

Committee-of-the-Whole & Council Meeting Minutes

Tuesday, April 26, 2022

- PRESENT:** Mayor Sangeetha Rayapati (*Chair*)
Alderman Scott Williams (*Ward 1*)
Alderman Alvaro Macias (*Ward 2*)
Alderman Mike Wendt (*Ward 3*)
Alderman Matt Timion (*Ward 4*)
Alderman Sam Moyer (*Ward 5*)
Alderman Pat O'Brien (*Ward 6*)
Alderman Mike Waldron (*Ward 7*)
Alderman James Patrick Schmidt (*Alderman At-Large*)
- ABSENT:** None.
- STAFF:** Bob Vitas, City Administrator
Janine Hollembaek Parr, City Clerk
Carol Barnes, Finance Director *~electronically*
Darren Gault, Chief of Police
Jeff Snyder, Fire Chief
Charles Graves, Interim Director of Community and Economic Development
Eric Griffith, Parks Recreation Director *~electronically*
Bryon Lear, Library Director *~electronically*
Tony Loete, Director of Utilities
Leah Miller, Human Resources Director
Michael Schenk, Interim City Engineer
David Rowatt, Information Technology Manager
Steve Regenwether, Deputy Fire Chief
Charlie Brown, Utilities Lab Manager
Rodd Schick, Municipal Services General Manager
Cody Parmenter, Police Officer
- OTHERS:** Roger Strandlund, Califf & Harper, representing Heritage Place Associates, LLC
Alexandra Elias, Renew Moline
Police personnel, family and friends
Genevieve Witte and family
Pam Nelson, Keep Moline Beautiful Commissioner
Sue Ratkiewicz, Keep Moline Beautiful Commissioner
Mary Lind, Keep Moline Beautiful Commissioner
Shirley Morton, Resident
Jim Wulgaert, A.B.A.T.E.

Committee-of-the-Whole Meeting Call to Order

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

Board Appointment

Mayor's reappointment of Janet Zam to the Youth Commission for a full 3-year term to expire March 31, 2025.

Mayor's reappointment of Frank Ege and Dick Potter to the Historic Preservation Commission for a full 3-year term to expire April 30, 2025.

Presentations

Recognition of Top Cop Award recipient Officer Cody Parmenter. Darren Gault, Chief of Police, introduced Officer Parmenter and explained the award criteria and process used by Optimist Breakfast Club.

2022 Keep Moline Beautiful Commission's City of Moline Super Hero Awards. Rodd Schick, Municipal Services General Manager, introduced Commissioner Pam Nelson, who presented the recycling Super Hero Award to Shirley Morton. Commissioner Sue Ratkiewicz, presented the Super Hero award to Mary Lind for her community beautification efforts.

2022 Water Art Contest Winner Announcement. Tony Loete, Director of Utilities, introduced Charlie Brown, Utilities Lab Manager, who acknowledged Water Poster Contest winner Hamilton 3rd Grade Student Genevieve Witte.

Proclamations

A Proclamation from the A.B.A.T.E. of Illinois, Inc., to declare May, 2022, as "Motorcycle Awareness Month." Jim Wulgaert addressed the Council.

A Proclamation from the American Water Works Association to declare May 1-7 2022 "Drinking Water Week." Tony Loete, Director of Utilities, addressed the Council.

A Proclamation from the International Code Council to declare the month of May, 2022, as "Building Safety Month." Joe Kuhlenbeck, Assistant Public Works Director, addressed the Council.

Public Comment

There was no public comment.

Questions on the Agenda

None.

Agenda Items

1. An Ordinance amending Chapter 34, "WATER AND SEWERS," of the Moline Code of Ordinances, Section 34-4100, "PURPOSE; INTENT," Section 34-4201 "DRAINAGE PERMITS," and Section 34-4203 "DETENTION SYSTEM CRITERIA," by repealing said sections in their entirety and enacting in lieu thereof new Sections 34-4100, 34-4201, and 34-4203 dealing with the same subject matter. The Utilities Department recommends approval of changes to Article IV "STORMWATER UTILITY SERVICE" as presented to council on January 11, 2022. The intent of the changes is to create stronger language, a more efficient workflow, and improved service to the utility users. A motion was made by Alderman O'Brien to approve. Seconded by Alderman Wendt. There was discussion. The City inspects annually. It is inspected that this will reduce the number and frequency There will be annual inspections of retention ponds. Alderman Schmidt, seconded by Alderman Timion, moved to amend and strike the last sentence in Sec 34-4203(b): "An annual report is not required the year the five-year report is due." Motion passed unanimously.

