



MINUTES

MOLINE CITY COUNCIL MEETING

City Hall, 619 16th Street
Tuesday, February 24, 2015

Council Meeting: The City Council meeting came to order at 7:01 p.m. The Council met in regular session in the Council Chambers at City Hall.

Pledge: The Council and audience recited the Pledge of Allegiance.

Invocation: Alderman Schoonmaker gave an Invocation.

Roll Call: Roll call was taken with Mayor Raes, Aldermen Knaack, Parker, Triebel, Zelnio, Turner, Schoonmaker, Liddell and Acri present. Absent: None.

Items on Consent:

Approval of Minutes

Committee-of-the-Whole and Council meeting minutes of February 10, 2015, and January Financial Report.

Resolutions

1. Council Bill/Resolution 1016-2015

A Resolution authorizing the Mayor and City Clerk to execute a contract with Walter D. Laud, Inc. for Project #1221, 2015 Pavement Patching Program, in the amount of \$1,183,790.55.

2. Council Bill/Resolution 1017-2015

A Resolution authorizing the Mayor and City Clerk to execute a contract with Denler, Inc. for Project #1219, 2015 Joint and Crack Sealing Program, in the amount of \$62,200.00.

3. Council Bill/Resolution 1018-2015

A Resolution authorizing the Mayor and City Clerk to execute a contract with Walter D. Laud, Inc. for Project #1222, 2015 Inlet & Catch Basin Replacement Program, in the amount of \$269,340.30.

4. Council Bill/Resolution 1019-2015

A Resolution authorizing the Mayor and City Clerk to execute a contract with Settle, Inc. for Project #1220, 2015 Seal Coat Program, in the amount of \$78,780.00.

5. Council Bill/Resolution 1020-2015

A Resolution authorizing approval of a Reconciliation Change Order with Valley Construction Company for Project No. 1216, Water Main at 515 Valley View Drive, Moline, in the amount of \$11,042.38.

Omnibus Vote: Alderman Knaack, seconded by Alderman Parker, moved to approve and adopt, by omnibus vote, these items. Motion carried on roll call with the following vote: ayes: Aldermen Knaack, Parker, Triebel, Zelnio, Turner, Schoonmaker, Liddell and Acri; nays: none.

Items Not on Consent:

Resolutions

6. Council Bill/Resolution 1021-2015

A Resolution authorizing the Mayor and City Clerk to execute an Agreement with Quality Controlled Staffing for temporary and seasonal staffing services beginning March 1, 2015 through February 28, 2017.

Approved: Alderman Liddell, seconded by Alderman Schoonmaker, moved to approve Council Bill 1021-2015. Alderman Parker made a motion to table Council Bill 1021-2015 until Quality Controlled Staffing website is completed and the Moline office is open. Motion to table failed for lack of a second. Motion carried on roll call with the following vote: ayes: Aldermen Knaack, Triebel, Turner, Schoonmaker, Liddell and Acri; nays: Alderman Parker and Zelnio.

First Reading Ordinances**7. Council Bill/General Ordinance 3004-2015**

An Ordinance amending Chapter 22, “OFFENSES – MISCELLANEOUS,” of the Moline Code of Ordinances, by repealing Section 22-4100, “UNLAWFUL USE OF WEAPONS,” and Section 22-4103, “DISCHARGE OF WEAPONS,” in their entirety and enacting in lieu thereof new Sections 22-4100 and 22-4103 dealing with the same subject matter.

8. Council Bill/Special Ordinance 4003-2015

A Special Ordinance authorizing the Mayor and City Clerk to execute a Second Amendment to and Restatement of the Development Agreement between the City of Moline and Moline Promenade Investors, LLC for the Quad Cities Multi-Modal Station and Element Hotel.

Council, Staff and Citizen Comments:

Lee Ann Fisher, Library Director, stated that there have been 19 Passport Application processed since the start of the program on February 17, 2015, for an average of 3 per day. Additionally, 242 people visited the Library on Sunday and 105 of those checked out a total of 551 items.

Alderman Acri submitted the attached documentation regarding ambulance billing. A motion was made by Alderman Acri to direct staff to obtain an independent investigation to determine if the City has been engaged in the practice of not forwarding information associated with EMS services rendered to the third party billing service for collection, specifically because the services have been provided to a City Employee or Official. Seconded by Alderman Parker. Alderman Knaack made a motion to table the motion until after the Executive Session. Motion to table seconded by Alderman Schoonmaker. Motion to table passed with the following roll call vote: ayes: Aldermen Knaack, Parker, Bender, Zelnio, Turner, Schoonmaker and Liddell; nays: Alderman Acri.

