



MOLINE COW/COUNCIL MINUTES

Tuesday, July 25, 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 Debbie Murphy (*Ward 1*)
Aldersperson Alvaro Macias (*Ward 2*)
Aldersperson Abdur Razzaque (*Ward 3*)
Aldersperson Jessica Finch (*Ward 5*)
Aldersperson Pat O'Brien (*Ward 6*)
Aldersperson Anna Castro (*Ward 7*)
Aldersperson James Patrick Schmidt (*Aldersperson At-Large*)

ABSENT:

Aldersperson Matt Timion (*Ward 4*)

STAFF:

Bob Vitas, City Administrator
Brandi Russell, Deputy City Clerk
David Dryer, Director of Engineering
Barry Dykhuizen, Assistant City Administrator
Darren Gault, Chief of Police
Eric Griffith, Parks Recreation Director *~electronically*
Jennifer Bizarri, Assistant Director of Community and Economic Development
Bryon Lear, Library Director *~electronically*
Leah Miller, Human Resources Director
Steve Regenwether, Fire Chief
David Rowatt, Information Technology Manager
K.J. Whitley, Community Development Manager
Sean Foley, City Planner
Drake Daley, Building Official

OTHERS:

Margaret Kostopulos, Corporation Counsel
Grace Kinnecutt, Dispatch/Argus
Kristi Mindrup, Vice President of Operations, Western Illinois University
Audrey Adamson, Director of the Center for Career Preparation and Employee Engagement, Western Illinois University
Jen von Kaenel, Director of Development, Western Illinois University
City of Moline Interns: Sam Gerstel and Jacob Uhlmann
Maria Ontiveros, Mercado on Fifth, Commercial Award recipient
Gale Derer, Residential Award recipient

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

Presentation

Mayor Rayapati stated that the Neighbor of the Month Awards would come before the Western Illinois University Presentation this evening.

Neighborhood Partnership Committee July 2023 Neighbor of the Month Awards.

Commercial Award: Maria Ontiveros, Mercado on Fifth, 423 12th Street

Residential Award: Gale Derer, 418 46th Street

Mayor Rayapati and K.J. Whitley, Community Development Manager, presented the awards to the recipients and thanked them.

Western Illinois University Quad Cities Update. Kristi Mindrup, Vice President of Operations, introduced her colleagues Audrey Adamson, Director of the Center for Career Preparation and Employee Engagement, and Jen von Kaenel, Director of Development. Mindrup highlighted the mission and core values of Western Illinois University (WIU). She provided an overview of where WIU is today, and how they are working to promote affordability. WIU provides a range of student services and opportunities to be involved in the community, including partnerships with local museums, projects with the City of Moline Public Works Department, and river research programs, among many others. Mindrup also highlighted the components of WIU's 5-10 year strategic plan. Mayor Rayapati inquired about Initiative 2: "Program Expansion", and if they are closer to getting new faculty for the Counseling program. Mindrup shared that appropriate faculty/student ratios must be maintained, but that they are well positioned to grow those high-need areas.

Public Comment

None.

Questions on the Agenda

- 1) Due to a request received by City staff, the COW-Council minutes of 7-26-2022 have been edited, removing the name of the petitioner, and replacing it with "The Petitioner", in response to a Judicial Privacy Act request.
- 2) Item 6.1 has been pulled and will be discussed further by the Project Management Team.
- 3) Item 13.3 has been pulled to the Non-Consent Agenda for discussion.
- 4) A handout was provided to City Council of the correct ordinance for Item 16.1 for consideration (Exhibit A attached). The ordinance that appeared on the agenda was not the final version. Margaret Kostopulos, Corporation Counsel, outlined the changes. Alderperson Schmidt requested a five-minute recess during the meeting to allow for review.

Informational

2022-2024 Action Plan Dashboard, FY23, Q2 Report. Bob Vitas, City Administrator, introduced the Action Plan Dashboard. The City is moving forward successfully on its goals, and once goals are complete, they become ongoing programs. Vitas welcomed questions or comments from the City Council. Discussion had. Darren Gault, Police Chief, shared information about police vacancies and how there have not been enough applications to fill all open vacancies, which is an issue nationwide.

At 6:35 p.m., Alderperson Schmidt, seconded by Alderperson Murphy, moved to recess the Committee-of-the-Whole meeting for five minutes to allow for review of Item 16.1. Motion carried unanimously.

