

Committee-of-the-Whole Agenda

6:30 p.m.

Tuesday, October 7, 2014

Proclamation

A Proclamation from the Moline Public Library to declare October 12 – 18, 2014, as “Teen Read Week.”

Questions on the Agenda

Agenda Items

- 1. Final Plat – Benwynn First Addition** (Shawn Christ, Land Development Manager)
- 2. Community Rating System 5-year verification for floodplain management** (Shawn Christ, Land Development Manager)
- 3. Amendment to Chapter 35 – Medical Cannabis.** (Shawn Christ, Land Development Manager)
- 4. Surplus Property - Fingerprint Scanning Equipment** (Kim Hankins, Public Safety Director)
- 5. Update to Chapter 23 “PARKS AND RECREATION”** (Mike Waldron, Public Works Director/Interim Parks Director)
- 6. A Health Insurance Premium Incentive for participants in the City’s Wellness Program** (Alison Fleming, Human Resources Manager)
- 7. An Amendment to a Contract with Shive-Hattery** (Jeff Anderson, City Planner)
- 8. Liquor License Consent Form to Milltown Coffee at 3800 River Drive.** (Tracy Koranda, City Clerk)
- 9. Approval of a Preliminary Engineering Services for Phase 1 Sylvan Island Bridge** (Scott Hinton, City Engineer)
- 10. Approval of a Resolution for Improvement for Phase 1 Sylvan Island Bridge** (Scott Hinton, City Engineer)
- 11. Other**

Informational

Stormwater Sewer Follow Up (Scott Hinton, City Engineer)

Explanation

1. Final Plat – Benwynn First Addition (Shawn Christ, Land Development Manager)

Explanation: The owner of 3629 and 3637 Avenue of the Cities has applied to subdivide this property which currently contains two buildings: Uncle Pete’s restaurant and a multistory office building. The subdivision will separate the land for each building and facilitate a sale of Lot 1 to the owner of Uncle Pete’s. Additional documentation attached.

Staff Recommendation: Approval
Fiscal Impact: N/A
Public Notice/Recording: Record by owner
Goals Impacted: A Great Place to Live

2. Community Rating System 5-year verification for floodplain management (Shawn Christ, Land Development Manager)

Explanation: Since 2010 the City has participated in the National Flood Insurance Program's (NFIP) Community Rating System (CRS), a voluntary incentive program offered by the Federal Emergency Management Agency (FEMA) to encourage floodplain management activities that exceed national requirements. Our participation earns property owners in flood hazard areas a discount on flood insurance premiums. The Planning Department is preparing the necessary paperwork for our 5-year verification; CRS requires the Mayor’s signature. Additional documentation attached.

Staff Recommendation: Approval
Fiscal Impact: N/A
Public Notice/Recording: N/A
Goal Impacted: A Great Place to Live, Improved City Infrastructure & Facilities

3. Amendment to Chapter 35, “Zoning and Land Development”, of the Moline Code of Ordinances – Medical Cannabis. (Shawn Christ, Land Development Manager)

Explanation: The Compassionate Use of Medical Cannabis Pilot Program Act became law January 1, 2014 which allows cultivation and dispensing of medical marijuana in Illinois. The Act is considered one of the strictest in the nation. Facilities may locate within municipalities subject only to limitations in the Act and “reasonable” zoning ordinances enacted by local municipalities. Staff researched the Act and discussed with the Plan Commission at the July 23, 2014, and September 17, 2014, meetings. The Commission determined that dispensing organizations and cultivation centers, as defined in the Act, should be allowed as permitted uses within particular zoning districts in the City of Moline. The Commission proposes specific amendments to Chapter 35 to respond to the Act and accommodate such land uses.

Staff Recommendation: Approval
Fiscal Impact: Municipalities cannot impose any fees on these facilities and cannot tax dispensaries beyond the State 1% retail sales tax. There has been no definitive ruling yet on taxing cultivation centers.
Public Notice/Recording: Public hearing notice published August 31, 2014
Goals Impacted: A Great Place to Live; Strong Local Economy

4. Declaration of LiveScan fingerprint scanning equipment as surplus property and authorizing its disposal (Kim Hankins, Public Safety Director)

Explanation: The LiveScan electronic fingerprint scanning equipment was acquired by the police department in 2003 with grant funds. The equipment is no longer of any value and has been replaced with a new system. Staff is requesting that the equipment be declared as surplus and its destruction authorized. Additional documentation attached.

Staff Recommendation: Approval
Fiscal Impact: N/A
Public Notice: N/A
Goal Impacted: Financially Strong City

5. Update to Chapter 23 “PARKS AND RECREATION” of the Moline Code of Ordinances.
(Mike Waldron, Public Works Director/Interim Parks Director)

Explanation: The Park Board is recommending that Chapter 23 “PARKS AND RECREATION” be updated to include new provisions for the prohibition of smoking in any park and recreation area under the jurisdiction of the Park and Recreation Board. Additionally, the Park Board is recommending that Chapter 23 include updated provisions for the unified ordinance for trail use in the Quad Cities. The proposed Chapter 23 contains updates and new provisions that were out of date or no longer needed. Additional documentation attached.

Staff Recommendation: Approval
Fiscal Impact: N/A
Public Notice/Recording: N/A
Goal Impacted: A Great Place to Live

6. A Resolution authorizing the City Administrator to implement a health insurance premium incentive of \$25 per participant per month (maximum of \$50 per month for employee/retiree and eligible spouse) for participants in the City’s Wellness Program for the 2015 Plan Year. (Alison Fleming, Human Resources Manager)

Explanation: The City is implementing a voluntary Wellness Program for employees, retirees under 65 and eligible spouses to control long-term health care costs and educate individuals on their current and potential health issues. In an effort to increase involvement, staff is proposing a discount on health insurance premiums for those that participate in the program, which requires that they complete a biometric screen, health risk assessment and health coaching, if necessary. This is the same discount negotiated with all 4 of the City’s bargaining units.

Staff Recommendation: Approval
Fiscal Impact: Funds available in the Health Fund
Public Notice/Recording: N/A
Goals Impacted: Financially Strong City

7. An Amendment to a Contract for Professional Engineering Services with Shive-Hattery
(Jeff Anderson, City Planner)

Explanation: Approval of this item would authorize an amendment to an agreement for professional engineering services with Shive-Hattery for an additional \$9,300 in design services. The original agreement was for an amount not to exceed \$15,400.00 to perform site improvement design and environmental assessment work for the Hawk Hollow residential development site located between 6th and 8th Streets and south of 5th Avenue (see attachment). It was initially anticipated that the City’s engineering staff would perform design work pertaining to the development’s roadway; however, their current workload would significantly delay moving forward with the project and budgeted CDBG funds are available for costs associated with the amendment. Additional documentation attached.

Staff Recommendation: Approval
Fiscal Impact: Adequate funds have been budgeted per 230-0729-492.14-48
Goals Impacted: Strong Local Economy & Great Place to Live

8. A Resolution authorizing the Mayor and City Clerk to sign a liquor license consent form granting the City’s consent for a Class AA – Restaurant Beer & Wine Only Liquor License to be issued to Milltown Coffee at 3800 River Drive. (Tracy Koranda, City Clerk)

Explanation: Milltown Coffee, 3800 River Drive, is in the process of applying for a Class AA – Restaurant Beer & Wine Only Liquor License. City of Moline Code of Ordinance 4-3202 (a) states that a majority of the surrounding property owners within a radius of 150 feet of the front of the center of the building shall consent to the issuance of liquor license. The City owned property that falls within 150 feet of the reference property is along Ben Butterworth Parkway. The Park Board has been made aware of this request, however, the Park Board does not meet until October 23, 2014, and so there has not been a formal vote. Staff has no objections to the issuance of a liquor license at this address. Additional documentation attached.

Staff Recommendation: Approval
Fiscal Impact: N/A
Public Notice/Recording: N/A
Goal Impacted: Strong Local Economy & A Great Place to Live

9. Approval of a Preliminary Engineering Services Agreement with Missman, Inc. for MFT Section 15-00264-00-ES, Phase 1 Sylvan Island Bridge (Scott Hinton, City Engineer)

Explanation: Missman, Inc. proposes to provide Phase 1 engineering services for the Sylvan Island Bridge replacement project for the hourly, not-to-exceed price of \$79,450.00. Phase 1 engineering includes survey, environmental, and preliminary design work necessary for the development of the plans and specifications. Phase 2 engineering includes development of the project plans, specifications, and other documents necessary to solicit bids for the project and is not included in this Agreement. Additional documentation attached.

Staff Recommendation: Approval
Fiscal Impact: Motor Fuel Tax Funds are not budgeted for this expense, but are available.
Public Notice/Recording: N/A
Goals Impacted: Strong Local Economy & Improved City Infrastructure & Facilities

10. Approval of a Resolution for Improvement by Municipality Under the Illinois Highway Code for MFT Section 15-00264-00-ES, Phase 1 Sylvan Island Bridge (Scott Hinton, City Engineer)

Explanation: A Resolution for Improvement is necessary to use MFT funds for Phase 1 design of the Sylvan Island Bridge. Additional documentation attached.

Staff Recommendation: Staff recommends approval of the Resolution.
Fiscal Impact: MFT funds are not budgeted for this project in 2014, but are available.
Public Notice/Recording: N/A
Goals Impacted: Strong Local Economy & Improved City Infrastructure & Facilities



APPLICATION FOR MINOR SUBDIVISION

Filing Date _____
\$650 Filing Fee (non-refundable) submitted: _____

Answer all statements fully. Attach six (6) full-size subdivision plats and one (1) reduction.

