

Committee-of-the-Whole Minutes

Tuesday, November 7, 2017

PRESENT: Mayor Stephanie Acri (*Chair*)
Alderman Quentin Rodriguez (*Ward 1*)
Alderman David Parker, Jr. (*Ward 2*)
Alderman Mike Wendt (*Ward 3*)
Alderman Richard “Dick” Potter (*Ward 4*)
Alderman Lori Turner (*Ward 5*)
Alderman Kevin Schoonmaker (*Ward 6*) ~Entered the meeting at 5:41 p.m.~
Alderman Mike Waldron (*Ward 7*)
Alderman Sonia Berg (*Alderman At-Large*)

ABSENT: None.

STAFF: Doug Maxeiner, City Administrator
Maureen Riggs, City Attorney
Amy Saunders, Deputy City Clerk
Ray Forsythe, Planning & Development Director
Alison Fleming, Human Resources Manager
Lori Wilson, Parks Recreation Director
David Rowatt, Network & Database Administrator
Bryon Lear, Library Director
John Hitchcock, Interim Chief of Police
Jeff Snyder, Interim Fire Chief
Scott Hinton, City Engineer
Kathy Carr, Finance Director
Jeff Anderson, City Planner
J.D. Schulte, Public Works Director
Amy Keys, Deputy City Attorney
Shawn Christ, Land Development Manager
Dave Mallum, Fleet Manager
K. J. Whitley, Community Development Program Manager
Annaka Whiting, Housing Grant Compliance Analyst
Rodd Schick, Municipal Services General Manager
Tony Loete, Utilities General Manager
Keith Verbeke, Finance Manager
Andrea Bradley, Accounts Receivable Technician
Trevor Fisk, Police Captain
Derrick Cullison, Police Officer
K-9 Anne

OTHERS: Michael Jones, Resident
Lynn McLaughlin, Resident
Douglas Kaiser, Resident
Ron Miller, Resident
Friends and Family of Douglas Kaiser
Gerold Shelton, The Dispatch
Various Members of the Press

Mayor Acri called the meeting to order at 5:30 p.m. in Council Chambers.

Presentation

Recognition of Douglas Kaiser for his donation to the City of Moline for the purchase of K-9 Anne (John Hitchcock, Interim Chief of Police)

Proclamation

A Proclamation from Women Impacting Public Policy (WIPP) and the Small Business Saturday Coalition to declare Saturday, November 25, 2017, as “Small Business Saturday.”

Questions on the Agenda

There were no questions.

Agenda Items

1. A Resolution authorizing the Mayor and City Clerk to execute a Fourth Amendment to the Intergovernmental Agreement between the City of Moline, Illinois, and Rock Island County Metropolitan Mass Transit District (MetroLINK). Amy Keys, Deputy City Attorney, indicated that at its September 12, 2017 meeting, the Committee-of-the-Whole approved forwarding the Fourth Amendment to the Intergovernmental Agreement (“IGA”) to the City Council for approval, with amended language added by motion from the floor that evening. In particular, the Committee wanted language added that stated upon termination, the City could either take ownership of the equipment or require MetroLINK to remove all of its equipment at MetroLINK’s expense. Because this new term had not been previously approved by MetroLINK, this term was added to the Agreement and sent back to MetroLINK for their review and approval before placement on the City Council Agenda. MetroLINK reviewed the new term and proposes different language. Because MetroLINK’s language differs from the language contained in the Committee’s September 12th motion, this IGA is being brought before the Committee-of-the-Whole to consider. A motion was made by Alderman Wendt to approve. Seconded by Alderman Waldron. Motion passed unanimously.

2. An Ordinance amending Chapter 35, “Zoning and Land Development,” of the Moline Code of Ordinances, by amending the Zoning Map, incorporated therein as Section 35-3103 (City of Moline; 2423 16th Street and 1535 25th Avenue). Shawn Christ, Land Development Manager, explained that the Plan Commission initiated a rezoning of property located at 2423 16th Street and 1535 25th Avenue from R-2 One-Family Residence District to NC Neighborhood Center District. The Plan Commission, after public hearing on October 11, 2017, voted to recommend approval to City Council. A motion was made by Alderman Wendt to approve. Seconded by Alderman Parker. Motion carried with one abstention by Alderman Rodriguez.