Mayor Rayapati reconvened the Committee-of-the-Whole meeting at 6:40 p.m.

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 Murphy, Macias, Razzaque, Finch, O'Brien, Castro and Schmidt present. Absent: Alderperson Timion

Consent Agenda

Approval of Minutes

Committee-of-the-Whole and Council meeting minutes of July 18, 2023.

Consent Agenda - Resolutions

1145-2023 A Resolution authorizing the Director of Engineering to execute a Letter Agreement for Professional Services for the design of traffic signals at the intersection of 12th Street and River Drive with Olsson, Inc. for an amount not to exceed \$82,400.

1146-2023 A Resolution approving Change Order No. 1 and final with Stichter Construction for Project #1372, 2022 Stormwater Project, for the amount of \$69,667.97.

1147-2023 A Resolution approving the special event application for the Stunnings Summer Showcase amateur boxing and fundraiser event scheduled for Saturday, August 12, 2023, that is sponsored by Stunnings Boxing Club, and closing certain streets more particularly described herein to vehicular traffic.

1148-2023 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

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

Non-Consent Agenda

Resolutions

1149-2023 A Resolution approving Change Order No. 1 with Centennial Contractors of the Quad Cities, Inc. for Project #1415, 2023 Patching Program, for the amount of \$787,325.00.

Approved. Alderperson Finch, seconded by Alderperson O'Brien, moved to approve Council Bill 1149-2023. Bob Vitas, City Administrator, explained that this change order addresses road work patching and that the resources are available. The more patching that can be done in advance of winter is key to preventing more costly damage to roads. Unit prices may also be higher at a future time. David Dryer, Director of Engineering, shared that funding was available to expand the program, and with this change order, the City will capture about 27 to 30 additional projects, including utility repairs. Discussion had. Support of the project was echoed by City Council. Motion carried on roll call with the following vote: ayes: Alderpersons Castro, Schmidt, Murphy, Macias, Razzaque, Finch, and O'Brien; nays: none.

Second Reading Ordinances

3031-2023 An Ordinance amending Chapter 8, “BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, by repealing Chapter 8 in its entirety and enacting in lieu thereof one new Chapter 8 dealing with the same subject matter.

Adopted. Alderperson Schmidt, seconded by Alderperson Macias, moved to adopt Council Bill 3031-2023. Motion carried on roll call with the following vote: ayes: Alderpersons Castro, Schmidt, Murphy, Macias, Razzaque, Finch, and O’Brien; nays: none.

Non-Consent Agenda

First Reading Ordinances

3034-2023 A Zoning Text Amendment Ordinance amending Chapter 35, “ZONING AND LAND DEVELOPMENT,” of the Moline Code of Ordinances, regarding Minimum Off-Street Parking and Traffic Circulation Standards for In-Vehicle Sales and Service Uses.

Advanced. Alderperson Razzaque, seconded by Alderperson Finch, moved to advance Council Bill 3034-2023 to second reading. Alderperson Schmidt asked for the justification of Section 35-3408(e)(1)(b)(3) being added to the ordinance. Sean Foley, City Planner, said this is a typical regulation in many ordinances and was recommended by Dan Bolin, Corporation Counsel, who has studied the issue in-depth. Alderperson Schmidt, seconded by Alderperson Macias, moved to suspend the rules for debate and discussion purposes. Motion carried on roll call with the following vote: ayes: Alderpersons Castro, Schmidt, Murphy, Macias, Razzaque, Finch, and O’Brien; nays: none. Discussion had regarding drive-through facilities and bypass lanes. Foley shared that this ordinance is forward-looking, and does not force current businesses to conform. It would go into effect for new developments or redevelopments that meet specific criteria. City Council asked for clarity and definitions for Section 35-3408(e)(1)(b)(4) regarding bypass lanes. Foley stated that the business would have to ask for a variance if a bypass lane cannot be provided, but there is some flexibility in the Code, because the bypass lane location is non-specific. Motion carried on roll call with the following vote: ayes: Alderpersons Castro, Schmidt, Murphy, Macias, Razzaque, Finch, and O’Brien; nays: none.

3032-2023 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 Nishan 1 Inc., d/b/a Amoco.

Advanced. Alderperson Finch, seconded by Alderperson Schmidt, moved to advance Council Bill 3032-2023 to second reading. Motion carried on roll call with the following vote: ayes: Alderpersons Castro, Schmidt, Murphy, Macias, Razzaque, Finch, and O’Brien; nays: none.

