

The Rock Island City Council met in Study Session at 6:00 pm in City Council Chambers at Rock Island City Hall. Present were Mayor Dennis E. Pauley presiding, and Aldermen Stephen L. Tollenaer, Joy Murphy, Terry M.A. Brooks I, David Conroy and P.J. Foley. Also present were City Manager Thomas Thomas, Public Works Director Bob Hawes, Community and Economic Development Director Jeff Eder, Parks and Recreation Director Bill Nelson, other City staff, Jennifer Walker, Account Consultant from UpStream and Assistant City Attorney Dave Morrison. Alderman Jason W. Jones arrived at 6:05 pm. Alderman Charles O. Austin III and City Attorney Ted Kutsunis were absent.

### **PROPOSED SIGNAGE FOR SCHWIEBERT RIVERFRONT PARK**

Parks and Recreation Director Bill Nelson stated that Schwiebert Riverfront Park will be entering into its 3<sup>rd</sup> year this summer. Mr. Nelson advised that in the past, people have been notified of upcoming events and activities by the utilization of vinyl message signs. Mr. Nelson noted that the downside of those vinyl signs has been that on occasion, the banners get windblown or torn. Mr. Nelson indicated that at the time the park was under construction, electronic message (signs) centers were discussed, but there were cost concerns. It was noted that some funds were left over with the construction of the park and discussion on the electronic message centers was revisited.

Mr. Nelson stated that the architect was asked to provide a plan on an electronic message center and explore where the best location would be to install it. Mr. Nelson stated that the recommended location for the placement of the message center would be the place where the clock is currently and the clock would be moved across the park road into the landscape area where the tall grasses are over by the stage.

Mr. Nelson discussed the concerns regarding the placement of the sign, which included; the sign being large enough so that it can be read; the sign being tall enough for bikers and people that are using the roads to see underneath the sign and to see bikers that are coming down the path; and that bikers can see cars that are coming back into the parking areas. Mr. Nelson advised that another concern was the size of the sign. Mr. Nelson referred to the visual on the screen and stated that the banners currently being used on the light poles on 1<sup>st</sup> Avenue are 3 feet wide by 9 feet tall. Mr. Nelson advised that the proposed message center sign from the ground to the top would be a total of 17 feet and 7 inches; the top of the message center portion would be 13 feet and 5 inches. Mr. Nelson then discussed the colors on the electronic message center.

Council discussed the signage as it related to size. Alderman Conroy commented that he was not in favor of the sign.

Mr. Nelson then discussed the signage on 18<sup>th</sup> Avenue for Parks and Recreation. Mr. Nelson commented that the bottom of the sign is 7 feet off of the ground, with the top of the sign about 14 feet tall from the ground and it sets 20 feet from the curb. It was noted that the proposed signage at Schwiebert Riverfront Park would be about 60 feet from the curb.

Mr. Nelson stated that staff is recommending to put together a bid package based on the current proposed sign design. Mr. Nelson advised that another option is for staff to come up with a different version of the sign or to not take any action and continue with the vinyl banners in the future.

Council discussed the proposed electronic message center as it related to size and cost. Mr. Nelson reiterated that the primary use of the sign would be to inform people of upcoming events and activities in the park and to inform people of when the park would be closed. Council further discussed the signage as it related to maintenance, placement and the marketing component.

Jenner Walker from UpStream stated that from a marketing perspective, the current vinyl signs are tacky. Ms. Walker added that the City will want to advertise what is going on in the park for people to see as they drive by; it is a state highway and it does get a lot of traffic. Ms. Walker advised that this will professionalize the City of Rock Island's image by having a high quality sign to match a high quality park.

Council and Mr. Nelson further discussed the signage as it related to lighting and color.

#### **MISCELLANEOUS**

Alderman Conroy advised that he would like to have a Study Session on depreciation, its rules and how it affects the Parks Department as well as City streets and other capital improvements.

#### **ADJOURNMENT**

A motion made by Alderman Foley and seconded by Alderwoman Murphy to adjourn the meeting carried by the following Aye and No vote. Those voting Aye being; Alderman Tollenaer, Alderman Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none. The meeting was adjourned at 6:25 pm.