1. Proposed Name: BENWYNN FIRST ADDITION
2. Location: 3629 & 3637 AVE OF THE CITIES 3. Area in acres: 0.77
4. Owner: BENWYNN LLC 5. Owner Phone: 563-349-1511
6. Owner Address: 3637 AVE OF THE CITIES
7. Developer: BENWYNN LLC 8. Developer Phone: 563-349-1511
9. Developer Address: SAME AS OWNER
10. Developer Email: N / A 11. Surveyor: MCCLURE / ABBITT
12. Any special or other assessments against property: Yes No
 - a. Will they be paid in full: Yes No
 - b. Reapportioned: Yes No
13. Is land entirely in City of Moline: Yes No 14. Will it be annexed: Yes No
15. Proposed Land Use: COMMERCIAL 16. Existing zoning: Community Bus. District
17. Will zoning change be requested: Yes No 18. Zoning requested: N / A
19. Minimum lot area: 13,554 (LOT 1) 20. Minimum lot width at building line 102'
21. Variance of Ordinance requirements requested - submit letter requesting variances and reasons for the request.
 - a. Building setback _____
 - b. Lot frontage on street _____
 - c. Street width _____
 - f. Easements _____
22. Water supply system shown: Proposed _____ Existing EACH LOT SERVED SEPARATELY
23. Sewer disposal system shown: Proposed _____ Existing EACH LOT SERVED SEPARATELY
24. Drainage system shown: Proposed _____ Existing SURFACE DRAINAGE TO CITY
25. Scale of plat: 1" = 20' 26. Date of Plat: SEPTEMBER 24, 2014
27. Physical size of plat: 11 X 17 28. Deed restrictions submitted: NONE
29. Sidewalk statement included? SITE HAS EXISTING SIDEWALKS
30. Sidewalks placed other than one foot off property line: N / A
31. Concrete monuments and lot pins shown as per ordinance: Yes No
32. Do easements conform to ordinance requirements: Yes No NONE, SITE BOUNDED BY PUBLIC ROW
33. Expected date of development: BOTH LOTS CONTAIN EXISTING BUILDINGS
34. Miscellaneous: _____

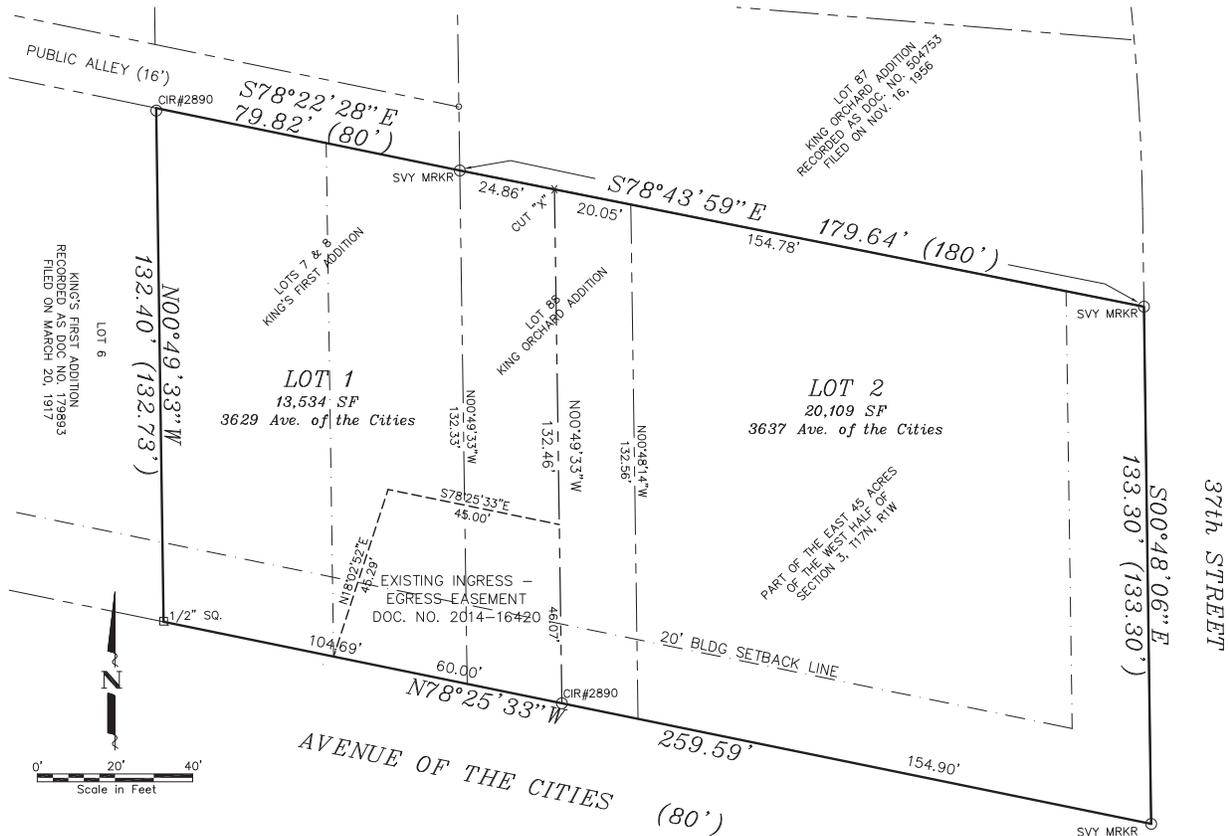
The above statements are complete and correct.

Signature of Owner or Agent

Plat of Subdivision
BENWYNN FIRST ADDITION

to the City of Moline, Rock Island County, IL

A re-subdivision of part of Lots 7 & 8 of Charles J. King's First Addition; all of Lot 88 in King Orchard Addition; and part of the east 45 acres of the west half of Section 3, Township 17 North, Range 1 West of the 4th Principal Meridian.



LEGAL DESCRIPTION

BENWYNN FIRST ADDITION TO THE CITY OF MOLINE

PART OF LOTS 7 AND 8 OF KING'S FIRST ADDITION, (DOCUMENT NUMBER 179893, AS FILED ON MARCH 20, 1917), PART OF LOT 88 OF KING ORCHARD ADDITION, (DOCUMENT NUMBER 504753, AS FILED ON NOVEMBER 16, 1956) AND SOUTH MOLINE TOWNSHIP PARCEL NUMBER 8601; ALL AS SITUATED WITHIN THE CITY OF MOLINE, ROCK ISLAND COUNTY, ILLINOIS; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 7, AS SUBSEQUENTLY CREATED BY THE DEDICATION OF RIGHT OF WAY FOR STATE BOND ISSUE ROUTE NO. 80 (aka AVENUE OF THE CITIES); THENCE, NORTH 00 DEGREES 49 MINUTES 33 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 132.40 TO THE SOUTH LINE OF A PUBLIC ALLEY PER THE PLAT OF KING'S FIRST ADDITION;

THENCE, SOUTH 78 DEGREES 22 MINUTES 28 SECONDS EAST, ALONG THE SOUTH LINE OF SAID ALLEY AND THE NORTH LINES OF SAID LOTS 7 AND 8, A DISTANCE OF 79.82 FEET TO THE NORTHWEST CORNER OF SAID LOT 88; THENCE, SOUTH 78 DEGREES 43 MINUTES 59 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 88 AND ITS EASTERLY EXTENSION (ALSO BEING THE SOUTH LINE OF LOT 87 OF SAID KING ORCHARD ADD.), A DISTANCE OF 179.64 FEET TO THE WEST RIGHT OF WAY LINE OF 37TH STREET; THENCE, SOUTH 00 DEGREES 48 MINUTES 06 SECONDS EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 133.30 FEET TO THE NORTH RIGHT OF WAY OF THE AVENUE OF THE CITIES; THENCE, NORTH 78 DEGREES 25 MINUTES 33 SECONDS WEST, ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 259.59 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED REAL ESTATE CONTAINS 0.772 ACRES (33,643 SQUARE FEET), MORE OR LESS.

FOR THE PURPOSE OF THIS DESCRIPTION THE NORTH RIGHT OF WAY LINE OF THE AVENUE OF THE CITIES IS ASSUMED TO HAVE A BEARING OF NORTH 78 DEGREES 25 MINUTES 33 SECONDS WEST.

SURVEYOR'S STATEMENT

I hereby certify that this professional service conforms to the current Illinois minimum standards for a boundary survey and it was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a Professional Land Surveyor under the laws of the State of Illinois. This plat is in accordance with the City of Moline's Subdivision Ordinance and monuments as shown on the plat are set or will be set within thirty (30) days of the acceptance of said Plat by the City, and such monuments are or will be sufficient to enable the survey to be retraced and will occupy the positions shown thereon. I further state no part of the property covered by this Plat of Subdivision is located within a special flood hazard area as identified by FEMA.

James W. Abbitt, Jr. _____ Date
IPLS. No. 35-2890
My License expires November 30, 2014



Community _____ State _____ CID _____

CC-230 Verification

Date of visit		FIRM Effective Date
Population		Current FIRM Date
County	ISO/CRS Specialist	
Coordinator's Manual Year		2013
	Chief Executive Officer	CRS Coordinator
Name		
Title		
Address		
Phone		
E-mail		

I hereby certify that _____ [community name] is implementing the following activities [check the ones that apply]. We will continue to implement these activities and will advise FEMA if any of them are not being conducted in accordance with this certification. We will cooperate with the ISO/CRS Specialist's verification visit and will submit the documentation and annual recertification needed to validate our program.

- | | |
|--|--|
| ___ 310 (Elevation Certificates) | ___ 440 (Flood Data Maintenance) |
| ___ 320 (Map Information Service) | ___ 450 (Stormwater Management) |
| ___ 330 (Outreach Projects) | ___ (Repetitive Loss Requirements) |
| ___ 340 (Hazard Disclosure) | ___ 510 (Floodplain Management Planning) |
| ___ 350 (Flood Protection Information) | ___ 520 (Acquisition and Relocation) |
| ___ 360 (Flood Protection Assistance) | ___ 530 (Flood Protection) |
| ___ 370 (Flood Insurance Promotion) | ___ 540 (Drainage System Maintenance) |
| ___ 410 (Floodplain Mapping) | ___ 610 (Flood Warning and Response) |
| ___ 420 (Open Space Preservation) | ___ 620 (Levees) |
| ___ 430 (Higher Regulatory Standards) | ___ 630 (Dams) |

I hereby certify that, to the best of my knowledge and belief, we are maintaining in force all flood insurance policies that have been required of us as a condition of Federal financial assistance for insurable buildings owned by us and located in the Special Flood Hazard Area shown on our Flood Insurance Rate Map. I further understand that disaster assistance for any community-owned building located in the Special Flood Hazard Area is reduced by the amount of National Flood Insurance Program flood insurance coverage (structural and contents) that a community should be carrying on the building, regardless of whether the community is carrying a policy.

Signed _____ (Chief Executive Officer)



FIXED ASSET DISPOSAL FORM

TO REPORT ASSETS TRANSFERRED TO ANOTHER DIVISION OR DEPARTMENT, ASSETS SOLD, TRADED, ABANDONED OR OTHERWISE TAKEN PERMANENTLY OUT OF SERVICE.

PLEASE FILL OUT ALL ITEMS THAT APPLY AND ARE KNOWN. ITEMS WITH ASTERISK (*) MUST BE COMPLETED. SIGN AND DATE FORM AND FORWARD TO ACCOUNTING AS SOON AS POSSIBLE AFTER DISPOSAL.

*Fund-Dept-Division: 010-0919	
*Date of Disposal: 10/15/2014	
*Quantity: One (1)	
*Asset Type: MME	
*Description: LiveScan fingerprinting station	
Serial Number: S00157	
Tag Number : 1634	
Asset Number: n/a	
Vehicle Equipment Number: n/a	
Method of Disposal: Disposal	
Buyer: n/a	
Cash or Trade-In Received: n/a	Check No.
Date Originally Purchased: 09/11/2003	
Original Cost: \$44,060.00	
Comments: Purchased with grant funds. I.T. staff, as well as provider of new system, report that the equipment is unusable and not worth anything.	
Form Prepared By: Jody Walker	
Date: 09/30/2014	

CHAPTER 23

PARKS AND RECREATION

- Art. I. Park and Recreation Board, §23-1100 - §23-1107
- Art. II. Operation of Parks and Recreational Facilities, §23-2100 - §23-2103
- Art. III. Watercraft, Docks and Waterways
 - Div. 1. In General, §23-3100 - §23-3102
 - Div. 2. Operation of Watercraft, §23-3200 - ~~§23-3210~~~~23-3209~~
- Art. IV. Cemetery Operation, §23-4100 - §23-4107
- Appendix 1. Restricted Areas of Parking/Boat Ramps

ARTICLE I. PARK AND RECREATION BOARD

SEC. 23-1100. CREATED; COMPOSITION; APPOINTMENT OF MEMBERS.

