

The Rock Island City Council met in Study Session at 6:00 p.m. in City Council Chambers at Rock Island City Hall. Present were Mayor Dennis E. Pauley presiding, and Aldermen Stephen L. Tollenaer, Charles O. Austin III, Ivory D. Clark and Virgil J. Mayberry. Also present were Interim City Manager Randy Tweet, Interim Public Works Director Larry Cook, other City staff and City Attorney Dave Morrison. Alderman Joshua Schipp arrived at 6:09 p.m. Alderman Kate Hotle and Alderman P.J. Foley were absent.

PUBLIC WORKS: UPDATE ON PREVENTING LEAD IN DRINKING WATER LAW

Interim Public Works Director Larry Cook presented an update on SB 550 “Preventing Lead in Drinking Water” which has now been released by the U.S. Environmental Protection Agency. He gave a brief history on lead plumbing. He said the 1986 Safe Drinking Water Act defined “lead-free” plumbing and prohibited the use of lead plumbing for public water supplies. The new legislation was introduced as a result of Flint, Michigan which had changed the source of their drinking water to reduce operational costs. Mr. Cook said Flint’s new source of water was much more corrosive and the City of Flint did not utilize corrosive inhibiting chemicals to prevent the corrosion of lead pipes in the distribution system. This resulted in high levels of lead leaching into the drinking water. Mr. Cook believes the lead was coming from the household plumbing fixtures, not the lines.

Mr. Cook reported that the City of Rock Island utilizes a consistent, reliable and minimally corrosive source of water, the Mississippi River. The City has used for over two decades an inorganic phosphate to prohibit the leaching of lead and copper which creates a protective coating of insoluble mineral scale on the inside of service lines and household plumbing.

Alderman Austin confirmed with Mr. Cook that the phosphate is added to the water at the treatment plant before the water goes out and is effective on whatever type of plumbing line a household may have. Alderman Mayberry asked what the difference is between inorganic and organic phosphates. Mr. Cook responded that if organics were added to the water, there is the potential for creating cancer causing agents.

Mr. Cook stated that the City monitors lead and copper levels throughout the system every three years in compliance with the Lead and Copper Rule. Mr. Cook reviewed the identification of sample sites and the number of sites participating in the survey years since 1992. Many of the sample sites are private service lines. Alderman Austin asked about contacting new property owners and informing them of the option of testing. Mr. Cook responded they do go back to the original sites identified; however, it is up to the property owner to choose to participate. Mr. Cook would like to set up a system through the Community and Economic Department Inspection Division and work with the plumbers to get more participation. Mr. Cook stated there have been zero violations in the City of Rock Island since the Lead and Copper Rule was implemented in 1992. The next round of sampling will be in 2017 and Mr. Cook said they do want to increase participation.

Mr. Cook then explained the new regulations for municipalities. He said by April 15, 2018, the City must submit to the Illinois Environmental Protection Agency a complete inventory of citywide service lines; known lead service lines, including those privately owned; and the

number of lead service lines added from the previous year if new locations have been identified. The inventory must also be submitted annually until all the lead is removed.

Mr. Cook said the new regulations require municipalities to provide written notification fourteen days prior to any planned work in areas of known or suspected lead service lines to all affected residents. If work is being done on an emergency basis, notification must be as soon as possible, including best mitigating practices prior to beginning work. Mr. Cook reported that this year, the door hangar notification was changed to provide more information. He also stated that municipalities must notify affected residents when their water meter is being repaired or replaced at the time the work is performed.

Mr. Cook said there are new regulations for schools. Schools built before January 1, 2000 where K through 5th graders are present, must test all sources used for drinking and cooking. In Rock Island, the only school that will be exempt is the Center for Math and Science. For schools built before January 1, 1987, they must comply by December 31, 2017 with completing the sampling process. Alderman Austin asked about the financial burden this will place on the schools. Mr. Cook stated they are assisting the schools with identifying the number of fixtures in the schools that will need to be tested. Only fixtures where the water is used for drinking or cooking must be tested. He said the lead testing company is charging \$20 per sample; two samples are required from each fixture.

