



# MOLINE CITY COUNCIL AGENDA

Tuesday, September 3, 2013

6:30 p.m.

(immediately following the Committee-of-the-Whole meeting)

City Hall

Council Chambers – 2<sup>nd</sup> Floor

619 16th Street

Moline, IL

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## CALL TO ORDER

## PLEDGE OF ALLEGIANCE

## ROLL CALL

## CONSENT AGENDA

All items under the consent agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussions of these items unless a council member so requests, in which event the item will be removed from the consent agenda and considered as the first item after approval of the consent agenda.

COUNCIL MEMBER	PRESENT	ABSENT
Knaack		
Parker		
Bender		
Brown		
Turner		
Schoonmaker		
Liddell		
Acri		
Mayor Raes		

## APPROVAL OF MINUTES

Committee-of-the-Whole and Council meeting minutes of August 27, 2013.

## SECOND READING ORDINANCES

### 1. Council Bill/Special Ordinance 4035-2013

A Special Ordinance closing certain streets more particularly described herein to vehicular traffic and authorizing the use of public right-of-way in conjunction with the QCA Heritage Tractor Parade and Show scheduled for Saturday, September 7, 2013.

**EXPLANATION:** This is a yearly event and has been approved by the Special Event Committee.

**FISCAL IMPACT:** N/A

**PUBLIC NOTICE/RECORDING:** N/A

### 2. Council Bill/Special Ordinance 4036-2013

A Special Ordinance closing certain streets more particularly described herein to vehicular traffic and authorizing the use of public right-of-way in conjunction with the It's Glow Time 5K scheduled for Saturday, September 14, 2013.

**EXPLANATION:** This is a first time event and has been approved by the Special Event Committee.

**FISCAL IMPACT:** N/A

**PUBLIC NOTICE/RECORDING:** N/A

## RESOLUTIONS

### 3. Council Bill/Resolution 1132-2013

A Resolution authorizing certain minutes and portions of minutes of Executive Sessions of the City Council to be continued 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.

**EXPLANATION:** The Open Meetings Act requires a semi-annual review of the closed session minutes for determination of continued confidentiality, or the appropriateness of release to the public. This council bill fulfills that responsibility.

**FISCAL IMPACT:** N/A

**PUBLIC NOTICE/RECORDING:** N/A

**4. Council Bill/Resolution 1133-2013**

A Resolution authorizing the Mayor and City Clerk to execute a contract with Valley Construction Company for Project No. 1185, 64<sup>th</sup> Street Sanitary Sewer Pump Station, in the amount of \$495,951.00.

**EXPLANATION:** Bids were solicited with Valley Construction Company submitting the lowest responsible and responsive bid. Project No. 1185 includes the public sanitary sewer extension to serve the new Holiday Inn Express and other future developments in and around the airport.

**FISCAL IMPACT:** Sufficient funds are available in the Case Creek Trails Bond issue.

**PUBLIC NOTICE/RECORDING:** N/A

**5. Council Bill/Resolution 1134-2013**

A Resolution authorizing the Mayor and City Clerk to execute a Licensing Agreement with Phillips Lofts, LLC to install awnings and a sign overhanging 5<sup>th</sup> Avenue right of way at 1320 5<sup>th</sup> Avenue.

**EXPLANATION:** Phillip Lofts, LLC is seeking approval of a Licensing Agreement to allow awnings and a sign to overhang the 5<sup>th</sup> Avenue right-of-way at 1320 5<sup>th</sup> Avenue. The installation of the awnings and signage are part of the build out for the Barley & Rye restaurant.

**FISCAL IMPACT:** \$30 annual fee to the City

**PUBLIC NOTICE/RECORDING:** N/A

**6. Council Bill/Resolution 1135-2013**

A Resolution authorizing the Mayor and City Clerk to participate in the 2014 Greater Quad Cities Region Digital Orthophotography Project.

**EXPLANATION:** In an effort to procure updated, survey-grade digital orthophotography at a reduced cost, Bi-State Regional Commission has organized a consortium of local governments and agencies: Cedar County, Iowa; Clinton County, Iowa; Henry County, Illinois; Mercer County, Illinois (and various cities within); Muscatine County, Iowa; various cities within Rock Island County, Illinois; and Scott County, Iowa. Bi-State is requesting that all participating parties guarantee their contribution to the RFP process by passing resolutions as such. This resolution does not require Moline to purchase the aerial photography product – only that the City will pay its portion of the estimated \$8,900 fee for Technical Consulting and Procurement (based on square miles of photography requested as a percentage of the total project).

**FISCAL IMPACT:** \$1,000-\$2,000 from Information Technology's Professional/Technical Support account in FY 2013 along with a projected 10-15% savings on aerial photography procurement in 2014.

**PUBLIC NOTICE/RECORDING:** N/A

**7. Council Bill/Resolution 1136-2013**

A Resolution authorizing the Mayor and City clerk to purchase one (1) Trimble GPS Rover System from Precision Midwest at a cost of \$23,140.00.

**EXPLANATION:** The City currently has three survey-grade Magellan GPS rovers that were purchased in 2009 from The Sidwell Company when data collection for utility assets was at its peak. Several factors have decreased the performance and reliability of the existing units, including: change of the Magellan brand to Ashtech; inconsistent firmware upgrades that have not kept pace with GPS technology developments; and personnel changes at Sidwell that have decreased the level of support the City receives. Because of this, Public Works staff requested the purchase of one new rover in FY 2014.

IT staff recommends using FY 2013 funds for this purchase, made available by the postponement of the aerial photography procurement project to FY 2014. An RFP for this purchase was published and responses were received on Monday, August 19, 2013.

**FISCAL IMPACT:** \$23,140.00 from Information Technology’s Capital Contracts account. \$61,000 was budgeted in this account for Aerial Photography.

**PUBLIC NOTICE/RECORDING:** N/A

**OMNIBUS VOTE**

**ITEMS NOT ON CONSENT**

**RESOLUTIONS**

**8. Council Bill/Resolution 1137-2013**

A Resolution authorizing staff to do all things necessary to initiate and ratify the Administration’s Application of Amendment to Zoning & Land Development code and Rezoning to the Moline Plan Commission of Lots 1 and 2 of Technology corridor 1<sup>st</sup> Addition on behalf of the City of Moline including application and necessary fees; and recoding as necessary in accordance with the application guidelines and requirements.

