



MOLINE COW/COUNCIL MINUTES

Tuesday, January 17, 2023

6:00 PM

City Hall

Council Chambers - 2nd Floor

619 16th Street

Moline, IL 61265

Committee-of-the- Whole Call to Order

PRESENT: Mayor Sangeetha Rayapati (*Chair*)
Aldersperson Scott Williams (*Ward 1*)
Aldersperson Alvaro Macias (*Ward 2*)
Aldersperson Mike Wendt (*Ward 3*)
Aldersperson Matt Timion (*Ward 4*)
Aldersperson Sam Moyer (*Ward 5*)
Aldersperson Pat O'Brien (*Ward 6*)
Aldersperson Mike Waldron (*Ward 7*)
Aldersperson James Patrick Schmidt (*Aldersperson At-Large*)

ABSENT: None.

STAFF: Bob Vitas, City Administrator
Janine Hollembaek Parr, City Clerk
Carol Barnes, Finance Director
Mike Doi, Director of Public Works
David Dryer, Director of Engineering *~electronically*
Barry Dykhuizen, Assistant City Administrator
Darren Gault, Chief of Police
Ryan Hvitlok, Director of Community and Economic Development
Tony Loete, Director of Utilities
Leah Miller, Human Resources Director
Steve Regenwether, Fire Chief
David Rowatt, Information Technology Manager
K.J. Whitley, Community Development Program Manager *~electronically*

OTHERS: Margaret Kostopulos, Corporation Counsel
Walter Willis, Executive Director of Solid Waste Agency of Lake County
Katie Neary, Lakeshore Recycling Systems Government Affairs and Municipal Manager
Marty O'Fallon, Project Manager for Aptim
Grace Kinnicutt, Dispatch/Argus
Residents Paula Naab, Jodi Fisk, Vicki Graves and Diann Moore

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

Board Appointments

Mayor's reappointment of Kevin Belk, John Miller, Diana Haubenstricker, and Mike Wennekamp to the Special Service Area #5 Board for full two-year terms to expire January 1, 2025.

Public Comment

Paula Naab, Resident and Realtor, explained that she does not support accessory dwelling units (ADUs) in Moline, because it will hurt property resale and could affect financing (it will be viewed as income property). She is speaking out in an effort to maintain the integrity of the City's neighborhoods.

Jodi Fisk, Resident, expressed her opposition to the proposed ADU ordinance and the impact it would have on single-family neighborhoods. Under the proposed ordinance, the ADU could be rented and would burden the City's rental housing program.

Vicki Graves, Resident and Chair of the Plan Commission, stated that the Plan Commission voted 9-1 against the proposed ADU ordinance. Graves cited neighborhood and safety concerns that she feels would likely result from adoption of the ordinance.

Diann Moore, Resident, indicated agreement with the comments made.

Questions on the Agenda

Mayor Rayapati indicated that Items 6.1 and 13.5 have been pulled by staff and that Item 13.4 has been moved to the Non-Consent Agenda at the request of Alderperson Wendt.

Agenda Items

6.1 ~ This item was pulled by Staff ~

6.2 An Ordinance approving a Community Host Agreement by and between the City of Moline and Lakeshore Recycling Systems, LLC. Bob Vitas, City Administrator, introduced Walter Willis, Executive Director of Solid Waste Agency of Lake County. Mr. Willis explained details of the ordinance, indicating comfortability with its negotiated terms. A motion was made by Alderperson Wendt to approve. Seconded by Alderperson Waldron. Points of discussion: 1) Willis indicated that hazardous waste would not be accepted; 2) he explained that a minimum property tax provision is not in the ordinance and is typically not included; 3) Vitas stated that such an insurance policy would support property tax values against appeals; however, during negotiations, no increment or tax rebate was requested by Lakeshore Recycling Systems, LLC, and indicated that would have to be a separate agreement; 4) Willis explained that the siting ordinance is generic and does not address incineration; 5) under the property value impact, a landscape plan would be provided for Council's review; 6) the turn-off lane is inside the airport property, at 47th Avenue. Willis further stated that, in regard to the traffic study, appropriate improvements will be recommended to the Council for consideration; 7) a provision could be added for emptying roll-offs; 8) where "written permission of the city" is indicated on page 15 of the ordinance, Willis indicated that it could be made clear that City Council approval is required; 9) Willis indicated that the insurance coverage indicated is adequate. The waste industry will not stipulate damages. As Chairman of RICWMA, Alderperson Waldron thanked all involved in bringing this good project to the Council. Alderperson Wendt, seconded by Alderperson Waldron, moved to amend and direct staff to work with Lakeshore Recycling Systems, LLC, on minimum tax paid per year. Motion passed unanimously. The amended motion passed unanimously.