Executive Session:

Alderman Knaack, seconded by Alderman Parker, moved for Executive Session, for the purpose of discussion of Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees- 5 ILCS 120/2 (C) (1), Property Acquisition-5 ILCS 120/2 (C) (5) and Price Setting for Sale or Lease of Real Property-5 ILCS 120/2 (C) (6). Motion carried on roll call with the following vote: Ayes: Aldermen Knaack, Parker, Bender, Zelnio, Turner, Schoonmaker, Liddell and Acri; nays: none.

Alderman Knaack made a motion to remove the previous motion from the table. Seconded by Alderman Parker. Motion carried on roll call with the following vote: ayes: Aldermen Knaack, Parker, Triebel, Zelnio, Turner, Schoonmaker, Liddell and Acri; nays: none.

Alderman Zelnio made a motion to amend the motion by including an independent auditor and attorney for the investigation. Motion to amend carried on roll call with the following vote: ayes: Aldermen Knaack, Parker, Triebel, Zelnio, Turner, Schoonmaker, Liddell and Acri; nays: none.

Alderman Knaack made a motion to approve the amended motion. Seconded by Alderman Parker. Motion to approve the amended motion carried on roll call with the following vote: ayes: Aldermen Knaack, Parker, Triebel, Zelnio, Turner, Schoonmaker, Liddell and Acri; nays: none.

City Council convened in Executive Session at 7:17 p.m.

Council reconvened in open session at 8:10 p.m.

On motion of Alderman Knaack, Seconded by Alderman Parker, Council adjourned at 8:15 p.m.

The next regularly scheduled City Council meeting is on March 3, 2015.

Respectfully submitted,

Tracy A. Koranda
City Clerk

Information has been provided directly to me with the request that I do not disclose the identity of the source. The allegation is that the City has engaged in a billing practice that may be in violation of the City's Code of Ethics and/or the Illinois State Officials and Employees Ethics Act 5 ILCS 430. The allegation is that there has been a practice of not forwarding information associated with EMS services rendered to the 3rd party billing service for collection, specifically because the services have been provided to a City Employee or Official.

This activity may violate the Code of Ordinance and/or Illinois State Statute, specifically:

- Moline Sec. 2-3113 - Code of Ethics, Item J: "Special Treatment"
- Moline Sec. 2-3128 – "Gift Ban"
- IL State Statute 5 ILCS 430 Sec. 10-10 and 40 - "Gift Ban"

I request that the Council support an independent investigation to determine if this allegation is true.

If it is found to be true the investigation would include but not be limited to:

- Whether the practice is in violation of the City of Moline's Code of Ordinances?
 - What recourse is available to recover any lost revenue?
 - And if there was a cover-up in an attempt to prevent information of this billing practice from reaching the City Council and the citizens of the City of Moline.
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Support Information:

Data provided to the Council during 10 Feb 2015 COW Informational Presentation:

Year	Total Runs	Total Runs Submitted to 3rd Party Billing	Total Runs not Submitted to 3rd Party Billing	Collected Revenue	Average Receipt per billed call	Maximum Estimated Potential of Lost Revenue
2011	4,331	3,378	953	\$ 1,283,502	\$ 380	\$ 362,101
2012	4,314	3,624	690	\$ 1,289,078	\$ 356	\$ 245,437
2013	4,320	3,461	859	\$ 1,307,591	\$ 378	\$ 324,536
2014	4,352	3,441	911	\$ 1,321,343	\$ 384	\$ 349,824
Total for the last 4 years	17,317	13,904	3,413	\$ 5,201,513	\$ 374	\$ 1,276,810

Moline Code of Ordinances Sec. 2-3113 - Code of Ethics, Item J: Special Treatment. No public officer or employee shall grant any special consideration, treatment or advantage to any person beyond that which is available to every other person similarly situated.

Moline Code of Ordinances Sec. 2-3128 - Gift Ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee shall intentionally solicit or accept any gift from a prohibited source as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Moline Code of Ordinances Sec. 2-3126 – Definitions. “Gifts” mean any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to cash, food and drink, and honoraria for speaking engagements related to or attributed to government employment or the official position of an officer or employee.

IL Statute 5 ILCS 430 Sec. 10-10 – Gift Ban. Except as otherwise provided in this Article, no officer, member, or State employee shall intentionally solicit or accept any gift from any prohibited source or in violation of any federal or State statute, rule, or regulation. This ban applies to and includes the spouse of and the immediate family living with the officer, member, or State employee. No prohibited source shall intentionally offer or make a gift that violates this section.

IL Statute 5 ILCS 430 Sec. 10-40 – Gift ban; further restrictions. A State agency may adopt or maintain policies that are more restrictive than those set forth in this Article and may continue to follow any existing policies, statutes, or regulations that are more restrictive or are in addition to those set forth in this Article.