There is hereby created and established a park and recreation board for the City which shall be composed of seven (7) members who shall be appointed by the mayor with the advice and consent of the City Council.

SEC. 23-1101. TERM OF OFFICE; VACANCIES.

The park and recreation board is a continuation of the playground and recreation board and the staggered terms of office of the members of said playground and recreation board shall be continued for their full term. Subsequent appointments shall be made for five-year terms, and members shall serve until their successors are appointed and qualified. In the case of vacancy, the mayor shall, with the advice and consent of the City Council, appoint a successor for the unexpired term.

SEC. 23-1102. COMPENSATION OF MEMBERS.

The members of the park and recreation board shall serve without compensation.

SEC. 23-1103. QUORUM.

A majority of the members of the park and recreation board shall constitute a quorum for the transaction of business.

SEC. 23-1104. ORGANIZATION.

The park and recreation board shall elect necessary officers and adopt such rules, bylaws and regulations as it may deem proper for the conduct of its work; however, said rules, bylaws and regulations shall be in writing and shall be on file with the city clerk for at least ten (10) days before same or any amendment thereto becomes effective.

SEC. 23-1105. POWERS.

The park and recreation board shall have the following powers and duties:

- (1) To take charge of and operate all parks, playgrounds, cemeteries, park and recreational facilities, and any other property entrusted to it by resolution or ordinance and to have the care, custody, and supervision thereof.

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- (2) To acquire, in the name of the City and in accordance with the general ordinances of the City relating to purchasing, either within or beyond the corporate limits of the City, real or personal property, which is necessary, advisable, or useful for the purposes of said board by purchase, gift, exchange, or condemnation when authorized by law; provided said acquisition of real property is first approved by the City Council.
- (3) To sell or dispose of real and personal property no longer needed or useful; provided, such sale or disposition shall be either with the express approval of the City Council or in accordance with the terms of any general ordinance enacted by the City Council relating to the sale or disposal of property.
- (4) To adopt rules and regulations for the control and government of the facilities, properties, and institutions entrusted to said board; penal rules and regulations, when approved by the City Council, shall have the force and effect of ordinances and may be enforced as ordinances when published.
- (5) To appoint and employ, subject to the personnel Code of the City, such employees as may be necessary to direct and operate such facilities, properties, and institutions entrusted to and fix the compensation thereof in accordance with general compensation plans adopted by the City Council; and as may be permitted under the budget as submitted to City Council and approved each year. The director of the department of park and recreation shall be appointed by the board. The director shall be assisted by the municipal services general manager, who will coordinate park maintenance activities with the board and other municipal services.
- (6) To procure such material, supplies, and equipment as is needed for the operation of the facilities, properties, and institutions entrusted to it; provided, said procurement is in accordance with the general ordinances of the City relating to purchasing.
- (7) To provide for the maintenance and improvement of the facilities, properties, and institutions.
- (8) To establish additional facilities and properties or branches of existing facilities, institutions, or properties; provided, said establishment is first submitted to the Moline Plan Commission for review as to locational conformance to master plans and the official map.
- (9) To enter into operating, exchange of property, or sharing of property and facilities agreements with other public or private organizations for the purpose of furthering public recreational, open space and burial needs.
- (10) To plat, lay out, survey, and ornament City cemetery grounds.
- (11) To establish fees and charges for use of properties, facilities, and institutions entrusted to it and to assess the value of interment rights which are offered for sale and to sell and dispose of, in the name of the City, said interment rights on such terms and with such conditions for the permanent care and preservation of the cemeteries and all their parts as it may deem proper.
- (12) To have such other powers as may be necessary to carry out the purposes and powers hereinabove set forth or that may be granted by law or ordinance.

SEC. 23-1106. PARK AND RECREATION FUND.

(a) There is hereby created a park and recreation fund, which shall consist of the "~~Moline Memorial Park and Riverside Cemetery Fund,~~" "~~Park Fund,~~" "~~Park and Cemetery Gift Fund,~~" and "~~Perpetual Care Fund.~~" ~~Development Fund,~~ "~~Recreation Fund,~~" "~~Plaza Maintenance Fund,~~" and "~~Velie Trust Fund.~~" All taxes now

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levied or to be hereafter levied for park, recreational, and cemetery purposes, and all moneys hereafter received from the collection of such taxes or from other sources shall be deposited in said park and recreation fund.

(b) The park and recreation board shall maintain at least four (4) accounts within said fund so that park and recreational moneys, cemetery moneys, cemetery perpetual care moneys, and trust moneys may be accounted for separately to the extent practicable, in keeping with good management practices, and as required by terms of gift, bequest, or trust.

(c) Money received for park, recreational, and cemetery purposes shall be deposited with the officer charged with control of the City's finances to the account of the park and recreation board, and the money may be withdrawn and paid out by said officer upon receipt of warrants drawn on the City treasury by said board.

(d) The board may direct the officer charged with control of the City's finances to invest money in its account in any security or instrument permitted by statute; said officer shall then determine the appropriate term and investment.

SEC. 23-1107. ANNUAL AND MONTHLY REPORTS.

(a) Within thirty (30) days after the expiration of the fiscal year of the City, the park and recreation board shall make a report, as of the last day of the fiscal year, to the City Council. The report shall be in writing and shall be verified by the chairman and secretary of the board. The report shall contain the following:

- (1) An itemized statement of the various sums of money received from taxes and from other sources;
- (2) An itemized statement of the objects and purposes for which such sums of money have been expended;
- (3) A description of and statement of purpose for acquisition of real and personal property acquired by devise, bequest, purchase, or otherwise;
- (4) A statement of the character of any new, extended, or modified service that has been or is planned to be undertaken;
- (5) A statement of the financial requirements of the park and recreation board for the ensuing fiscal year and the rate of tax which will be necessary to levy for board purposes; and
- (6) Any other information and recommendations that may be of interest or which are required by the officer charged with control of the City's finances.

(b) The park and recreation board shall make, in addition to said annual report, monthly reports to the City Council showing receipts and expenditures during the preceding month and the condition of its trust at the end of the month.

ARTICLE II. OPERATION OF PARKS AND RECREATIONAL FACILITIES

SEC. 23-2100. PARK AND RECREATION SYSTEM CREATED; ORGANIZATION.

(a) There is hereby established a park, supervised playground, and recreation system in the City. Said system shall be maintained and operated for the use and benefit of the citizens of the City and shall be designed to meet the open space and passive recreational needs as well as the active recreational needs of said citizens.

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(b) Said system and expenditures for said system constitute a legitimate public purpose in that the public health, safety, and welfare are serviced by developing within an urban setting activities that promote healthy minds and bodies. Physical exercise, quiet retreats, development of skill in the cultural arts, and promotion of the aesthetic quality of the City are such activities and are compatible in nature to rightfully be continued in one unified system.

(c) The management and supervision of the department, and of any and all property pertaining thereto, shall be under the direction of the park and recreation board and the ~~director of parks and recreation~~ parks recreation director, herein designated as the director, and it shall be the director's duty to protect the same from unnecessary damage or loss and keep the department in proper running order and repair.

(d) The director shall be assisted in the administration of the department by the municipal services general manager, herein designated as the general manager, and it shall be the general manager's duty to coordinate park maintenance activities with the director and the park and recreation board; the general manager shall further coordinate the use of park employees with other municipal functions and services so as to make best use of all municipal employees and equipment.

SEC. 23-2101. PARK AND RECREATIONAL AREAS DEFINED.

(a) The park and recreation system shall (a) consist of such property, facilities and institutions either within or beyond the corporate limits as the park and recreation board, with the approval of the City Council, may from time to time determine. The City Council has approved by a special ordinance certain properties, facilities and institutions for inclusion in said system. The properties, facilities and institutions are described in the following special ordinances: Special Ordinance No. 161, Special Ordinance No. 179, Special Ordinance No. 227, Special Ordinance No. 294, and Special Ordinance No. 306.

(b) The city clerk is hereby authorized to include in subsection (a) above, special ordinances adopted hereafter which turn over real property for jurisdiction by the park and recreation board or to cause said listing to be done without further amendment of this section.

SEC. 23-2102. RULES OF CONDUCT APPLICABLE TO ALL PARKS.

(a) The rules contained in subsections (b) and (c) below have been adopted by the park and recreation board and have been approved by the City Council. Said rules are applicable to conduct of any person within any park, playground, recreational facility, or other premises under the jurisdiction of said board and are considered supplementary to, and not in exclusion of, any other rules, provisions of this Code, or other ordinances of the City applicable to such matters.

(1) Exception: The use of trails located within the City and under the jurisdiction of the park and recreation board shall be pursuant to the rules adopted by the park and recreation board and approved by the City Council as set forth in Sec. 23-2103 below.

(b) Large parks or those containing evening program activities (BBMP, Riverside, Green Valley, Prospect, Stephens) shall be open for public use from 6:00 a.m. to 11:00 p.m. daily. Neighborhood and small parks or those offering no evening activity schedule (Peterson, McCandless, Velie, Karstens, Kiwanis, Butterworth Playground, East End, Optimist, Southeast Millennium, Sylvan Island, Browning, Jefferson, Meersman and Stephen's Square) shall be open for public use to the public activity from 6:00 a.m. until sunset.