Mr. Cook said that schools have multiple options for paying for the testing: life safety funds, the property tax levy for tort liability or inter-fund transfers. Alderman Austin asked if the new 1% facilities sales tax could be used. Mr. Cook said he was not sure. Mr. Cook reported on the schools' notification requirements if a sample exceeds 5 ppb of lead: parents must be notified of the location and source exceeding 5 ppb; ways to mitigate the risk; and the hazards of lead in drinking water. Mr. Cook stated if the results are less than 5 ppb, schools may use the school website to notify parents. He also said if there are no violations, he wants parents to know that as well.

Mr. Cook reported that for day care centers, the new regulations do not require any action currently. On or about January 1, 2018, the Department of Children and Family Services shall adopt rules that determine procedures and standards in assessing the levels of lead in water in licensed day care centers, day care homes and group day care homes built prior to January 1, 2000 and that serve children under six years. The adoption of these rules will then become part of the license renewal application process.

Mr. Cook distributed three samples of pipe: lead, copper and galvanized metal. He also showed pictures of various pipes and ways to identify lead pipes. He explained how to use a magnet or a scratch test to identify lead pipes and service lines. Alderman Tollenaer asked if copper was bad. Mr. Cook replied that it does not leach to the degree that lead does; however, it is regulated and at high enough doses, copper is toxic. Alderman Mayberry asked about the "Y" facility. Mayor Pauley replied they have a day care center there. Mr. Cook said it will be a challenge to identify all of the day care centers, especially the ones in homes. Service lines larger than one inch are typically not lead pipes.

**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

**February 6, 2017
MINUTES**

Mr. Cook explained the City's pro-active plan of action with regard to the new regulations. The Public Works Department will need to identify all City facilities that host children's programs. RIFAC runs a pre-school and must comply with the regulations. Seventeen fixtures at RIFAC have been identified that need to be tested. The Martin Luther King Center is not required to comply, but it is recommended that testing be done. Seven fixtures at the King Center have been identified and will be tested. The three City libraries are also not required, but the City will identify the fixtures that are sources of potable water and will test them.

Mr. Cook said the Department will assist the Rock Island School District with educating them about the legislation requirements, instructing them on the proper sampling technique and assisting with the interpretation of sample results. However, Mr. Cook said testing is the responsibility of the school district. Alderman Austin asked if the department is working with the parochial schools too. Mr. Cook said yes.

Mr. Cook stated that when the new regulations are published, the department will consider holding meetings with day care owners to educate them on the legislation requirements; instruct them on proper sampling technique; and assist with the interpretation of sample results.

Alderman Austin commented that it was a very thorough presentation. Alderman Tollenaer asked if it helps to run the faucet. Mr. Cook said the highest lead exposure comes when the faucet is first turned on. He explained the testing procedure requires 16 to 18 hours of no use with the fixture and the first run of water from the faucet is captured in the sample bottle; then after a wait period of 30 seconds, the second sample is taken. Two tests are done from each fixture at a cost of \$40 per fixture. The Council asked to be kept up to date on the issue.

ADJOURNMENT

A motion made by Alderman Schipp and seconded by Alderman Mayberry to adjourn the meeting carried by the following Aye and No vote. Those voting aye being: Alderman Tollenaer, Alderman Schipp, Alderman Austin; Alderman Clark and Alderman Mayberry; those voting No, none. The meeting was adjourned at 6:22 p.m.

Judith H. Gilbert, City Clerk

**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

**February 6, 2017
MINUTES**

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

Introductory Proceedings

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

Agenda Item #5

Minutes of the meeting of January 23, 2017.