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Aleisha L. Patchin, City Clerk

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 Stephen L. Tollenaer, Jason W. Jones, Joy Murphy, Terry M.A. Brooks I, David Conroy and P.J. Foley. Also present were City Manager Thomas Thomas and Assistant City Attorney Dave Morrison. Alderman Charles O. Austin III and City Attorney Ted Kutsunis were absent.

#### 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 December 17, 2012.**

A motion was made by Alderwoman Murphy and seconded by Alderman Foley to approve the minutes of the meeting of December 17, 2012 as printed. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

#### Agenda Item #6

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

Mayor Pauley stated that he will give the Annual State of the City Address on Tuesday, January 8, 2013 at 12:00 pm during a joint meeting of the Rock Island Rotary and Kiwanis Clubs at the Quad City Botanical Center at 2525 4<sup>th</sup> Avenue. It was noted that Mayor Pauley will also give the address at the City Council meeting on Monday, January 14, 2013 starting at 6:45 pm in City Council Chambers at City Hall. Mayor Pauley indicated that the State of the City Address is an opportunity to reflect on the City's accomplishments of the previous year and inform citizens of the City's opportunities for the coming year. Mayor Pauley stated that he looks forward to many more successes in 2013.

Mayor Pauley stated that the Good Karma Shirt Company will have a ribbon cutting to celebrate its first retail location on Wednesday, January 9<sup>th</sup> at 4:00 pm at The Shoppes on 2<sup>nd</sup>, 1700 2<sup>nd</sup> Avenue, Suite 5. Mayor Pauley advised that the Good Karma Shirt Company features handcrafted and custom designed re-purposed clothing, hula hoops and other products targeting young-in-spirit people who love life, music and celebration. Mayor Pauley added that the hours are 11:00 am to 7:00 pm Tuesday through Friday, and 10:00 am to 4:00 pm on Saturday. It was noted that the Good Karma Shirt Company is closed on Sunday and Monday.

Mayor Pauley advised that the City of Rock Island is still offering free Christmas tree collection until January 11, 2013. The Mayor indicated that Christmas trees should be placed at the normal garbage setout point on the citizen's garbage collection day. It was noted that Christmas ornaments, lights and stands must be removed from the tree. Mayor Pauley stated that the trees must be placed at least 3 feet away from garbage carts to guarantee collection of both the Christmas trees and the garbage carts. It was noted that separate trucks will pickup Christmas trees.

Mayor Pauley advised that a new ordinance took effect on December 31, 2012 to set limitations on loitering for individual's ages 17 to 20 years old in the late-night hours on the Great River Plaza in downtown Rock Island. Mayor Pauley pointed out that persons between the ages of 17 and 20 years old, between the hours of 12 midnight and 3:00 am Monday through Sunday, will not be permitted to loiter, congregate or remain in public areas of the Great River Plaza. Mayor Pauley advised that this new ordinance is designed to stop the congregating or loitering; it is not intended to discourage individuals 17 to 20 years of age from visiting businesses or residents.

Mayor Pauley stated that the 30<sup>th</sup> Annual Dr. Martin Luther King, Jr. Memorial Service and Award celebration honoring the late Dr. Martin Luther King Jr. will be held on Monday, January 21, 2013 from 9:00 am to 11:30 am at the Martin Luther King Jr. Community Center. Mayor Pauley added that the theme for this year's program is "There's Still Work to be Done." It was noted that following the program, the 2013 Presidential Inauguration will be televised, which begins at 12:00 pm.

Agenda Item #7

**Public Hearing on a request from Wendy Frieden for a Special Use Permit to maintain operation of a property management office out of her residence at 3320 14<sup>th</sup> Street Court.**

Mayor Pauley closed the regular meeting at 6:49 pm and opened a Public Hearing on a request from Wendy Frieden for a Special Use Permit to maintain operation of a property management office out of her residence at 3320 14<sup>th</sup> Street Court.

Wendy Frieden of 3320 14<sup>th</sup> Street Court stepped forward. Mayor Pauley swore in Ms. Frieden.

