

# Committee-of-the-Whole Minutes

Tuesday, February 5, 2019

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- 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:** J.D. Schulte, Public Works Director and Interim City Administrator  
Maureen Riggs, City Attorney  
Janine Hollembaek Parr, City Clerk  
Alison Fleming, Human Resources Manager  
Lori Wilson, Parks Recreation Director  
Don Goff, Information Technology Manager  
Bryon Lear, Library Director  
R.T. Finney, Interim Chief of Police  
Jeff Snyder, Fire Chief  
Scott Hinton, City Engineer  
Kathy Carr, Finance Director  
Jeff Anderson, City Planner  
Chris Mathias, Property Management Coordinator  
Rodd Schick, Municipal Services General Manager  
Brad Hauman, Neighborhood Improvement Officer  
Jeffrey Leonhardt, Jr., Police Officer  
Andrew Compton, Police Officer  
Joseph Ward, Police Officer  
Cesar Lopez, Police Officer
- OTHERS:** Police personnel, friends and family  
Sam Moyer, Resident  
Alex Elias, Renew Moline  
Gerold Shelton, The Dispatch

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

## Oath of Office

Oath of office for regular commissioned appointment as Police Officers to Jeffrey C. Leonhardt, Jr., Andrew J. Compton, Joseph R. Ward and Cesar Lopez effective February 3, 2019.

### **Questions on the Agenda**

Item #1 on the Council Agenda, Council Bill 4005-2019, was pulled from the Agenda, so that staff may investigate alternative storage options.

### **Agenda Items**

**1. A Resolution authorizing the Mayor and Police Chief to execute an Equitable Sharing Agreement and Certification between the Federal Government and the Moline Police Department, setting forth the requirements for participation in the Equitable Sharing Program and certifying all receipts and expenditures of federal forfeiture funds, property and interest during the last fiscal year.** R. T. Finney, Interim Chief of Police, explained that the federal government requires that the police department annually enter into a formal agreement, and provide certification of receipts and expenditures of federal forfeiture funds and property. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed unanimously.

**2. An Ordinance amending Chapter 35, “ZONING AND LAND DEVELOPMENT,” of the Moline Code of Ordinances, Section 35-3419, “GROUP DEVELOPMENTS,” subsection (a), “DEFINITION,” by enacting three new subsections (3), (4), and (5); and amending subsection (c) “SPECIAL USE REGULATIONS,” by repealing subsection (5) in its entirety and enacting in lieu thereof one new subsection (5) dealing with the same subject matter; by amending Section 35-5100, “OFF-STREET PARKING AND TRAFFIC CIRCULATION STANDARDS,” subsection (h)(3), “Minimum Off-Street Parking Requirements for Land Uses,” by repealing subsection (b) in its entirety and enacting in lieu thereof one new subsection (b) dealing with the same subject matter; and by amending Section 35-3401, “REGULATION OF ALLOWED USES,” Table 35-3401.1, “Permitted Land Uses,” by deleting the “P” designation under “Central Business (B-2)” and inserting in lieu thereof an “S” designation for the following types of land use: “Principal Transportation & Utility Land Uses (Sec. 35-3409),” subsection (b), “Parking, Offsite,” and “General Accessory Land Uses (Sec. 35-3417),” subsection (g), “On-Site Parking.”** Jeff Anderson, City Planner, stated that the City Council directed staff to prepare an amendment to the Zoning Code whereby a Special Use Permit would be required in order to develop a new surface parking area or parking structure. To this end, staff drafted proposed language for a text amendment of the Zoning Code, which was reviewed and considered by the Plan Commission at its regularly scheduled meeting held on Wednesday, January 23, 2019. The proposed amendment also contains a provision whereby the demolition of a structure within the B-2 Zoning District for purposes of establishing a new parking area or otherwise, would also require the approval of a Special Use Permit. The Plan Commission unanimously recommended approval of the amendment. A motion was made by Alderman Waldron to approve. Seconded by Alderman Wendt. Alderman Wendt moved to amend and strike from the proposed language within SEC.35-3419 (a) (4), ‘constructing a new building, or establishing a new use on an otherwise vacant property’, and add ‘or a vacant property.’ Seconded by Alderman Parker. The amendment passed unanimously. Concerning the proposed SEC.35-3419 (a) (3), staff will consider whether further amendment is necessary regarding 5<sup>th</sup> Avenue and 19<sup>th</sup> Street development. The amended motion passed unanimously.

