

Committee-of-the-Whole Minutes

Tuesday, September 11, 2018

- 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*)
Alderman Mike Waldron (*Ward 7*)
Alderman Sonia Berg (*Alderman At-Large*)
- ABSENT:** None.
- STAFF:** Doug Maxeiner, City Administrator
Maureen Riggs, City Attorney
Janine Hollembaek Parr, City Clerk
Ray Forsythe, Planning & Development Director
Alison Fleming, Human Resources Manager
Lori Wilson, Parks Recreation Director
Don Goff, Information Technology Manager
Bryon Lear, Library Director
David Gass, Police Lieutenant
Jeff Snyder, Fire Chief
Scott Hinton, City Engineer
Kathy Carr, Finance Director
Jeff Anderson, City Planner
J.D. Schulte, Public Works Director
Tony Loete, Utilities General Manager
Dave Mallum, Fleet Manager
Daniel Beaudry, Police Detective
Cesar Lopez, Police Officer
Brett Kopt, Police Officer
Kara Larson, Police Officer
Ian Newell, Police Officer
Police personnel, families and friends
Shawn Cossin, Police Chaplain
- OTHERS:** Sarah Hayden, The Dispatch
Chuck McFall, Resident
Adam Guthrie, QC Chamber - Main Street
Jerry Lack, Tri-City Building Trades

Mayor Acri called the meeting to order at 6:00 p.m. in Council Chambers.

Oath of Office

Oath of office for probationary appointment as Police Officers to Kara Larson and Ian Newell effective September 10, 2018.

Presentation

Presentation of Life Saving Awards to Detective Daniel Beaudry, Officer Cesar Lopez, and Officer Brett Kopf.
Presentation of Figge French Modern Art Exhibit by Mary Lou Kotecki

Questions on the Agenda

Agenda Items

1. A Resolution authorizing the Mayor and City Clerk to execute a contract with Dunim Inc., d/b/a Midwest Carwash Systems for Touchless Vehicle Wash Upgrade for the amount of \$116,782.80. Dave Mallum, Fleet Manager, explained that when the Public Works Building was erected in 2001, a vehicle wash was part of the project. After 17 years of operation, that vehicle wash has become unreliable, in need of updating and repairs, with some of the components no longer available. This vehicle wash serves the City's entire fleet of vehicles, including police vehicles, as well as an outside agency. Staff has seen a reduction in costs of vehicle washes since police vehicles are using the in-house wash versus paying retail fees for this service. The updates will include repairs to the ground level sprayers that rinse salt and chemicals from under the chassis, and help prevent rusting, prolonging vehicle life. Bids were publicly open and read on August 3, 2018, with Midwest Carwash Systems submitting the lowest responsible and responsive bid in the amount of \$116,782.80. Of this bid, \$30,000 will cover the wash bay walls, with 14 feet tall vinyl panels to stop the concrete damage being caused by chemical and salt over spray. Funds in the amount of \$83,000.00 were budgeted in 2018 for the vehicle wash updates and repairs, and the remaining \$33,782.80 is available in Fleet Reserves. A motion was made by Alderman Parker to approve. Seconded by Alderman Turner. Motion passed unanimously.

2. A Resolution authorizing the purchase of a dump body, hoist, spreader, central hydraulic system and installation of the same from Monroe Truck Equipment for the amount of \$47,566.00. Fleet Manager Dave Mallum stated that specifications were developed for the dump body, hoist, spreader, and central hydraulic system for a F750 Ford chassis that was delivered to the City in late June. A Request for Proposal (RFP) was published, and the responses were opened and reviewed August 13, 2018. Monroe Truck Equipment submitted the lowest priced proposal in the amount of \$47,566.00 that met all of the City's requirements outlined in the RFP. A motion was made by Alderman Wendt to approve. Seconded by Alderman Berg. Motion passed unanimously.