Ms. Frieden stated that they are a property management company that started in 2010 and the business has grown rapidly over the last several years. Ms. Frieden indicated that they are asking for a Special Use Permit temporarily to continue working out of the residence until they can move to their new commercial location at 21<sup>st</sup> Street and 4<sup>th</sup> Avenue, which would be this spring. Ms. Frieden noted that the new location is not finished yet. Ms. Frieden commented that she recently has hired an employee.

Council discussed the new commercial location as it related to the time component for moving in.

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 then inquired as to whether there was anyone who wished to speak in opposition to the Special Use Permit.

Katie Wilson of 1411 34<sup>th</sup> Avenue stepped forward. Mayor Pauley swore in Ms. Wilson. James Early who owns a property that abuts to the property in question stepped forward and Brenda and James Jaeke of 3316 14<sup>th</sup> Street Court stepped forward. These individuals did not speak.

Ms. Wilson presented a petition of signatures (households) for denying the Special Use Permit at 3320 14<sup>th</sup> Street Court. Ms. Wilson also presented pictures taken on January 3<sup>rd</sup> and January 4<sup>th</sup> as well as single pictures and discs of the traffic problem that the neighbors are having in the cul-de-sac with the business being there. Ms. Wilson then read a letter from Kathee and Steve Seiver of 1421 34<sup>th</sup> Avenue objecting to the Special Use Permit.

Alderwoman Murphy stated that one of the pictures showed trash on the back of a truck and another picture showed appliances and mattresses. Alderwoman Murphy inquired as to whether this was a regular occurrence.

Ms. Wilson responded yes on a daily basis; the vehicles come and park there and do their business. Ms. Wilson commented that it is not only traffic concerns; the area has had numerous robberies. Ms. Wilson further discussed this issue.

Ms. Frieden indicated that cars do come and go but they are only there for approximately five or 10 minutes. Ms. Frieden added that the vehicles with the mattresses had stopped by to get money so that they could take those items to the dump. Ms. Frieden stated that none of these people stay for an extended period of time. Ms. Frieden advised that the neighbors have never once contacted us or stated their concerns. Ms. Frieden added that hopefully Council will take everything into consideration and issue the permit. Council further discussed this issue.

Alderman Foley stated that a similar situation happened in his neighborhood. Alderman Foley indicated that he understood the concerns of the neighbors. Alderman Foley added that he is pro-business and wants Ms. Frieden to have that commercial location. Alderman Foley advised that he is the Alderman of this ward and due to seeing all of the issues happening in this quiet neighborhood in a cul-de-sac, he could not support this Special Use Permit.

Alderman Conroy inquired as to whether there is something the City could do to help Ms. Frieden expedite the opening of her business in that new area. Alderman Conroy added that he could not see himself voting for the Special Use Permit.

City Manager Thomas stated that something can be done, but time is needed.

Alderman Brooks stated that generally if the neighbors support a Special Use Permit, the Council more than likely would approve it. However, the problem is that the majority of the neighbors do not support this Special Use Permit for Ms. Frieden to operate this business in this residential area.

Alderwoman Murphy advised that she is a business owner that has a Special Use Permit and it is the responsibility of the business owner to reach out to the neighbors.

With no other 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 7:14 pm.

It was moved by Alderwoman Murphy to deny the Special Use Permit. Mayor Pauley inquired as to whether there was a second to the motion. Mayor Pauley inquired for a second time as to

whether there was a second to the motion. With no second coming forward, Mayor Pauley advised that the request is denied due to a lack of a second.