3033-2023 An Ordinance amending Chapter 30, “CABLE/VIDEO SERVICE PROVIDER FEE AND CUSTOMER PROTECTION,” of the Moline Code of Ordinances, by repealing Chapter 30 in its entirety and enacting in lieu thereof one new Chapter 30 dealing with the same subject matter.

Advanced. Alderperson Schmidt, seconded by Alderperson Finch, moved to advance Council Bill 3033-2023 to second reading. Motion carried on roll call with the following vote: ayes: Alderpersons Castro, Schmidt, Murphy, Macias, Razzaque, Finch, and O’Brien; nays: none.

Miscellaneous Business

Mayor Rayapati is board member of the Rock Island Arsenal Defense Alliance (RIADA) and the organization is getting back into working order. RIADA is asking their public partners to increase their dues paid to support this work. The Big 7 partners of RIADA include the cities of Rock Island, Moline, East Moline, Bettendorf, and Davenport, plus Rock Island and Scott Counties. Mayor will be asking for a

vote in the future for increasing the City's dues paid. Mayor had asked if population could be a consideration when calculating the dues owed by each partner. The Rock Island Arsenal benefits the community by providing roughly 6000 jobs. This is an investment in the labor market and business environment. Mayor also shared that City staff are working on diversity, equity, and inclusion initiatives with the Great Cities Institute at the University of Illinois at Chicago.

Bob Vitas, City Administrator, provided an update to City Council regarding the final version of the Strategic Government Resources Public Works Organizational Assessment study. Vitas invited Council to come view and discuss the study if they were interested. It included multi-fiscal year recommendations, some of which could be implemented with no cost. Other recommendations focus on improving the work environment and organizational structure of Public Works.

Darren Gault, Chief of Police, shared information about a school crossing guard shortage. He asked the City Council to share this information with anyone who might be interested. Chief Gault will send out additional information regarding the specific intersections where crossing guards are needed in the City.

Public Comment

There was no additional public comment.

Executive Session:

Aldersperson Murphy, seconded by Aldersperson Schmidt, moved for Executive Session, for the purpose of discussion of Collective Negotiating Matters-5 ILCS 120/2(C)(2), Deliberations Concerning Salary Schedules for One or More Classes of Employees-5 ILCS 120/2(C)(2), and Pending, Probable or Imminent Litigation-5 ILCS 120/2(C)(11). Motion carried on roll call with the following vote: ayes: Alderspersons Castro, Schmidt, Murphy, Macias, Razzaque, Finch, and O'Brien; nays: none.

City Council convened in Executive Session at 7:14 p.m.

Council reconvened in open session at 7:41 p.m.

Adjournment of City Council

Upon motion of Aldersperson Macias, seconded by Aldersperson Finch, the Council meeting adjourned at 7:41 p.m.

The next regularly scheduled City Council meeting is on August 8, 2023. View recorded meetings at <http://www.moline.il.us/CivicMedia?CID=9>

Respectfully submitted,



Brandi J. Russell, Deputy City Clerk

EXHIBIT A

Council Bill/General Ordinance No.

Sponsor: _____

A ZONING TEXT AMENDMENT ORDINANCE

AMENDING Chapter 35, “ZONING AND LAND DEVELOPMENT,” of the Moline Code of Ordinances regarding Minimum Off-Street Parking and Traffic Circulation Standards for In-Vehicle Sales and Service Uses

WHEREAS, the City of Moline (“**City**”) is a home rule municipal corporation organized and operating in accordance with the Constitution and laws of the State of Illinois; and

WHEREAS, pursuant to its home rule power, the City may exercise any power and perform any function relating to its government and affairs; and

WHEREAS, the City continuously analyzes its Zoning and Land Development Code (“**Zoning Code**”) in order to ensure that it is responsive to contemporaneous development trends and affords clarity to existing and prospective property owners and occupants as well as its staff tasked with administering and enforcing its provisions; and

WHEREAS, the City has determined that amendments to the Zoning Code are necessary and desirable because the City’s experience and a review of zoning regulations of other municipalities has shown that the current Zoning Code requirement of off-street parking requirements of one space per 50 square feet of gross floor area is excessive; and

WHEREAS, amendments to the text of the Zoning Code are adopted by the City Council periodically to ensure that the zoning regulations are up-to-date and adequately responsive to community needs, land use trends, and growth patterns within the City; and

WHEREAS, notice of a public hearing on the City’s petition for text amendments to the City of Moline Zoning and Land Development Code, as amended, was published in The Dispatch/Rock Island Argus on June 27, 2023; and

WHEREAS, a public hearing was convened by the Plan Commission on July 12, 2023, on which date the Plan Commission closed the public hearing and, pursuant to the findings of fact attached as **Exhibit A** and, by this reference, made a part of this Ordinance, recommended approval of the proposed text amendment.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Moline, Rock Island County, Illinois as follows:

Section 1 – The foregoing recitals are hereby incorporated into this Ordinance as though fully set forth in this Section 1.