**3. A Resolution authorizing the Mayor and City Clerk to execute an Agreement for Property Maintenance and Management Services for Parking Garages (3) and for Mowing and Snow Removal at the “Q” with Quality Construction Services, Inc.** Chris Mathias, Property Management Coordinator, indicated that the City of Moline published a Request for Proposals (RFP) for parking garage maintenance and for mowing and snow removal services for properties near the “Q”. Staff received three proposals in response to the RFP, and have identified Quality Construction Services, Inc. as most advantageous to the City. Quality Construction Services, Inc. has the lowest quoted price and can respond 24/7 to emergencies as needed. This item was presented at the Committee-of-the-Whole meeting on April 10, 2018, and was tabled to allow for discussion with the SSA. Mathias provided a break-down of current and projected parking revenue and maintenance expense. Alderman Berg requested a list of companies to which the RFP was sent. Alderman Potter moved to remove the item from the table. Seconded by Alderman Wendt. Motion passed unanimously. The tabled motion passed unanimously.

**4. A Special Ordinance granting a temporary modification to Section 28-3200(a) and Section 35-4218 of the Moline Code of Ordinances to delay the installation of sidewalks for property located at 4231 7<sup>th</sup> Avenue.** Property Management Coordinator Chris Mathias shared that Matt S. Matthews is building a new single family home at 4231 7<sup>th</sup> Avenue. He has applied for a temporary modification to the requirement to install a public sidewalk, citing topographic issues, the drainage ditch along the road, and lack of sidewalks in the neighborhood as reasons to approve a variance. Staff acknowledges that the Code of Ordinances requires two frontages of sidewalk to be installed with this development, 140' of sidewalk along 7<sup>th</sup> Avenue and 115' along 43<sup>rd</sup> Street. In review of the application, staff believes that the sidewalk can be installed regardless of the topography and drainage ditch. This section of road is not shown on the 5-year CIP and this is not a red water location, so the road is not scheduled to be reconstructed in the near future. Staff also identifies that there is an existing sidewalk on the opposite corner of the intersection of 43<sup>rd</sup> Street and 7<sup>th</sup> Avenue. A motion was made by Alderman Parker to approve the temporary variance. Seconded by Alderman Berg. Motion passed with Alderman Potter voting nay.

**5. A Resolution authorizing the Mayor and City Clerk to execute a Contract with Centennial Contractors of the Quad Cities, Inc., for Project #1322, 2019 Pavement Patching & Sidewalk Replacement Program, for the amount of \$1,375,867.50.** Scott Hinton, City Engineer, explained that bids were opened and publicly read on January 22, 2019, for Project #1322, 2019 Pavement Patching & Sidewalk Replacement Program, with the following results:

\$1,375,867.50	Centennial Contractors of the Quad Cities, Inc.
\$1,672,972.75	Walter D. Laud, Inc.
\$2,243,455.00	Valley Construction Company

Centennial Contractors of the Quad Cities, Inc. submitted the lowest responsible and responsive bid. A motion was made by Alderman Turner to approve. Seconded by Alderman Waldron. Hinton indicated that combining the bid projects resulted in a cost savings. Motion passed unanimously.

**6. A Resolution authorizing the Mayor and City Clerk to execute a Contract with Precision Pavement Markings, Inc. for Project #1319, 2019 Pavement Marking Program, for the amount of \$136,200.00.** City Engineer Scott Hinton indicated that bids were opened and publicly read on January 29, 2019, for Project #1319, 2019 Pavement Marking Program, with the following results:

\$136,200.00	Precision Pavement Markings, Inc.
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Precision Pavement Markings, Inc. submitted the only responsible and responsive bid. A motion was made by Alderman Potter to approve. Seconded by Alderman Berg. Motion passed unanimously.