(c) No person in any park, playground, recreational facility or other premises area ~~under~~ under the jurisdiction of the park and recreation board shall:

PARKS AND RECREATION

- (1) Permit unleashed or unaccompanied animals on the premises, nor allow animals to enter fenced-in areas, except for special functions, as authorized by the ~~superintendent of parks and recreation~~director.
- (2) Carry or discharge firearms, fireworks, spring-loaded guns, or bows and arrows, or other weapons not designated in Section 23-2102(c)(3), unless duly authorized by City officials.
- (3) Carry or discharge slings, slingshots, air guns, or other weapons not designated in Section 23-2102(c)(2), unless duly authorized by City officials.
- (4) Cut, mark, break, climb upon, or in any way injure or deface trees, shrubs, plants, buildings, fences, bridges, or other structures or property on the premises.
- (5) Remove from the premises sod, trees or plants or other movable property, or to pick flowers of any kind on any such premises.
- (6) Race with horses, bicycles, automobiles, minibikes, motorcycles or other vehicles, boats, or animals; or drive or ride on drives on any such premises at more than fifteen (15) miles per hour, unless otherwise designated.
- (7) Sell, be in possession, or be under the influence of any intoxicating beverages, hallucinogenic drugs, or marijuana, except that the sale, possession and consumption of alcoholic beverages is permitted at Green Valley as long as such sale, possession and consumption is performed in compliance with Chapter 4 of this Code and all other applicable statutes, rules and regulations.
- (8) Lie or sleep on tables or benches on the premises.
- (9) Distribute circulars or advertisements, or post notices, bills or other paper upon any structures or trees on any such premises, or to advertise by any other means.
- (10) Take any bird eggs or bird nests; fish in the lagoons, unless permitted at such times as designated by the ~~superintendent of parks~~director or other authorities; or kill or disturb any waterfowl, birds or wildlife. Fishing is permitted at any time at designated park locations; see Sec. 23-2102(e) below.
- (11) Light any fires on the property, other than in established fireplaces.
- (12) Drive or park automobiles on the grassy areas.
- (13) Swim in any but designated places for swimming, and only during the designated hours. Swimming is not permitted from or off of boat docks, launching areas, shorelines or any structure or item attached to park shoreline.
- (14) Be on the premises, unless otherwise designated or authorized and under proper supervision, between the hours of 11:00 p.m. and 6:00 a.m. or additional hours, as set forth under Sec. 23-2102(b). The enclosed playground areas shall be opened and closed at the discretion of the ~~playground supervisor~~park and recreation staff, and any person being found within such closed areas shall be in violation of this chapter.
- (15) Be permitted to call or hold meetings or gatherings ~~on~~ park or recreational property without written consent by permit from the ~~superintendent of parks and recreation~~director or the City Council or refuse to vacate a property to allow use by a permit bearing group or interrupt a permitted activity in progress.
- (16) Be permitted to bring into or upon park and recreational properties refuse of any kind, including undesirable plant life or discarded appliances.

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- (17) Enter any area or portion of any area designated as restricted by signs or notices without the consent of the ~~superintendent of parks and recreation~~director.
 - (18) Be allowed to display language or conduct deemed disorderly.
 - (19) Sell or offer to sell to any person food or; refreshments, or be a vendor of any saleable products without the approval by written permit or contractual agreement with the park and recreation board or its authorized agents.
 - (20) Drive, operate or use any snowmobile, hover craft, minibike, motorcycle, go-cart or any other vehicle in any park of the City of Moline, Illinois, except in areas specifically designated, if any, by the park and recreation board for such use.
 - (21) Be permitted to solicit for membership into, affiliation with, or support of, any subject, activity or organization other than park and recreation board services and activities.
- (d) **Penalty.**
- (1) Any person violating Section 23-2102(c)(1) shall be subject to a mandatory fine as follows: not less than twenty-five dollars (\$25.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs, and any other applicable penalty provisions of Chapter 7, "Animals and Fowl."
 - (2) Any person violating Section 23-2102(c)(2) shall be subject to a mandatory fine as follows: not less than one hundred dollars (\$100.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a first offense; not less than two hundred dollars (\$200.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a second offense; not more than three hundred dollars (\$300.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a third or subsequent offense.
 - (3) Any person violating Section 23-2102(c), subsections (3), (4), (5), (6), (10), (11), (12), (13), (14), (15), (16), (17), (19), (20), or (21) shall be subject to a mandatory fine as follows: not less than fifty dollars (\$50.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a first offense; not less than one hundred dollars (\$100.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a second offense; not less than two hundred dollars (\$200.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a third or subsequent offense.
 - (4) Any person violating Section 23-2102(c)(7) shall be subject to a mandatory fine as follows: not less than one hundred dollars (\$100.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a first offense; not less than two hundred dollars (\$200.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a second offense; not less than four hundred dollars (\$400.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a third or subsequent offense.
 - (5) Any person violating Section 23-2102(c)(8) or (c)(9) shall be subject to a mandatory fine as follows: not less than twenty-five dollars (\$25.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs.
 - (6) Any person violating Section 23-2102(c)(18) shall be subject to the mandatory fine and penalty provisions set forth in Section 22-2100, "Disorderly Conduct," subsection (e), "Penalty."
- (e) **Fishing Permitted After Hours**~~(v2)~~.

PARKS AND RECREATION

- (1) A person may obtain a permit from the office of the ~~p~~Park and ~~r~~Recreation ~~b~~Board, ~~3300 5th Avenue~~~~3635 4th Avenue, Moline,~~ to fish at any time at the following parks: Ben Butterworth Parkway, Sylvan Island, Green Valley Park, ~~Trailhead Park~~Sylvan Gateway Park, and Harold's Landing. Such permit is valid for the holder of the permit only.
 - a. The permit is good for the calendar year in which it is issued and must be carried at all times while fishing. Failure to carry a permit while in a designated park after hours shall be a violation of this Code as set forth in subsection (c)(14) and shall be punishable as provided in Section 1-1107 of this Code.
 - b. If a person fishing after park hours parks his ~~or her~~ motor vehicle in the parking lot of one of the above named parks, such vehicle must have a parking sticker issued by the office of the ~~p~~Park and ~~r~~Recreation ~~b~~Board affixed to the left side of the rear window of the vehicle. ~~There will be a~~An administrative fee will be imposed for the sticker.
 - c. A person fishing after park hours with a permit is required to abide by all other rules of conduct contained in this section.

~~SEC. 23-2103. RULES OF CONDUCT APPLICABLE TO SPECIFIC PARKS AND RECREATION AREAS.~~

~~(fa) Smoking Prohibited. No person shall be permitted to smoke in any park and recreation areas under the jurisdiction of the park and recreation board~~Parks and Recreation Board. ~~the following park and recreation areas under the jurisdiction of the Parks and Recreation Board: the Green Valley Sports Complex, Green Valley Soccer Complex, Prospect Park Pavilion, all playground areas, Riverside Riverside pool area, Garden Center and Greenhouse, warming shelters at Riverside and Prospect Parks and the Moline Activity Center ("MAC").~~

- (1) Posting of Signs. A conspicuous sign indicating "NO SMOKING" shall be conspicuously posted at every entrance of every park and recreation area where smoking is prohibited, and at all other locations within said park ~~and~~ recreation areas as deemed necessary by the park and recreation board~~Parks and Recreation Board.~~
- (2) Exemption. Smoking shall be permitted in all cemeteries and parking lots adjacent to all park and recreation areas under the jurisdiction of the park and recreation board~~Parks and Recreation Board.~~
- (3) Penalty. Any person violating Section ~~23-2103~~23-2102(f) shall be subject to a mandatory fine as follows: not less than fifty dollars (\$50.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a first offense; not less than one hundred dollars (\$100.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a second offense; not less than two hundred dollars (\$200.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a third or subsequent offense.

~~SEC. 23-2103. TRAILS; RULES OF CONDUCT APPLICABLE TO TRAILS.~~

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(a) Defined. For purposes of this chapter, a trail is a ~~as~~-multi-use trail, side path, or shared use path as defined by the American Association of State Highway and Transportation Officials (AASHTO) ~~as~~, specifically, a bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or on other public property or within an easement dedicated for public use. ~~These facilities may also be used by pedestrians, skaters, wheelchair users, joggers, and other non-motorized users.~~

(b) Trails may be established for the purposes of recreation, transportation, fitness and other similar purposes. They are intended primarily for non-motorized/human-powered activities, including but not limited to, walking, running, bicycling, in-line skating, roller skating, skateboarding, skiing, and other similar activities; and for use of Americans with Disabilities Act (ADA) compliant, motorized or non-motorized devices intended for personal transport of individuals with disabilities.

(c) City Trails. Trails within the City under the jurisdiction of the park and recreation board include, but are not limited to, Ralph B. Birks Recreational Trail, Prospect Park Trails, Kiwanis Trail, Sylvan Island Trails, and Green Valley Sports Complex Trail.

(d) The rules contained in this subsection (d) have been adopted by the park and recreation board and have been approved by the City Council. Said rules are applicable to conduct of any person using any trail under the jurisdiction of said board and are considered supplementary to, and not in exclusion of, any other rules, provisions of this Code, other ordinances of the City applicable to such matters, or existing State of Illinois vehicle codes or other applicable federal, state, or local rules and regulations pertaining to trail use.

(1) No user of a trail shall:

- a. Travel at a rate of speed greater than reasonable and prudent.
- b. Use the trail in a negligent manner that is likely to endanger persons or property. Trail users shall use common courtesy and respect the rights and safety of others. The applicable state regulations regarding the equipment required to allow the safe operation of bicycles or other wheeled vehicles during the times of day when natural light is diminished shall be applied to the trails subject to this ordinance.
- c. Sell, be in possession, or be under the influence of any intoxicating beverages, hallucinogenic drugs, or marijuana. ~~Use the trail under the influence of alcohol or other controlled substances.~~
- d. Permit unleashed or unaccompanied animals on a trail; any animal present on a trail must be leashed. ~~Walk any animal unless on a leash no longer than six (6) feet and with the owner in complete physical control at all times.~~
- e. Litter, leave animal waste, or discard any other items along or near the trail.
- f. Operate any vehicle other than a compliant vehicle, as defined as a human-powered device no wider than four (4) feet, with the exception of Americans with Disabilities Act (ADA) compliant, motorized or non-motorized devices intended for personal transport of individuals with disabilities, or with the exception of equipment approved by the park and recreation board for use to maintain the trail, to provide for public safety, or specifically permitted for use by the park and recreation board. ~~Park Board; or use of ADA compliant, power-assisted devices intended for personal transport of individuals with disabilities.~~

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e. Penalty.

- (1) Any person violating Section 23-2103(1)c. shall be subject to a mandatory fine as follows: not less than one hundred dollars (\$100.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a first offense; not less than two hundred dollars (\$200.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a second offense; not less than four hundred dollars (\$400.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a third or subsequent offense.
- (2) Any person violating Section 23-2103(1)d. shall be subject to a mandatory fine as follows: not less than twenty-five dollars (\$25.00)~~five dollars (\$50.00)~~ plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs, and any other applicable penalty provisions of Chapter 7, "Animals and Fowl."
- (3) Any person violating Section 23-2103(1), subsections a., b., e., or f., shall be subject to a mandatory fine as follows: not less than fifty dollars (\$50.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a first offense; not less than one hundred dollars (\$100.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a second offense; not less than two hundred dollars (\$200.00) plus court costs nor more than seven hundred fifty dollars (\$750.00) plus court costs for a third or subsequent offense.

ARTICLE III. WATERCRAFT, DOCKS AND WATERWAYS

DIVISION 1. IN GENERAL

SEC. 23-3100. PURPOSE OF ARTICLE.

The intent and purpose of this article is to protect the life and safety of persons and property using navigable waters within the City, using watercraft harbors, launching ramps, piers and marinas owned or operated by the City.

SEC. 23-3101. CONDUCT OF PERSONS IN WATERCRAFT LAUNCHING OR PIER AREAS.