6.3 An Ordinance Amending Chapter 35, "ZONING AND LAND DEVELOPMENT," ARTICLE 1, DIVISION 2, Section 35-1203, "DEFINITIONS," of the Moline Code of Ordinances, by revising certain definitions related to nonconformities; amending ARTICLE 3, DIVISION 1 entitled "IN GENERAL"; dealing with the same subject matter; and ARTICLE 5, DIVISION 3 entitled "ILLUMINATION STANDARDS" for internal consistency. Ryan Hvitlok, Director of Community & Economic Development explained details of the amendment. A motion was made by Alderperson Wendt to approve. Seconded by Alderperson Timion. There was discussion. Alderperson Wendt indicated that he would send questions/suggestions to Hvitlok. Motion passed unanimously.

Informational

7.1 16th Street and Avenue of the Cities Intersection Project. David Dryer, P.E., Director of Engineering, stated that GHA (Gewalt Hamilton Associates, Inc.), the City's engineering consultant, has been able to reduce the cost of the project. Details were provided. Discussion had. Dryer indicated that the pedestrian crosswalks are being shortened/pulled back about six feet and placed in a tighter portion of the intersection. There was discussion. Dryer explained that reducing the width to approximately 11 or 12 feet would greatly increase the cost, because it requires tapering of those pulled back curbs.

Adjournment of the Committee-of-the-Whole and Council Call to Order

Pledge of Allegiance

Invocation

There was no invocation.

Roll Call

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

Consent Agenda

Approval of Minutes

Committee-of-the-Whole and Council meeting minutes of January 10, 2023, and appointments made at Committee-of-the-Whole on January 17, 2023.

Resolutions

13.1 1006-2023 A Resolution approving and accepting proposed changes to prior contract language as agreed to by and between the negotiators for the City of Moline and the United Automobile Aerospace and Agricultural Implement Workers of America (UAW), Local 2282, relating to wages, hours of work and certain other conditions of employment, for the contract term January 1, 2023 – December 31, 2025; and authorizing the Mayor and City Clerk to execute and attest to an agreement incorporating said changes with the United Automobile Aerospace and Agricultural Implement Workers of America (UAW), Local 2282, relating to wages, hours of work and certain other conditions of employment.

13.2 1007-2023 A Resolution authorizing the City Administrator to modify the non-union employee group benefit package to incorporate the changes as set forth on Exhibit A attached hereto relating to wages and health insurance premiums.

13.3 1008-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to an agreement with Gewalt Hamilton Associates, Inc. (GHA) for design services for traffic signal replacements and ADA improvements for 2023 Capital Improvement Projects #1426 & 1427, traffic signal replacements and ADA improvements at 16th Street & 36th Avenue, and 41st Street & 32nd Avenue.

13.4 ~Moved to the Non-Consent Agenda~

13.5 ~ This item was pulled by Staff ~

13.6 1011-2023 A Resolution authorizing certain minutes and portions of minutes of Executive Sessions of the City Council to be maintained as confidential until further reviewed by the City

Council; and authorizing the remainder of said Executive Session minutes referenced herein to be made available for public inspection.

Omnibus Vote

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

Non-Consent Agenda

Second Reading Ordinances

15.1 3001-2023 An Ordinance Amending Chapter 35, "ZONING AND LAND DEVELOPMENT," Section 35-1203, "DEFINITIONS," of the Moline Code of Ordinances, by repealing subsection (104), "Family," in its entirety and enacting in lieu thereof one new subsection (104), "Family," dealing with the same subject matter; amending ARTICLE III, "ZONING," by enacting one new DIVISION 9 entitled "ACCESSORY DWELLING UNITS"; and amending Chapter 8, "BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES," Section 8-7202(c), of the Moline Code of Ordinances, by repealing Section 8-7202(c) in its entirety and enacting in lieu thereof one new Section 8-7202(c), dealing with the same subject matter.