2. An Ordinance amending Chapter 20, "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Appendix 10 thereof, "PARKING PROHIBITED AT ANY TIME," by including Thirty-sixth Avenue, on the north side, for a distance of 40 feet east of the stop sign at 41st Street. The Traffic Engineering Committee recommended at their meeting held on March 1, 2022, to prohibit parking on the north side of 36th Avenue for a distance of 40 feet east of the stop sign at 41st Street. The "no parking" area near the

intersection would provide an area where vehicles traveling west on 36th Avenue would not conflict with vehicles turning off of 41st Street onto 36th Avenue. A motion was made by Alderman O'Brien to approve. Seconded by Alderman Waldron. There was discussion. Staff confirmed that residents are notified prior to installation of signs. Motion passed unanimously.

3. An Ordinance amending Chapter 20, "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Appendix 4 thereof, "THREE-WAY STOP INTERSECTIONS," by adding the intersection of Thirty-fifth Avenue and Fourteenth Street. The Traffic Engineering Committee recommended at their meeting held on April 5, 2022, to install stop signs on 35th Avenue at the intersection of 35th Avenue and 14th Street which creates a three-way stop intersection. The Committee recommended advanced warning for the new stop signs. A motion was made by Alderman Timion to approve. Seconded by Alderman Wendt. There was discussion. Aldermen Timion and Wendt thanked the Traffic Engineering Committee for recommending the change. Motion passed unanimously.

Informational

2022-2024 Strategic Action Plan Quarter One Report. Bob Vitas, City Administrator, indicated that the Action Plan and Dashboard are accurate as of the release of this first quarter report. Vitas explained the report's design, stating that staff has successfully launched the Strategic Objectives within the Plan. This report, as well as the monthly Status & Information Report, serves as a tracking mechanism of strategic goals. Mayor Rayapati indicated that during the next roundtable discussion, Council will review the Plan and consider incorporation of identified unfinished business.

Amending Chapter 4, "ALCOHOLIC LIQUOR," of the Moline Code of Ordinances. Margaret Kostopulos, Legal Counsel, led a discussion of potentially reducing/consolidating liquor license classifications and options. There was discussion. Staff will prepare a multi-factor definition of "incidental" activity for Council's consideration. Staff will investigate ways to ensure that establishments function according to license classification requirements, looking most specifically at Class A and Class B. It was suggested that "banquet hall" should be omitted from Class A. There was discussion that Sunday hours might be expanded, beginning at 6:00 a.m., for all classifications and that the 3 a.m. Option might be reduced. Staff will investigate this. It was suggested that Class A, by definition, should prohibit a licensee from functioning as a videogaming establishment. The sale of food should be included within the primary function, not incidental, for a Class B license. Control of food sales is not a concern. Regarding fraternal clubs, the definition should include the allowed use of a room/rooms, separate from the bar area, for private parties. Staff will further refine the proposed classifications according to direction received and provide a redline amendment at a later date. Changes adopted would be effective upon renewal.

Public Comment

None.

The Committee-of-the-Whole meeting adjourned at 7:22 p.m.

Council Meeting Call to Order

The City Council meeting came to order at 7:22 p.m.

Pledge

The Council and audience recited the Pledge of Allegiance.

Invocation

There was no Invocation.

Roll Call: Roll call was taken with Mayor Rayapati, Aldermen Williams, Macias, Wendt, Timion, Moyer, O'Brien, Waldron and Schmidt present. Absent: None.

Items on Consent:

Approval of Minutes

Committee-of-the-Whole and Council meeting minutes of April 5, 2022, Council meeting minutes of April 12, 2022 and appointments made on April 26, 2022.

Second Reading Ordinances

1. Council Bill/General Ordinance 3006-2022

An Ordinance amending Chapter 24, "PERSONNEL," of the Moline Code of Ordinances, Section 24-3207, Appendix 1, by adding a job description for Land Bank Program Manager.

Resolutions

2. Council Bill/Resolution 1080-2022

A Resolution authorizing the Mayor and City Clerk to execute and attest to a contract with Walter D. Laud, Inc. for Motor Fuel Tax (MFT) Section 22-00000-00-GM, 2022 Asphalt Program for the amount of \$994,675.80.

3. Council Bill/Resolution 1081-2022

A Resolution approving a Supplemental Resolution for Maintenance Under the Illinois Highway Code for Motor Fuel Tax (MFT) Section Number 22-00000-00-GM, 2022 Asphalt Program, for the amount of \$195,200.80.