3. A Resolution authorizing the Planning and Development Department to apply to the Illinois Housing Development Authority for a 2018 Abandoned Residential Property Municipality Relief Program, Round 3 Grant in the amount of \$75,000 for the City; and authorizing City staff to do any and all things necessary to apply for the 2018 Abandoned Residential Property Municipality Relief Program, Round 3 Grant. K. J. Whitley, Community Development Program Manager, stated that as demonstrated by the City’s past and current code enforcement activities, there is a continued need for additional code enforcement as to abandoned residential structures and additional resources needed to assist with the removal of deteriorated structures within the City. Staff would like to apply for the 2018 Abandoned

Residential Property Municipality Relief Program, Round 3 Grant in the amount of \$75,000. The funding will provide assistance for eligible uses with abandoned residential properties. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed unanimously.

4. A Resolution authorizing the Mayor and City Clerk to execute and make certain certifications and assurances related to the Illinois Department of Transportation's Enhancement Program grant requirements and conditions to design and construct a multi-use trail in the City of Moline; supporting a grant application to the Illinois Department of Transportation for the Enhancement Program grant; and authorizing staff to do any and all things necessary to prepare and submit said grant application to the Illinois Department of Transportation for the Enhancement Program grant. Jeff Anderson, City Planner, shared that City Planning and Engineering staff are developing a grant application for the purpose of making a funding request through the Illinois Department of Transportation's (IDOT's) ITEP program, in an amount not to exceed \$2,000,000, that would be matched by local funds in an amount of approximately 20% (\$400,000) of the actual funding request, although property-related expenditures are to be matched at 50%, so the total local match could exceed \$400,000. The funding request would be used to support activities related to design and construction of a multi-use trail that would connect to the new trail facility on the new I-74 Mississippi River Bridge and then follow an alignment southward to the intersection of 19th Street and Avenue of the Cities. The multi-use trail concept would be an implementation of the River to River Corridor Plan, which established the concept of developing a multi-use trail along the 19th/27th Street corridor that would connect the Mississippi Riverfront trail system with the Rock Riverfront trail system as well as provide a connection to neighborhoods, business districts, and points of interest along the trail alignment. A motion was made by Alderman Turner to approve. Seconded by Alderman Potter. Upon discussion, Alderman Wendt made a motion, in conjunction with applying for this grant, to expand this project south to 38th Avenue and to direct staff to inquire with IDOT if there is a possibility to delay some of the installation of the infrastructure, so that the City can coordinate this project as one full connection. Seconded by Alderman Parker. Alderman Wendt's motion passed unanimously.

5. A Special Ordinance establishing an Enterprise Zone in the City of East Moline, Illinois; City of Moline, Illinois; City of Rock Island, Illinois; City of Silvis, Illinois; Village of Milan, Illinois; and Rock Island County, Illinois. Ray Forsythe, Planning & Development Director, stated that the Cities of East Moline, Moline, Rock Island and Silvis, the Village of Milan, and the County of Rock Island ("Jurisdictions") created and amended from time to time the original Quad Cities Enterprise Zone, which included territories located in their jurisdictions, and will terminate on March 28, 2018. The Jurisdictions desire to come together for the purpose of applying for certification for a new enterprise zone by the Illinois Department of Commerce and Economic Opportunity. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed unanimously. Mr. Forsythe shared that he will put this item on the November 14, 2017 Council Agenda for consideration.

6. An Ordinance amending Chapter 5, "AMUSEMENTS," of the Moline Code of Ordinances, Section 5-1102, "License Required," by adding one new subsection (c) relating to the same subject matter. Maureen Riggs, City Attorney, indicated that the City adopted Council Bill/General Ordinance No. 3019-2012 in July 2012 to allow video gaming terminals in licensed establishments within the City. The City seeks to limit the number of such establishments due to an increasing number of requests for these establishments and various concerns expressed by the City's residents as to the detriments of gambling. This ordinance would limit the number of licenses issued to 30 but would allow existing licenses to continue as long as they are in compliance with all laws. Applications that are pending at the time of City Council consideration and approval of this ordinance will be allowed to continue through the application and licensing process; these shall only include currently pending City or State of Illinois liquor license applications for proposed video gaming establishments and pending City or State of Illinois video gaming applications. This item also appeared on the City Council Agenda on November 7, 2017, under "Items Not on Consent" for first reading.