Tabled. Aldersperson Timion, seconded by Aldersperson Moyer, moved to approve Council Bill 3001-2023. Aldersperson Schmidt moved to prohibit construction of stand-alone/detached accessory dwelling units. There was discussion. Motion withdrawn. Aldersperson O'Brien stated that he would not support the proposed ordinance, as he believes property values would fall and because the City lacks the staff to enforce it. Ryan Hvitlok, Director of Community & Economic Development, stated that property owners would have to live in the primary home or accessory dwelling unit. Bob Vitas, City Administrator, indicated that the rental-housing program is being built and staffed; however, the addition of two staff is not sufficient to support the current volume. Aldersperson Williams expressed opposition of the ordinance, noting that the majority of residents are against it. Aldersperson Timion shared that he supports amending the Zoning Code, including who can live where, because he believes in progress. Aldersperson Wendt echoed support. Aldersperson Waldron stated that he is not a fan of putting grandma in the garage; Plan Commission conducted an in-depth review of the ordinance, voted 8-1 against it and the Council should listen to them. Aldersperson Wendt, seconded by Aldersperson Moyer, moved to amend Section 35-3902(a) to include that in the event that a home-owner puts an accessory dwelling unit on their property, they must: 1) provide the one (1) off-street parking space (as required in the proposed ordinance); and 2) if they convert current parking spaces, they must replace them with the number of off-street parking spaces lost; and 3) they must provide the number of off-street parking spaces for the home as if the home were built today, as required by Code. There was discussion. Hvitlok stated that this could be enforced through the special use permitting process. Motion carried on roll call with the following vote: ayes: Alderspersons Moyer, O'Brien, Waldron, Macias and Wendt; nays: Alderspersons Timion, Schmidt and Williams. Aldersperson Wendt moved to amend Section 35-3905(b) to increase the fee for violation to no less than \$1,000, and no more than \$1,500. Seconded by Aldersperson Waldron. Motion passed on roll call with the following vote: ayes: Alderspersons Timion, Moyer, O'Brien, Waldron, Schmidt, Macias and Wendt; nays: Aldersperson Williams. Aldersperson Wendt moved to amend Section 35-1203(104) regarding the composition of a family, to change the number of persons not related back to three (3), stating that an increase from three to five is not warranted. Seconded by Aldersperson Waldron. Motion passed on roll call with the following vote: ayes: Alderspersons O'Brien, Waldron, Schmidt, Williams and Wendt; nays: Alderspersons Timion, Moyer and Macias. Aldersperson Wendt made a motion to allow conversion to an accessory dwelling unit within 10 years of construction for only those that meet the family definition. Motion was not considered for lack of second. Aldersperson Wendt moved to amend Section 35-3901(d),

subsections 1-9, that the accessory dwelling unit must be visually compatible with the principal detached dwelling “or” (replacing “and”) with structures on immediately adjacent properties, public ways and places to which it is visually related. Seconded by Alderperson Timion. Motion passed on roll call with the following vote: ayes: Alderpersons Timion, Moyer, Schmidt, Macias and Wendt; nays: Alderpersons O’Brien, Waldron and Williams. Alderperson Wendt, seconded by Alderperson Waldron, moved to amend and add a provision that the ADU ordinance would not go into effect until the City has a rental-licensing program that includes ADUs. Motion failed on roll call with the following vote: ayes: Alderpersons O’Brien, Waldron, Williams and Wendt; nays: Alderpersons, Timion, Moyer, Schmidt, Macias and Mayor Rayapati. There was discussion. It was noted that a second Neighborhood Improvement Officer is needed for enforcement. Alderperson Wendt made a motion to amend to place the responsibility for payment of recording fees on the property owner. Seconded by Alderperson Waldron. Motion passed on roll call with the following vote: ayes: Alderpersons Timion, Moyer, O’Brien, Waldron, Schmidt, Macias and Wendt; nays: Alderperson Williams. Alderperson Wendt, seconded by Alderperson Waldron, moved to table until the licensing program is presented to Council. Motion failed on roll call with the following vote: ayes: Alderpersons O’Brien, Waldron, Williams and Wendt; nays: Alderpersons Timion, Moyer, Schmidt, Macias and Mayor Rayapati. Discussion had. Alderperson Schmidt moved to table for 1-2 weeks until staff can present an amended ordinance. Seconded by Alderperson Wendt. Motion failed on roll call with the following vote: ayes: Alderpersons O’Brien, Waldron, Schmidt and Wendt; nays: Alderpersons Timion, Moyer, Williams, Macias and Mayor Rayapati. There was discussion. Alderperson O’Brien moved to call the question. Motion failed for lack of second. Alderperson Waldron, seconded by Alderperson Wendt, moved to table for 2 weeks to allow staff time to incorporate this evening’s amendments. Motion passed on roll call with the following vote: ayes: Alderpersons Timion, Moyer, O’Brien, Waldron, Schmidt, Macias and Wendt; nays: Alderperson Williams.