Agenda Item #8

**A Special Ordinance establishing a four-way stop intersection at 26<sup>th</sup> Street and 22 ½ Avenue.**

Alderman Tollenaer moved and Alderman Foley seconded 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 Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

Agenda Item #9

**CLAIMS**

It was moved by Alderman Foley and seconded by Alderwoman Murphy 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 Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

- a. Report from the Administrative Services Department regarding payment in the amount of \$867.00 to Jeff Purcell for General Liability Claim.
- b. Report from the Administrative Services Department regarding payment in the amount of \$15,684.50 to Pappas, O'Connor and Fildes, P.C. for legal services rendered for the month of November 2012.
- c. Report from the Administrative Services Department regarding payment in the amount of \$8,349.10 to Kutsunis and Weng P.C. for legal services rendered for the month of December 2012.
- d. Report from the Public Works Department regarding payment #15 in the amount of \$1,152,711.41 to Civil Constructors, Inc. for services provided for the Wet Weather Treatment System project. (297)
- e. Report from the Public Works Department regarding payment #2 and final in the amount of \$212,826.87 to Walter D. Laud, Inc. for services provided for the 44<sup>th</sup> Street Reconstruction, 41<sup>st</sup> Avenue Court to Blackhawk Road project. (298)
- f. Report from the Public Works Department regarding payment #1 and final in the amount of \$80,756.83 to Tri-City Electric for services provided for the Fiber Optic - Phase 5 project. (299)
- g. Report from the Public Works Department regarding payment #2 and final in the amount of \$75,709.91 to Centennial Contractors of the Quad Cities, Inc for services provided for the 44<sup>th</sup> Street Reconstruction, 29<sup>th</sup> Avenue to Saukie Golf Course

project. (301)

Agenda Item #10

**Claims for the weeks of December 14 through December 20 in the amount of \$810,762.97, December 21 through December 27 in the amount of \$103,092.84 and December 28 through January 3 in the amount of \$111,817.76.**

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 Tollenaer, Alderman Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

Agenda Item #11

**Payroll for the weeks of December 10 through December 23 in the amount of \$1,266,708.34.**

It was moved by Alderman Conroy and seconded by Alderman Jones to allow the payroll. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

Agenda Item #12

**Report from the Public Works Department regarding a professional services agreement with Shive-Hattery, Inc. for study services related to the Central Fire Station Entryway/Windows and the 30/31 Library Branch Lighting projects.**

Alderman Foley moved and Alderman Tollenaer seconded to approve the agreement as recommended at the proposed fee schedule as stated in the report and authorize the City Manager to execute the contract documents. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Tollenaer, Alderman Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

Agenda Item #13

**Report from the Finance Department regarding an adjustment to the Fiscal Year 2013 Budget, recommending increasing the Capital Improvement Fund in the amount of \$110,816.00.**

It was moved by Alderman Foley 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 Tollenaer, Alderman Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

Agenda Item #14

**Report from the Community and Economic Development Department regarding a request from three residential property owners to vacate the east/west alley between 22<sup>nd</sup> Street and 23<sup>rd</sup> Street and between 7<sup>th</sup> Avenue and 9<sup>th</sup> Avenue.**

Alderman Jones moved and Alderman Conroy seconded to deny the request as recommended because it would eliminate a mid-block access for this long block and would be detrimental to the neighborhood.

Discussion followed.

Karolyn Williams of 816 23<sup>rd</sup> Street stepped forward. Ms. Williams stated that it didn't make sense that the alley has to be open. Ms. Williams advised that the alley is narrow and her front porch sits right on the alley. Ms. Williams had concerns in regards to speeding vehicles coming and going through the alley and safety. Ms. Williams was in favor of closing the alley.

Linda Roelens of 754 23<sup>rd</sup> Street stepped forward. Ms. Roelens stated that her biggest concern was the safety issue in regards to foot traffic and noise. Ms. Roelens was in favor of vacating the alley.

Mary Ann Kuehnel of 807 22<sup>nd</sup> Street stepped forward. Ms. Kuehnel stated that her main concerns were safety and noise. Ms. Kuehnel added that Fire and Police have no objections to the vacation request. Ms. Kuehnel asked Council to pass the vacation request.

Council discussed this issue.

Alderman Foley inquired as to whether this is an alley or is it actually 8<sup>th</sup> Avenue. Public Works Director Bob Hawes advised that based on the right-of-way, it is an alley.

Alderman Conroy inquired that if the alley was vacated, what would happen to it. Mr. Hawes stated that typically, it would be split based on where it comes from in the subdivision.