No person on or about any watercraft harbor, launching ramp or pier owned, operated or controlled by the City or any of its agents or agencies shall:

- (1) Deviate from the traffic pattern and priority system in attempting to launch or load watercraft.
- (2) Remain in the vehicle pulling trailer, other than a driver, during launching operations.
- (3) Fail to remove trailers and other vehicles from the launching zones and ramps as soon as watercraft is launched or removed from the water.
- (4) Park automobiles, trailers, or other vehicles within eighty (80) feet of launching ramps.
- (5) Park automobiles, trailers or other vehicles in areas other than those areas designated for parking.
- (6) Park heavy or large trucks.
- (7) Wash vehicles in parking or launching areas.

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- (8) Swim in watercraft ramp or pier areas.
- (9) Light or permit fires in watercraft launching or pier areas.
- (10) Park or leave unattended any watercraft in the water within any launching zone and within twenty-five (25) feet of any launching zone.

SEC. 23-3101.1 RESTRICTED AREAS OF PARKING/BOAT RAMPS.

It shall be unlawful for any person to park any type of vehicle not actually being utilized to pull a trailer or boat in those areas specifically designated for the parking of vehicles pulling trailers and boats on the City's boat ramps, as described in Appendix 1, which is incorporated in this section as if set out fully herein. For purposes of this section, "actually being utilized" shall include the parking of said vehicle while the boat is being used, loaded or unloaded.

~~**SEC. 23 3102. PENALTIES FOR VIOLATION OF ARTICLE [51].**~~

~~(a) Any person who violates any of the provisions of Section 23 3203 is guilty of a misdemeanor which shall be punishable by imprisonment in a place other than a penitentiary for a term not to exceed three hundred sixty-four (364) days or be fined an amount not to exceed one thousand dollars (\$1,000.00) or both.~~

~~(b) Any person who violates any of the provisions of this article, other than as provided in subsection (a), is guilty of a petty offense and, upon conviction therefor, shall be punished as provided for in Section 1-1107 of this Code.~~

~~(c) Any person convicted of a violation of Division 2 of this article, in addition to other penalties authorized herein, may, in the discretion of the court, be refused the privilege of operating any watercraft on any waterways located within the City for a period of not more than one (1) year. Any person who operates any watercraft during the period which said person is denied the privilege to so operate, by virtue of the provisions of this article, shall be guilty of a misdemeanor which shall be punishable by imprisonment in a place other than a penitentiary for a period not to exceed six (6) months or be fined an amount not to exceed seven hundred fifty dollars (\$750.00) or both.~~

DIVISION 2. OPERATION OF WATERCRAFT

SEC. 23-3200. CARELESS AND RECKLESS OPERATION.

(a) No person shall operate any watercraft in a careless or heedless manner so as to be grossly indifferent to the persons or property of other persons, or at a rate of speed greater than will permit said person in the exercise of reasonable care to bring the watercraft to a stop within the assured clear distance ahead.

(b) No person shall operate any watercraft or manipulate any water skis, aquaplane or similar device in such a manner as to endanger the life or limb, or damage the property of any person.

SEC. 23-3201. INTERFERENCE WITH NAVIGATION.

No person shall operate any watercraft in a manner which unreasonably or unnecessarily interferes with other watercraft or with the free and proper navigation of the waterways of the state. Anchoring under bridges or in heavily traveled channels constitutes such interference, if unreasonable under the prevailing circumstances.

SEC. 23-3202. OVERLOADING.

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No watercraft shall be loaded with passengers or cargo beyond its safe carrying capacity, taking into consideration weather and other existing operating conditions.

SEC. 23-3203. INCAPACITY OF OPERATOR; INTOXICATION.

(a) The owner of any watercraft or any person having same in said person's charge or in said person's control, shall not authorize or knowingly permit the watercraft to be operated by any person who by reason of physical or mental disability is incapable of operating such watercraft under the prevailing circumstances.

(b) No person shall operate any watercraft or vessel, or manipulate any water skis, aquaplane, or similar device while intoxicated or under the influence of any narcotic drug, barbiturate or marijuana.

(c) The owner of any watercraft or any person in charge or in control of such shall not authorize or knowingly permit the watercraft to be operated by any person who is under the influence of intoxicating liquor, narcotic or habit forming drug.

SEC. 23-3204. OVERPOWERING.

No watercraft shall be equipped with any motor or other propulsion machinery beyond its safe power capacity, taking into consideration weather and other existing operating conditions.

SEC. 23-3205. OBSERVANCE OF RESTRICTED AREAS.

No person shall operate a watercraft within a water area which has been clearly marked by buoys or other distinguishing devices as a bathing, fishing, swimming or otherwise restricted area by the state, the City, or by an owner or lessee of property in accordance with said owner or lessee's rights to the use of the property; however, this section shall not apply in the case of an emergency, or to patrol or rescue craft.

SEC. 23-3206. RULES OF THE ROAD.

Watercraft shall comply with the following rules:

- (1) **Passing:** when two (2) watercraft are approaching each other head on, or nearly so, so as to involve the risk of collision, each watercraft shall bear to the right and pass the other watercraft on its left side.
- (2) **Crossing:** when watercraft approach each other obliquely or at right angles, the watercraft approaching on the right side has the right-of-way.
- (3) **Overtaking:** one watercraft may overtake another on either side, but must grant right-of-way to the overtaken watercraft.
- (4) **Unpowered vessels:** when a watercraft is approaching a watercraft propelled solely by sails or oars, the watercraft shall yield the right-of-way to the sail boat or rowboat.

SEC. 23-3207. WATER SKIING AND SIMILAR OPERATIONS.

Watercraft used for water skiing or similar operations shall comply with the following requirements:

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- (1) No watercraft which has in tow or is otherwise assisting a person on water skis, aquaplane or similar contrivance, shall be operated or propelled in or upon any waterway, unless the watercraft is occupied by at least two (2) competent adults.
- (2) No watercraft shall have in tow or shall otherwise be assisting a person on water skis, aquaplane or similar contrivance from the period one hour after sunset to one hour prior to sunrise. This subsection shall not apply to watercraft used in duly authorized water ski tournaments, competitions, exhibitions or trials therefor where adequate lighting is provided.
- (3) All watercraft having in tow or otherwise assisting a person on water skis, aquaplane or similar contrivance, shall be operated in a careful and prudent manner and at a reasonable distance from persons and property so as not to endanger the life or property of any person.
- (4) No person shall operate or manipulate any vessel, tow-rope or other device by which the direction or location of water skis, aquaplane, or similar device may be affected or controlled in such a way as to cause the water skis, aquaplane, or similar device, or any person thereon to collide with or strike against any person or object, except ski jumps, buoys and like objects normally used in competitive or recreational skiing.

SEC. 23-3208. BOAT HARBOR AREA DEFINED; CONDUCT WITHIN.

(a) The following described area is specifically designated as a boat harbor area: That part of the Mississippi River which is immediately adjacent to and extends from the shoreline out into the river three hundred (300) feet from the following described territory: Commencing at a point on the north edge of the north curb of River Drive, five hundred thirty (530) feet westerly along said north edge of said north curb from the intersection of an extension of the west right-of-way line of Thirty-Fourth Street and the north edge of said north curb; thence north, parallel to said extended right-of-way line of Thirty-Fourth Street to the Mississippi River shoreline; thence westerly along said shoreline a distance of approximately one thousand six hundred sixty (1,660) feet, more or less, to the intersection of said shoreline and the line of a fence running north and south between the shoreline and River Drive; thence southerly along said fence line to the intersection of said fence line and the north edge of the north curb of River Drive; thence easterly along the north curb of River Drive, a distance of approximately one thousand six hundred sixty (1,660) feet, more or less, to the point of beginning; all of which is situated in Township 18, Range 1 West of the Fourth Principal Meridian in the City.

(b) Within the harbor area described in subsection (a), all persons shall operate watercraft at a no-wake speed, and no swimming or water skiing shall be allowed in the harbor area.

SEC. 23-3209. NO-WAKE ZONE ESTABLISHED.

(a) A no-wake zone is hereby established for that part of Sylvan Slough between 14 Street and 17 Street extended.

(b) That a wake is defined as movement of water created by a boat underway great enough to disturb a boat at rest, and under no circumstances shall a watercraft underway exceed 5 (five) miles per hour while in a posted "No-Wake" area.

SEC. 23-3210. PENALTIES FOR VIOLATION OF ARTICLE.

(a) Any person who violates any of the provisions of Section 23-3203 is guilty of a misdemeanor which shall be punishable by imprisonment in a place other than a penitentiary for a term not to exceed three hundred sixty-four (364) days or be fined an amount not to exceed one thousand dollars (\$1,000.00) or both.

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(b) Any person who violates any of the provisions of this article, other than as provided in subsection (a), is guilty of a petty offense and, upon conviction therefor, shall be punished as provided for in Section 1-1107 of this Code.

(c) Any person convicted of a violation of Division 2 of this article, in addition to other penalties authorized herein, may, in the discretion of the court, be refused the privilege of operating any watercraft on any waterways located within the City for a period of not more than one (1) year. Any person who operates any watercraft during the period which said person is denied the privilege to so operate, by virtue of the provisions of this article, shall be guilty of a misdemeanor which shall be punishable by imprisonment in a place other than a penitentiary for a period not to exceed six (6) months or be fined an amount not to exceed seven hundred fifty dollars (\$750.00) or both.

ARTICLE IV. CEMETERY OPERATION.

SEC. 23-4100. MUNICIPAL CEMETERIES ESTABLISHED.

There are hereby established the City cemeteries known as Riverside Cemetery and Moline Memorial Park. All ordinances of the City describing the boundaries of Riverside Cemetery and Moline Memorial Park are hereby expressly saved from repeal.

SEC. 23-4101. GOVERNING BOARD.

The park and recreation board shall have control over said cemeteries. Said board is the successor to the Moline City Cemetery Board of Managers, and the rules and regulations adopted by said board of managers shall continue in full force and effect until repealed, amended, or modified by said successor board. In addition, the powers listed in Article I of this chapter are intended to be broad enough in scope to include and encompass the powers formerly held by the said board of managers.

SEC. 23-4102. BURIAL PERMIT REQUIRED.

It shall be the duty of the park and recreation board, or its designee, to require the presentation of a permit as provided for in 410 ILCS 535/21, before permitting interment of a dead body in said cemeteries.

SEC. 23-4103. PERPETUAL CARE.

The park and recreation board may, in its discretion, establish a charge for perpetual care and add such charge to the price of each lot or assess and collect from grantees of interment rights in the City cemeteries, at intervals it deems appropriate, a reasonable sum for each right so owned for the purpose of keeping and maintaining the lots in good order; however, no owner of an interment right who has paid a charge for perpetual care may be later assessed for said care.

SEC. 23-4104. REQUIRED RECORDS.