Resolutions

13.4 1009-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to an Easement Encroachment Licensing Agreement with DeLewis-Bey Properties, LLC, located at 3566 49th Street, to allow installation of a retaining wall and swimming pool.

Approved. Alderperson Wendt, seconded by Alderperson Waldron, moved to approve Council Bill 1009-2023. Motion carried on roll call with the following vote: ayes: Alderpersons Timion, Moyer, O’Brien, Waldron, Schmidt, Williams, Macias and Wendt; nays: none.

16.1 1012-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to an amendment to the professional services agreement with IMEG Corp. for engineering services related to the design of stormwater conveyance infrastructure downstream of the 49th Street stormwater pumping station in the amount of \$44,000 and authorizing the Director of Utilities to execute any necessary documents.

Approved. Alderperson Wendt, seconded by Alderperson Moyer, moved to approve Council Bill 1012-2023. Discussion had. Tony Loete, Director of Utilities, indicated completion time has not been guaranteed. Motion carried on roll call with the following vote: ayes: Alderpersons Timion, Moyer, O’Brien, Waldron, Schmidt, Williams, Macias and Wendt; nays: none.

Non-Consent Agenda

First Reading Ordinances

17.1 3002-2023 An Ordinance amending Chapter 15, "GARBAGE AND TRASH," of the Moline Code of Ordinances, by enacting one new Article V, "POLLUTION CONTROL FACILITY SITING." Katy Neary, Lakeshore Recycling Systems, introduced herself and the project.

17.2 3003-2023 An Ordinance approving a Community Host Agreement by and between the City of Moline and Lakeshore Recycling Systems, LLC.

Miscellaneous Business

Alderson Williams acknowledged for work of the City's Parks Maintenance staff in responding quickly and filling a hazardous fence hole at Karsten's Park.

Alderson Moyer shared that he attended two events as Mayor Pro Tem this week: 1) a naturalization ceremony at the Library; and 2) a Martin Luther King, Jr. celebration.

Public Comment

Diann Moore, resident, shared that she attended all public meetings regarding ADUs. She is concerned about the state of residential housing in the City, asking that this be the council's first priority.

Executive Session:

Alderson Williams, seconded by Alderson Wendt, moved for Executive Session, for the purpose of discussion of Closed Session Minutes-5 ILCS 120/2(C)(6); and Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees-5 ILCS 120/2(C)(1). Motion carried on roll call with the following vote: ayes: Aldersons Timion, Moyer, O'Brien, Waldron, Schmidt, Williams, Macias and Wendt; nays: none.

City Council convened in Executive Session at 8:35 p.m.

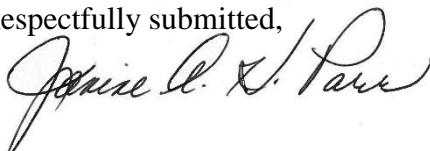
Council reconvened in open session at 9:31 p.m.

Adjournment of City Council

Upon motion of Alderson Timion, seconded by Alderson Wendt, the Council meeting adjourned at 9:31p.m.

The next regularly scheduled City Council meeting is on January 24, 2023. View recorded meetings at <http://www.moline.il.us/CivicMedia?CID=9>

Respectfully submitted,



Janine A. H. Parr, City Clerk