A motion was made by Alderman Parker to approve. Seconded by Alderman Berg. Motion carried with Alderman Rodriguez voting nay.

7. A Special Ordinance authorizing the Mayor and City Clerk to execute an Amendment to Development Agreement between the City of Moline and The Mills at Riverbend Commons, LLC, for development of the Riverbend Commons project and to execute any necessary agreements referenced therein; and authorizing all appropriate City officers and staff to do all things necessary to complete each of the City's responsibilities pursuant to said Agreement. Maureen Riggs, City Attorney, explained that on November 12, 2013, the City and The Mills at Riverbend Commons ("Developer") executed a Development Agreement for the redevelopment of certain real property generally located on River Drive west of and adjacent to the campus of Western Illinois University-Quad Cities and consisting of an approximately 15.5-acre site (the "Property"). This redevelopment project included elements for Phase 1 Project Land, now known as Lot 1 of Riverbend Commons, and certain obligations by the Developer with respect to development of a future Phase 2A to consist of approximately 150 market-rate residential dwelling units, and including without limitation the delivery of schematic plans for development of Phase 2A and the commencement of construction of Phase 2A. The Developer has completed Phase 1 as required by the Agreement in exchange for certain incentives granted by the City, including a \$3.3 million construction grant for TIF eligible expenses to be re-paid through the tax increment generated as a result of the redevelopment project and \$150,000 for pre-closing work on the Property. However, the Developer has determined that it is economically infeasible to proceed with Phase 2A of the Property without financial assistance from the City, and the City does not wish to deviate from the terms of the Agreement that state that the Developer will not request additional financial assistance from the City for future phases until such time that the increased property, sales and other tax revenues, in the aggregate, generated by the Phase 1 Project Land are at least equal to the amount of City funds paid under the Agreement, which has not yet occurred. The City and Developer agree it is best to delete references to Phase 2A in the Agreement so both parties are relieved of their obligations as to Phase 2A and so that the Phase 2A Property can be developed by others. This item also appeared on the City Council Agenda on November 7, 2017, under "Items Not on Consent" for first reading. A motion was made by Alderman Wendt to approve. Seconded by Alderman Potter. Motion passed unanimously.

8. A Resolution authorizing the Mayor and City Clerk to enter into an agreement with Ottosen, Britz, Kelly, Cooper, Gilbert & DiNolfo, Ltd., of Naperville, Illinois, for professional legal services related to collective bargaining for a period of one year commencing November 15, 2017. Alison Fleming, Human Resources Manager, shared that staff believes it would be in the City's best interest to work with Ottosen, Britz, Kelly, Cooper, Gilbert & DiNolfo, Ltd., of Naperville, Illinois, for collective bargaining with the IAFF union. This law firm is experienced with negotiations and has concentrated in the representation of local governments, including previous work with City Administrator Maxeiner. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion carried with Alderman Waldron voting nay.

2018 Budget Work Session #3 **2018 Recommended Budget**

City Administrator Doug Maxeiner advised that the changes that were made to the proposed 2018 budget, as a result of the last two budget work sessions, left a deficit of \$764,405. City Administrator Maxeiner presented staff's proposals to balance the 2018 budget to the Committee. Mayor Acri is interested in a caveat that some of the cut items be added back into the budget if sales tax revenues increase accordingly in 2018.

Alderman Rodriguez suggested eliminating the Chamber Springfield trip in the legislative budget in the amount of \$2,000. Alderman Schoonmaker made a motion to cut the Mayor's volunteer appreciation dinner from the budget in the amount of \$2,500, and add the Touch-A-Truck Open House back into the budget in the amount of \$2,500. Alderman Wendt made a motion to approve the cuts and additions mentioned in this paragraph. Seconded by Alderman Schoonmaker. Motion carried with Alderman Potter voting nay.