3. A Resolution authorizing the Mayor and City Clerk to execute an Agreement with CDM Smith Inc., in the amount of \$98,618.00 for professional engineering services to study the feasibility of organic waste receiving and biogas conversion to energy at the South Slope Wastewater Treatment Plant. Tony Loete, Utilities General Manager, indicated that in normal operation, South Slope's anaerobic digesters produce approximately 22,000 cubic feet of methane per day. Currently, the methane's use is limited to fueling boilers, which heat the digesters. Staff has experimented with the addition of hauled organic waste and found that daily methane production can be tripled. Staff would like to study the existing facilities, digester capacity, regional organic waste availability, and the markets for renewable energy to determine whether construction of receiving facilities and conversion of methane to electricity, vehicle fuel or renewable natural gas is feasible. Additionally, a major facilities improvement project should be considered for South Slope Wastewater Treatment Plant, as existing rotating biological contactors are obsolete technology for secondary treatment and are also nearing the end of their useful life. Staff would like to determine feasibility of hauled waste receiving ahead of designing other facility improvements. Staff used a Qualifications Based Selection process and sought Statements of Qualifications for this work. Eight statements were received with the top three firms interviewed. CDM Smith Inc. was found to be the most qualified firm to perform this work. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed unanimously.

4. A Resolution authorizing the City Engineer to execute a Professional Services Agreement with MSA Professional Services (MSA) for Project #1294, 48th Street /53rd Street/19th Avenue Intersection Redesign for an amount not to exceed \$60,000.00. Scott Hinton, City Engineer, shared that the unusual configuration of the intersection of 48th Street Place and 20th Avenue limits the sight distance of vehicles approaching the intersection of 19th Avenue and 53rd Street from the south. The YMCA reports many near misses between vehicles and pedestrians and asked for the City's help in making the intersections safer for both. Staff sought Statements of Qualifications (SOQ) from engineering firms to review the current intersection configurations and make recommendations for improvements. Eleven SOQ's were received and the top three firms were interviewed. MSA Professional Services was deemed to be the most qualified firm to provide this service. Staff then negotiated a scope of services that includes developing various options, then meeting with the City Council, the YMCA, and holding a public meeting to discuss the options, then presenting a recommendation to the City Council. MSA proposes to provide this service at hourly rates not to exceed \$60,000.00. A motion was made by Alderman Turner to approve. Seconded by Alderman Potter. Staff verified that IDOT requirements do not apply. Review of this traffic issue was triggered by multiple requests from the YMCA after one pedestrian-car accident, and many near- misses. Alderman Schoonmaker shared that this location is within his ward, and that there have been many complaints regarding the intersection. There was discussion of the high cost, and possibility of sharing that cost with the YMCA. Alderman Wendt moved to table this item for two weeks, directing staff to approach the YMCA concerning cost sharing. Seconded by Alderman Parker. The motion to table passed unanimously.

5. A Resolution approving a payment to General Constructors for repairs to drainage system on the 34th Avenue Bridge for the amount of \$55,163.21. City Engineer Scott Hinton explained that staff advised the City Council at the July 17, 2018, Committee-of-the-Whole meeting that emergency repairs were required to the 34th Avenue Bridge. The bridge deck includes four inlets to collect storm water and convey it through storm sewer to the ravine below. One of the connections between the deck drain and the storm sewer began leaking, which led to a large void under the bridge. General Constructors made repairs to the drainage system and filled the void on a time and material basis for the amount of \$55,163.21. A motion was made by Alderman Parker to approve. Seconded by Alderman Turner. Motion passed unanimously.

~Alderman Berg left the meeting at 6:56 p.m., and returned at 6:59 p.m.

6. A Resolution authorizing the City Engineer to execute an Agreement with IMEG for Engineering Services for 49th Street Pump Station Relocation for an amount not to exceed \$43,750. Scott Hinton, City Engineer, stated that the 49th Street Pump Station was installed on a railroad-owned property in 1997 in an effort to reduce the flooding on properties between 4th Avenue and the railroad tracks from 48th Street to 53rd Street. The pump station has helped reduce the severity of the flooding, but has proven to be largely ineffective in preventing it during large rain events. Further, the location of the pump station conflicts with the proposed high-speed rail line. The City's lease of the railroad property states that the City is responsible for relocating any improvements should the property be needed for future railroad purposes. The City previously engaged Missman, Inc. to review the flooding and develop a conceptual plan to better address the issue. This plan eliminates the need to pump the majority of the storm water and was discussed previously with Council. Missman, Inc. now operates as IMEG and proposes to develop plans and specifications to relocate the pump station from railroad property, and to better accommodate the storm water runoff at standard hourly rates at the not-to-exceed price of \$43,750. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed unanimously.

