the largest amount of leeway in setting rules. The City Attorney added that certain things such as First Amendment Speech, but

particularly Political Speech usually has the highest degree of protection of any type of speech. City Attorney Morrison added that it would be very difficult to fashion something that would be strictly tailored towards that specific end. City Attorney Morrison stated that he believed the City might run afoul of the State and Federal Constitution even though this is a Home Rule unit.

Alderman Hotle stated that this is a non-partisan Council; it is Council's job to address every issue from a non-partisan perspective and not bring partisan politics into this chamber. Alderman Hotle indicated that when we step into this room, we are elected leaders to make decisions for City of Rock Island business. Alderman Hotle commented that a more appropriate way for us to address these issues is to be vocal in the community against this type of behavior. Alderman Hotle and Council further discussed this issue.

Alderman Mayberry commended the Rock Island Fire Department for their service during the storm last Tuesday night. Mayor Pauley stated that employees from Public Works were out on the streets picking up limbs and cleaning things up. The Mayor added that all of the staff does a great job.

Agenda Item #16

Executive Session on Personnel, Property Acquisition and Litigation.

The Executive Session was held prior to the regular meeting.

Agenda Item #17

Recess

A motion was made by Alderman Foley and seconded by Alderman Hotle to recess to 5:30 pm, Monday, April 4, 2016. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Austin, Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle and Alderman Schipp; those voting No, none. The meeting was recessed at 7:18 pm.

Aleisha L. Patchin, City Clerk