



MOLINE COW/COUNCIL MINUTES

Tuesday, July 11, 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 Debbie Murphy (*Ward 1*)
Aldersperson Alvaro Macias (*Ward 2*)
Aldersperson Abdur Razzaque (*Ward 3*)
Aldersperson Matt Timion (*Ward 4*)
Aldersperson Jessica Finch (*Ward 5*)
Aldersperson Pat O'Brien (*Ward 6*)
Aldersperson Anna Castro (*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
David Dryer, Director of Engineering
Barry Dykhuizen, Assistant City Administrator
Darren Gault, Chief of Police
Eric Griffith, Director of Parks and Recreation
Jennifer Bizarri, Assistant Director of Community & Economic Dev ~*electronically*
Bryon Lear, Library Director
Tony Loete, Director of Utilities
Leah Miller, Human Resources Director
Steve Regenwether, Fire Chief
David Rowatt, Information Technology Manager
K.J. Whitley, Community Development Manager ~*electronically*
Louis Butz, Police Officer
Police personnel

OTHERS: The family of Officer Butz
David Silverman, Corporation Counsel
Maria Ontiveros, Mercado on Fifth
Heather Calvert, Executive Director of the William Butterworth Foundation
Jim Johnston, Trane Technologies
Andy Waeyaert, IIFFC Regional Manager
Scott Meentz, Resident

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

Oath of Office

Oath of office for regular commissioned appointment of Louis Butz to the rank of Police Officer, effective July 10, 2023.

Board Appointments

Mayor's appointment of Sam Moyer to the Plan Commission for a full 6-year term to expire June 30, 2029.

Mayor's appointment of Alan Silas to the Plan Commission for a full 6-year term, to expire June 30, 2029.

Mayor's reappointment of Butch Trevor to the Plan Commission for a full 6-year term to expire June 30, 2029.

Mayor's appointment of Charles Lahl to the Special Service Area 6 Board for a full 3-year term, to expire September 30, 2026.

Mayor's appointment of Nick Holke to the Special Service Area 6 Board for a full 3-year term, to expire September 30, 2026.

Mayor's appointment of Justin Smith to the Special Service Area 6 Board for a full 3-year term, to expire September 30, 2026.

Proclamation

A Proclamation from Eric Griffith, Director of Parks and Recreation, to declare the month of July 2023, as "Parks and Recreation Month." Griffith addressed the Council.

Public Comment

Andy Waeyaert, Regional Manager for Indiana Illinois Iowa Foundation for Fair Contracting (IIFFC), explained that the IIFFC is a labor management organization funded by participating contractors established to support fair competition, labor conditions and eliminate unfair and unethical practices in the construction industry. Waeyaert stated that the winning bidder of the Ben Butterworth Parkway riprap replacement project submitted a required contractor's certification that it is a participant, either as an individual or as part of the group program, of an approved apprenticeship program. However, in a follow up email, Moline's Director of Parks and Recreation indicated that the contractor did not participate in an apprenticeship program and that this is not a requirement but merely something that the City may consider. Mr. Waeyaert also expressed safety concerns and distributed hand-outs to the Council.

Resident Scott Meents, 2375 19th Street, expressed outrage that construction in front of his property is not yet complete.

Heather Calvert, Executive Director of the William Butterworth Foundation, asked for Council's support of a road closure for the Foundation's special event.

Questions on the Agenda

Items 15.5, 15.6, 15.10 and 15.12 have been pulled to Non-Consent, and Item 17.7 has been moved before Item 17.6.

A scrivener's error was found and corrected for Council Bill 3002-2023, adopted on January 24, 2023. Language within the ordinance was corrected from "Marshall County" to "Rock Island County".