OMNIBUS VOTE		
Council Member	Aye	Nay
Knaack		
Parker		
Bender		
Brown		
Turner		
Schoonmaker		
Liddell		
Acri		
Mayor Raes		

**EXPLANATION:** The City of Moline is the owner of the subject property and is interested in facilitating the redevelopment of the site to support Western Illinois University’s Quad City Riverfront Campus, and the rezoning will allow for the types of uses planned for the site including mixed-use development commonly adjacent to a college campus.

1137-2013		
Council Member	Aye	Nay
Knaack		
Parker		
Bender		
Brown		
Turner		
Schoonmaker		
Liddell		
Acri		
Mayor Raes		

**FISCAL IMPACT:** \$660.00 Application fee to be paid from the Contingency Fund

**PUBLIC NOTICE/RECORDING:** N/A

**9. Council Bill/Resolution 1138-2013**

A Resolution authorizing the Mayor and City Clerk to pay the building permit fees in the amount of \$2,819.00 on behalf of the Quad Cities Music Guild to construct a 3200 sq. ft. building addition on City owned property.

**EXPLANATION:** The Quad Cities Music Guild has requested that the City pay the building permit fees in the amount of \$2819.00 for the construction of the new addition on City owned property located at 1583 34<sup>th</sup> Avenue within Prospect Park. The addition is two (2) stories consisting of a costume shop and set construction area.

1138-2013		
Council Member	Aye	Nay
Knaack		
Parker		
Bender		
Brown		
Turner		
Schoonmaker		
Liddell		
Acri		
Mayor Raes		

**FISCAL IMPACT:** \$2,819.00 to be paid by General Fund Contingency

**PUBLIC NOTICE/RECORDING:** N/A

**FIRST READING ORDINANCES**

**10. Council Bill/General Ordinance 3022-2013**

An Ordinance amending Chapter 11, “FIRE PREVENTION AND PROTECTION,” of the Moline Code of Ordinances, Sec. 11-2116, “SAME FEES,” by repealing subsections a(1), a(2), and a(3) in their entirety and enacting in lieu thereof three new subsections a(1), a(2), and a(3) relating to the same subject matter.

**EXPLANATION:** The Committee-of-the-Whole reviewed the City's ambulance user fees on August 27, 2013. At that time, staff recommended increasing the ambulance fees to help defray the cost of providing the service as follows:

Base rate for basic life support fee from \$660.00 to \$690.00

Base rate for advanced life support-1 from \$660.00 to \$875.00

Base rate for advanced life support-2 from \$770.00 to \$1,165.00

Transport fee from \$11.00 per mile to \$17.50 per mile

Medical assessment & treatment without transport from \$110.00 plus supplies to \$290.00 plus supplies

The following fee will remain the same: Supplies charge is actual cost plus 10% restocking fee.

**FISCAL IMPACT:** Estimated \$200,000.00 to the General Fund

**PUBLIC NOTICE/RECORDING REQUIRED:** Publication of Ordinance

### **11. Council Bill/General Ordinance 3023-2013**

An Ordinance amending Chapter 31, "TAXATION," of the Moline Code of Ordinances, Sec. 31-1101, "HOTEL-MOTEL USE TAX," by repealing subsection (a) in its entirety and enacting in lieu thereof one new subsection (a) relating to the same subject matter; Sec. 31-1102, "HOTEL-MOTEL OPERATOR'S OCCUPATION TAX," by repealing Section 31-1102 in its entirety.

**EXPLANATION:** The City levies a 5 percent occupation tax on all overnight hotel or motel stays, and the funds are placed into the tourism fund and restricted for that purpose. The City also levies a 2 percent use tax on all overnight hotel or motel stays, and these funds are placed into the general fund. This amendment would increase the use tax to 7 percent and eliminate the occupation tax. All the tax revenue collected would then be deposited into the general fund with none restricted to tourism, but would not preclude funds from being used for tourism related purposes.

**FISCAL IMPACT:** No increase in overall revenue; just a reallocation.

**PUBLIC NOTICE/RECORDING REQUIRED:** Publication of Ordinance

### **12. Council Bill/Special Ordinance 4037-2013**

A Special Ordinance closing certain streets particularly described herein to vehicular traffic and the use of public right-of-way in conjunction with the Quad Cities Marathon & Races scheduled for Sunday, September 22, 2013.

**EXPLANATION:** This is a yearly event and has been approved by the Special Event Committee.

**FISCAL IMPACT:** N/A

**PUBLIC NOTICE/RECORDING:** N/A

### **13. Council Bill/Special Ordinance 4038-2013**

A Special Ordinance suspending Section 23-2102(c)(7) of Chapter 23, "PARKS AND RECREATION," of the Moline Code of Ordinances, temporarily, as it relates to the sale, possession and consumption of alcohol; and authorizing the Mayor/Local Control Commissioner and the City Clerk to permit the sale, possession and consumption of alcohol on municipal property during the Fall Flemish Fest to be held at Stephens Park, Moline, Illinois, on September 15, 2013.

**EXPLANATION:** Section 23-2102(c)(7) of the Code of Ordinances prohibits any person from selling, possessing, or being under the influence of any intoxicating beverages within any park, playground or other area under the jurisdiction of the Park and Recreation Board, with the exception of the Green Valley Sports Complex. The Center for Belgian Culture has requested the City's permission to allow the sale, possession and consumption of beer at its Fall Flemish Fest scheduled for September 15, 2013 at Stephens Park from 1:00 to 4:00 p.m. Beer will only be allowed within a portion of the park as illustrated on the attached exhibit; restricted areas will be monitored and designated with signs and fencing or similar barriers. Approval of this ordinance will temporarily suspend the Code provision for the express purpose of allowing the sale, possession and consumption of beer at this event and permit

the Mayor and City Clerk to work with the Center for Belgian Culture to ensure proper licensing and insurance for the event pursuant to Chapter 4 of the Code.

**FISCAL IMPACT: N/A**

**PUBLIC NOTICE/RECORDING: NA**

**14. Council Bill/Special Ordinance 4039-2013**

A Special Ordinance granting a variance to Section 28-3200(a) of the Moline Code of Ordinances to delay installation of a sidewalk for property located at 3811 35<sup>th</sup> Avenue.

**EXPLANATION:** The property owner, Michael Johnson, is constructing a new home at this location and applied for a variance to not install a sidewalk along his property frontage due to lack of right-of-way and concerns over slope and extensive landscaping.

**FISCAL IMPACT: N/A**

**PUBLIC NOTICE/RECORDING: N/A**

**MISCELLANEOUS BUSINESS**

**PUBLIC COMMENT**

Members of the public are permitted to speak after first stating their name and address.