**7. A Resolution authorizing the Mayor and City Clerk to execute a Contract with Walter D. Laud, Inc., for Project #1308, 27<sup>th</sup> Avenue Reconstruction, East of 16<sup>th</sup> Street, for the amount of \$779,966.88.** Scott Hinton, City Engineer shared that bids were opened and publicly read on January 29, 2019, for Project #1308, 27<sup>th</sup> Avenue Reconstruction, East of 16<sup>th</sup> Street, with the following results:

\$779,966.88	Walter D. Laud, Inc.
\$859,649.50	Langman Construction, Inc.
\$871,472.95	Miller Trucking & Excavating
\$873,011.25	Brandt Construction Co.
\$1,020,013.00	Valley Construction Company
\$1,270,213.50	Needham Excavating

Walter D. Laud, Inc. submitted the lowest responsible and responsive bid. A motion was made by Alderman Waldon to approve. Seconded by Alderman Wendt. Motion passed unanimously.

**Other.** Alderman Wendt moved that Council direct staff, in conjunction with Renew, to use the I-74 Realignment Advisory Committee to coordinate and work through issues such as options for the downtown bike path, streetscape and other pertinent and timely issues, and to bring options and recommendations to the Project Management Team (PMT) to then be passed along to the City Council. Seconded by Alderman Parker. Motion passed unanimously.

### **Informational**

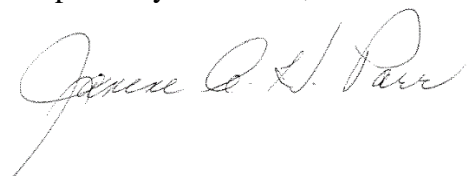
City Attorney Maureen Riggs discussed issues resulting from deteriorating retaining walls, presented options for addressing the issue, and considerations when determining the best option. Brad Hauman, Neighborhood Improvement Officer, discussed specific sites and negotiations with property owners. There was discussion that preventative maintenance might be beneficial, with funding assistance from the City. Hauman stated that walls are addressed as complaints are received. There was support for prioritization of retaining walls in poor condition. Council consensus was that when a privately owned retaining wall encroaches on the right-of-way, the property owner must repair/move the wall. Alderman Rodriguez moved to direct staff to conduct an inventory of retaining walls on snow routes. Seconded by Alderman Wendt. Staff stated that a summer intern could be secured to conduct the inventory. Motion passed with Alderman Waldron voting nay. Alderman Parker moved that the policy be to proceed with the assumption that the wall is the responsibility of the adjacent property owner, unless it is known that the wall was built by the City. Seconded by Alderman Potter. Motion passed unanimously. Alderman Schoonmaker suggested that municipal staff be engaged to identify poor retaining walls.

### **Public Comment**

Alex Elias, Renew Moline, indicated full endorsement of the urban design goals that are the genesis of the zoning text amendments proposed in Agenda Item 2 this evening, and shared a couple of comments. There is a provision in the new language requiring demonstration that no viable parking locations exist within 600 feet of proposed new parking areas. In the spirit of creating stable and predictable development, Elias expressed concern that demonstrating this could prove onerous and recommended deleting the requirement. City Planner Jeff Anderson stated that if Council feels the language is too open ended, staff is open to suggestions. Anderson shared that the Plan Commission has the ability to exercise caution in the City's best interest. Elias also noted that the Statement of Guiding Principles is referenced in the Ordinance. Those policies and principals embodied in the text language are very good, and should be applied to all parking developments, not just those exceeding 7,500 square feet. She recommended striking that and provided suggested language to staff for consideration. City Planner Jeff Anderson and Elias agreed that the policy statement should be applied at the staff review level to ensure compliance. Staff will review and rewrite the Ordinance for clarification, in collaboration with Renew.

The meeting adjourned at 7:46 p.m.

Respectfully submitted,



Janine A. H. Parr  
City Clerk