Informational

Thermal Energy Storage. Jim Johnston, Trane U.S. Inc., and Tony Loete, Director of Utilities, presented the clean energy concept of thermal energy storage. Johnston explained that thermal energy storage is a way to use a thermal medium (such as the ground) to inject heat into an energy source (such as water). Understanding the Inflation Reduction Act legislation and following the process will result in federal tax credits and a financial benefit to Moline residents. Discussion had. Funds must be encumbered and construction underway by 2024. Johnston stated that there is no infiltration in the closed loop system so contamination issues should not exist. Trane will conduct a financial analysis to determine anticipated cost savings. Loete noted that the Environmental Protection Agency (EPA) will have to weigh in on the project if commissioned.

July 2023 Status & Information Report. Bob Vitas, City Administrator, invited Council's questions. David Dryer confirmed that the Morgan Park bike path project design is slated for completion this year. Mayor Rayapati asked Corporation Counsel to bring forward legislation that would cap the number of tobacco licenses within the City. Bob Vitas, City Administrator, explained that the Belgrade building on 16th Street will be demolished this month. Vitas explained that plans for abandoned buildings include a request for proposals to determine options which will then be brought to Council.

Adjournment of the Committee-of-the-Whole and Council Call to Order at 6:40 p.m.

Pledge of Allegiance

Invocation

There was no invocation.

Roll Call

Roll call was taken with Mayor Rayapati, Alderpersons Murphy, Macias, Razzaque, Timion, Finch, O'Brien, Castro and Schmidt present. Absent: None.

Consent Agenda

Approval of Minutes

Executive Session minutes of June 13, 2023, Committee-of-the-Whole, Council and Executive Session minutes of June 20, 2023, and appointments made at Committee-of-the-Whole on July 11, 2023.

Second Reading Ordinances

3024-2023 An Ordinance amending Chapter 4, "ALCOHOLIC LIQUOR," of the Moline Code of Ordinances increasing the number of Class B licenses in the City at the request of Alexis Nelson, potential purchaser of the former Casey's Tavern, 1512 15th Street, Moline.

Resolutions

1121-2023 A Resolution authorizing the Fleet and Facilities Manager to purchase replacement fuel island terminals from Seneca Companies for the amount of \$33,218.60, utilizing the Sourcewell Joint Purchase Contract, #092920-GVR.

1122-2023 A Resolution authorizing the Fleet and Facilities Manager to purchase an electronic tank monitor and necessary components from Seneca Companies for the amount of \$40,858.67, utilizing the Sourcewell Joint Purchase Contract, #092920-GVR.

1123-2023 A Resolution authorizing the Municipal Services General Manager to purchase a Henderson Brine Advantage, Brine Maker and two (2) 6,000 gallon poly storage tanks from Casper's Truck Equipment for the amount of \$87,000.00, utilizing the Sourcewell Joint Purchase Contract, #30797-GVR.

1124-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to an Agreement between Bi-State Regional Commission and the City of Moline for Contractual Services related to the Planning Study of the Andalusia Road-Indian Bluff Road Corridor from Rock Island to Moline regarding a multi-jurisdictional planning study, with the City of Moline committing \$4,952 to the local match.

1125-2023 A Resolution authorizing the Director of Engineering to sole source purchase eleven (11) Iteris NEXT video vehicle detection systems from Mobotrex, for the amount of \$241,398.72.

1126-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to a contract 3

with Hoerr Construction, Inc., for Project #1422, 2023 Sewer Lining Program, for the amount of \$460,604.90.

1127-2023 A Resolution authorizing the Director of Engineering to sole source purchase thirty (30) traffic signal controllers and twenty-six (26) traffic signal malfunction management units from Mobotrex, for the amount of \$149,024.00.

1128-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to a License and Concession Agreement between the City of Moline and Lil Stevie's to sell food and beverages from a mobile food unit at the northeast parking lot of Stephens Park from July 17, 2023, through July 16, 2025, as weather permits, at the City's sole discretion, and authorizing City staff to do any and all things necessary to fulfill the terms of the License and Concession Agreement.