The park and recreation board shall cause to be kept in books provided for that purpose a full and complete record of all of its meetings, proceedings, orders, rules and regulations; of all plats and surveys; of all purchases and sales of interment rights, with the names of grantees thereto, and a record of the title papers in full; and a complete register of all the burials in said cemeteries, with the date of burial, and names and ages of the dead, which records shall, at all proper times, be open to public inspection.

SEC. 23-4105. PLATTING.

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In laying out City cemetery grounds, the park and recreation board shall cause the corners of the principal subdivisions to be indicated by substantial monuments to be fixed permanently in the ground as starting points for future measurements and surveys, and such monuments shall be plainly indicated on the plats aforesaid. The plats, when completed, shall be certified by the surveyor who made the plat; authenticated by the seal of the City; subscribed by the mayor and the city clerk; acknowledged before any officer authorized by law to take acknowledgments of deeds; and filed for record in the recorder's office of the county. The filing of such plats shall operate as a legal vacation of any former plats or subdivisions of ground and of any streets, roads, or avenues passing through said grounds. No change shall be made in the platting of lots sold, or in any laying out of the avenues or alleys adjacent thereto, without the consent of the owners thereof.

SEC. 23-4106. MANNER OF SALE OF INTERMENT RIGHTS; ASSIGNABILITY.

(a) The right of interment which may be sold, shall be vested in the grantee and grantee's heirs by a certificate of purchase, executed by and in the name of the City, subscribed and acknowledged by the mayor and city clerk, and countersigned by the secretary and treasurer of the board, and shall be recorded by the secretary or designee in a book kept for that purpose.

(b) Every transfer of interment rights in the City cemeteries shall be made by surrendering the certificate issued pursuant to subsection (a) to the secretary of the board, who shall cancel the certificate, note the cancellation on the records and issue a new certificate in lieu thereof.

(c) Interment rights in burial lots shall not be held and used for the purpose of speculation, and no grantee of interment rights shall permit interment in or upon any lot held by said grantee for compensation.

SEC. 23-4107. FINANCIAL DUTIES.

Other than the duties and powers listed in Article I of this chapter, the park and recreation board shall have the duty to maintain and report on its financial accounts as provided in 65 ILCS 5/11-52.1-1 et seq. and 65 ILCS 5/11 52.2-1 so long as there is no conflict with the provisions of this chapter.

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APPENDIX 1. RESTRICTED AREAS OF PARKING/BOAT RAMPS.

It shall be unlawful for any person to park any type of vehicle not actually being utilized to pull a trailer or boat in those areas specifically designated for the parking of vehicles pulling trailers and boats on the following City boat ramp locations:

18 spots on 29th Street and River Drive.

75 spots on 55th Street and River Drive.

Amendments / Reference Notes:

Code Section No. and Action	Ordinance No.	Adoption Date
Sec. 23-1100 repealed; new Sec. 23-1100 enacted	3012-2009	05/26/09
Sec. 23-1105(5) repealed; new subsection(5) enacted	2000-01-04	01/18/00
Sec. 23-2100 repealed; new Sec. 23-2100 enacted	2000-01-04	01/18/00
Sec. 23-2102:		
Sec. 2102(b) repealed; new subsection(b) enacted	2000-05-12	05/23/00
Sec. 23-2102(c) repealed; new Sec. 23-2102(c) enacted	2002-08-11	09/10/02
Sec. 23-2102(c)(7) repealed; new Sec. 23-2102(c)(7) enacted	3043-2009	12/15/09
Sec. 23-2102(c)(13) repealed; new subsection (c)(13) enacted	2000-05-12	05/23/00
Sec. 23-2102(e) enacted	2003-08-03	08/19/03
Sec. 23-2103 repealed; new Sec. 23-2103 enacted	3037-2007	11/06/07
Sec. 23-3101.1 enacted	96-1-1	01/02/96
Sec. 23-3102(c) repealed; new Sec. 23-3102(c) enacted	98-10-1	10/06/98
Sec. 23-3209 enacted	97-8-5	08/12/97

AMENDMENT TO AGREEMENT
between SHIVE-HATTERY, INC. AND THE CLIENT

PROJECT: Moline 5th Ave & 8th St Subdivision Utilities

PROJECT LOCATION: Moline, IL

ORIGINAL AGREEMENT DATE: August 25, 2014

AMENDMENT NO.: 1

AMENDMENT DATE: September 26, 2014

The City of Moline and Shive-Hattery, Inc. (S-H) agree to amend the Original Agreement as follows:

PROJECT DESCRIPTION

ADD

Our services are amended to include design of the roadway and grading for the building pad areas. We will also prepare a Stormwater Pollution Prevention Plan (SWPPP) for the development.

SCOPE OF SERVICES

The services for the project are ADDED as follows:

1. Surveying Services
 - a. Conduct additional topographic survey in order to design the roadway and grading for the building pads. The remainder of the topographic information for the design will be gathered from City provided information and available aerial information.
2. Design and Construction Documents
 - a. Complete the preliminary design for the roadway and grading for the building pads. (75% complete plans)
 - b. Prepare a SWPPP.
 - c. Submit the design documents and SWPPP to you for your review and comments.
 - d. Complete the final design and construction documents incorporating your review comments.
 - e. Publish the IL EPA Notice of Intent and revise the SWPPP incorporating City review comments then submit to the IL EPA.
 - f. Submit construction documents to you for your final review.
 - g. Finalize the construction documents and submit one (1) signed hard copy and the electronic pdf files of the documents to you for your use.

CLIENT RESPONSIBILITIES

Client responsibilities for the project are added/deleted or revised as follows:

NO CHANGES

SCHEDULE

The Amendment Number 1 scope of services will be completed 45 calendar days after we receive the executed agreement.

COMPENSATION

The compensation for the project is added:

Scope of Services included in this Amendment \$9,300 Fixed Fee



ADDITIONAL SERVICES

ADD

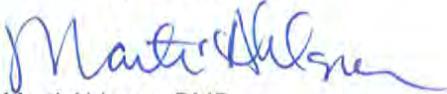
- 1. Preparation of platting documents.

AGREEMENT

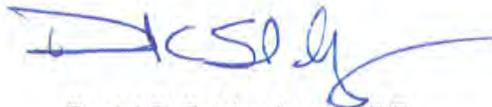
When accepted by both parties, this Amendment will amend the Original Agreement and is subject to all other terms and conditions of the Original Agreement. Original, facsimile, electronic signatures or other electronic acceptance by the parties (and returned to Shive-Hattery) are deemed acceptable for binding the parties to the Amendment. The Client representative signing this Amendment warrants that he or she is authorized to enter into this Amendment on behalf of the Client.

Sincerely,

SHIVE-HATTERY, INC.



Marti Ahlgren, PMP
mahlgren@shive-hattery.com



Daniel C. Solchenberger, P.E.
dsolchenberger@shive-hattery.com

AMENDMENT ACCEPTED AND SERVICES AUTHORIZED TO PROCEED

CLIENT: City of Moline

BY: _____ TITLE: _____
(signature)

PRINTED NAME: _____ DATE ACCEPTED: _____

PMH/mna

Great River Trail

Great River Trail

River Dr

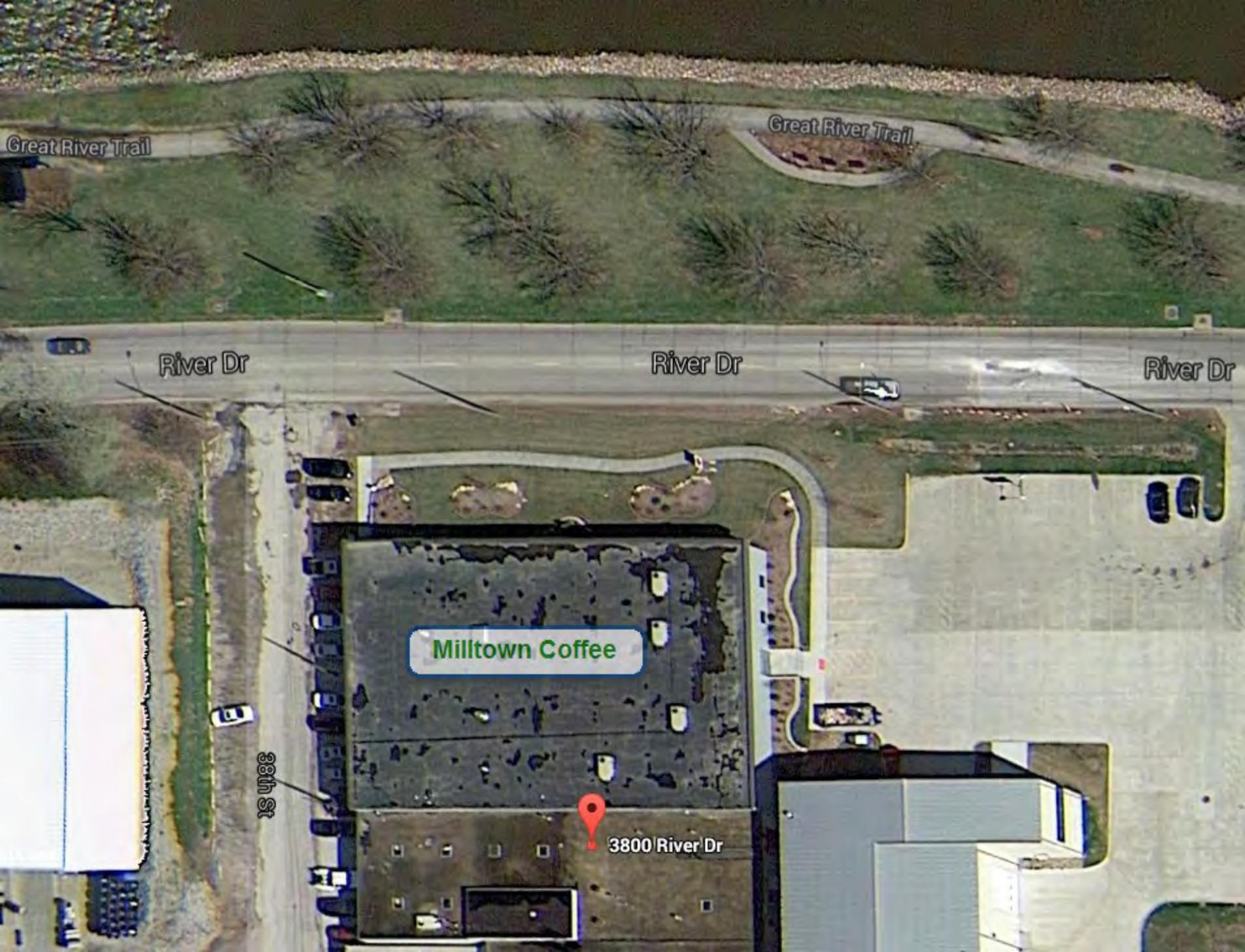
River Dr

River Dr

Milltown Coffee

38th St

3800 River Dr



SURROUNDING PROPERTY OWNERS
CONSENT FORM
LIQUOR LICENSE
City of Moline



Parcel Number: 08-1558
Property Owner Name: CITY OF MOLINE
Property Address: 3915 RIVER DRIVE MOLINE, IL, 61265
Billing Address: 619 16TH STREET, MOLINE, IL, 61265

As a nearby property owner, I/we DO NOT object to a
Class AAA – RESTAURANT BEER & WINE ONLY
liquor license being issued for the property located at:

3800 RIVER DRIVE Street, Moline, IL 61265

By: _____
Signature

Printed Name

Printed Title

Phone Number

Email Address

Date

By: _____
Signature

Printed Name

Printed Title

Phone Number

Email Address

Date

Municipality Moline	L O C A L A G E N C Y	Preliminary Engineering Services Agreement For Motor Fuel Tax Funds	C O N S U L T A N T	Name Missman, Inc.
Township Moline				Address 1011 27 th Avenue, PO Box 6040
County Rock Island				City Rock Island
Section 15-00262-00-BR				State Illinois

THIS AGREEMENT is made and entered into this _____ day of _____, _____ between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTION. Motor Fuel Tax Funds, allotted to the LA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT", will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

Section Description

Name Sylvan Island Pedestrian Bridge Replacement

Route N/A Length 0.042 Mi. 220 FT (Structure No. N/A)

Termini From edge of existing river front bike path to 10 Feet beyond end of bridge onto Sylvan Island.

