



## MOLINE COW/COUNCIL MINUTES

Tuesday, February 7, 2023

6:00 PM

**City Hall - Council Chambers**  
**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 Hollembæk Parr, City Clerk  
Carol Barnes, Finance Director  
Mike Doi, Director of Public Works  
David Dryer, Director of Engineering  
Barry Dykhuizen, Assistant City Administrator  
Darren Gault, Chief of Police  
Eric Griffith, Parks Recreation Director ~ *electronically*  
Ryan Hvitløk, Director of Community and Economic Development  
Bryon Lear, Library Director ~ *electronically*  
Tony Loete, Director of Utilities ~ *electronically*  
Leah Miller, Human Resources Director  
Steve Regenwether, Fire Chief  
David Rowatt, Information Technology Manager  
K.J. Whitley, Community Development Program Manager ~ *electronically*  
Mike Herrick, Fire Engineer

**OTHERS:**

Margaret Kostopulos and David Silverman, Corporation Counsel  
Kathy Wine and April Kleckner, River Action  
Dan White and Amir Ghanbari, IMS  
Grace Kinnecutt, Dispatch/Argus  
Austin Church, Kevin Wardrip, Gary Jens and Myles Peck, Asplundh Tree Service  
David B. Qualls and Jordan T. Blake, Rent QC Property Maintenance Workers  
Lieutenant Mike Rettig, East Moline Fire  
Gail Thompson, Resident  
Kevin Kotecki and Bob Marriott, Group O  
Vicki Graves, Resident and Plan Commission Chair  
Craig DeVrieze, Resident  
Craig Sommers, Resident

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

### **Board Appointments**

Mayor's appointment of Kirk Marske to the Keep Moline Beautiful Commission to fill the unexpired term of Geoff Manis to expire November 30, 2024. Mr. Marske was present.

### **Presentations**

**Citizen Life-Saving Awards.** Steve Regenwether, Fire Chief, presented Citizen Life-Saving Awards from a January 25, 2023 Fire event to Austin Church, Kevin Wardrip, Gary Jens and Myles Peck of Asplundh Tree Service; Property Maintenance Workers David B. Qualls and Jordan T. Blake; and off-duty firefighters Lt. Mike Rettig (East Moline) and Engineer Mike Herrick (Moline).

**Community and Economic Development and River Action - Rock River Ravines.** Ryan Hvitlok, Director of Community & Economic Development, introduced Kathy Wine, River Action Executive Director. Ms. Wine provided a Rock River ravines water shed update and efforts to help alleviate issues in that area. April Kleckner presented details of River Action – City of Moline projects.

### **Public Comment**

Gail Thompson, Resident, stated that her reasons for objecting to allowing Accessory Dwelling Units (ADUs) in the City have nothing to do with who would be living next to her, including renters, rather, she believes a robust rental housing inspection program should be in place first.

Kevin Kotecki (CFO) and Bob Marriott (CEO), Group O, shared concern for what the Lakeshore Recycling Systems transfer facility will do to the surrounding area and devaluation of Group O property.

Vicki Graves, Moline Resident and Chair of Plan Commission, explained why the amendments to the proposed ADU ordinance do not fix problems, like parking and stormwater management. She stated that she does not believe that racial discrimination has factored into residents' objections to the ordinance. She asked that the Council vote against the ordinance before them this evening.

Greg Sommers, Resident, asked the Council to rewrite the ADU ordinance, stating his opposition to the ordinance as written.

### **Questions on the Agenda**

Executive Session Minutes of December 13, 2022, have been pulled to the Non-Consent Agenda for discussion.

### **Agenda Items**

**7.1 An Ordinance amending Chapter 4, "ALCOHOLIC LIQUOR," of the Moline Code of Ordinances increasing the number of Class C licenses in the City at the request of HS Stores, LLC, d/b/a Essentials.** Mayor Rayapati indicated that there is already a retail store touted as alternative lifestyle one block east of this location. She encouraged business owners to work with the City's Community & Economic Development department to develop more creative retail concepts. Alderperson Schmidt, seconded by Alderperson Wendt, moved to suspend the rules to allow discussion on this subject without a motion. Motion passed unanimously. Discussion had. Alderperson Waldron, seconded by Alderperson O'Brien, moved to approve. There was discussion. Motion failed unanimously on roll call. Mayor Rayapati and staff were asked to provide further explanation and criteria for the denial.