1129-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to a Joint Funding Agreement for State-Let Construction Work, a Letter of Understanding, and a Resolution for Improvement authorizing Motor Fuel Tax funds be used for the City's Local Match for Project 19-00271-00-BT, Mississippi River to Rock River (MIRR) Shared Use Path, for the amount of \$1,625,000.

1130-2023 A Resolution approving a final payment #6 with Centennial Contractors of the Quad Cities, Inc., for Project #1377, 36th Avenue Court Reconstruction, in the amount of \$36,564.58. With the final change order amount of \$35,344.58, project still came in under budget at \$870,585.26.

1131-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to a contract with Valley Construction Co., for Project #1434, CDBG Funded Street Repairs, for the amount of \$273,645.00.

1132-2023 A Resolution approving the special event application for Gabe's Gift Memorial 5K & 1-Mile Fun Run event scheduled for Saturday, September 9, 2023, that is sponsored by Tudi's Tribe and closing certain streets more particularly described herein to vehicular traffic.

1133-2023 A Resolution authorizing approval of a Purchasing Card Policy for the City of Moline.

Omnibus Vote

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

Non-Consent Agenda

Resolutions

1134-2023 A Resolution approving a Supplemental Resolution for Maintenance Under the Illinois Highway Code for Motor Fuel Tax (MFT) Section Number 23-00000-00-GM, 2023 Asphalt Program, for the amount of \$354,796.10.

Approved. Aldersperson O'Brien, seconded by Aldersperson Schmidt, moved to approve Council Bill 1001-2023. Discussion had. There are unexpended Motor Fuel Tax funds that must be used or lost. The City secured approval from the Illinois Department of Transportation to execute change orders with contractors to expand the scope of still-pending projects. Those contractors are mobilized and committed to maintain the same labor and material pricing for the change order work. State law requires approval by a

supermajority of the Council to expense more than 50 percent of the base contract amount. This applies to council bills 1136-2023 and 1137-2023, being considered this evening. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1135-2023 A Resolution approving a Supplemental Resolution for Maintenance under the Illinois Highway Code for Motor Fuel Tax (MFT) Section Number 23-00000-01-GM, 2023 Asphalt Maintenance Program, for the amount of \$251,835.50.

Approved. Alderperson Schmidt, seconded by Alderperson Timion, moved to approve Council Bill 1135-2023. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1136-2023 A Resolution approving a change order with Centennial Contractors of the Quad Cities, Inc., for Motor Fuel Tax (MFT) Section Number 23-00000-00-GM, 2023 Asphalt Program, for the amount of \$354,796.10.

Approved (Ratified?). Alderperson Timion, seconded by Alderperson O'Brien, moved to waive competitive bidding and ratify Council Bill 1136-2023. Motion carried by supermajority, as required, on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1137-2023 A Resolution approving a change order with Langman Construction, Inc., for Motor Fuel Tax (MFT) Section Number 23-00000-01-GM, 2023 Asphalt Maintenance Program, for the amount of \$324,014.00.

Approved. Alderperson Timion, seconded by Alderperson Macias, moved to waive competitive bidding and approve Council Bill 1137-2023. Motion carried by supermajority, as required, on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1138-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to an amendment to Task Order 22-03 with Strand Associates, Inc., for engineering services related to cybersecurity improvements at the Water Treatment Plant (WTP), SCADA and cybersecurity technical support at the North Slope Wastewater Treatment Plant and proposed utility network in the amount not to exceed \$44,000 and authorizing the Director of Utilities to execute any necessary documents related to this work.

Approved. Alderperson O'Brien, seconded by Alderperson Macias, moved to approve Council Bill 1138-2023. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1139-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to a professional services agreement with IMEG Corp. for engineering services related to the second phase of design of the Eastgate TIF stormwater conveyance and flood mitigation improvements in the amount of \$175,000 and authorizing the Director of Utilities to execute any necessary documents related to this work.