Description:

Remove the existing truss bridge and construct a new pre-engineered pedestrian bridge on the existing substructures and associated approach path work.

Agreement Provisions

The Engineer Agrees,

1. To perform or be responsible for the performance of the following engineering services for the LA, in connection with the proposed improvements herein before described, and checked below:
 - a. Make such detailed surveys as are necessary for the preparation of detailed roadway plans
 - b. Make stream and flood plain hydraulic surveys and gather high water data, and flood histories for the preparation of detailed bridge plans.
 - c. Make or cause to be made such soil surveys or subsurface investigations including borings and soil profiles and analyses thereof as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations are to be made in accordance with the current requirements of the DEPARTMENT.
 - d. Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
 - e. Prepare Army Corps of Engineers Permit, Department of Natural Resources-Office of Water Resources Permit, Bridge waterway sketch, and/or Channel Change sketch, Utility plan and locations, and Railroad Crossing work agreements.
 - f. Prepare Preliminary Bridge design and Hydraulic Report, (including economic analysis of bridge or culvert types) and high water effects on roadway overflows and bridge approaches.
 - g. Make complete general and detailed plans, special provisions, proposals and estimates of cost and furnish the LA with five (5) copies of the plans, special provisions, proposals and estimates. Additional copies of any or all documents, if required, shall be furnished to the LA by the ENGINEER at his actual cost for reproduction.
 - h. Furnish the LA with survey and drafts in quadruplicate of all necessary right-of-way dedications, construction easement and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.

Note: Four copies to be submitted to the Regional Engineer

- i. Assist the LA in the tabulation and interpretation of the contractors' proposals
 - j. Prepare the necessary environmental documents in accordance with the procedures adopted by the DEPARTMENT's Bureau of Local Roads & Streets.
 - k. Prepare the Project Development Report when required by the DEPARTMENT.
- (2) That all reports, plans, plats and special provisions to be furnished by the ENGINEER pursuant to the AGREEMENT, will be in accordance with current standard specifications and policies of the DEPARTMENT. It is being understood that all such reports, plats, plans and drafts shall, before being finally accepted, be subject to approval by the LA and the DEPARTMENT.
- (3) To attend conferences at any reasonable time when requested to do so by representatives of the LA or the Department.
- (4) In the event plans or surveys are found to be in error during construction of the SECTION and revisions of the plans or survey corrections are necessary, the ENGINEER agrees that he will perform such work without expense to the LA, even though final payment has been received by him. He shall give immediate attention to these changes so there will be a minimum delay to the Contractor.
- (5) That basic survey notes and sketches, charts, computations and other data prepared or obtained by the Engineer pursuant to this AGREEMENT will be made available, upon request, to the LA or the DEPARTMENT without cost and without restriction or limitations as to their use.
- (6) That all plans and other documents furnished by the ENGINEER pursuant to this AGREEMENT will be endorsed by him and will show his professional seal where such is required by law.

The LA Agrees,

1. To pay the ENGINEER as compensation for all services performed as stipulated in paragraphs 1a, 1b, 1e, 1f, 1g, 1j, 2, 4, 5 and 6 in accordance with our Hourly Rates stipulated below for an Hourly Not to Exceed price of \$ 79,450.00. See Attachment A for breakdown.

<u>Classification</u>	<u>Rate</u>
Principal	\$175.00
Senior Project Manager	\$140.00
Project Manager	\$130.00
Project Engineer	\$115.00
Design Engineer	\$80.00
Land Survey Manager	\$140.00
Land Surveyor	\$120.00
Survey Party Chief	\$75.00
Survey Technician	\$50.00
Senior Engineering Technician	\$100.00
Engineering Technician	\$70.00
CAD Operator	\$55.00
Construction Services Manager	\$130.00
Construction Services Senior Technician	\$95.00
Construction Services Technician	\$75.00
Project Coordinator II	\$80.00
Project Coordinator I	\$60.00
Environmental Scientist	\$70.00
Clerical & Administration	\$50.00
Engineering Intern	\$30.00
Survey – Robotic	\$95.00
Survey – RTK	\$110.00

January 1, 2014
Missman, Inc.

2. To pay the ENGINEER as compensation for all services performed as stipulated in paragraphs 1c, 1d, 1h, 1k, and 3 under the ENGINEER AGREES at the hourly rates stipulated in Paragraph 1, The LA Agrees, for personnel assigned to this SECTION as payment in full to the ENGINEER for the actual time spent in providing these services. The hourly rates to include profit, overhead, readiness to serve, insurance, social security and retirement deductions. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost. Subject to the approval of the LA, the ENGINEER may sublet all or part of the services provided under the paragraphs above. If the ENGINEER sublets all or a part of this work, the LA will pay the cost to the ENGINEER plus five (5) percent service charge.

"Cost to Engineer" to be verified by furnishing the LA and the DEPARTMENT copies of invoices from the party doing the work. The classifications of the employees used in the work should be consistent with the employee classifications for the services performed. If the personnel of the firm, including the Principal Engineer, perform routine services that should normally be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the work performed.

3. That payments due the ENGINEER for services rendered in accordance with this AGREEMENT will be made as soon as practicable after the services have been performed in accordance with the following schedule:
 - a. Partial payments will be made to the ENGINEER on a monthly basis as the work progresses. Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to 100% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
 - b. Upon completion of detailed plans, special provisions, proposals and estimate of cost - being the work required by paragraphs 1a through 1k under THE ENGINEER AGREES - to the satisfaction of the LA and their approval by the DEPARTMENT, 100 percent of the total fee due under this AGREEMENT, less any amounts paid under "a".
4. That, should the improvement be abandoned at any time after the ENGINEER has performed any part of the services provided for in paragraphs 1a through 1k, and prior to the completion of such services, the LA shall reimburse the ENGINEER as compensation for all services performed up to the time he is notified in writing of such abandonment at the hourly rates stipulated for personnel assigned to this SECTION. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost.

It is Mutually Agreed,

1. That any difference between the ENGINEER and the LA concerning their interpretation of the provisions of this Agreement shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
2. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at his last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA all surveys, permits, agreements, preliminary bridge design & hydraulic report, drawings, specifications, partial and completed estimates and data, if any from traffic studies and soil survey and subsurface investigations with the understanding that all such material becomes the property of the LA. The ENGINEER shall be paid for any services completed and any services partially completed in accordance with Section 4 of THE LA AGREES.
3. That if the contract for construction has not been awarded one year after the acceptance of the plans by the LA and their approval by the DEPARTMENT, the LA will pay the ENGINEER the balance of the engineering fee due to make 100 percent of the total fees due under this AGREEMENT, based on the estimate of cost as prepared by the ENGINEER and approved by the LA and the DEPARTMENT.
4. That the ENGINEER warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the ENGINEER, to solicit or secure this contract, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the ENGINEER, any fee, commission, percentage, brokerage fee, gifts or any other consideration, contingent upon or resulting from the award or making of this contract. For Breach or violation of this warranty the LA shall have the right to annul this contract without liability.

IN WITNESS WHEREOF, the parties have caused the AGREEMENT to be executed in quadruplicate counterparts, each of which shall be considered as an original by their duly authorized officers.

Executed by the LA:

ATTEST: _____ of the
City of Moline
(Municipality/Township/County)
State of Illinois, acting by and through its
By _____

Clerk
(Seal)
By _____
Title _____

Executed by the ENGINEER:

ATTEST: _____
Missman, Inc.
1011 27th Avenue, P.O. Box 6040
Rock Island, IL 61204-6040
By _____
John B. Fellman, P.E., S.E. Robert J. Strombeck
Title Structural Transportation Manager Title CFO

Approved

Date
Department of Transportation

Regional Engineer

ATTACHMENT A
 Sylvan Island Pedestrian Bridge Replacement
 Motor Fuel Tax Funds - Preliminary Engineering I
 July 30, 2014

Sylvan Island Bridge
 Section 15-00262-00-BR

Exist S.N.: N/A

Proposed: Pre-engineered Truss Bridge on Existing Substructure
 Preliminary Engineering I Services Agreement Breakdown of Costs

Administration & QC/QA		Hours		Rate	Total
	Principal	2	x	\$175	= \$ 350
	Sr. Proj. Manager	16	x	\$140	= \$ 2,240
		<u>18</u>			<u>\$ 2,590</u>

1a) Topographic Survey - Office		Hours		Rate	Total
	PLS Manager	24	x	\$140	= \$ 3,360
	Party Chief	4	x	\$75	= \$ 300
	Engineering Tech	32	x	\$70	= \$ 2,240
		<u>60</u>			<u>\$ 5,900</u>

1a) Topographic Survey - Field		Hours		Rate	Total
	Party Chief	60	x	\$75	= \$ 4,500
	Survey Tech	60	x	\$50	= \$ 3,000
		<u>120</u>			<u>\$ 7,500</u>

1a) Boundary Survey - Office		Hours		Rate	Total
	PLS Manager	100	x	\$140	= \$ 14,000
	Party Chief	4	x	\$75	= \$ 300
	Engineering Tech	32	x	\$70	= \$ 2,240
		<u>136</u>			<u>\$ 16,540</u>

1a) Boundary Survey - Field		Hours		Rate	Total
	Party Chief	60	x	\$75	= \$ 4,500
	Survey Tech	60	x	\$50	= \$ 3,000
		<u>120</u>			<u>\$ 7,500</u>

1a) Survey Total:	<u>436</u>				<u>= \$ 37,440</u>
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1b) Stream & Floodplain hydraulic Survey N/A