### **Informational**

#### **2022-2024 Action Plan Dashboard FY22, Final Report; and February Status & Information Report.**

Bob Vitas, City Administrator, stated that the Council and staff worked together as one team to create the strategic plan, with 85 major goals. Of those, 22 have been completed and 21 are 75 percent complete, with an additional 10 goals in progress. Vitas provided highlights of those goals, including broadband, aquatic center, Library development, form-based code, recycling alternatives, land bank, and Police

Department accreditation. Vitas explained that staff plans to present the rental-housing program at the end of this month or early next month. Staff was asked to include licensing in the rental-housing program. The IL-92 corridor discussion will take place next week during a roundtable discussion. Mayor Rayapati shared that the special events committee will include a Moline Green checklist for each approved special event to encourage environmental sustainability; and Public Art Committee funds derived from developments will be reviewed.

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

### **Pledge of Allegiance**

### **Invocation**

Aldersperson O'Brien gave an Invocation.

### **Roll Call**

Roll call was taken with Mayor Rayapati, Alderspersons 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 24, 2023, and Executive Session minutes of January 10, 2023, and January 17, 2023, and appointments made at Committee-of-the-Whole on February 7, 2023.

### **Resolutions**

**15.1 1019-2023** A Resolution authorizing the Mayor and Chief of Police 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.

**15.2 1020-2023** A Resolution authorizing the Mayor and City Clerk to apply for a State Highway Permit from the Illinois Department of Transportation and to execute the necessary forms in conjunction with the Quad Cities Marathon & Road Race, sponsored by the Quad Cities Running Club, scheduled for Sunday, September 24, 2023.

**15.3 1021-2023** A Resolution authorizing the Mayor and City Clerk to execute and attest to a contract with AGM Environmental, LLC, for the 2022 Waste Removal Project, former McKinley School and former Moline Manual Arts Building, for the amount of 66,577.10; and approving an additional contingency, up to 10 percent of the contract amount.

**15.4 1022-2023** A Resolution authorizing the Traffic Operations Division to purchase a new Iteris NEXT camera vehicle detection system for the intersection of 23rd Street and River Drive from Mobotrex for the amount of \$19,057.

**15.5 1023-2023** A Resolution authorizing the Fleet and Facilities Manager to purchase a diesel-powered walk-behind concrete saw from Logan Contractors Supply, Inc., for \$48,138.10.

**15.6 1024-2023** A Resolution approving addendum No. 1 to amend the lease agreement and consent to the change of trade name of the restaurant from "Captain's Table" to "Catfish Charlie's."

**15.7 1025-2023** A Resolution authorizing the Mayor and City Clerk to execute and attest to a purchase agreement with Mid-Iowa Solid Waste Equipment Company, Inc. for a main line sewer camera, camera base module and tractor. This Resolution authorizes the Utilities Director to purchase the sewer camera equipment to be used by the Utilities Department in the amount of \$60,886.

#### **Omnibus Vote**

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

#### **Non-Consent Agenda**

##### **December 13, 2022 Executive Session Minutes.**

**Approved.** Aldersperson Schmidt moved to approve the executive session minutes of December 13, 2022. Seconded by Aldersperson Timion. Aldersperson Wendt stated that in this closed session; the results of an environmental study of the Heritage Church property were presented, indicating evidence of lead, mercury and cyanide. If the City were to redevelop the property, abatement would be required. City Administrator Bob Vitas indicated that there is no plan for redevelopment. At that time, Aldersperson Wendt expressed concern and indicated his understanding that abatement would occur prior to entering into the chain of title. Upon review of these executive session minutes, Aldersperson Wendt noted that his concerns had not been included and, in executive session on January 17, 2023, made a motion to include his remarks. The motion failed, with Mayor Rayapati voting nay. Aldersperson Wendt stated that failure to provide transparency to the public is the reason he cannot support approval of the minutes as written. Aldersperson Schmidt responded that it is the City's policy that verbatim comments should not be included in minutes. Motion to approve the minutes as written passed with the following vote: ayes: Alderspersons O'Brien, Waldron, Schmidt, Macias, Timion and Moyer; nays: Alderspersons Williams and Wendt.

#### **Second Reading Ordinances**

**17.1 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.**

**Failed.** Aldersperson Timion, seconded by Aldersperson Moyer, moved to approve Council Bill 3001-2023. There was discussion that a rental housing licensing program should be developed before allowing accessory dwelling units in the City. There was not support of the ordinance as amended. Motion failed unanimously on roll call with the following vote: ayes: None; nays: Alderspersons O'Brien, Waldron, Schmidt, Williams, Macias, Wendt, Timion and Moyer.