It was moved by Alderman Austin and seconded by Alderman Hotle to approve the Minutes of the meeting of January 23, 2017 as printed. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none.

Agenda Item #6

Update Rock Island by Mayor Dennis E. Pauley.

Jazz Combos Concert – Augustana’s small jazz combos will perform their winter concert in Larson Hall within the Bergendoff Hall of Fine Arts on Wednesday, February 8, 2017 at 8:00 p.m. The event is free. For more information, please call (309) 794-7323.

Southwest Branch Family Craft Night – The City of Rock Island’s Southwest Branch Library will hold a craft night on Valentine’s Night, February 14, 2017 from 6:00 p.m to 7:00 p.m. Make something fun with your family or your sweetheart. The event is free but registration is required. Please call (309) 732-7338 to reserve a spot or visit. www.rigov.org.

Blackhawk Park Valentine - Head out to Watch Tower Lodge at Black Hawk State Historic Site on Tuesday, February 14, from 6:30 p.m. - 8:30 p.m. You can go for a stroll on a luminary-lit trail or just go into the Lodge and keep warm by the fire while enjoying fresh donuts and cider or hot cocoa. There will be music provided by Just4Fun. This is a fun event for singles, couples and families. The event is free. For more information, call [\(309\) 788-9536](tel:3097889536).

Local History Series at Hauberg - On Thursday, February 16, 2017 the Hauberg Center will welcome local historian Linda Anderson as she discusses the works of architect Olof Cervin who prepared designs for over 400 homes in Rock Island, Moline and East Moline. These homes were built for the purpose of filling them with Rock Island Arsenal workers, who at the time were preparing for World War I. Cervin also designed office buildings, large factories, ornate theaters and beautiful churches. Join us from 7:00 p.m. to 8:00 p.m. and learn more about Olof Cervin and his lasting impact on the architectural fabric of Rock Island. Admission is \$5.00 dollars and members of Friends of Hauberg get in for free.

The 2017 Outdoor Show – The Outdoor Show will be coming to the Quad City Expo Center February 16 through February 19, 2017. Hours are Thursday, 4:00 p.m. to 8:00 p.m., Friday 12:00 p.m. to 8:00 p.m., Saturday 9:00 a.m. to 8:00 p.m. and Sunday 10:00 a.m. to 4:00 p.m. Adults are \$8.00, kids between ages of 6 and 15 are \$1.00 and kids under 6 are free. Advance tickets are available online at www.qccaexpoctr.com.

Alderman Mayberry reported on Rock Island High School graduate Chasson Randle who achieved his dream of playing for the NBA; he recently signed a three year contract. Alderman Mayberry said that Mr. Randle was a straight “A” student and president of his high school class and went on to Stanford University. Alderman Mayberry said Mr. Randle always says he is from Rock Island and is thankful for all of the support he receives from Rock Island. Alderman Mayberry wanted to commend Mr. Randle for all of his accomplishments and for being pro-Rock Island.

Agenda Item #7

Public Hearing on a request from Marie H. Glines for an amendment to an approved Special Use Permit to change the name on the Special Use Permit to Marie H. Glines, maintain the four apartments and existing 4 square foot unlighted freestanding sign and allow use of the former first floor auditorium space to be used as a studio for conducting music lessons and small concerts at 1808 7th Avenue.

Mayor Pauley closed the regular meeting at 6:50 p.m. and opened a Public Hearing on a request from Marie H. Glines for an amendment to an approved Special Use Permit to change the name on the Special Use Permit to Marie H. Glines, maintain the four apartments and existing 4 square foot unlighted freestanding sign and allow use of the former first floor auditorium space to be used as a studio for conducting music lessons and small concerts at 1808 7th Avenue.