Approved. Alderperson O'Brien, seconded by Alderperson Razzaque, moved to approve Council Bill 1139-2023. Bob Vitas, City Administrator, stated that this is a significant investment in stormwater management. This project is the second phase of a stormwater management project started many years ago.

Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1140-2023 A Resolution authorizing approval of the FY 2023-2026 Capital Improvement Plan (CIP) as shown on Exhibit A attached hereto and incorporated herein by reference.

Approved. Alderperson Schmidt, seconded by Alderperson Castro, moved to approve Council Bill 1140-2023. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1141-2023 A Resolution authorizing the Community and Economic Development Department, on behalf of the City of Moline to apply to the Illinois Housing Development Authority ("IHDA") for an Illinois Homeowner Assistance Fund Home Repair Program (HAFHR) Grant in the amount of \$1,500,000; and authorizing City staff to do any and all things necessary to apply for the Illinois Housing Development Authority ("IHDA") for an Illinois Homeowner Assistance Fund Home Repair Program (HAFHR) Grant.

Approved. Alderperson Macias, seconded by Alderperson Murphy, moved to approve Council Bill 1141-2023. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1142-2023 A Resolution authorizing the Mayor and City Clerk to execute and attest to a CentralSquare Solutions Agreement with CentralSquare Technologies, LLC for access to certain software applications ("Solutions") and maintenance, support, migration, installation and other professional services for the amount of \$108,980 and a yearly subscription fee of \$53,006 and authorizing the Information Technology Manager to execute any and all necessary documents related to this work.

Approved. Alderperson Macias, seconded by Alderperson Razzaque, moved to approve Council Bill 1142-2023. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1143-2023 A Resolution approving a modified License Agreement with Mercado on Fifth to better define the street closure area based on attendance information and community feedback for Mercado on Fifth weekly through October 27, 2023, and closing certain streets more particularly described herein to vehicular traffic.

Approved. Alderperson Macias, seconded by Alderperson Timion, moved to approve Council Bill 1143-2023. Bob Vitas, City Administrator, introduced Maria Ontiveros, Mercado on Fifth Executive Director. Vitas explained the success of the event which saw 9,000 participants on opening day. This volume led to expanded road closure, which was modified to accommodate traffic flow to neighboring businesses. Discussion had. Ontiveros thanked the City for its partnership. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

1144-2023 A Resolution approving the special event application for the Butterworth Center & Deere-Wiman House Porch Party event scheduled for Sunday, September 17, 2023, and closing certain streets more particularly described herein to vehicular traffic.

Approved. Alderperson Timion, seconded by Alderperson Macias, moved to approve Council Bill 1144-2023. Alderperson Macias voiced support of the closure. Mayor Rayapati encouraged the Council to lead

with an equity lens. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

Non-Consent Agenda

First Reading Ordinances

3025-2023 An Ordinance amending Chapter 2, "ADMINISTRATION", Article IV, "BOARDS AND COMMISSIONS", Division I, "IN GENERAL", Section 2-4100, LIST OF BOARDS AND COMMISSIONS", Subsection (e), "EXCESSIVE ABSENTEEISM".

Advanced. Alderperson Schmidt, seconded by Alderperson Timion, moved to advance Council Bill 3025-2023 to second reading. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

3026-2023 An Ordinance amending Chapter 2, "ADMINISTRATION", Article IV, "BOARDS AND COMMISSIONS", Division 2, "MOLINE COMMISSION ON YOUTH", Section 2-4201 "EX OFFICIO MEMBERS".

Advanced. Alderperson Timion, seconded by Alderperson Macias, moved to advance Council Bill 3026-2023 to second reading. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

3027-2023 An Ordinance amending Chapter 4, "ALCOHOLIC LIQUOR," Article III, "RETAIL LICENSES," Division 1, "IN GENERAL," Section 4-3103, "LICENSES TO BE USED ONLY FOR PREMISES FOR WHICH ISSUED: NON-TRANSFERRABLE" and Division 2, "LICENSING PROCEDURE," Section 4-3208, "LICENSE FEES."