#### **Resolutions**

**18.1 1026-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to a contract with Ostrom Painting & Sandblasting, Inc. for Project #1411, 2023 Pavement Marking Program, for an amount of \$254,330.**

**Approved.** Aldersperson Wendt seconded by Aldersperson O'Brien, moved to approve Council Bill 1026-2023. Discussion had. Motion carried on roll call with the following vote: ayes: Alderspersons O'Brien, Waldron, Schmidt, Williams, Macias, Wendt, Timion and Moyer; nays: none.

**18.2 1027-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to an Agreement for Purchase, Moline CNG Station Equipment Replacement/Upgrade, between the City of Moline, the Rock Island County Metropolitan Mass Transit District (MetroLINK), and Clean Energy, a Newport Beach, California-based for-profit company.**

**Approved.** Alderperson Wendt, seconded by Alderperson Timion, moved to approve Council Bill 1027-2023. Motion carried on roll call with the following vote: ayes: Alderpersons O'Brien, Waldron, Schmidt, Williams, Macias, Wendt, Timion and Moyer; nays: none.

**18.3 1028-2023 A Resolution authorizing the Fleet and Facilities Manager to purchase a JCB electric-powered scissor lift from Casey Equipment for the amount of \$19,600.**

**Approved.** Alderperson O'Brien, seconded by Alderperson Wendt, moved to approve Council Bill 1028-2023. There was discussion. Alderperson Waldron inquired whether the equipment was still easy to rent, stating that he is unsure that the documented use supports the purchase. Mike Doi, Director of Public Works, stated that the equipment could be used Citywide for both scheduled and unscheduled projects. Motion carried on roll call with the following vote: ayes: Alderpersons O'Brien, Schmidt, Macias, Timion and Moyer; nays: Alderpersons Waldron, Williams and Wendt.

**18.4 1029-2023 Approving and accepting proposed changes to prior contract language, as agreed to by and between the City of Moline and Metro FiberNet, LLC; and authorizing the Mayor and City Clerk to execute and attest to a Memorandum of Understanding (MOU), incorporating said changes, with Metro FiberNet, LLC.**

**Approved.** Alderperson O'Brien, seconded by Alderperson Timion, moved to approve Council Bill 1029-2023. Discussion had. Margaret Kostopulos, Corporation Counsel, explained that MetroNet identified a drafting error in the agreement. The coverage map in Exhibit B will not be removed; rather, MetroNet has requested removal of the language below it, as they believe said language contradicts language in the body of the agreement, and it could be construed that only one of the exceptions applies. It was noted that there would be teeth in the Agreement to ensure no home will be left behind. Kostopulos indicated that those terms are not what is before the Council this evening for consideration, only the requested change to Exhibit B. There was further discussion. There was concern that residents being served by another provider might be excluded from MetroNet service; however, Vitas assured that those residents with fiber internet could be served by MetroNet. Alderperson Wendt expressed concern that a time was not delineated for completion; therefore, the requirement to serve all residents may never be breeched. Alderperson Wendt noted that the City has publicly stated that the agreement with MetroNet will ensure service to all homes and businesses; however, he does not believe that teeth exist in the body of the approved agreement to ensure this and that the only place that this assurance exists is in Exhibit B. Alderperson Wendt moved to amend Exhibit B by striking, "The buildout illustrated in Attachment B is expressly subject to the terms of the Agreement" and add, "The goal of this Agreement is for MetroNet's FTTP network to be available to every neighborhood, home and business in Moline, as illustrated by the blue color on the map above. It is understood that within the body of the Agreement there are certain provisions under Paragraph 1(d) which may result in minor limitations to the areas of installation of the network, but those provisions shall be strictly and narrowly interpreted." There was discussion. Alderperson O'Brien moved to call the question. Motion was not considered for lack of second. Motion to amend failed on roll call with the following vote: ayes: Alderpersons Williams, Wendt and Moyer; nays: Alderpersons O'Brien, Waldron, Schmidt, Macias, and Timion; nays: Alderperson Williams, Wendt and Moyer. The original motion passed on roll call with the following vote: ayes: Alderpersons O'Brien, Waldron, Schmidt, Macias and Timion; nays: Alderpersons Williams, Wendt and Moyer.



**18.5 1030-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to a contract with Centennial Contractors of the Quad Cities, Inc., for Project #1415, 2023 Patching Program, for an amount of \$1,607,675.**

**Approved.** Alderperson Timion, seconded by Alderperson Wendt, moved to approve Council Bill 1030-2023. Motion carried on roll call with the following vote: ayes: Alderpersons O'Brien, Waldron, Schmidt, Williams, Macias, Wendt, Timion and Moyer; nays: none.