4. Council Bill/Resolution 1082-2022

A Resolution authorizing the Mayor and City Clerk to execute and attest to a contract with Langman Construction, Inc. for Motor Fuel Tax (MFT) Section 22-00000-01- GM, 2022 Asphalt Maintenance Program for the amount of \$153,420.

5. Council Bill/Resolution 1083-2022

A Resolution approving a Supplemental Resolution for Maintenance Under the Illinois Highway Code for Motor Fuel Tax (MFT) Section Number 22-00000-01-GM, 2022 Asphalt Maintenance Program, for the amount of \$3,420.

6. Council Bill/Resolution 1084-2022

A Resolution approving a Supplemental Resolution for Improvement Under the Illinois Highway Code for (MFT) Section 21-00279-00-RP, 26th Avenue, 3800 block to 41st Street, in the amount of \$240,683.69.

7. Council Bill/Resolution 1085-2022

A Resolution authorizing the ceding of 2022 Home Rule Volume Cap.

8. Council Bill/Resolution 1086-2022

A Resolution authorizing approval of a final change order with Emery Construction Group, Inc., for Project #1347, 2021 Alley Reconstruction, for the amount of \$22, 486.95.

9. Council Bill/Resolution 1087-2022

A Resolution authorizing the Mayor and City Clerk to execute and attest to a contract with Davenport Electric Contract Company for Project #1373, 2022 Annual Traffic Signal Replacement, for an amount of \$386,218.13.

10. Council Bill/Resolution 1088-2022

A Resolution authorizing the Interim City Engineer to accept a proposal for Professional Engineering Services with Gewalt Hamilton Associates, Inc. for an Engineering Corridor Traffic Study regarding Project #1390, Avenue of the Cities Traffic Study, for a time and material, not to exceed amount of \$96,950.

11. Council Bill/Resolution 1089-2022

A Resolution approving Supplemental #1 regarding the Preliminary Engineering Services Agreement for Motor Fuel Tax Funds (MFT) with Hutchison Engineering, Inc., for the amount not to exceed \$25,000.

12. Council Bill/Resolution 1090-2022

A Resolution approving a Supplemental Resolution for Maintenance Under the Illinois Highway Code for Motor Fuel Tax (MFT) Section Number 21-00000-00-GM, 2021 Asphalt Program, for the amount of \$200,000.

13. Council Bill/Resolution 1091-2022

Resolution authorizing the Municipal Services General Manager to submit a commitment for bidding road salt with the Illinois Department of Central Management Services (CMS) for 4,000 tons that would commit the City to purchase a minimum of 3,200 tons and the ability to purchase up to 4,800 tons for the 2022/2023 winter season.

Omnibus Vote: Alderman O'Brien, seconded by Alderman Wendt, moved to approve and adopt, by omnibus vote, these items. Motion carried on roll call with the following vote: ayes: Aldermen Schmidt, Williams, Macias, Wendt, Timion, Moyer, O'Brien and Waldron; nays: none.

Items Not on Consent:**Second Reading Ordinances****14. Council Bill/General Ordinance 3005-2022**

An Ordinance amending Chapter 4, "ALCOHOLIC LIQUOR," of the Moline Code of Ordinances increasing the number of Class CC licenses in the City at the request of Innovative Landscaping & Maintenance, LLC d/b/a QC Kwik Stop.

Adopted. Alderman Schmidt, seconded by Alderman Wendt, moved to approve Council Bill 3005-2022. Motion passed on roll call with the following vote: ayes: Aldermen Schmidt, Williams, Macias, Wendt, Timion and Moyer; nays: Aldermen O'Brien and Waldron.

Resolutions**15. Council Bill/Resolution 1079-2022**

A Resolution authorizing the Mayor and City Clerk to execute and attest to a Second Amendment to the Heritage Place Parking Structure Lease Agreement between the City of Moline and Heritage Place Associates, LLC, extending the Agreement through the 31st day of December, 2037.