Advanced. Alderperson Schmidt, seconded by Alderperson Timion, moved to advance Council Bill 3027-2023 to second reading. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O'Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

3028-2023 An Ordinance amending Chapter 4, "ALCOHOLIC LIQUOR," Article III, "RETAIL LICENSES," Division 3, "PRIVILEGES CONFERRED BY VARIOUS CLASSES OF LICENSES," Section 4-3315, "OPTION 2 EXTENDED HOURS 3 A.M."

Advanced as Amended. Alderperson Macias, seconded by Alderperson Timion, moved to advance Council Bill 3028-2023 to second reading. Alderperson Schmidt moved to amend by striking Section 4-3315(d)(3)(h)(iii) and replacing it with, "upon request, shall be made available by the licensee for inspection by the Police Department or the Local Liquor Commissioner." Seconded by Alderperson Timion. Discussion had. Darren Gault, Chief of Police, indicated support of the intent of the amendment; however, expressed concern that it might impede federal investigation. David Silverman, Corporation Counsel, stated that this is about who will have automatic access to the surveillance videos under the City's Code. Gault and Silverman both indicated that the language could be massaged to meet all concerns. Staff will bring back this updated language at second reading of the amendment. Alderperson O'Brien opined that this practice might include some but exclude others. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: Alderperson O'Brien. The amended motion passed on roll call with the following vote: ayes: Alderpersons Finch, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: Alderperson O'Brien.

3029-2023 An Ordinance amending Chapter 27, “PURCHASING,” of the Moline Code of Ordinances, to provide for updated procedures, standards and streamlined procurement processes.

Advanced. Alderperson Macias, seconded by Alderperson Castro, moved to advance Council Bill 3029-2023 to second reading. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O’Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

3030-2023 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.

Advanced. Alderperson Timion, seconded by Alderperson Macias, moved to advance Council Bill 3030-2023 to second reading. Mayor Rayapati offered further explanation, indicating that the business owner provided additional information including the plan attached to the agenda as well as the addition of 8 new jobs. Alderperson O’Brien voiced support for economic development on Avenue of the Cities and for advancing this item for consideration. Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O’Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

Miscellaneous Business

Mayor Rayapati shared that plastic control efforts are being made in the region. During Plastic-free July, data will be shared about policies being brought to the table. Visit Quad Cities was to receive \$500,000 in ARPA funds from Scott County; however, that has been reduced to \$100,000. Next week’s roundtable will be a regular Council meeting.

Alderperson Macias attended a ribbon cutting for El Encanto Boots.

Public Comment

There was no additional public comment.

Executive Session:

Alderperson Murphy, seconded by Alderperson Schmidt, 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), Deliberations Concerning Salary Schedules for One or More Classes of Employees-5 ILCS 120/2(C)(2), Property Acquisition-5 ILCS 120/2(C)(5), Pending, Probable or Imminent Litigation-5 ILCS 120/2(C)(11), and Review of Executive Session Minutes-5 ILCS 120/2(C)(21). Motion carried on roll call with the following vote: ayes: Alderpersons Finch, O’Brien, Castro, Schmidt, Murphy, Macias, Razzaque, and Timion; nays: none.

City Council convened in Executive Session at 7:42 p.m.

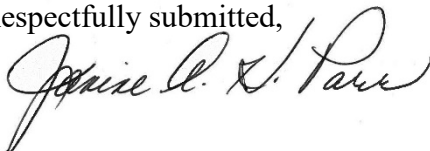
Council reconvened in open session at 9:11 p.m.

Adjournment of City Council

Upon motion of Alderperson Schmidt, seconded by Alderperson Castro, the Council meeting adjourned at 9:11 p.m.

The next regularly scheduled City Council meeting is on July 18, 2023. View recorded meetings at <http://www.moline.il.us/CivicMedia?CID=9>

Respectfully submitted,



Janine A. H. Parr, City Clerk