

# Committee-of-the-Whole Minutes

Tuesday, June 18, 2013

**PRESENT:** Mayor Scott Raes (*Chair*)  
Alderman John Knaack (*Ward 1*)  
Alderman David Parker, Jr. (*Ward 2*)  
Alderman Janet Bender (*Ward 3*)  
Alderman Dick Brown (*Ward 4*)  
Alderman Lori Turner (*Ward 5*)  
Alderman Kevin Schoonmaker (*Ward 6*)  
Alderman Sean Liddell (*Ward 7*)  
Alderman Stephanie Acri (*Alderman At-Large*)

**STAFF:** Lew Steinbrecher, City Administrator  
Maureen Riggs, City Attorney  
Tracy Koranda, City Clerk  
Ray Forsythe, Planning & Development Director  
Laura Duran, Parks Recreation Director  
Nate Scott, IT Manager  
Kim Hankins, Public Safety Director  
Scott Hinton, City Engineer  
Kathy Carr, Finance Director  
Jeff Anderson, City Planner  
Chris Mathias, Property Management Coordinator

**OTHERS:** Members of the Press

Mayor Raes called the meeting to order at 6:30 p.m. in Council Chambers.

## **Amplified Sound Request**

A request from the Greenbriar Restaurant & Lounge for amplified sound at 4506 27<sup>th</sup> Street on Wednesday, July 3, 2013, from 4:00 p.m. to 11:00 p.m. for a live band for an Independence Day outdoor event. Off-duty uniformed officers will be present. A motion was made by Alderman Knaack to approve. Seconded by Alderman Parker. Motion passed unanimously.

## **Agenda Items**

- 1. Approval of a Licensing Agreement requested by Floorcrafters.** Chris Mathias, Property Management Coordinator, stated that Floorcrafters is seeking approval of a Licensing Agreement to allow a sign overhanging the right-of-way at 1305 5<sup>th</sup> Avenue. This project was reviewed and approved by the City's Façade Committee. A motion was made by Alderman Turner to approve. Seconded by Alderman Acri. Motion passed with Alderman Schoonmaker abstaining due to employment.
- 2. Accepting the Comprehensive Annual Financial Report prepared by Baker Tilly Virchow Krause, LLP for the Fiscal Year January 1, 2012, through December 31, 2012, for all municipal**

**funds.** Kathy Carr, Finance Director, explained that the Comprehensive Annual Financial Report for the City of Moline for the fiscal year ended December 31, 2012 is submitted for City Council acceptance. The primary objectives of a financial audit are: (1) to express an opinion on the fairness of the financial statements in conformity with generally accepted accounting principles; and (2) to determine whether the City has complied with applicable legal requirements in obtaining and expending public funds. The audit for Fiscal Year 2012 was performed in accordance with generally accepted auditing standards by the accounting firm of Baker Tilly Virchow Krause, LLP. These standards are required to obtain reasonable assurances that the general purpose financial statements are free from material misstatements. The opinion given in the Report on the Independent Auditors states that the general purpose financial statements present fairly, in all material respects, the financial portion of the City of Moline at December 31, 2012, and the results of the City's operations are in accordance with generally accepted accounting principles. The City of Moline has received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers' Association for 20 consecutive years and will be submitting the 2012 report for award consideration. Copies of the CAFR will be made available to the public for reference at the Moline Library, Moline Finance Department, and via the City's web site. This item also appeared under "Items not on Consent" of the City Council Meeting of June 18, 2013. A motion was made by Alderman Knaack to approve. Seconded by Alderman Liddell. Motion passed unanimously.

Mayor Raes recessed the Committee-of-the-Whole meeting in order to conduct a public hearing and reconvened at 6:48 p.m.

**3. Amendment to Chapter 7 of the Moline Code of Ordinances to allow the keeping of chickens within the City of Moline.** Maureen Riggs, City Attorney, stated that the Moline Code of Ordinances currently prohibits the keeping of domestic fowl, including chickens, within the City. Per citizen request and City Council directive, staff has reviewed the possibility of amending the Code to allow residents to keep chickens on residential properties within the City so they may be used as a sustainable living option for fresh, home-raised eggs. Staff has developed the following recommendations for regulations based upon research of other municipal ordinances and materials on the keeping of urban/backyard chickens:

