

# Committee-of-the-Whole Minutes

Tuesday, December 17, 2019

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- PRESENT:** Mayor Stephanie Acri (*Chair*)  
Alderman Scott Williams (*Ward 1*)  
Alderman David Parker, Jr. (*Ward 2*)  
Alderman Mike Wendt (*Ward 3*)  
Alderman Sam Moyer (*Ward 5*)  
Alderman Kevin Schoonmaker (*Ward 6*)  
Alderman Mike Waldron (*Ward 7*)  
Alderman Sonia Berg (*Alderman At-Large*)
- ABSENT:** Alderman Richard “Dick” Potter (*Ward 4*)
- STAFF:** J.D. Schulte, Interim City Administrator  
Amy Saunders, Deputy City Clerk  
Rodd Schick, Interim Public Works Director  
Alison Fleming, Human Resources Manager  
Lori Wilson, Parks Recreation Director  
Don Goff, Information Technology Manager  
Bryon Lear, Library Director  
Darren Gault, Chief of Police  
Jeff Snyder, Fire Chief  
Carol Barnes, Finance Director  
Jeff Anderson, City Planner  
Chris Mathias, Property Management Coordinator  
Tony Loete, Utilities General Manager  
Greg Johnson, Park Operations Manager
- OTHERS:** Derke Price, Ancel Glink  
Mark Reinders, Franchise Manager, MidAmerican Energy  
Ken Bailey, Owner of Rascals  
Various Representatives from Local Liquor Establishments

Mayor Acri called the meeting to order at 6:01 p.m. in Council Chambers.

## Mayor’s Appointments

Mayor’s appointment of Maria Ontiveros to serve a 4-year term to expire November 30, 2023, representing the City of Moline on the Rock Island County Metropolitan Mass Transit District Board.

Mayor’s appointment of Brian Heffernan and Teresa Camarillo-Martinez to the Citizen’s Advisory Council on Urban Policy (CACUP) Board for 3-year terms retroactive to August 1, 2019, and expiring July 31, 2022.

## Questions on the Agenda

Alderman Waldron pulled Items #4 and #10 from tonight’s City Council Consent Agenda and moved them to the Non-Consent Agenda.

### **Agenda Items**

**1. A Resolution authorizing the Mayor and City Clerk to execute Licensing Agreements for 2020 permit approved applications for use of public right-of-way or City-owned property.** Chris Mathias, Property Management Coordinator, explained that since 2013, the City Council has approved an annual resolution to allow staff to administer and approve all licensing agreements for the upcoming year and for the Mayor and City Clerk to execute those approved licensing agreements without each agreement being presented separately to the City Council. Staff has found that this streamlined process has improved customer service by minimizing construction delays and staff time involved with the requests. Staff is recommending approval of a similar resolution for 2020. The attachment to this item is a list of 2019 approved licensing agreements and a licensing agreement template for the 2020 agreements. A motion was made by Alderman Wendt to approve. Seconded by Alderman Parker. Motion passed unanimously.

**2. A Resolution authorizing the IT Manager to purchase a Datrium DVX Hyperconvergence system with cloud DR from Mindsight, Inc. at a price of \$206,778.69.** Don Goff, IT Manager, indicated that this purchase will further enhance and improve the City of Moline's datacenter reliability, speed, growth, backup and disaster recovery system while saving the City \$110,000 over the next 5 years. The IT Manager researched ways of improving the City's datacenter to further improve security, reliability, speed, protection against ransomware and disaster recovery options, and selected Datrium DVX as the best solution for the City. Bids were sought for purchase and implementation of this solution, and Mindsight, Inc. provided the lowest and most responsive bid. A motion was made by Alderman Wendt to approve. Seconded by Alderman Waldron. Motion passed unanimously.

**3. An Ordinance amending Chapter 5, "AMUSEMENTS," of the Moline Code of Ordinances, Section 5-1101(c), by increasing the number of licensed establishments that may be licensed for video gaming at any one time within the City of Moline.** Derke Price, Corporation Counsel, stated that the City adopted Council Bill No. 3019-2012 in July 2012 to allow video gaming terminals in licensed establishments within the City and to allow the City and eligible establishments to pursue video gaming as a potential revenue source. A "licensed establishment" is a licensed retail establishment where alcoholic liquor is drawn, poured, mixed or otherwise served for consumption on the premises. The City adopted Council Bill No. 3043-2017 in November 2017 to limit the number of licensed establishments that may be licensed for video gaming at one time within the City to thirty (30), due to an increasing number of requests for video gaming licenses and various concerns expressed by the City's residents as to the detriments of gambling. This ordinance amendment would increase that limit to a number greater than thirty (30). Additionally, City staff will prepare a report annually showing revenue totals for food, alcohol and video gaming for each licensed establishment during a sample period of October 1 (the annual license renewal date) through June 30. This report would be used to determine and justify license reclassification, if applicable, and may encourage a licensed establishment to relinquish one or more video gaming machines in order to meet the relative sales requirements.

A motion was made by Alderman Wendt to redefine the incidental to 50% to be classified as a restaurant, 50% has to do with food for a tavern, 50% has to come from liquor sales to be determined based on the previous 12 months. Seconded by Alderman Waldron. There was discussion. Mayor Acri offered an opportunity for comment to audience members from local liquor establishments. Ken Bailey, Owner of Rascals, came to the podium with questions about the percentages mentioned and offered some clarification concerning how the current revenue percentages are divided between the terminal operators, the business, the City and the State. There was further discussion. Motion approved unanimously.

There was discussion on the licensing limits. Alderman Wendt made a motion to direct staff to come back to the next meeting with language concerning increasing the total number of video gaming licenses to 37, with no

increase to the K licenses, and language concerning what the process would be for new and existing businesses making applications for gaming licenses. Alderman Wendt's motion died for lack of a second.

Corporation Counsel Derke Price confirmed that he will bring back clarification of the definition of incidental for the Council.

**4. An Ordinance amending CHAPTER 34, "WATER AND SEWERS," of the Moline Code of Ordinances, Section 34-2139, "WASTE OF WATER," pertaining to the City's sewer use ordinance, by amending its current text to subsection (a) and enacting one new subsection (b).** J.D. Schulte, Interim City Administrator, shared that at the December 10, 2019, Committee-of-the-Whole meeting, the City Council discussed giving relief to customers when unusually high water usage is due to defect in pipes, faucets, or other fixtures. This amendment allows the City Administrator to adjust water and sewer charges in these situations.

A motion was made by Alderman Wendt to approve. Seconded by Alderman Parker. There was discussion. Alderman Parker made an amended motion for owner-occupied properties that the City lower the 15-year provision down to 5 years. Seconded by Alderman Wendt. The amended motion carried with Aldermen Schoonmaker and Waldron voting nay.

There was discussion concerning the years provision. A second amended motion was made by Alderman Schoonmaker to remove the years provision and to add language that makes the frequency of occurrence by the customer or homeowner a relevant factor in the appeal-making decision with the appeals history made available to the Council. Seconded by Alderman Wendt. The second amended motion carried with Alderman Waldron voting nay. The amended motion with second amended motion carried with Alderman Waldron voting nay.

**Public Comment**

There was no public comment.

The meeting adjourned at 7:06 p.m.

Respectfully submitted,



Amy J. Saunders  
Deputy City Clerk