**18.6 1031-2023 A Resolution authorizing the Mayor and City Clerk to accept the final report of Infrastructure Management Services (IMS) Pavement Condition report for the City of Moline.**

**Approved.** Alderperson Schmidt, seconded by Alderperson O'Brien, moved to approve Council Bill 1031-2023. Discussion had. Staff was thanked and asked to communicate this accomplishment to the public, including maps and posting to the City website. This will serve as a great decision-making tool. Motion carried on roll call with the following vote: ayes: Alderpersons O'Brien, Waldron, Schmidt, Williams, Macias, Wendt, Timion and Moyer; nays: none.

### **First Reading Ordinances**

**19.1 3004-2023 Proposed Amendment to Chapter 14, "FOOD AND FOOD HANDLERS," of the Moline Code of Ordinances – Housekeeping.**

Alderperson Schmidt, seconded by Alderperson Waldron, moved to amend restrictive language in Section 14-2203, "LICENSE FEES & PAYMENT," and add back in "(only public schools)" in the table. It was noted that a motion was made and approved at Committee-of-the-Whole on January 24, 2023, which amended and removed said restrictive language so that private schools would also pay no fee for a food license. Because Alderperson Schmidt voted nay at that time, he is ineligible to make a motion for reconsideration. Alderperson Macias, seconded by Alderperson Timion, moved to reconsider the amendment made at Committee-of-the-whole on January 24, 2023. Discussion had. Motion passed on roll call with the following vote: ayes: Alderpersons Waldron, Schmidt, Macias, Timion and Mayor Rayapati; nays: Alderpersons O'Brien, Williams, Wendt and Moyer.

**19.2 3005-2023 An Ordinance amending Chapter 35, "ZONING AND LAND DEVELOPMENT," of the Moline Code of Ordinances, by enacting an amendment to the Zoning Map, incorporated therein as Section 35-3103 (7002 John Deere Parkway).**

**19.3 3006-2023 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.**

### **Miscellaneous Business**

Mayor Rayapati thanked all who participated in the B.O.O.S.T. program kick-off at Western Illinois University QC. Mayor indicated that Rock Island Arsenal leaders are interested in ways to connect with the local community. Local mayors are working to increase crime-fighting resources.

Darren Gault, Chief of Police, shared that he is part of a working group of police chiefs gathering information on available resources. The City of Davenport is compiling a white paper to obtain recognition by the federal government of the Quad Cities as a metropolitan region.

Alderperson Williams expressed support for this work and acknowledged the work of Crimestoppers in

the early 1990s, which created a footprint in the Quad Cities.

Alderson Macias encouraged participation in the Black Business Expo at SouthPark Mall on February 25, 2023.

Aldersons Wendt and Williams were in agreement that this evening's passionate debate was not personal but in the representation of the community. Alderson Wendt asked that the Council be apprised of communication from mayors on pending issues. Wendt expressed concern that Group O was not aware of the Lakeshore Recycling Systems development project, indicating that it is appropriate to communicate with those neighbors.

KJ Whitley, Community Development Manager, stated that the City has invested \$2.7 million in its small businesses since 2020.

Aldersons Timion and Schmidt encouraged other cities to reach out to the City Council with concerns about Moline projects.

Bob Vitas, City Administrator, reported that there would be a meeting of area mayors and administrators, to discuss the Lakeshore Recycling Systems project, on Thursday, February 16, 2023, at 2:30 p.m. in the Gold Room of the Moline Public Library.

#### **Public Comment**

There was no additional public comment.

#### **Executive Session:**

Alderson Williams, seconded by Alderson Timion, moved for Executive Session, for the purpose of discussion of Collective Negotiating Matters-5 ILCS 120/2(C)(2), 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 O'Brien, Waldron, Schmidt, Williams, Macias, Wendt, Timion and Moyer; nays: none.

City Council convened in Executive Session at 8:29 p.m.

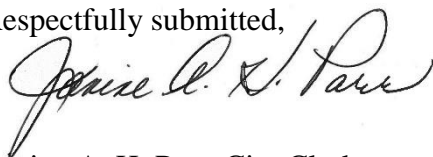
Council reconvened in open session at 9:33 p.m.

#### **Adjournment of City Council**

Upon motion of Alderson Wendt, seconded by Alderson Timion, the Council meeting adjourned at 9:33 p.m.

The next regularly scheduled City Council meeting is on February 14, 2023. View recorded meetings at <http://www.moline.il.us/CivicMedia?CID=9>

Respectfully submitted,



Janine A. H. Parr, City Clerk