**EXECUTIVE SESSION**

Council Bill/Special Ordinance No.: 4035-2013  
Sponsor: \_\_\_\_\_

A SPECIAL ORDINANCE

CLOSING certain streets more particularly described herein to vehicular traffic; and  
AUTHORIZING the use of public right-of-way in conjunction with the QCA Heritage Tractor Parade and Show scheduled for Saturday, September 7, 2013.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1** – That this Council hereby authorizes and directs the Mayor, Director of Public Works and Police Chief to erect barricades and post temporary signs, if necessary, for the purpose of closing the following designated roadways to vehicular traffic during the specified times mentioned herein:

Saturday, September 7, 2013, from 10:00 a.m. to 11:00 a.m.

All lanes of River Drive from the westernmost side of 12<sup>th</sup> Street to the easternmost side of 19<sup>th</sup> Street  
All lanes of 19<sup>th</sup> Street from the northernmost side of River Drive to the southernmost side of 5<sup>th</sup> Avenue  
All lanes of 5<sup>th</sup> Avenue from the easternmost side of 19<sup>th</sup> Street to the westernmost side of 12<sup>th</sup> Street  
All lanes of 14<sup>th</sup> Street from the northernmost side of 5<sup>th</sup> Avenue to the southernmost side of 6<sup>th</sup> Avenue  
Alley between 14<sup>th</sup> - 12<sup>th</sup> Streets  
All lanes of 12<sup>th</sup> Street from the southernmost side of the alley of the 600 block  
to the northernmost side of River Drive

Saturday, September 7, 2013, from 7:00 a.m. to 6:00 p.m.

All lanes of 15<sup>th</sup> Street from the southernmost side of River Drive to the northernmost side of the entrance to the Historic Block Parking Lot

It shall be an offense to use said roadway for vehicular purposes during such time specified herein.

**Section 2** – That this Council declares the intent of this ordinance to be a temporary variance from other ordinances that may be in conflict herewith and shall authorize the activities described hereinabove only during such times specified for the street closings and shall not constitute a repeal of other ordinances of the City of Moline which are in conflict herewith.

**Section 3** – 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

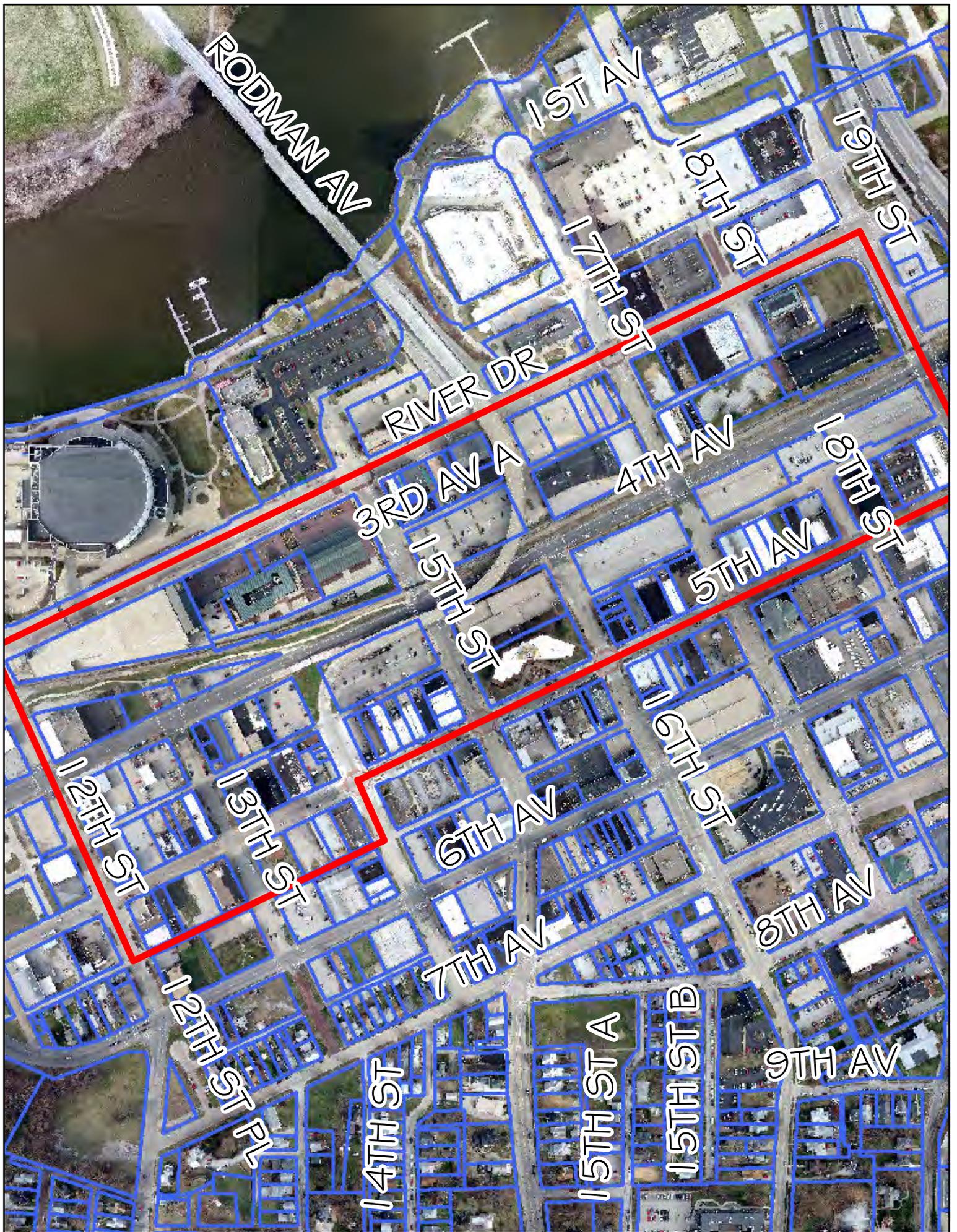
Passed: \_\_\_\_\_

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney



RODMAN AV

1ST AV

17TH ST

18TH ST

RIVER DR

10TH ST

3RD AV A

4TH AV

11TH ST

5TH AV

18TH ST

12TH ST

13TH ST

6TH AV

11TH ST

12TH ST PL

7TH AV

8TH AV

14TH ST

15TH ST A

15TH ST B

9TH AV

Council Bill/Special Ordinance No.: 4036-2013  
Sponsor: \_\_\_\_\_

A SPECIAL ORDINANCE

CLOSING certain streets more particularly described herein to vehicular traffic; and  
AUTHORIZING the use of public right-of-way in conjunction with the It's Glow Time 5K scheduled for Saturday, September 14, 2013.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1** – That this Council hereby authorizes and directs the Mayor, Director of Public Works and Police Chief to erect barricades and post temporary signs, if necessary, for the purpose of closing the following designated roadways to vehicular traffic during the specified times mentioned herein:

Saturday, September 14, 2013, from 7:30 p.m. to 11:00 p.m.