1. A limit of 4 chickens per property, hens only – no roosters.
2. Chickens will be allowed only on properties containing a one-family detached dwelling (single-family residence) as defined by Chapter 35 of the Code.
3. Chickens must be in an enclosure at all times – no chickens will be permitted to run at large.
4. Enclosures must be placed a minimum of 10' from property lines and a minimum of 50' from any residence.
5. Enclosures must be located on the rear or backyard of the property ("yard, rear" as defined by Chapter 35 of the Code).
6. A building permit for the enclosure will not be required unless the enclosure meets the definition of a major accessory structure as defined by Chapter 35 of the Code (exceeds 120 square feet).
7. A City license will be required at the annual fee of \$50.00.
8. The property owner must register a Livestock Premises Registration with the Illinois Department of Agriculture and keep verification of same on the property. The Department tracks registration so it is able to assist in the event of disease outbreak or environmental concerns.
9. No slaughtering of chickens will be allowed within the City.
10. In the event a property owner is notified by the City that he/she is in non-compliance and the property owner fails to comply, the City will order removal of the chickens from the property. Neither the City nor the County of Rock Island will be responsible for the removal, temporary keeping or relocation of

the chickens.

11. This amendment will include revisions to Chapter 7 Code provisions pertaining to the sale of fowl by licensed businesses.

A map of the City showing the results of properties that would and would not be allowed to keep chickens if the minimum enclosure requirements referenced above are enforced was attached, and a chart of comparables compiled from a sampling of other cities' ordinances. Should Council approve this ordinance, an amendment to the zoning code will be subsequently forthcoming to amend the prohibition of animal husbandry in single family residential zones. A motion was made by Alderman Schoonmaker to approve. Seconded by Alderman Aciri. Motion failed with Aldermen Knaack, Parker, Bender, Brown, Turner and Liddell voting nay.

**4. Approval of a Change to Chapter 8 of the Moline Code of Ordinances to Allow Crosslinked Polyethylene Tubing to be Used for Interior Domestic Water Distribution Piping.** Scott Hinton, City Engineer, explained that Chapter 8 of the Moline Code of Ordinances requires the use of Type "L" copper pipe for interior, domestic water distribution pipe. The developer of the proposed Holiday Inn Express at the airport requests to install cross-linked polyethylene (Pex) tubing instead of copper pipe. He indicates that he can lower his construction costs by approximately \$50,000 by installing Pex instead of the required copper. He requests to use Pex because he would have been able to use Pex if the parcel had not been annexed into the City of Moline and was still in Rock Island County. Pex tubing is a relatively new type of piping material that is gaining popularity as a domestic water distribution pipe. It is allowed by the Illinois State Plumbing Code and many Illinois communities, including Rock Island and Rock Island County. It is not currently allowed in Moline or East Moline. Generally speaking, it tends to be allowed in smaller communities and those without a plumbing inspector. It tends not to be allowed in larger communities with a full-time, plumbing inspection staff. One of the functions of the Plumbing Board of Appeals (PBA) is to determine the suitability of alternate plumbing-related materials. The PBA members were unanimous in their opposition to this proposed change. While acknowledging that many communities allow Pex, they don't feel there's enough history of its use to determine if it's a suitable substitute for copper pipe. They reference past failures with similar "new" materials such as polybutylene water pipe. Among their concerns are the longevity of the material and the lack of standardization between the various manufacturers resulting in differing tubing quality, size, and fitting types. Unlike copper pipe, one Pex manufacturer's tubing is often not compatible with another's. A motion was made by Alderman Parker to approve. Seconded by Alderman Aciri. Motion passed with Alderman Liddell voting nay.

**5. Request from Illinois Department of Transportation for the City of Moline to serve as the lead agency in relocating the Moline railroad depot to the Western Illinois University QC Riverfront Campus.** Lew Steinbrecher, City Administrator, explained that after meeting with all of the various stakeholders involved in relocating the Moline railroad depot to the WIU campus in order to save it from demolition due to the new I-74 Bridge project, the Illinois Department of Transportation has requested the City of Moline to serve as the lead agency because the City can more efficiently facilitate the logistics of this effort. This request is supported by the Chair of the Moline Historic Preservation Commission. The Illinois DOT would also provide some \$1,351,376 to cover the expense of this move and there are additional local dollars and in-kind services that have been privately donated to this effort. Because the City has no expertise or experience on its engineering staff in-house, it will be necessary for the City to retain the services of a qualified engineering firm (most likely at a cost higher than a traditional civil engineering rate) to provide the necessary engineering services to facilitate the moving of an old brick built structure. The City Council is being asked to provide policy direction in responding to this formal request. A motion was made by Alderman Liddell to approve. Seconded by Alderman Knaack. Motion passed with Alderman Liddell and

Knaack voting nay.

The meeting adjourned at 7:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tracy A. Koranda".

*Tracy A. Koranda*  
City Clerk