Diane Oestreich of 816 22<sup>nd</sup> Street stepped forward. Ms. Oestreich stated that several neighbors are opposed to the alley vacation, which includes; the Tingle's at 719 22<sup>nd</sup> Street; the Braddy's at 743 22<sup>nd</sup> Street; the Replinger's at 806 22<sup>nd</sup> Street; the Empen's at 830 22<sup>nd</sup> Street; Griffin/Kentzel at 850 22<sup>nd</sup> Street; and the Bolden's at 748 23<sup>rd</sup> Street. Ms. Oestreich noted that the Lackey's at 817 23<sup>rd</sup> Street support closing the alley. Ms. Oestreich stated that they own four properties in that area and they use the alley. Ms. Oestreich added that the alley is a major convenience, and the alley was there when everyone purchased their house so what is the reason to change it. Ms. Oestreich further discussed this issue.

Jim Young who owns the property at 824 23<sup>rd</sup> Street stepped forward. Mr. Young was opposed to the City closing the alley. Mr. Young stated that they use it on a daily basis. Mr. Young strongly recommended keeping the alley open.

Steve Mcatee of 735 22<sup>nd</sup> Street stepped forward. Mr. Mcatee was opposed to closing the alley. Mr. Mcatee stated that the alley is a great benefit and a convenient access.

Alderman Jones advised that this issue is difficult for him because he represents this ward. Alderman Jones stated that he understands the concerns. Alderman Jones advised that he had been contacted by a large group outside of the people that are here tonight that are against this

vacation. Alderman Jones indicated that based on the responses that he has had and his personal experiences; he didn't feel that closing the alley is the best thing for the neighborhood as a whole. Alderman Jones advised that he will continue to support the denial of the request.

Alderman Conroy advised that he looks at an alley as being for the people that live on the alley; it is for them to get to their garage and for them to put out their garbage. Alderman Conroy added that it is not for people to drive up and through; it is for the people that live on that alley. Alderman Conroy stated that he will be withdrawing his second.

Alderwoman Murphy advised that most of the neighbors that live on that street that access that alley are in favor of leaving it like it is.

At this time, Alderman Conroy withdrew his second.

Mayor Pauley stated that there is a motion without a second. Alderman Tollenaer then seconded the motion.

The motion is as follows:

Alderman Jones moved and Alderman Tollenaer seconded to deny the request as recommended because it would eliminate a mid-block access for this long block and would be detrimental to the neighborhood. The motion carried with four (4) Aldermen voting Aye and two (2) Aldermen voting No.

Agenda Item #15

**Report from the Traffic Engineering Committee regarding a request from Maria Austin to install a handicapped parking space at 1625 33<sup>rd</sup> Street.**

It was moved by Alderwoman Murphy and seconded by Alderman Jones to approve the request as recommended 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 Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

Agenda Item #16

**Report from the Traffic Engineering Committee regarding a request from Herman Reed to install a handicapped parking space at 3213 17<sup>th</sup> Avenue.**

Alderman Tollenaer moved and Alderman Foley seconded to approve the request as recommended 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 Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

Agenda Item #17

**Other Business**

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

Alderwoman Murphy encouraged everyone to Shop Rock Island. Alderwoman Murphy stated that if anyone wants a good hamburger go downtown Rock Island to Steve's Old Time Tap. Alderwoman Murphy advised that Steve's Old Time Tap is located on 17<sup>th</sup> Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue. It was noted that they are open from 9:00 am to 3:00 am every day, but food is only served from 9:00 am to 11:00 pm. Alderwoman Murphy stated that kids can come to eat at the establishment as long as they do not sit at the bar and they have to leave by 9:00 pm. Alderwoman Murphy encouraged everyone to shop local.

Agenda Item #18

**No Executive Session.**

An Executive Session was not held.

Agenda Item #19

**Recess**

A motion was made by Alderman Foley and seconded by Alderwoman Murphy to recess to Monday, January 14, 2013 at 5:30 pm. The motion carried by the following Aye and No vote: those voting Aye being; Alderman Tollenaer, Alderman Jones, Alderwoman Murphy, Alderman Brooks, Alderman Conroy and Alderman Foley; those voting No, none.

The meeting was recessed at 7:50 pm.

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Aleisha L. Patchin, City Clerk