All lanes of River Drive from the easternmost side of 18<sup>th</sup> Street to the easternmost side of 34<sup>th</sup> Street  
The southbound lane of 34<sup>th</sup> Street from the northernmost side of River Drive  
to the southernmost side of University Drive  
All lanes of University Drive from the southbound lane of 34<sup>th</sup> Street  
to the northernmost side of River Drive

It shall be an offense to use said roadway for vehicular purposes during such time specified herein.

**Section 2** – That this Council declares the intent of this ordinance to be a temporary variance from other ordinances that may be in conflict herewith and shall authorize the activities described hereinabove only during such times specified for the street closings and shall not constitute a repeal of other ordinances of the City of Moline which are in conflict herewith.

**Section 3** – 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

Approved as to form:

\_\_\_\_\_  
City Attorney

Council Bill/Resolution No. 1132-2013

Sponsor: \_\_\_\_\_

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.

\_\_\_\_\_  
WHEREAS, the City Council of the City of Moline is required by statute to periodically meet to review the minutes of all closed sessions (Executive Sessions) to determine the appropriateness of retaining said minutes as confidential or conversely disseminating said minutes to the public; and

WHEREAS, such a meeting took place on August 27, 2013; and

WHEREAS, the City Council has found that certain minutes of the Executive Sessions for past years should be released with the exception of those requiring continued confidential treatment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

That the following Executive Session minutes are to be released, partially released, or maintained as confidential, until further review and order of the City Council, with those released minutes to be made available for public inspection as required by 5 ILCS 120/2.06(c).

FULL RELEASE:

04/16/2013

08/06/2013

08/27/2013

All Minutes for which partial release was maintained in Resolution No. 1281-2012 shall be continued as partially released in addition to the following:

PARTIAL RELEASE:

05/07/2013 Paragraph 1 & 3

Council Bill/Resolution No. 1132-2013

MAINTAIN CONFIDENTIALITY: All Minutes for which confidentiality was maintained in Resolution No. 1281-2012 shall be continued as confidentiality maintained in addition to the following:

12/18/2012  
01/08/2013  
01/15/2013  
01/22/2013  
02/12/2013  
02/19/2013  
04/02/2013  
05/21/2013  
06/04/2013  
06/18/2013  
07/09/2013  
07/16/2013  
08/13/2013

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
September 3, 2013  
Date

Passed: September 3, 2013

Approved: September 10, 2013

Attest: \_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

Council Bill/Resolution No.: 1133-2013

Sponsor: \_\_\_\_\_

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to execute a contract with Valley Construction Company for Project No. 1185, 64<sup>th</sup> Street Sanitary Sewer Pump Station, in the amount of \$495,951.00.

\_\_\_\_\_  
WHEREAS, bids were publicly read on August 6, 2013; and

WHEREAS, bids were solicited with Valley Construction Company submitting the lowest responsible and responsive bid; and

WHEREAS, sufficient funds are available.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

That the Mayor and City Clerk are hereby authorized to execute a contract with Valley Construction Company for Project No. 1185, 64<sup>th</sup> Street Sanitary Sewer Pump Station, in the amount of \$495,951.00; provided, however, that said contract is substantially similar in form and content to that attached hereto and incorporated herein by this reference thereto as Exhibit "A" and has been approved as to form by the City Attorney.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
September 3, 2013

Date

Passed: September 3, 2013

Approved: September 10, 2013

Attest: \_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

# CITY OF MOLINE CONTRACT

THIS AGREEMENT, made and concluded this \_\_\_\_ day of \_\_\_\_\_, A.D., 2013, between **VALLEY CONSTRUCTION COMPANY** of **3610 78<sup>TH</sup> AVENUE WEST, ROCK ISLAND, IL 61201**, hereinafter referred to as the “CONTRACTOR,” and the **CITY OF MOLINE, ILLINOIS**, hereinafter referred to as the “CITY;”

WITNESSETH, that the CONTRACTOR for and in consideration of the payments to be made to it by the CITY in the amount of **FOUR HUNDRED NINETY FIVE THOUSAND NINE HUNDRED FIFTY ONE AND 00/100 (\$495,951.00) DOLLARS**, hereby covenants and agrees, to and with the CITY, that it shall and will in good and workmanlike manner, furnish all the labor and material for **PROJECT NO. 1185, 64<sup>TH</sup> STREET SANITARY SEWER PUMP STATION** as set out in the plans and specifications.

Such work to be under the direction and to the satisfaction of the City Engineer, and in accordance with the plans and specifications, which are a part of this contract. The work to be commenced not later than 10 days after the execution of this contract; to progress regularly and uninterruptedly after it shall have been begun excepting as shall otherwise be ordered by the City Council of the City of Moline (hereinafter referred to as the “City Council”), or its authorized representative, and shall be finished and fully completed within the timeframe set forth in the specifications; the time of commencement, rate of progress and time of completion being essential conditions of this contract; PROVIDED, however that if the time of the performance of the contract herein be for any reason either expressly or by implication extended, such extension shall not affect the validity of this contract.

The Contractor further agrees that the unit prices submitted are for the purpose of obtaining a gross sum, and for use in computing the value of extras and deductions; that if there is a discrepancy between the gross sum bid and that resulting from the summation of the quantities multiplied by their

respective unit prices, the latter shall apply. When this contract shall be wholly carried out and completed on the part of the Contractor, and when said work has been accepted by the City, a sum of money shall be computed by multiplying the following unit prices by the quantity of items completed, it being understood that the following total sum of money listed is for the purpose of determining the amount of the performance, labor, material and maintenance bond only. Such payment shall be made as provided for in the said specifications.