Alderman Berg made a motion that we retain the current Interim Chief of Police, hire two police officers, and postpone hiring the permanent Chief of Police until 2018. Motion failed for lack of a second.

Alderman Waldron made a motion to put the strategic planning line item back in the budget in the amount of \$15,500. Seconded by Alderman Berg. Alderman Wendt made an amendment to make this line item amount \$200 and have the Committee handle the strategic planning. Seconded by Alderman Rodriguez. The amendment passed unanimously. The original motion with amendment carried with Alderman Schoonmaker voting nay.

Alderman Wendt made a motion to increase the reduction of the Fleet Management Fund Deferred Equipment Purchase charge backs by an additional \$75,000. Seconded by Alderman Parker. Motion failed on roll call with the following vote: ayes: Aldermen Parker, Wendt and Berg; nays: Aldermen Rodriguez, Potter, Turner, Schoonmaker and Waldron.

Alderman Parker made a motion to delay the start of the leaf vacuuming in 2018 by two weeks. Seconded by Alderman Wendt. Upon discussion, Alderman Parker moved to table this motion indefinitely in the hopes that staff will come back with an optimal report. Seconded by Alderman Wendt. Motion to table passed unanimously.

Mayor Acri directed staff to present information regarding the calculations and statistics concerning the liability fund in an informational session within the next two months.

Alderman Berg expressed concern about the deferred hiring of the two police officers. Alderman Berg made a motion to direct staff to consider alternative means of cutting the \$105,768 from the Police Department's portion of the budget. Seconded by Alderman Wendt. Motion failed with Aldermen Rodriguez, Parker, Potter, Turner, Schoonmaker and Waldron voting nay.

City Administrator Maxeiner mentioned that there is currently a deficit in the 2017 Capital Improvement Fund in the amount of \$775,000. He inquired as to whether the Committee would like to pay this from General Fund reserves. Mayor Acri suggested learning more about the IDOT payments in the future and directed staff to bring further information concerning this item back to the Committee in the future.

City Administrator Maxeiner mentioned that the TIF #7 Airport Bonds vote was previously tabled. Staff's recommendation was to refinance the TIF #7 bond or obtain a conventional loan. The City would be responsible for the bond issuance costs. Upon discussion, Alderman Wendt directed staff to work on a diligent basis with the Airport Authority to find solutions to work together. Alderman Wendt made a motion that the Mayor, and possibly another alderman, work with staff to meet with the Airport Authority. Motion failed for lack of a second. Alderman Potter made a motion to direct staff to pursue refinancing the TIF #7 Airport Bond. Seconded by Alderman Schoonmaker. Motion carried with Alderman Rodriguez voting nay.

Public Comment

At Mayor Acri's direction, the Public Comment portion of the meeting and the Informational portion of the meeting were switched from their original order.

Michael Jones, resident, expressed his concern about the evidence of deer poaching since the deer hunting ordinance was passed. He would like to know if there is a way the City can enforce the ordinance to ensure the ordinance is followed. He is interested in repealing this ordinance.

Lynn McLaughlin, resident, expressed her concern about the deer hunting ordinance. She is concerned about the tracking of deer on private property and non-skilled persons hunting deer. She is interested in repealing this ordinance.

Alderman Berg made a motion to issue a three-week moratorium for deer hunting until the Committee can meet again and discuss some of the issues concerning the deer hunting ordinance. Seconded by Alderman Rodriguez. Motion failed on roll call with the following vote: ayes: Aldermen Rodriguez, Waldron and Berg; nays: Aldermen Parker, Wendt, Potter, Turner and Schoonmaker.

Informational

Outdoor Carnivals, Circuses, and Traveling Shows. Keith Verbeke, Finance Manager, and Andrea Bradley, Accounts Receivable Technician, presented information concerning outdoor carnivals, circuses and traveling shows. Staff requested the Committee's approval to eliminate the Outdoor Carnival, Circuses, Traveling Shows and Exhibitions License. No motion was made by the Committee concerning staff's recommendation.

The meeting adjourned at 8:11 p.m.

Respectfully submitted,



Amy J. Saunders
Deputy City Clerk