



City of Rock Falls Ordinance License Personnel Safety Committee Meeting Minutes

Date: 09-28-2017

Time Meeting Started: 5:30pm

Time Meeting Ended: 6:57pm

| Members | | Also Attended | |
|---------------------------|---|------------------------|---|
| Alderman Logan – Chairman | p | Mayor Wescott | p |
| Alderman Snow | p | Administrator Blackert | p |
| Alderman Sobottka | p | Clerk Arduini | p |
| Also Attended | | | |
| Mark Searing | p | Tammy Nelson | P |
| Ed Cox | p | Alderman Kleckler | p |
| Ted Padilla | p | Alderman Kuhlemier | p |
| Tom Sanders | p | | |

| Topic | Discussion | Plan of Action |
|---|--|--------------------------|
| 1.Call to Order. – Chairman | Meeting was called to order at 5:30pm | Meeting begins at 5:30pm |
| 2.Audience Requests: | None | No Action |
| 3.Approve Minutes: Ordinance /License /Personnel /Safety Meeting August 24th, 2017 | The minutes were reviewed by the committee | Minutes approved |
| 4.Old Business: a.Panhandling license discussion. | Attorney Tom Sanders informed the committee that an ordinance requiring panhandlers to obtain a license, like a business would have been difficult prior to 2015, but since Reed vs the Town of Gilbert it is even harder. Street corners, and parks are a public forum in the eyes of the supreme court. Not allowing someone to stand with a sign would be considered unconstitutional. Alderman Kuhlemier confirmed that if someone were on private property, it could be trespassing if the owner did not want them there. Alderman Logan questioned how other cities had people removed from the interstate exchanges. Adm. Blackert asked their income is taxable. Alderman Sobottka asked if the Police could do a welfare check if the person was mentally disabled. Chief Nelson stated that panhandlers know the rules, and do nothing to get in trouble. There have been no criminal complaints. | No action |
| 5.New Business: a. Discussion of vagrants sleeping in parks. | Attorney Sanders reported that if a municipality were to kick people out of these areas, the ACLU has found and cited that it would be a violation of the 8 th amendment. It can be considered cruel and unusual punishment to criminalize a person's homelessness if there are no shelters readily available. If signs are posted that the park closes at a certain time, violators could be charged with trespassing who are in the park after it is closed. Chief Nelson reported that one homeless person has been arrested many times, but the States Attorney will not put him in jail, or have him committed. The officers have tried many times to help him get cleaned up, and have taken him to try to get help from the veterans administration. Alderman Logan thanked the department for going above and beyond to help this gentleman, and he is disappointed with the State's Attorney as it will be getting cold soon, and this man has no house this winter. | No Action |
| b. Review of Respirable Crystalline Silica Program. | Ed Cox reported that a new law went into effect last Saturday that affects anyone working around concrete and asphalt. According to the OSHA table, the City crews will probably not be affected as it involves exposure over 4 hours a days, not outdoors. All of the departments have now taken the training. A motion was made by Alderman Sobottka, and second by Alderman Snow to add the Respirable Crystalline Silica Program to the Safety Manual. | Motion approved |

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| c. Section 24-7 sign height setback discussion. | Inspector Searing asked for clarification of this section of code. It was decided that the 2' high to 1' setback would not begin until after the 20' height was attained. | |
| d. Max setbacks zone ordinance discussion. | Sup. Padilla explained the changes in the setbacks needed to amend the 5 year recharge area for the new Well #7. A motion was made by Alderman Snow, and second by Alderman Sobottka to have the amendment sent to Council for approval. | Motion approved – Council |
| e. Referendum for appointed City Clerk discussion. | Clerk Arduini explained that Alderman Kleckler asked that this be brought back for discussion. In order for the City to change to an appointed Clerk position, it would take a referendum to be placed on the ballot. | No action |
| f. Depositing materials into street discussion. | The Committee discussed the situation where a hired contractor deposited lawn waste into the street, and the homeowner then receives a ticket for it. Judge Slavin suggested the language in the code be changed. After much discussion Mr. Sanders will draft an ordinance to help make the responsible violator responsible for the ticket | Tabled. |
| e. Temporary vehicle reimbursement for Wayne Shafer | It was explained that in Wayne Shafer's contract it states that he would be furnished with a vehicle. Because the RFP came in higher than expected, the new vehicle purchase was put on hold. She asks the he temporarily receive a \$100.00 vehicle allowance until a vehicle is purchased for the department. | Approved. |
| f. Addition of handicap parking at the RB&W District to Section 18-163 | Adm. Blackert explained that she and Alderman Kleckler will be working to clean up all of the Handicap ordinances at one time, but these spots in the RB&W District need to be added to close out the OSLAD Grant. A motion was made by Alderman Snow, and second by Alderman Sobottka to draft the authorizing ordinance. | Motion approved – Council |
| 6. Workers Compensation/Liability Reports | The committee reviewed the report | No action |
| 7. Department Safety Meeting Minutes Review | The committee reviewed the safety minutes | No action |
| 8. Committee Member items | Alderman Snow inquired about ordinances concerning street performers. It was explained that unless they are using amplifiers, it would be the same as the other freedom of speech issues dealt with earlier in the meeting | No action |
| 9. Executive Session | A motion was made by Alderman Snow, and second by Alderman Sobottka to enter executive Session for Section 2(c)(1) Personnel. | Motion Approved |
| | Committee enters executive session at 6:46pm Committee returns to regular session at 6:57pm | |
| 10. Any actions taken from Executive Session | None | No action |
| 11. Adjournment | With nothing else for the good of the committee, the meeting was adjourned at 6:57pm | Meeting ends at 6:57pm |

Committee Chairman