

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 Kate Hotle, Charles O. Austin III, and Stephen L. Tollenaer. Also present were Acting Interim City Manager Stephanie Masson, Martin Luther King Jr. Center Director Jerry Jones, other City staff and City Attorney Dave Morrison. Aldermen Joshua Schipp and Virgil J. Mayberry arrived at 6:02 p.m. Alderman P.J. Foley arrived at 6:16 p.m. Alderman Ivory D. Clark was absent.

**HUMAN RIGHTS COMMISSION: DIRECTION / RESPONSIBILITIES**

David Levin, Vice Chairman of the Rock Island Human Rights Commission, introduced members of the Human Rights Commission that were present: Javier Perez, Chairman; Jim Kerr, Linda Golden and Morten WaByaombe, members; and Jerry Jones, staff member.

Mr. Levin said the Rock Island Human Rights Commission was re-instated ten years ago after a twenty-year hiatus. Mayor Schwiebert re-organized the Commission. Mr. Levin said Commission members have participated in trainings with the cities of Moline, East Moline and Davenport. The Commission appreciates the opportunity to speak to the Council and to discuss the clarity of their roles and how the Council sees their role. Mr. Levin said they typically handle seven to ten cases per year, mediating solutions and an additional two or three cases where the respondents will not speak with the Human Rights Commission. He noted the Rock Island Human Rights Commission does not have subpoena power like the City of Davenport's Commission. He is appreciative of the information that is now on the City website about the Commission and the resources to distribute information throughout the community.

Mr. Levin asked how the Council sees the role of Commission members. Mayor Pauley responded that the study session is for the Commission members to talk to the Council. He asked Mr. Levin if he sees the number of cases growing if they have subpoena power and would the Commission then require a special attorney or additional staff person. Mr. Levin commented that in the past, people were timid to talk to the Commission. Alderman Hotle asked if there was an attorney on the board of Human Rights Commission. Mr. Levin said not at present. Alderman Hotle stated that the Council often does not hear about these cases. She said if the Commission had subpoena power, an attorney would be required.

City Attorney Dave Morrison concurred with Alderman Hotle. An attorney would be needed to review cases. He looked at cities in Illinois with subpoena power and their ordinances. He found the cities of Urbana and Aurora have subpoena power and their ordinances run 12-14 pages as compared to Rock Island's two page ordinance. Mr. Morrison said giving the Human Rights Commission subpoena power is a policy decision. He said the Commission needs input from an attorney on the Commission and after reading the City ordinance, there should be an attorney on the Commission. Mr. Levin said after the last attorney left (Art Winstein), the Commission has been seeking another attorney to recommend for Mayor Pauley to appoint to the Commission.

Alderman Austin asked what kinds of complaints are brought to the Human Rights Commission. Mr. Levin responded they used to get many housing complaints from minorities in a housing complex; these were often a result of the language barrier and most of these have been taken care of by the Commission. Mr. Levin said they see discrimination cases related to race, age and

disability. He explained there is a complaint form and Commission members as a whole review the complaint, allowing an opportunity for complainants to explain their issue. Several Commission members will then visit the respondent. They try to mediate with the individuals and the respondents for a solution.

Mayor Pauley asked how many cases Davenport has. Mr. Levin did not know. Alderman Austin asked about compliance or how often the decisions are followed. Mr. Levin gave an example of one case, but said compliance is voluntary. Since the Commission has no authority, often the only choice the Commission has is to take the case to the State Human Rights Commission. Mr. Levin said Commission members put in a lot of time every month to hear complaints; every member has a purpose. Mr. Levin's area is fair housing.

Mr. Levin said they are asking for the Council's guidance. He stated the Commission will look for another attorney to sit on the Commission, but he also asked if City Attorney Morrison would talk to the other two communities with subpoena power. Mr. Levin gave another example of a respondent in a complaint that refused to meet with the Commission.

Mayor Pauley said he is not opposed to the Commission having subpoena power, but it is difficult to budget an unknown expense. The City must know how much it will cost for an attorney and a staff person. Mayor Pauley thinks the number of cases would increase if the Commission had subpoena power. There needs to be an estimate to put in the budget. There was further discussion about attorneys and if they were volunteers. Alderman Hotle said she was supportive if they could figure out the cost issue.

Mr. Levin said they may only need subpoena power in certain cases. Alderman Austin says he sees the need to fill that gap in getting respondents to come to the table, but he also understands Mayor Pauley's concern about the cost. Commission member Linda Golden said they don't automatically assume discrimination; they investigate first. She said that often it may be a case of someone needing a mental health referral to get proper services and they provide that as well.

Mayor Pauley said he has heard that if the Commission were to have subpoena power, they would have more cases. Commission member Jim Kerr said complainants feel the Rock Island Human Rights Commission doesn't have the power to help them. He said they often say that Davenport has attorneys and paid staff, so they lose confidence with the Rock Island Human Rights Commission. Mr. Kerr said it's frustrating when there are ugly cases of discrimination going on and the Commission can't do anything about it.