7. A Resolution authorizing the City Engineer to execute a Professional Services Agreement with Shive-Hattery, Inc. for the City of Moline River Drive McLaughlin Pump Station Signalization – Safety Improvements for the amount not to exceed \$25,400.00. City Engineer Scott Hinton indicated that the IH Mississippi Valley Credit Union (IHMCVU) Development Agreement includes a provision for the City to install traffic signals at the intersection of 25th Street and River Drive, and to install a pedestrian crossing across River

Drive towards the east side of the IHMVCU property. The Agreement states that \$250,000.00 from the purchase price of the property shall be allocated for these two items. Shive-Hattery proposes to provide design services for the traffic signal at hourly rates for the not-to-exceed price of \$25,400.00. Bids will be solicited for the traffic signal installation in 2019. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed unanimously.

8. A Resolution authorizing approval of Change Order #1 with Emery Construction Group for Project #1300, 2018 Alley Reconstruction, in the amount of \$26,772.74. Scott Hinton, City Engineer, shared that in order to pay the contractor for additional work that is not included in the contract, a change order is needed in the amount of \$26,772.74. The change order reflects the difference between bid quantities and quantities actually constructed and includes additional costs for removal and replacement of unsuitable subgrade material with aggregate and the installation of an additional storm manhole with associated pipe to accommodate existing, deteriorated storm sewer piping. The change order increases the original contract value of \$126,511.00 by 21.2% to \$153,283.74. A motion was made by Alderman Turner to approve. Seconded by Alderman Waldron. Motion passed with Alderman Schoonmaker abstaining due to a business conflict.

9. A Special Ordinance authorizing the Mayor and City Clerk to execute an Agreement to Terminate Development and Economic Incentive Agreement between the City of Moline, West Gateway Partners, L.L.C. and Community Health Care, Inc. Ray Forsythe, Planning and Development Director explained that the City and West Gateway Partners, L.L.C. (“Developer”) executed a Development and Economic Incentive Agreement (“Agreement”) in 2008 for the redevelopment of the area where the Community Health Care building was subsequently constructed. Community Health Care, Inc. now wishes to purchase the property on which the building is located (Parcel 08-9471). As part of the Agreement, property within the redevelopment area is to remain taxable through 2020. Developer has received all TIF incentive payments pursuant to the Agreement, but the City has not been fully reimbursed for its investment in the area. In order for the Developer to sell the property to Community Health Care, Inc., Developer has agreed to pay the City all future tax payments through 2020 to ensure that the City is not disadvantaged should the Community Health Care property become tax exempt. This Agreement to Terminate sets forth the terms for the future tax payments and allows the Developer to sell the property without violating the Development and Economic Incentive Agreement. A motion was made by Alderman Parker to approve. Seconded by Alderman Turner. Motion passed unanimously.

10. A Resolution authorizing the Mayor and City Clerk to execute a Subordination Agreement with Cardinal Health, which will subordinate Cardinal Health’s secured interest in certain collateral held by Divvymed, LLC to the City’s secured interest in the same collateral; and authorizing City staff to do any and all things necessary to fulfill the terms of the Subordination Agreement. Ray Forsythe, Planning and Development Director, stated that in March of 2015, Divvymed, LLC (“Divvymed”) granted Cardinal Health a security interest in certain collateral, which included robotic equipment owned by Divvymed, computer and information technology equipment, and furniture. At that time, Cardinal Health filed a UCC-1 Financing Statement to perfect its secured interest. Divvymed agreed in the Development Agreement with the City, approved by Council Bill 4057-2016 on November 8, 2016, to give the City a second lien on robotic equipment and a first lien on computers held by divvyDose. The City filed a UCC-1 Financing Statement in January 2017 to perfect its interests in: any and all robotic equipment owned by Divvymed including, but not limited to, equipment referred to as an ATP, an Inspector, and a lower packaging unit; any and all computer and information technology equipment including, but not limited to, servers, computers, monitors, and printers, owned by Divvymed; and any and all furniture owned by Divvymed. Due to the overlapping collateral and priority issues, Cardinal Health has agreed to subordinate its interest to the City’s interest. Upon execution of this Subordination Agreement, the City would be in the priority positions that were set forth in the Development Agreement. Approval of this item would authorize execution of the Subordination Agreement with Cardinal Health and allow staff to do any and all things necessary to fulfill the terms of said Agreement. A motion was made by Alderman