Section 2- Chapter 35, “ZONING AND LAND DEVELOPMENT,” ARTICLE 1, DIVISION 2, Section 35-1203, “DEFINITIONS” of the Moline Code of Ordinances, is hereby amended pursuant to Section 35-2203 of the Moline Code of Ordinances to add the following definitions in the proper alphabetical order and the following subsections renumbered chronologically as follows (additions in **bold and underlined** and deletions in ~~**bold and strikethrough**~~):

“SEC. 35-1203. DEFINITIONS.

The following words, terms and phrases, wherever they occur in this Code, shall have the meanings ascribed to them by this section. Definitions shown in italics are unique to this Code and are not included in the Unified Code. Definitions provided by this section include:

[. . .]

Stacking space. A space specifically designated as a waiting area for vehicles whose occupants will be patronizing a drive-through facility for in-vehicle sales and service.

[. . .]”

Section 3 – Chapter 35, “ZONING AND LAND DEVELOPMENT,” ARTICLE III, ZONING, DIVISION 4, LAND USE REGULATIONS, SECTION 35-3408 PRINCIPAL COMMERCIAL LAND USES of the Moline Code of Ordinances, is hereby amended pursuant to Section 35-2203 of the Moline Code of Ordinances to add the following off-street parking standards in the proper alphabetical order as follows (additions in **bold and underlined** and deletions in ~~**bold and strikethrough**~~):

“SEC. 35-3408. PRINCIPAL COMMERCIAL LAND USES.

[. . .]

(e) SALES AND SERVICE, IN-VEHICLE . Description: In-vehicle sales and service land uses include all land uses which perform sales and/or services to persons in vehicles, or to vehicles which may or may not be occupied at the time of such activity (except vehicle repair and maintenance services (see subsections (l) and (m) below). Such land uses often have traffic volumes which exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples of

such land uses include drive-in, drive-up, and drive-through facilities, vehicular fuel stations, and all forms of car washes.

(1) Regulations:

- a. Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access to the facility adjacent to the drive-through lane(s).
- b. The drive-through facility shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.

1. Each drive-through facility must have a minimum of six off-street stacking spaces 9 feet in width and 20 feet in length located directly alongside the drive-through window, facility, or entrance used by patrons and in lanes leading up to the service window.

2. Stacking spaces shall be designed so as not to interfere with the ingress and egress to the off-street parking, traffic circulation on- or off-site, and traffic visibility.

3. Drive-through facilities shall not be located in the front of the principal building and the maneuvering space shall be provided in the side or rear yard.

4. Drive-through facilities shall provide a bypass lane.

5. Stacking spaces should be separated from pedestrian paths or marked with signs to indicate such path to drivers and requirement to yield to pedestrians.

[. . .]”

Section 4 – Chapter 35, “ZONING AND LAND DEVELOPMENT,” ARTICLE V, SITE IMPROVEMENT AND PERFORMANCE STANDARDS, DIVISION 1, PARKING AND LOADING STANDARDS, and SECTION 35-5100.3, OFF-STREET PARKING AND TRAFFIC CIRCULATION STANDARDS, MINIMUM REQUIRED PARKING SPACES of the Moline Code of Ordinances, is hereby amended pursuant to Section 35-2203 of the Moline Code of

Ordinances as follows (additions in **bold and underlined** and deletions in ~~**bold and strikethrough**~~):

“[...]

Table 35-5100.3 – Minimum Required Parking Spaces

[...]

Sales and Service, In-Vehicle ~~1 per 50 sq. ft. of gross floor area~~
1 per 250 sq. ft. of gross floor area

[...]”

Section 5 – That if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 6 – That all prior ordinances and resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

Section 7 – That this ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

Mayor

Date

Passed: _____

Approved: _____

Attest: _____

City Clerk

EXHIBIT A

Plan Commission Findings of Fact

(see attached)