This Contract calls for the construction of a “public work” within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. (“the Act”). The Act requires contractors, subcontractors, and truckers to pay laborers, workers, and mechanics performing services on public works projects not less than the “prevailing rate of wages” (hourly cash wages plus fringe benefits) in the county where the work is performed. The prevailing wage rates for projects for the City of Moline required by Moline Special Ordinance 4024-2013 are updated monthly by the Illinois Department of Labor and may be found at:

[http://www.state.il.us/agency/idol/rates/ODDMO/ROCK\\_ISL.htm](http://www.state.il.us/agency/idol/rates/ODDMO/ROCK_ISL.htm).

All contractors, subcontractors, and truckers rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage, notice and record keeping duties. All contractors, subcontractors, and truckers shall keep an accurate record showing the names and occupations of all laborers, workers, and mechanics employed by them on this contract, and also showing the actual hourly wages paid to each of such persons and shall preserve their weekly payroll records for a period of three (3) years from the date of completion of the contract. Weekly certified payrolls shall be sent to the City Engineer.

For further information, please refer to the Illinois Department of Labor’s website at:  
<http://www.state.il.us/agency/idol>.

It is further provided that the CONTRACTOR shall upon the sealing of this contract, file with the CITY a good and sufficient bond in the penal sum of **FOUR HUNDRED NINETY FIVE**

**THOUSAND NINE HUNDRED FIFTY ONE AND 00/100 (\$495,951.00) DOLLARS** conditioned upon the faithful performance and execution of the work covered by this contract according to the complete and detailed specifications and full and complete drawings, profiles and models therefore, and according to the terms and conditions of this contract, and conditioned also that the CONTRACTOR shall pay all debts incurred by said CONTRACTOR in the prosecution of such work, including those for labor and materials furnished. The CONTRACTOR further agrees to pay liquidated damages as set forth in the specifications for failure to complete the Project by the date specified.

IN WITNESS WHEREOF, the said Parties have executed these presents on the date above mentioned.

CONTRACTOR:

CITY:

\_\_\_\_\_

CITY OF MOLINE, ILLINOIS

By: \_\_\_\_\_

By: \_\_\_\_\_

Mayor

\_\_\_\_\_

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Performance Bond Attached

Certificate of Insurance Attached

Council Bill/Resolution No. 1134-2013

Sponsor: \_\_\_\_\_

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to execute a Licensing Agreement with Phillips Lofts, LLC to install awnings and a sign overhanging 5<sup>th</sup> Avenue right of way at 1320 5<sup>th</sup> Avenue.

\_\_\_\_\_

WHEREAS, Phillips Lofts, LLC wishes to install awnings and a sign overhanging 5<sup>th</sup> Avenue right of way at 1320 5<sup>th</sup> Avenue; and

WHEREAS, the placement of the awnings and a sign overhanging right of way should not pose any hazards to motorists or pedestrians.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

That the Mayor and City Clerk are hereby authorized to execute a Licensing Agreement with Phillips Lofts, LLC to install awnings and a sign overhanging 5<sup>th</sup> Avenue right of way at 1320 5<sup>th</sup> Avenue; provided said agreement is substantially similar in form and content to that attached hereto and incorporated herein by this reference thereto as Exhibit "A," and has been approved as to form by the City Attorney.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
September 3, 2013  
Date

Passed: September 3, 2013

Approved: September 10, 2013

Attest: \_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

Council Bill/Resolution No. 1135-2013

Sponsor: \_\_\_\_\_

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to confirm participation in the 2014 Greater Quad Cities Region Digital Orthophotography Project.

WHEREAS, region-wide digital orthophotography is a valuable resource for local government, including the areas of planning, economic development, public safety, engineering, land records management, assessment, emergency management, and others; and

WHEREAS, updated aerial imagery serves a public need and interest of the City's constituents; and

WHEREAS, cooperation among local agencies and government is desirable; and

WHEREAS, a cost sharing approach for acquisition of digital orthophotography among local agencies and government participants provides savings for each entity; and

WHEREAS, the City of Moline intends to be included within the project area in order to solicit project costs through an RFP process in the fall of 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

That the Mayor and City Clerk are hereby authorized to: fully support the effort to assemble a partnership of local governments and agencies within the Greater Quad Cities Region to acquire digital orthophotography and other orthophoto products in the spring of 2014 and accept the City of Moline's share of equitably divided costs for Technical Consulting/Procurement Services for RFP development and response/contract/technical flight review, estimated to be \$8,900; provided, however, that said proposal is substantially similar in form and content to Exhibit "A", attached hereto and incorporated herein by this reference hereto, and has been approved as to form by the City Attorney.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
September 3, 2013

Date

Passed: September 3, 2013

Approved: September 10, 2013

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney



## Letter of Support Joint Acquisition of 2014 Digital Orthophotography

August 20, 2013

To participating members of a Consortium of Local Governments and Governmental Agencies in the Greater Quad Cities Region, comprised of an area, including Cedar county, Iowa; Clinton County, Iowa; Henry County, Illinois; Mercer County, Illinois (and various cities within); Muscatine County, Iowa; various cities within Rock Island County, Illinois; and Scott County, Iowa.

This letter is to confirm The City of Moline's support for the 2014 Greater Quad Cities Region Digital Orthophotography Project.

Whereas:

- Region-wide digital orthophotography is a valuable resource for local government, including the areas of planning, economic development, public safety, engineering, land records management, assessment, emergency management, and others.
- Updated aerial imagery serves a public need and interest of our constituents.
- Cooperation among local agencies and government is desirable.
- A cost sharing approach for acquisition of digital orthophotography among local agencies and government participants provides savings for each entity.

And the basic scope of services desired by the partnership for the 2014 flight is as follows:

- Full color, digital orthophotography and other photogrammetrical products as desired. Final products and resolution determined by participating agency.
- Procurement services for RFP development and response/contract/technical flight review.
- Optional: Supplemental surveys to support necessary ground control and accuracy testing.
- Optional: Targeting of local ground control and accuracy testing (NSSDA).

Be it resolved that:

- The City of Moline fully supports the effort to assemble a partnership of local governments and agencies within the Greater Quad Cities Region to acquire digital orthophotography and other orthophoto products in the spring of 2014;
- And The City of Moline recognizes and accepts our share of the costs for Technical Consulting/Procurement Services for RFP development and response/contract/technical flight review. These costs will be divided as equitably as possible among all jurisdictional participants in the project and are **estimated** to be \$8,900.00

**Nathan Scott**  
IT Manager

1640 6<sup>th</sup> Avenue  
Moline, Illinois 61265

Phone: (309) 524-2292  
Email: [nscott@moline.il.us](mailto:nscott@moline.il.us)

- And The City of Moline intends to be included within the project area in order to solicit project costs through an RFP process in the fall of 2013;
- And The City of Moline will procure aerial flight services as agreed upon by the Consortium and contract individually with the awarded vendor for the planned Spring 2014 flight, budgeting accordingly. Costs will depend on flight area, final number of participants, and products desired.