Schoonmaker to approve. Seconded by Alderman Rodriguez. Staff has toured the facility and received a list of collateral items. Staff's opinion is that Cardinal Health's agreement to subordination will improve the City's position. Motion passed with Alderman Berg voting nay.

11. A Special Ordinance proposing the establishment of the Multi-Modal Special Service Area of the City of Moline, Rock Island County, Illinois, the imposition of a 2.1% tax rate to pay the cost of providing special services in and for such Area and providing for other procedures in connection therewith. Planning and Development Director Ray Forsythe indicated that application was made to the City of Moline by the owners of the area bounded on the West by 11th Street, bounded on the East by 14th Street, bounded on the South by the alley parallel to 4th Avenue and bounded on the North by the railroad tracks parallel to River Drive, for the establishment of the Multi-Modal Special Service Area. A 2.1% tax rate is proposed for a twenty-year term. A public hearing is scheduled for December 4, 2018 at 10:00 a.m. A motion was made by Alderman Parker to approve. Seconded by Alderman Berg. Council requested that launch of the creation of the SSA be contingent on payment of the \$671,000 owed by Developer pursuant to the Fourth Amendment to the Development Agreement, Motion carried with Alderman Schoonmaker abstaining citing a business conflict.

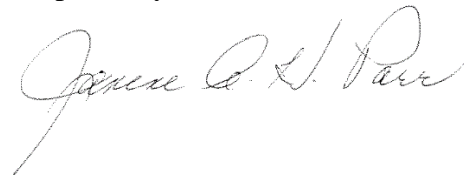
12. A Resolution authorizing the Mayor and City Clerk to execute an Acknowledgment and Consent to the Amended and Restated Assignment Pledge and Security Agreement of TIF Property Tax Rebate Payments, and Hotel-Motel Use Tax Rebate Payments pursuant to the Fourth Amendment to Development Agreement dated August 14, 2018 between the City of Moline and Moline Promenade Investors, LLC. Maureen E. Riggs, City Attorney, shared that on August 14, 2018, the City Council adopted Special Ordinance No. 4029-2018 approving a Fourth Amendment to Development Agreement between the City of Moline and Moline Promenade Investors, LLC (Developer) for the Multi-Modal Station redevelopment project (Project). That ordinance authorized TIF assistance to the Developer as well as rebate of the City's Hotel-Motel Use Tax up to a specified aggregate total. Developer's lender, Northwest Bank & Trust Company, has agreed to make a loan to Developer for the development and construction of the Project. As further security for the loan to Developer, the Bank requires that the revenues of the TIF Property Tax Rebate Payments and the Hotel-Motel Use Tax Rebate Payments, but not any Hotel-Motel Use tax that may be established in a new Special Service Area, attributable to the private portion of the Project be pledged to the Bank until such time as the Developer's obligations to the bank with respect to the loan have been satisfied. The Developer and Bank are requesting that the City consent to such an assignment. A motion was made by Alderman Wendt to approve. Seconded by Alderman Parker. Motion passed with Alderman Schoonmaker abstaining citing a business conflict.

Public Comment

Resident Chuck McFall indicated support of traffic flow reconfiguration at the intersection of 48th Street Place and 20th Avenue near the YMCA

The meeting adjourned at 7:27 p.m.

Respectfully submitted,



Janine A. H. Parr
City Clerk