Ms. Marie H. Glines stepped forward. She would like to use the first floor space to help starving artists with a space to practice their music. Her partner passed away last year and Ms. Glines is now the sole owner of the property. Mayor Pauley confirmed that she wanted the Special Use Permit in her name; to maintain the four apartments; to maintain the existing freestanding unlighted sign; and to allow use of the first floor auditorium space to be used as a studio for conducting music lessons and small concerts at 1808 7th Avenue.

Alderman Hotle said the property is in her ward and she has not had any complaints.

Mayor Pauley inquired as to whether there was anyone who wished to speak in favor of the amendment to the approved special use permit. No one stepped forward.

Mayor Pauley then inquired as to whether there was anyone who wished to speak in opposition to the amendment to the approved special use permit. No one stepped forward.

With no person present to speak in favor of or in opposition to the amendment to the approved special use permit, Mayor Pauley closed the Public Hearing and reconvened the regular meeting at 6:54 p.m.

It was moved by Alderman Hotle and seconded by Alderman Mayberry to approve the amendment to the special use permit as recommended, subject to the stipulations as stated in the report and refer to the City Attorney for an ordinance. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none.

Agenda Item #8

A Special Ordinance amending Chapter 3, Section 3-11(i) and Chapter 8, Article III, Division 2, Section 8-97 of the Code of Ordinances as it relates to gambling devices and video gaming licenses.

It was moved by Alderman Schipp and seconded by Alderman Hotle to consider, suspend the rules and pass the ordinance. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none.

Agenda Item #9

A Special Ordinance amending Chapter 6, Article II of the Code of Ordinances by adding Section 6-25 as it relates to System Inspection Records.

It was moved by Alderman Hotle and seconded by Alderman Schipp to consider, suspend the rules and pass the ordinance. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none.

Agenda Item #10

CLAIMS

It was moved by Alderman Austin and seconded by Alderman Schipp 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 Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none.

- a. Report from the Human Resources Department regarding payment in the amount of \$12,430.59 to Dave Morrison of Rock Island, IL for legal services rendered for the month of January.
- b. Report from the Human Resources Department regarding payment in the amount of \$683.02 to State Farm Insurance of Atlanta, GA for General Liability claim.
- c. Report from the Human Resources Department regarding payment in the amount of \$35,000 to the Law Offices of Michael P Schmiege PC for General Liability claim.
- d. Report from the Human Resources Department regarding payment in the amount of

\$2,280.01 to Vincent McClean for General Liability claim.

e. Report from the Information Technology Department regarding payment in the amount of \$16,093.43 to the Rock Island County Sheriff's Office for the City of Rock Island's share of the OSSI Records Management Software annual maintenance for the year from January 1, 2017 through December 31, 2017.

f. Report from the Information Technology Department regarding payment in the amount of \$42,501.71 to Harris Computer Systems of Chicago, IL for the NorthStar System utility billing software maintenance from April 1, 2017 through March 31, 2018.

g. Report from the Information Technology Department regarding payment in the amount of \$53,913.44 to Harris Computer Systems of Chicago, IL for the GEMS-FMS/HRMS financial and human resources systems software maintenance from April 1, 2017 through March 31, 2018.

h. Report from the Public Works Department regarding payment #1 in the amount of \$136,302.58 to Summit Electric, LLC of Moline, IL for 2016 Water Treatment Plant, Electrical Transformer Upgrades, Phase 1 for services provided from December 12, 2016 through January 26, 2017.

Agenda Item #11

Claims for the weeks of January 20 through January 26 in the amount of \$535,591.93 and January 27 through February 2 in the amount of \$542,539.98 and payroll for the weeks of January 16 through January 29 in the amount of \$1,476,027.84.

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

Agenda Item #12

Report from the Public Works Department regarding the State Contract purchase of a 2017 Ford F250 4x4 pickup from Landmark Ford Inc. of Springfield, IL in the amount of \$26,734.00.

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

Agenda Item #13

Report from the Information Technology Department regarding the purchase of an upgrade to the MSGovern software used for business licenses, permits and inspections from Harris Govern of Allen, TX in the amount of \$7,875.00.

It was moved by Alderman Austin and seconded by Alderman Schipp to approve the purchase as recommended and authorize the City Manager to sign the agreement. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none.

Agenda Item #14

Report from the Public Works Department regarding bids for emergency repairs for two Southwest Rock Island internal pressure regulating valves, recommending the bid be awarded to Valley Construction, Inc. of Rock Island, IL in the amount of \$39,565.00.

It was moved by Alderman Tollenaer and seconded by Alderman Hotle to award the bid as recommended and authorize the City Manager to execute the proposal. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none.

Agenda Item #15

Report from the Community and Economic Development Department regarding a request for a modification to the current demolition contract by adding one additional residential property at 1602 9th Street in the amount of \$22,950.00 to Valley Construction, Inc. of Rock Island, IL.

It was moved by Alderman Clark and seconded by Alderman Austin to accept the bid proposal from Valley Construction and modify the current demolition contract by adding one property at the rate bid as recommended and direct the City Manager to award the contract. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none.

Agenda Item #16

Report from the Human Resources Department regarding a nine month extension of the City Attorney legal services contract with the law firm of Kutsunis, Weng and Morrison (Dave Morrison) through December 31, 2017.

It was moved by Alderman Schipp and seconded by Alderman Mayberry to approve the extension as recommended.

Alderman Schipp stated that City Attorney Dave Morrison does a good job for the City and cares about protecting the City's interests. Alderman Clark agreed; but he asked about previous discussions about having an in-house attorney and what the status was. Randy Tweet responded that the issue was being evaluated and more information will be available later in the year; and if it is decided to go that route, it would take effect at the end of the current legal services contract.

**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

**February 6, 2017
MINUTES**

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

Agenda Item #17

Report from the City Clerk regarding corrections to Exhibit A and Exhibit B of Ordinance No. 056-2016 due to scrivener's errors.

It was moved by Alderman Schipp and seconded by Alderman Hotle to amend the exhibits as recommended.

Alderman Schipp asked the City Attorney to explain what scrivener's errors were. Attorney Morrison replied they were basically typos in the exhibits attached to the ordinance.

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

Agenda Item #18

Report from the Public Works Department regarding an amended Resolution appropriating \$1,090,133.50 of Motor Fuel Tax funds for street maintenance for 2016.

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

Agenda Item #19

Report from the Public Works Department regarding a Resolution appropriating \$1,064,267.50 of Motor Fuel Tax funds for street maintenance in 2017.

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

Agenda Item #20

Report from the Finance Department regarding an adjustment to the CY 2017 Budget recommending increasing the Capital Improvements Fund (301) in the amount of \$500,000.00.

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

Agenda Item #21

Report from the Community and Economic Development Department regarding the Jumer's Casino Rock Island TIF Surplus, recommending declaring a surplus of funds in TIF 4 in the amount of \$571,341.70.

It was moved by Alderman Hotle and seconded by Alderman Mayberry to declare the surplus of funds as recommended and authorize the City Finance Director to return the surplus funds to the Rock Island County Treasurer for distribution. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none.

Agenda Item #22

Other Business

Alderman Mayberry asked Community and Economic Development Director Chandler Poole to step forward. Alderman Mayberry asked how many people have applied for and received chicken licenses. Mr. Poole replied two properties have gone through the full process; one license has been issued and the other was still pending. Mr. Poole could not say how many applications were in process. Alderman Mayberry asked where the permits had been issued. Mr. Poole said one was on 40th Street and one was on 43rd Street. Both properties are in Alderman Schipp's ward.

Alderman Mayberry said that at the January 23rd Council meeting the Council approved an amended motion to allow only those firms with corporate headquarters in Rock Island to be on the emergency contractor rotation list. Alderman Mayberry asked Attorney Morrison if this would set a precedent with regards to restricting firms with corporate headquarters in Rock Island to bid on City projects. Mr. Morrison replied he is not aware of any other City policies that require firms to have their corporate headquarters in Rock Island. Further discussion followed.

Alderman Mayberry would like more discussion on the matter tonight. Attorney Morrison said Alderman Mayberry could bring a motion to amend the list and if seconded, discussion could then take place. He also said other Council members could comment on the matter without a motion.

Alderman Mayberry moved to amend the emergency contractor list to approve the emergency contractor rotation list as recommended by City staff in their staff report as it appeared in the agenda January 23rd. The motion was seconded by Alderman Tollenaer.

Discussion followed. Alderman Foley said he wanted to change the policy to support businesses with corporate headquarters in Rock Island. He stated there are Council members who support regionalism and as such, then it should be open to all contractors on the Illinois side. Further discussion followed. Mayor Pauley restated the motion and confirmed the motion and the second.

The motion was tied by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Austin and Alderman Mayberry; those voting No being; Alderman Hotle, Alderman Clark and Alderman Foley; those abstaining, Alderman Schipp.

City Attorney Morrison advised that it was the Mayor's option to vote if he wished to and break the tie. Mayor Pauley stated he supported the original motion; he spoke about Brandt Construction and their two facilities located in Rock Island. Mayor Pauley cast an aye vote, breaking the tie; the motion was carried.

Alderman Foley asked Interim Public Works Director Larry Cook to come up. Alderman Foley said the Council was lead to believe by Terry Brandt and others that the project went smoothly; and now there is a subcontractor, KBC of Savanna, IL, suing Brandt for \$233,000. Alderman Foley asked what is the city's implication and role and what can the subcontractor do against the City with the lawsuit. Attorney Morrison replied that the city had received notice of the lien and the subsequent suit. He stated that the City has held back funds in case the subcontractor wins a judgment against Brandt for non-payment. Alderman Foley asked if a lien can be placed against the City. Mr. Morrison replied no and again stated the City will have the funds to cover any judgment for the subcontractor and for the liquidated damages. Alderman Foley asked if the City has paid Brandt Construction on time. Mr. Tweet replied yes. Mayor Pauley asked when the matter will be concluded. The next court date for the subcontractor's suit is May 18. Alderman Schipp said there is a determination meeting later this month to discuss the total cost for the project and the City will present its case for liquidated damages. Further discussion followed.

Alderman Hotle commended one of her ward residents and city employee, Sergeant Dy Robinson, for her passion about Rock Island and the citizens of Rock Island.

Alderman Schipp explained why he abstained from the votes on the emergency contractor rotation list. He started a new job in January with the Indiana, Illinois, Iowa Foundation for Fair Contracting, a labor-management organization. As such, Alderman Schipp said he felt it could be perceived as a conflict of interest. Alderman Schipp went on to discuss an accusation recently made against him and spoke further about the issues with the 24th Street project. Alderman Schipp stated that the Council represents the taxpayers and must put them first; that Council members should uphold the oath of office; and be financial stewards of money spent by the City.

The Council further discussed the matter regarding Brandt Construction.

Ms. Nancy Trice of Rock Island asked the Council to reconsider the use of the blue door hangars used to give one week notice of water being turned off. She had already made payment arrangements with the Finance Department and the following day received the door hangar notice which included a \$35 fee. She did not think that was right since she had already received a notice by mail and made payment arrangements. The consensus of the Council was to research the issue further.

Agenda Item #23

Executive Session on Personnel, Property Acquisition and Litigation.

**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

**February 6, 2017
MINUTES**

No executive session was held.

Agenda Item #24

Recess

A motion was made by Alderman Foley and seconded by Alderman Schipp to recess to 5:30 p.m., Monday, February 13, 2017. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Clark, Alderman Mayberry and Alderman Foley; those voting No, none. The meeting was recessed at 7:34 p.m.

Judith H. Gilbert, City Clerk