We understand that this agreement is non-binding in nature. The City of Moline may withdraw at any time without liability.

By: \_\_\_\_\_ Date \_\_\_\_\_  
Authorized Representative  
City of Moline, IL

Sponsor: \_\_\_\_\_

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to purchase one (1) Trimble R6 GPS Rover System from Precision Midwest in the amount of \$23,140.00.

\_\_\_\_\_

WHEREAS, the City last purchased survey grade Magellan GPS rovers from the Sidwell Company in 2009; and

WHEREAS, the performance and reliability of the Magellan rovers have decreased due to: a change of the Magellan brand to Ashtech, inconsistent firmware upgrades that have not kept pace with GPS technology developments, and personnel changes at Sidwell that have decreased the level of support the City receives; and

WHEREAS, Public Works staff has requested the purchase of a new rover; and

WHEREAS, Fiscal Year 2013 funds are available for this purchase, made possible by the postponement of the aerial photography procurement project to Fiscal Year 2014; and

WHEREAS, an RFP for this purchase was published and responses were received on Monday, August 19, 2013, with Precision Midwest being the lowest responsive bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

That the Mayor and City Clerk are hereby authorized to purchase one (1) Trimble R6 GPS Rover System from Precision Midwest in the amount of \$23,140.00; provided, however, that said agreement is substantially similar in form and content to the addendum referenced by Exhibit "A," attached hereto and incorporated herein by this reference hereto and has been approved as to form by the City Attorney.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
September 3, 2013  
Date

Passed: September 3, 2013

Approved: September 10, 2013

Attest: \_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

Council Bill/Resolution No. 1137-2013

Sponsor: \_\_\_\_\_

A RESOLUTION

AUTHORIZING staff to do all things necessary to initiate and ratify the Administration's Application for Amendment to Zoning & Land Development Code and Rezoning to the Moline Plan Commission for Lots 1 and 2 of Technology Corridor 1<sup>st</sup> Addition on behalf of the City of Moline including application and necessary fees; and recording as necessary in accordance with the application guidelines and requirements.

\_\_\_\_\_  
WHEREAS, the City of Moline is the property owner of the subject property and is interested in facilitating the redevelopment of the City owned property to support Western Illinois University's Quad City Riverfront Campus; and

WHEREAS, the rezoning will allow for the types of uses planned for the site including mixed-use development commonly adjacent to a college campus; and

WHEREAS, this will allow for the development that has been proposed for the site including student housing, commercial, retail, market rate residential and the necessary infrastructure and amenities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

That staff is hereby authorized to do all things necessary to implement the Amendment to Zoning & Land Development Code and Rezoning application on behalf of the City of Moline including application, notices and fees; as necessary in accordance with the application guidelines and requirements; provided said Application is substantially similar in form and content to that attached hereto and incorporated herein by this reference thereto as Exhibit "A," and approved as to form by the City Attorney.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
September 3, 2013  
Date

Passed: September 3, 2013

Approved: September 10, 2013

Attest: \_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney



# APPLICATION FOR AMENDMENT TO ZONING & LAND DEVELOPMENT CODE AND REZONING

(For staff only) PC Case No. \_\_\_\_\_

Filing Date \_\_\_\_\_

\$660 Filing Fee (non-refundable) submitted: \_\_\_\_\_

The undersigned Owner of Record or Agent requests that an amendment be made to the Zoning and Land Development Code of the City of Moline, Illinois.

**APPLICATION TYPE (check one)**

- REZONING.** Complete Section 1 and Section 2 below and attach additional documentation if necessary.
- TEXT AMENDMENT.** Attach a detailed copy of the proposed amendment(s) and complete Section 2 below.

**SECTION 1**

Legal Description from Deed or Survey (attach additional sheets if necessary):

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Property Location (Street Address): \_\_\_\_\_

Parcel Number: \_\_\_\_\_ Total Area (Acres or Square Feet): \_\_\_\_\_

Present Zoning Classification: \_\_\_\_\_ Proposed Zoning Classification: \_\_\_\_\_

Present Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Owner Name: \_\_\_\_\_

Owner Mailing Address: \_\_\_\_\_

Owner Phone Number: \_\_\_\_\_ Owner Email Address: \_\_\_\_\_

**SECTION 2**

Applicant/ Authorized Agent Name: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

Applicant Phone Number: \_\_\_\_\_ Applicant Email Address: \_\_\_\_\_

Signature of Applicant (for text amendment) or Signature of Owner of Record or Authorized Agent (for rezoning)

Note: Authorized Agent must attach written authorization from Owner of Record.

---

Signature Date

**REQUIRED ATTACHMENT:** Interested Party Disclosure Form

Council Bill/Resolution No. 1138-2013  
Sponsor: \_\_\_\_\_

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to pay the building permit fees for the Quad Cities Music Guild in the amount of \$2819.00 to construct a 3200 sq. ft building addition on City owned property at Prospect Park.

\_\_\_\_\_

WHEREAS, the Quad Cities Music Guild has submitted plans for a building addition located at 1583 34<sup>th</sup> Avenue on City owned property. The addition is two (2) stories consisting of a costume shop and set construction area; and

WHEREAS, the Quad Cities Music Guild has requested that the City of Moline pay the building permit fees on its behalf for the construction of the new addition at 1583 34<sup>th</sup> Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

That the Mayor and City Council are hereby authorized to pay the building permit fees for the Quad Cities Music Guild in the amount of \$2819.00 to construct a new building addition at 1583 34<sup>th</sup> Avenue.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
September 3, 2013

Date

Passed: September 3, 2013

Approved: September 10, 2013

Attest: \_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

AN ORDINANCE

AMENDING Chapter 11, "FIRE PREVENTION AND PROTECTION," of the Moline Code of Ordinances, Sec. 11-2116, "SAME FEES," by repealing subsections a(1), a(2), and a(3) in their entirety and enacting in lieu thereof three new subsections a(1), a(2), and a(3) relating to the same subject matter.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1.** That Chapter 11, "FIRE PREVENTION AND PROTECTION," of the Moline Code of Ordinances, Section 11-2116, "SAME FEES," is hereby amended by repealing subsections a(1), a(2), and a(3) in their entirety and enacting in lieu thereof three new subsections a(1), a(2), and a(3) relating to the same subject matter, which shall read as follows:

**SEC. 11-2116. SAME – FEES.**

(a) The fee schedule for said emergency service shall be as follows:

(1) Base Rate for Basic Life Support fee is six hundred ninety dollars (\$690.00) for calls that are not life threatening.