1c) Soil Investigation - Outside Services N/A

1d) Traffic Studies N/A

1e) Joint Application Form (404 Permit)		Hours		Rate	Total
	Proj. Engineer	2	x	\$115	= \$ 230
	Enviro. Scientist	8	x	\$70	= \$ 560
	Clerical	2	x	\$50	= \$ 100
		<u>12</u>			<u>\$ 890</u>

1f) Bridge Condition Report (BCR)		Hours		Rate	Total
	Sr. Proj. Manager	8	x	\$140	= \$ 1,120
	Proj. Engineer	24	x	\$115	= \$ 2,760
	Clerical	2	x	\$50	= \$ 100
		<u>34</u>			<u>\$ 3,980</u>

ATTACHMENT A

Sylvan Island Pedestrian Bridge Replacement
Motor Fuel Tax Funds - Preliminary Engineering I
July 30, 2014

1f) Prelim. Bridge Design & Hydraulic Report	Hours		Rate		Total
Sr. Proj. Manager	8	x	\$140	=	\$ 1,120
Proj. Engineer	24	x	\$115	=	\$ 2,760
Sr. Eng. Tech	16	x	\$100	=	\$ 1,600
Clerical	4	x	\$50	=	\$ 200
	<u>52</u>				<u>\$ 5,680</u>

1f) Type, Size and Location (TSL) Bridge Plan (Preliminary Plans)	Hours		Rate		Total
Sr. Proj. Manager	16	x	\$140	=	\$ 2,240
Proj. Engineer	60	x	\$115	=	\$ 6,900
Sr. Eng. Tech	40	x	\$100	=	\$ 4,000
Clerical	8	x	\$50	=	\$ 400
	<u>124</u>				<u>\$ 13,540</u>

1g) Final Plans, Special Provisions, Proposals, and EOC N/A

1h) ROW Plats & Easements N/A

1i) Tabs & Interpretation of Contractor's Proposals N/A

1j) Environmental Documents - EcoCAT & ESR, Wetland Assessment	Hours		Rate		Total
Proj. Engineer	16	x	\$115	=	\$ 1,840
Enviro. Scientist	75	x	\$70	=	\$ 5,250
Sr. Eng. Tech	8	x	\$100	=	\$ 800
Clerical	8	x	\$50	=	\$ 400
	<u>107</u>				<u>\$ 8,290</u>
Order Environmental Data Base Report				=	\$ 120
				Total	<u>\$ 8,410</u>

1k) Project Development Report	Hours		Rate		Total
Sr. Proj. Manager	8	x	\$140	=	\$ 1,120
Proj. Engineer	40	x	\$115	=	\$ 4,600
Sr. Eng. Tech	8	x	\$100	=	\$ 800
Clerical	8	x	\$50	=	\$ 400
	<u>64</u>				<u>\$ 6,920</u>

Missman, Inc. Total:	847	Hrs	=	\$ 79,450
Outside Services:			=	\$ -
Project Total:	847	Hrs	=	\$ 79,450

General Notes:

1. City of Moline will need to sign off on the past hydraulic history of the structure, and that it has not been the cause of demonstrable flood damage.
2. Hydraulic analysis is not anticipated for submittal of the PBDHR. If IDOT requires such analysis, the USACE will need to be consulted/hired to create the hydraulic model.
3. Per the meeting with IDOT, the ESR submittal will prompt the State to conduct a mussel survey for the City at no cost to them.

Environmental Assumptions:

- The project will be cleared environmentally by IDOT and no PESA or additional intrusive environmental assessment will be required.
- The project will be permitted under the Nationwide 404 permit program, and wetland/waterway impacts (if any) will not result in mitigation requirements.
- No additional Section 106 Historical/Cultural review assessment (Phase I) for the potential for archaeological significance at the project site will be required. Any intrusive archaeological study to determine if potential cultural resources are on the site will be at an additional cost.
- No Threatened & Endangered Species/habitat will be impacted on this project. Any field assessment to determine if threatened & endangered species or preferred habitat will be at an additional cost. Potential species/species habitat impacted may include (but not limited to) Bald Eagle, Indiana Bat, and mussel species.
- Below are estimated costs associated with assessments for particular species:
 - Bald Eagle/Indiana Bat – Field assessment & reporting \$2,800
 - Listed Mussels – Contract a subcontractor to assess for \$15,000
 - Note: It is anticipated that IDOT will conduct the Mussel Survey

Sylvan Slough Bridge Property Survey and Research:

Research Assumptions:

1. Deed and easement research on 4 known parcels
2. Deed and ROW search along river
3. Research could take several days to complete

Property Survey Assumptions:

1. Old part of town and there may not be much original evidence of property lines
2. Industrial area with a lot of past construction
3. Locating river high water mark
4. Determining property lines on island could be difficult
5. Collecting all the filed data will take several days
6. Compiling data and calculating boundaries will take several days

Topographic Survey Assumptions:

1. River and tree covered areas will be the most difficult



BE IT RESOLVED, by the City Council of the
City of Moline Illinois
Council or President and Board of Trustees
City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Sylvan Island Bridge			

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Phase 1 Engineering for the Sylvan Island Bridge
Replacement Project

and shall be constructed 12' wide
and be designated as Section 15-00264-00-ES

2. That there is hereby appropriated the (additional Yes No) sum of seventy nine thousand four hundred fifty
Dollars (\$79,450.00) for the
improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by contract ; and,
Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the
district office of the Department of Transportation.

Approved
Date
Department of Transportation
Regional Engineer

I, Tracy Koranda Clerk in and for the
City of Moline
City, Town or Village
County of Rock Island , hereby certify the
foregoing to be a true, perfect and complete copy of a resolution adopted
by the City Council
Council or President and Board of Trustees
at a meeting on _____
Date
IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this
_____ day of _____
(SEAL)
_____ City, Town, or Village Clerk

Stormwater Questions...

Four Topics:

Four Topics:

1) Buyout 48th–53rd St, N of 4th Ave

Four Topics:

- 1) Buyout 48th–53rd St, N of 4th Ave
- 2) \$\$\$ Undeveloped Properties

Four Topics:

- 1) Buyout 48th–53rd St, N of 4th Ave
- 2) \$\$\$ Undeveloped Properties
- 3) Large Parcels w/ Large Pervious

Four Topics:

- 1) Buyout 48th–53rd St, N of 4th Ave
- 2) \$\$\$ Undeveloped Properties
- 3) Large Parcels w/ Large Pervious
- 4) Prioritized Ditch Cleaning List

Buyout 48th–53rd St, N of 4th Ave

Buyout 48th–53rd St, N of 4th Ave

20 Parcels

~\$3,500,000

Buyout 48th–53rd St, N of 4th Ave

20 Parcels

~\$3,500,000

“Repetitive Loss”

\$\$\$ Undeveloped Properties

\$\$\$ Undeveloped Properties

170 Parcels

~\$35,000

Large Parcels w/ Large Pervious

Large Parcels w/ Large Impervious

Stormwater Utility Rate Structure

Stormwater Utility Rate Structure

Quarterly Fee =

\$87.83 x Acres of Stormwater Runoff

Stormwater Utility Rate Structure

Quarterly Fee =

Impervious Acres

Pervious Acres

Stormwater Utility Rate Structure

Quarterly Fee =

\$87.83 x 0.95 Impervious Acres +

\$87.83 x 0.15 Pervious Acres

Stormwater Utility Rate Structure

Undeveloped

0 Acres Impervious

12.5 Acres Pervious = \$0

Residential

0.5 Acres Impervious

12.0 Acres Pervious = \$200

Commercial

12.0 Acres Impervious

0.5 Acres Pervious = \$1,008

Stormwater Utility Rate Structure

Quarterly Fee =

\$87.83 x 0.95 Impervious Acres +

\$87.83 x 0.15 Pervious Acres

Stormwater Utility Rate Structure

Quarterly Fee =

\$87.83 x 0.95 Impervious Acres +

~~\$87.83 x 0.15 Pervious Acres~~

Stormwater Utility Rate Structure

	.5 Acre Imp	12 Acre Imp
	<u>12 Acre Perv</u>	<u>.5 Acre Perv</u>
Moline	\$200	\$1008
East Moline		
Rock Island		
Bettendorf		
Davenport		

Stormwater Utility Rate Structure

	.5 Acre Imp	12 Acre Imp
	<u>12 Acre Perv</u>	<u>.5 Acre Perv</u>
Moline	\$200	\$1008
East Moline		
Rock Island		
Bettendorf		
Davenport		

Stormwater Utility Rate Structure

	.5 Acre Imp	12 Acre Imp
	<u>12 Acre Perv</u>	<u>.5 Acre Perv</u>
Moline	\$200	\$1008
East Moline	\$78	
Rock Island	\$92	
Bettendorf	\$61	
Davenport	\$61	

Stormwater Utility Rate Structure

	.5 Acre Imp	12 Acre Imp
	<u>12 Acre Perv</u>	<u>.5 Acre Perv</u>
Moline	\$200 \$42	\$1008
East Moline	\$78	
Rock Island	\$92	
Bettendorf	\$61	
Davenport	\$61	

Stormwater Utility Rate Structure

	.5 Acre Imp	12 Acre Imp
	<u>12 Acre Perv</u>	<u>.5 Acre Perv</u>
Moline	\$200 \$42	\$1008
East Moline	\$78	
Rock Island	\$92	
Bettendorf	\$61	
Davenport	\$61	

Stormwater Utility Rate Structure

	.5 Acre Imp	12 Acre Imp
	<u>12 Acre Perv</u>	<u>.5 Acre Perv</u>
Moline	\$200 \$42	\$1008
East Moline	\$78	\$1860
Rock Island	\$92	\$2712
Bettendorf	\$61	\$1473
Davenport	\$61	\$1459

Stormwater Utility Rate Structure

	.5 Acre Imp	12 Acre Imp
	<u>12 Acre Perv</u>	<u>.5 Acre Perv</u>
Moline	\$200	\$1008
East Moline	\$78	\$1860
Rock Island	\$92	\$2712
Bettendorf	\$61	\$1473
Davenport	\$61	\$1459

Prioritized Ditch Cleaning List

Prioritized Ditch Cleaning List

- 1) East of Alleman Ball Fields



Prioritized Ditch Cleaning List

- 1) East of Alleman Ball Fields
- 2) West of Best Buy



Prioritized Ditch Cleaning List

- 1) East of Alleman Ball Fields
- 2) West of Best Buy
- 3) 16th St West of SP Mall



Prioritized Ditch Cleaning List

- 1) East of Alleman Ball Fields
- 2) West of Best Buy
- 3) 16th St West of SP Mall
- 4) 41st, 44th – 49th Ave



Prioritized Ditch Cleaning List

- 1) East of Alleman Ball Fields
- 2) West of Best Buy
- 3) 16th St West of SP Mall
- 4) 41st, 44th – 49th Ave
- 5) 41st St, 49th Ave – Rock River



Questions?