Approved. Alderman O'Brien, seconded by Alderman Timion, moved to approve Council Bill 1079-2022. There was discussion. Bob Vitas, City Administrator, explained that the Lease term would be amended to extend an additional 6 years to the benefit of Heritage Place Associates, LLC, to align with a leasing request by a potential 6th floor tenant. Historically, there has been some confusion as to responsibility for maintenance (Sec. 8.1 and 8.2). This has been resolved. Capital investments are the responsibility of the City, with routine maintenance the responsibility of Heritage Place Associates, LLC. Alderman Wendt stated that unused parking spaces should be leveraged to encourage downtown development. Alderman Wendt, seconded by Alderman Moyer, moved to further amend the lease amendment with the following additions: 1) the lessee is and will be responsible for maintenance; 2) the number of parking spaces extended will be limited to the number needed by the sixth floor tenant. Roger Strandlund, legal counsel for Heritage Place Associates, LLC, addressed the Council, explaining that he was prepared to support the lease amendment as presented and had become aware of proposed further amendment just prior to this meeting. He has not yet presented this to his client. As to the underutilization of the parking structure, Strandlund stated that the design computation of parking spaces (3 per 1,000 feet) is for the building when fully leased and this has been validated by architect Jeff Dismar. Public use of the structure after hours was discussed. Strandlund indicated that more time would be needed to consider further amendment. There was discussion that limiting the extension of spaces may be too restrictive. Alderman Wendt moved to table until the next meeting, pending further information. Motion was not considered for lack of second. Strandlund indicated that he has a lease in hand for the 6th floor. Vitas stated that staff recommends approval of the Agreement as amended. Vitas encouraged adaptive reuse of this downtown property and the approval of the Lease Amendment to support that. The motion failed on roll call with the following vote: ayes: Aldermen Wendt and Moyer; nays: Aldermen Schmidt, Williams, Macias, Timion, O'Brien and Waldron. The motion to amend to extend an additional 6 years passed on roll call with the following vote: ayes: Aldermen Schmidt, Williams, Macias, Timion, O'Brien and Waldron; nays: Aldermen Wendt and Moyer. Alderman

Timion moved to approve Council Bill 1079-2022 as amended. Seconded by Alderman Macias. Motion passed on roll call with the following vote: ayes: Aldermen Schmidt, Williams, Macias, Wendt, Timion, Moyer, O'Brien and Waldron; nays: none.

Council, Staff and Citizen Comments:

Mayor Rayapati shared that she attended the Transportation Policy Committee meeting at Bi-State Regional Commission today, and was happy to note that the I-74 pedestrian/bike path will be open by the end of the week. Bridge lighting should be complete by early summer, with demolition plans for the old bridge later this year. A variety of projects were included in the local RAISE grant applications. Mayor and Alderman Moyer will be setting a date for the next Listening Post.

Alderman Williams explained that amateur historian Dave Coopman spoke to the Stephens Park Neighborhood Association Sunday night at the Deere-Wiman House. It was an impressive presentation.

Alderman Macias noted that the TaxSlayer recently hosted a number of concerts which brought patrons to downtown businesses. He also attended the recent Pour Bros ribbon cutting event. The community is encouraged by the increased concerts and events.

Alderman Wendt asked that staff enforce Section (4)(a)2-3 of the Moline Code of Ordinances which requires that drive-thru food establishments provide a trash receptacle accessible from within the vehicle. Staff was also asked to review the food ordinance and bring back potential amendment.

Aldermen Timion thanked Public Works for repair of sidewalks and to the residents of the 4th Ward for allowing him to serve.

Alderman O'Brien attended an event for Child Advocacy, acknowledging the benefits of this program to the community.

Aldermen Waldron shared that Midland Davis will accept drop-off recycling during its normal business hours, effective immediately. This is extended to the entire county. He asked that funding for advertising of this be considered.

Alderman Schmidt reported that the first grant applications were reviewed for the new Childcare program, and one award has been made. The application is available on-line.

Alderman Williams, seconded by Alderman Wendt, moved for Executive Session, for the purpose of discussion of Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees- 5 ILCS 120/2(C)(1); Property Acquisition-5 ILCS 120/2(C)(5); and Pending, Probable or Imminent Litigation-5 ILCS 120/2(C)(11). Motion carried on roll call with the following vote: ayes: Aldermen Schmidt, Williams, Macias, Wendt, Timion, Moyer, O'Brien and Waldron; nays: none.

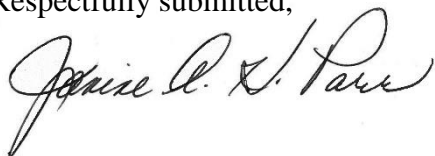
City Council convened in Executive Session at 8:37 p.m.

Council reconvened in open session at 10:08 p.m.

On motion of Alderman Timion, seconded by Alderman O'Brien, the City Council adjourned at 10:08 p.m.

The next regularly scheduled City Council meeting is on May 10, 2022. View recorded meetings at <http://www.moline.il.us/CivicMedia?CID=9>

Respectfully submitted,



Janine A. H. Parr, City Clerk