Base Rate for Advanced Life Support-1 fee is eight hundred seventy-five dollars (\$875.00) for calls that are life threatening.

Base Rate for Advanced Life Support-2 fee is one thousand one hundred sixty-five dollars (\$1,165.00) for calls that are life threatening.

(2) Mileage fee of seventeen dollars and .50 cents (\$17.50) per mile plus actual cost of supplies and a ten percent (10%) restocking fee.

(3) Fees for medical assessment and treatment without transport.

Users shall be assessed a two hundred ninety dollar (\$290.00) base fee for Basic Life Support and Advanced Life Support services. An additional actual cost for supplies and a 10% restocking fee will also be assessed."

\* \* \* \* \*

**Section 2.** 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.

Council Bill/General Ordinance No. 3022-2013

Sponsor \_\_\_\_\_

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

AN ORDINANCE

AMENDING Chapter 31, "TAXATION," of the Moline Code of Ordinances, Sec. 31-1101, "HOTEL-MOTEL USE TAX IMPOSED," by repealing subsection (a) in its entirety and enacting in lieu thereof one new subsection (a) relating to the same subject matter; Sec. 31-1102, "HOTEL-MOTEL OPERATOR'S OCCUPATION TAX," by repealing section 31-1102 in its entirety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1.** That Chapter 31, "TAXATION" of the Moline Code of Ordinances, Section 31-1101, "HOTEL-MOTEL USE TAX IMPOSED", is hereby amended by repealing subsection (a) in its entirety and enacting in lieu thereof one new subsection (a) relating to the same subject matter, which shall read as follows:

**"ARTICLE I. HOTEL-MOTEL TAXES**

**SEC. 31-1101. HOTEL-MOTEL USE TAX IMPOSED**

(a) There is hereby levied and imposed a tax of seven percent (7%) of the rent charged for the privilege of renting and use of a hotel or motel room within the City of Moline for each twenty-four (24) hour period of any portion thereof for which a daily room charge is made; provided, however, that the tax shall not be levied and imposed upon any person who rents a hotel or motel room for more than thirty (30) consecutive days or to a person who works and lives in the same hotel or motel.

\* \* \* \* \*

**Section 2.** Chapter 31, "TAXATION," of the Moline Code of Ordinances, Section 31-1102, "HOTEL-MOTEL OPERATOR'S OCCUPATION TAX," is hereby amended by repealing said section in its entirety.

**Section 3.** That this ordinance shall be in full force and effect from and after January 1, 2014; and, if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

Council Bill/Ordinance No.: 4037-2013  
Sponsor: \_\_\_\_\_

A SPECIAL ORDINANCE

CLOSING certain streets more particularly described herein to vehicular traffic; and  
AUTHORIZING the use of public right-of-way in conjunction with the Quad Cities  
Marathon & Races scheduled for Sunday, September 22, 2013.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1** – That this Council hereby authorizes and directs the Mayor, Director of Public Works and Police Chief to erect barricades and post temporary signs, if necessary for the purpose of closing the following designated roadways to vehicular traffic during the specified times mentioned herein:

The following road closures will be required:

From Saturday, September 21, 2013, 7:00 p.m. until 3:00 p.m. Sunday, September 22, 2013  
All lanes of River Drive from the easternmost side of 12<sup>th</sup> Street  
to the westernmost side of 15<sup>th</sup> Street

Sunday, September 22, 2013, 5:00 a.m. to 9:00 a.m.  
All lanes of River Drive from the easternmost side of 12<sup>th</sup> Street  
to the westernmost side of 34<sup>st</sup> Street

From Sunday, September 22, 2013, 7:00 a.m. until 3:00 p.m. Sunday, September 22, 2013  
West bound lane of River Drive, from the westernmost side of 34<sup>th</sup> Street to the easternmost  
side of 55<sup>th</sup> Street

North bound lane of 55<sup>th</sup> Street, from the northernmost side of River Drive to Old River Drive  
Northernmost westbound lane of Old River Drive from 55<sup>th</sup> Street to the northernmost side of  
River Drive

Sunday, September 22, 2013, from 6:00 a.m. to 9:00 a.m.  
Easternmost northbound lane of I-74 West Bridge

Sunday, September 22, 2013, from 7:00 a.m. to 8:00 a.m.  
3<sup>rd</sup> Avenue exit ramp from I-74

It shall be an offense to use said roadways for vehicular purposes during the times herein specified.

Council Bill/Ordinance No.: 4037-2013  
Sponsor: \_\_\_\_\_

**Section 2** – That this Council declares the intent of this ordinance to be a temporary variance from other ordinances that may be in conflict herewith and shall authorize the activities described hereinabove only during such times specified for the street closings and shall not constitute a repeal of other ordinances of the City of Moline which are in conflict herewith.

**Section 3** – 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

Approved as to form:

\_\_\_\_\_  
City Attorney

Council Bill No. /Special Ordinance No. 4039-2013

Sponsor: \_\_\_\_\_

A SPECIAL ORDINANCE

GRANTING a variance to Section 28-3200(a) of the Moline Code of Ordinances to delay installation of a sidewalk for property located at 3811 35<sup>th</sup> Avenue.

WHEREAS, the owner of the property addressed as 3811 35<sup>th</sup> Avenue has requested a variance from installing sidewalk; and

WHEREAS, City standards require sidewalk installation along all streets at the time a lot is developed; and

WHEREAS, the City Council has identified a lack of right-of-way to accommodate a public sidewalk which constitutes a hardship on the subject property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1** - That this Council hereby finds and declares upon the recommendation of its Committee-of-the-Whole on August 27, 2013, that it is in the best interest of the City of Moline, Illinois, to grant a variance to Sec. 28-3200(a) of the Moline Code of Ordinances for the following described territory to allow the owner of 3811 35<sup>th</sup> Avenue to delay installation of sidewalk along its frontage until such time that it is deemed necessary by the City to place sidewalk at this location.

That part of Lots 32 and 33 in P.J. Meersman's Acre Addition to Moline, as said Lots are known and designated upon the recorded plat thereof, situated in South Moline Township, described as follows, to-wit:

Beginning at the Southeast corner of said Lot 32; thence West 251.3 feet; thence North 202.15 feet; thence East 130.57 feet to the East line of said Lot 33; thence South 70.05 feet to the Southeast corner of said Lot 33; thence Southeasterly 176 feet to the point of beginning, situated in Rock Island County, State of Illinois.