Alderman Mayberry commended the members of the Rock Island Human Rights Commission; he said it is a thankless job. He also said subpoena power was discussed twenty years ago.

Mayor Pauley asked City Attorney Dave Morrison to take a look at the other cities and come back with recommendations for what would be needed with regard to an attorney and staff person for the Commission. Javier Perez, Chairman of the Rock Island Human Rights Commission, said he would like to work with Attorney Morrison when he talks with Aurora. Mr. Morrison said it would probably be done through conference calls. Alderman Foley asked how long before Attorney Morrison comes back with recommendations. Mr. Morrison said it should

take about two weeks. Alderman Foley said he would like to get the issue addressed before this Council is done. Mayor Pauley said they need an attorney to sit on the Commission and he would make an appointment if there is a recommendation. Mr. Perez said there is one seat open on the Commission. There was further discussion that the attorney, who would sit on the Commission, would act as their advisor as a member of the Commission, but he would not represent the Commission. That would have to be another attorney (working for the Commission).

Commission member Morten WaByaombe asked if the City could help now with respondents who don't want to talk with the Commission. Mayor Pauley stated they can't give subpoena power until the Council votes on that issue. Mr. WaByaombe said they often deal with refugee issues and they ask for legal advice, but don't have the means to pay for it. He asked if they could approach the City Attorney. Mayor Pauley replied that it would not be on city time. City Attorney Morrison said Prairie State Legal Services offers pro bono legal assistance. Mr. Morrison is there to do the work of the City. There was further discussion about refugee and immigrant legal issues. Alderman Schipp believes there is support among the Council for granting subpoena power to the Human Rights Commission, but said the City does not have unlimited funds. Mr. WaByaombe asked what happens if the attorney does not have the expertise to handle a specific case. Alderman Hotle said there is a specialization of civil rights law; she does not know if there are any local civil rights attorneys.

Alderman Hotle asked if the issue of the request for the Commission needing money for some expenses was resolved. Mr. Levin said yes, they were able to get business cards and postage; they were very appreciative of that.

### **ADJOURNMENT**

A motion made by Alderman Hotle and seconded by Alderman Tollenaer to adjourn the meeting carried by the following Aye and No vote. Those voting aye being: Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Mayberry, Alderman Foley and Alderman Tollenaer; those voting No, none. The meeting was adjourned at 6:34 p.m.

---

Judith H. Gilbert, City Clerk

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 Kate Hotle, Joshua Schipp, Charles O. Austin III, Virgil J. Mayberry, P.J. Foley and Stephen L. Tollenaer. Also present were Acting Interim City Manager Stephanie Masson 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 Schipp gave the Invocation.

#### Agenda Item #5

##### **Minutes of the meeting of March 6, 2017.**

It was moved by Alderman Foley and seconded by Alderman Mayberry to approve the Minutes of the meeting of March 6, 2017 as printed. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Mayberry, Alderman Foley and Alderman Tollenaer; those voting No, none.

#### Agenda Item #6

##### **Update Rock Island by Mayor Dennis E. Pauley.**

Rock Island Golf Courses Open for Season – Highland Springs and Saukie Golf Courses open Thursday, March 16<sup>th</sup> at 8:00 a.m. Dust the golf clubs off and come out to enjoy these specials: Highland Springs is offering 18 holes with cart for \$26.00 on Monday and Wednesdays. This championship designed course is located in southwest Rock Island at 9500 35<sup>th</sup> Street West. Call (309) 732-7227 to set up a tee time. One can also enjoy the Saukie Golf Course with majestic oaks at this executive length golf course for 18 holes at \$25.00 which includes a cart. Saukie is located in the heart of Rock Island at the intersection of 31<sup>st</sup> Avenue and 38<sup>th</sup> Street. Call (309) 732-2278 to set up a tee time.

Underground Railroad Locally – Explore the history of the local and regional connections to the Underground Railroad, with Angie Snook, curator of the Geneseo History Museum. Take advantage of this free event on Monday, March 20, 2017 from 2:00 p.m. to 3:00 p.m. at Rock Island Public Library, 401 19<sup>th</sup> Street.

QCCA Expo Center Flower and Garden Show – The 2017 Flower & Garden Show is coming to the Quad City Expo Center March 24<sup>th</sup> through March 26<sup>th</sup>. Hours are Friday, 10:00 a.m. – 8:00 p.m., Saturday 10:00 a.m. – 8:00 p.m. and Sunday from 10:00 a.m. – 4:00 p.m. Great fun and value for the whole family. Adult tickets are \$8.00, children 6-15 are \$1.00 and children under 6 are free. Senior Day is Friday from 10:00 a.m. to 4:00 p.m. for \$6.00.

STEM-AZING – On Wednesday March 15, 2017 enjoy a free, hands-on project to try in science, technology, engineering and math (STEM). Takes place from 4:00 p.m. to 5:00 p.m. at the Rock Island Public Library, no registration necessary just bring you and the little one and enjoy the fun of learning! For more information please contact (309) 732-7369.

Agenda Item #7

**Proclamation declaring March 18, 2017 as “Rock Ireland” Day.**

Mayor Pauley read the proclamation. Erik Reader, Executive Director of Downtown Rock Island Partnership, accepted the proclamation. Mr. Reader thanked the Mayor and Council and encouraged everyone to watch the parade and join in the celebrations in downtown Rock Island; many local establishments are having events. He also presented a limited edition Rock Ireland t-shirt to Mayor Pauley and said they are available for sale.

Agenda Item #8

**A Special Ordinance granting a Special Use Permit for 935 3<sup>rd</sup> Avenue.**

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

Agenda Item #9

**A Special Ordinance amending a Special Ordinance granting a Special Use Permit for 500 7<sup>th</sup> Street.**

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

**Agenda Items #10 and #11**

It was moved by Alderman Foley and seconded by Alderman Tollenaer to consider, suspend the rules and pass the ordinances for Items #10 and #11.

Agenda Item #10

**A Special Ordinance declaring the 2003 Ford Ranger as surplus and allowing for disposal.**

Agenda Item #11

**A Special Ordinance reducing the speed zone to 20 mph on 7<sup>th</sup> Avenue between 34<sup>th</sup> and 38<sup>th</sup> Streets.**

Discussion followed regarding Item #11. Alderman Schipp informed those watching the meeting that the speed limit will be reduced to 20 mph on 7<sup>th</sup> Avenue in front of the college. Mayor Pauley added from 34<sup>th</sup> Street to 38<sup>th</sup> Street. Alderman Mayberry asked how long it would be before it takes effect. Mayor Pauley announced it would take ten days to go into effect. Alderman Tollenaer said that the City needs to work with Augustana College to light that corridor more. He said it is hard to see pedestrians in that area. Alderman Schipp said he would like it to be part of a bigger initiative to get more streetlights in the city. Alderman Hotle agreed

and said there are a lot of areas without streetlights and that getting more streetlights will help to make neighborhoods safer.

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

Agenda Item #12

**Claims**

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

a. Report from the Human Resources Department regarding payment in the amount of \$3,576.14 to Country Preferred of Bloomington, IL for General Liability claim.

Agenda Item #13

**Claims for the week of March 3 through March 9 in the amount of \$688,617.63.**

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

Agenda Item #14

**Report from the Finance Department regarding an adjustment to the CY 2017 Budget increasing the Park and Recreation Fund by \$20,000.00 through a transfer from the Gaming Fund.**

It was moved by Alderman Hotle and seconded by Alderman Tollenaer to approve the budget adjustment as recommended.

Alderman Hotle explained why the item was brought back from last week's agenda.

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

Agenda Item #15

**Report from the Finance Department regarding an adjustment to the CY 2017 Budget increasing the Martin Luther King Jr. Activity Fund by \$63,011.31 through the carry-over of unused grant funds from CY 2016 to CY 2017.**

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

Agenda Item #16

**Report from the Finance Department regarding an adjustment to the CY 2017 Budget increasing the Community Development Block Grant Fund by \$255,184.62 through the carry-over of unused HUD-CDBG grant funds for Program Year 2016 from CY 2016 to CY 2017.**

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

Agenda Item #17

**Report from the Mayor regarding an appointment to the Arts Advisory Committee.**

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

Erik Reader was appointed to fill the vacancy on the Arts Advisory Committee serving the remainder of Micaela Booth's 3-year term expiring June, 2019.

**Agenda Items #18 and #19**

It was moved by Alderman Hotle and seconded by Alderman Tollenaer to approve both events as recommended and adopt the resolutions.

Agenda Item #18

**Report from the City Clerk regarding an application and Resolution for the American Heart Association to hold a Walk on Saturday, May 20, 2017 from 9:30 a.m. to 11:00 a.m.**

Agenda Item #19

**Report from the City Clerk regarding an application and Resolution for the Cornbelt Running Club to hold their Quad Cities Distance Classic Half Marathon and 5K Road Races on Sunday, May 14, 2017 from 7:30 a.m. to 10:30 a.m.**

Alderman Foley asked what the issue was why the items had to be brought back this week. Mayor Pauley explained that it was about the amount of insurance needed for their events; it was a new state requirement of \$1,000,000 per person. It needed to be clarified for the event sponsors before the vote.

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

Agenda Item #20

**Other Business**

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

Agenda Item #21

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

An Executive Session was not held.

Agenda Item #22

**Recess**

A motion was made by Alderman Foley and seconded by Alderman Schipp to recess to 5:30 p.m., Monday, March 20, 2017. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Hotle, Alderman Schipp, Alderman Austin, Alderman Mayberry, Alderman Foley and Alderman Tollenaer; those voting No, none. The meeting was recessed at 6:59 p.m.

---

Judith H. Gilbert, City Clerk