**Section 2** - That this ordinance shall not constitute a repeal of any or all ordinances or resolutions in conflict herewith but shall be construed as a one-time variance with regard to such conflicting ordinances or resolutions.

**Section 3** - That this ordinance is an exercise of the City's home rule powers granted to it by virtue of Article VII, Section 6 of the 1970 Illinois Constitution and shall therefore take precedence over any conflicting State Statutes or rules.

**Section 4** - 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.

Council Bill No. /Special Ordinance No. 4038-2013

Sponsor: \_\_\_\_\_

Page 2

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

Council Bill/Special Ordinance No. 4038-2013

Sponsor: \_\_\_\_\_

A SPECIAL ORDINANCE

SUSPENDING           Section 23-2102(c)(7) of Chapter 23, "PARKS AND RECREATION," of the Moline Code of Ordinances, temporarily, as it relates to the sale, possession and consumption of alcohol; and

AUTHORIZING       the Mayor/Local Control Commissioner and the City Clerk to permit the sale, possession and consumption of alcohol on municipal property during the Fall Flemish Fest to be held at Stephens Park, Moline, Illinois, on September 15, 2013.

\_\_\_\_\_  
WHEREAS, Section 23-2102(c)(7) of the Moline Code of Ordinances prohibits any person from selling, possessing, or being under the influence of any intoxicating beverages within any park, playground or other area under the jurisdiction of the Park and Recreation Board, with the exception of the Green Valley Sports Complex; and

WHEREAS, the Center for Belgian Culture, as sponsor of the Fall Flemish Fest (hereinafter "Event"), requests permission to allow beer sales and consumption at City-owned Stephens Park on September 15, 2013 during the Event; and

WHEREAS, the sale, possession and consumption of alcohol will be limited to beer only within a portion of the park as illustrated on the attached Exhibit "A;" restricted areas will be monitored and designated with signs and fencing or similar barriers; and

WHEREAS, the sale and consumption of alcohol is specifically limited to the Event duration of 1:00 p.m. to 4:00 p.m., and the possession of alcohol is specifically limited to the Event duration and periods of set up and tear down immediately before and after the Event; and

WHEREAS, the Center for Belgian Culture has worked with the Liquor Control Commissioner to ensure that proper licensing and insurance for the Event is in effect pursuant to Chapter 4, "ALCOHOLIC BEVERAGES," of the Moline Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1.** That Section 23-2102(c)(7) of Chapter 23, "PARKS AND RECREATION," of the Moline Code of Ordinances, is hereby temporarily suspended insofar as it relates to the sale, possession and consumption of alcohol for the express purpose of allowing the sale, possession and consumption of beer on municipal property during the Flemish Fall Fest to be held at Stephens Park, Moline, Illinois, on September 15, 2013.

**Section 2.** That the Mayor, in his capacity as the Local Control Commissioner, and the City Clerk are hereby authorized to work with the Center for Belgian Culture to do all things necessary to permit the sale, possession and consumption of alcohol on municipal property during the aforementioned event.

**Section 3.** That this ordinance is an exercise of the City's home rule powers granted to it by virtue of Article VII, Section 6 of the 1970 Illinois Constitution, and shall therefore take precedence over any conflicting State statutes or rules.

**Section 4.** That this ordinance shall not constitute a repeal of any or all ordinances or resolutions in conflict herewith but shall be construed as a one-time variance with regard to such conflicting ordinances or resolutions.

**Section 5.** 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

Approved as to Form:

\_\_\_\_\_  
City Attorney

- 
1. Parking Lot
  2. Rolle Bolle Court
  3. Beer Vendor - specialty
  4. Children's Activities (inside fenced ball diamond)
  5. Beer Vendor
  6. Classic Cars
  7. Other Vendors, Exhibits, Events

11TH AV

11TH AV

11TH AV

4TH ST

7TH ST

8TH ST

9TH ST

12TH AV

12TH AV

4TH ST

7TH ST

8TH ST

9TH ST

13TH AV

5

2

4

3

6

1

7

7TH ST

9TH ST

14TH AV

15TH AV

15TH AV

15TH AV

9TH ST

15TH AV

Council Bill No. /Special Ordinance No. 4039-2013

Sponsor: \_\_\_\_\_

A SPECIAL ORDINANCE

GRANTING a variance to Section 28-3200(a) of the Moline Code of Ordinances to delay installation of a sidewalk for property located at 3811 35<sup>th</sup> Avenue.

WHEREAS, the owner of the property addressed as 3811 35<sup>th</sup> Avenue has requested a variance from installing sidewalk; and

WHEREAS, City standards require sidewalk installation along all streets at the time a lot is developed; and

WHEREAS, the City Council has identified a lack of right-of-way to accommodate a public sidewalk which constitutes a hardship on the subject property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1** - That this Council hereby finds and declares upon the recommendation of its Committee-of-the-Whole on August 27, 2013, that it is in the best interest of the City of Moline, Illinois, to grant a variance to Sec. 28-3200(a) of the Moline Code of Ordinances for the following described territory to allow the owner of 3811 35<sup>th</sup> Avenue to delay installation of sidewalk along its frontage until such time that it is deemed necessary by the City to place sidewalk at this location.

That part of Lots 32 and 33 in P.J. Meersman's Acre Addition to Moline, as said Lots are known and designated upon the recorded plat thereof, situated in South Moline Township, described as follows, to-wit:

Beginning at the Southeast corner of said Lot 32; thence West 251.3 feet; thence North 202.15 feet; thence East 130.57 feet to the East line of said Lot 33; thence South 70.05 feet to the Southeast corner of said Lot 33; thence Southeasterly 176 feet to the point of beginning, situated in Rock Island County, State of Illinois.

**Section 2** - That this ordinance shall not constitute a repeal of any or all ordinances or resolutions in conflict herewith but shall be construed as a one-time variance with regard to such conflicting ordinances or resolutions.

**Section 3** - That this ordinance is an exercise of the City's home rule powers granted to it by virtue of Article VII, Section 6 of the 1970 Illinois Constitution and shall therefore take precedence over any conflicting State Statutes or rules.

**Section 4** - 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.

Council Bill No. /Special Ordinance No. 4038-2013

Sponsor: \_\_\_\_\_

Page 2

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney