



# MOLINE CITY COUNCIL AGENDA

Tuesday, May 12, 2015

6:30 p.m.

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

City Hall

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

619 16th Street

Moline, IL

**Call to Order**

**Pledge of Allegiance**

**Invocation – Alderman Schoonmaker**

**Roll Call**

**Consent Agenda**

All items under the consent agenda will be enacted by one motion. There will be no separate discussions of these items unless a Council Member so requests, in which case, the item will be moved from the Consent Agenda and considered as the first item after the Omnibus Vote.

COUNCIL MEMBER	PRESENT	ABSENT
Rodriguez		
Parker		
Wendt		
Zelnio		
Turner		
Schoonmaker		
Liddell		
Acri		
Mayor Raes		

**Approval of Minutes & Appointments**

Committee-of-the-Whole and Council meeting minutes of May 5, 2015 and appointments made during Committee of the Whole.

**Second Reading Ordinances**

**1. Council Bill/General Ordinance 3020-2015**

An Ordinance amending Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, by repealing Sections 4-3101, 4-3208(b) and (e), 4-3311 in their entirety and enacting in lieu thereof new Sections 4-3101, 4-3208 (b) and (e), and 4-3311 dealing with the same subject matter; enacting new Sections 4-3312 and 4-3313 and consecutively renumbering the remaining subsections of Division 3; amending the renumbered Section 4-3317; and enacting one new Section 4-3407.

**Explanation:** The Local Liquor Control Commissioner and City staff met recently to review potential changes to the City’s liquor code as a result of requests made by individuals and the various City Departments. Following review, the Commissioner and staff determined that certain amendments to the City’s liquor code will increase business in the City without compromising the safety and security of its residents, businesses, visitors and public safety personnel and will improve certain existing procedures.

**Fiscal Impact:** N/A  
**Public Notice/Recording:** Pamphlet Publication

**2. Council Bill/Special Ordinance 4015-2015**

A Special Ordinance closing certain streets more particularly described herein to vehicular traffic and authorizing the use of public right-of-way in conjunction with the Young Life “You Were Made for This 5K” scheduled for Saturday, May 16, 2015.

**Explanation:** This is an annual event and has been reviewed and approved by the Special Event Committee.

**Public Notice/Recording:** N/A  
**Fiscal Impact:** N/A

**Resolutions**

**3. Council Bill/Resolution 1054-2015**

A Resolution authorizing the Mayor and City Clerk to execute a Contract with Hoerr Construction, Inc. for Project #1225, 2015 Lining Program, in the amount of \$117,088.

**Explanation:** Bids were opened and publicly read on April 28, 2015, for Project #1225 with the following results:

\$117,088	Hoerr Construction, Inc.
\$132,427	Visu-Sewer of Illinois, LLC
\$134,900	SAK Construction, LLC

Hoerr Construction, Inc. submitted the lowest responsible and responsive bid. Additional documentation attached.

**Fiscal Impact:** Funds are budgeted and available as follows:

ACCOUNT	BUDGETED	AS-BID	
WPC	70,000	\$92,964.00	320-1840-433.08-30
Storm	125,000	\$24,124.00	330-1971-433.08-35
	\$195,000	\$117,088.00	

**Public Notice/Recording:** N/A

**Omnibus Vote**

OMNIBUS VOTE		
Council Member	Aye	Nay
Schoonmaker		
Liddell		
Acri		
Rodriguez		
Parker		
Wendt		
Zelnio		
Turner		
Mayor Raes		

**Non - Consent Agenda**

**First Reading Ordinances**

**4. Council Bill/General Ordinance 3021-2015**

**An Ordinance amending Chapter 5, “AMUSEMENTS,” of the Moline Code of Ordinances, Article III, “OUTDOOR CARNIVALS AND CIRCUSES,” by repealing Sections 5-3103 and 5-3104 in their entirety and enacting in lieu thereof two new 5-3103 and 5-3104 dealing with the same subject matter.**

**Explanation:** In 2008, the City of Moline implemented an Outdoor Carnival/Circus License to regulate such outdoor exhibitions through licensing and background checks on any person wishing to hold an outdoor carnival or circus within the City. The City currently has a pending application for which the applicant is unable to provide the required photo ID and social security number for all 50+ employees. City staff has reviewed the licensing procedures and contacted other area municipalities and found that none of them require background checks prior to issuing a license for a carnival or circus event. Additionally, further research found that the State of Illinois requires annual permits for these types of events which require the applicants to perform background checks on all employees. Staff therefore recommends revising the City’s licensing requirements by removing the background check requirement and adding the duty of the applicant to conduct background checks on all employees and volunteers prior to working at the event.

**Fiscal Impact:** N/A

**Public Notice/Recording:** Publication required

**5. Council Bill/Special Ordinance 4016-2015**

**A Special Ordinance closing certain streets more particularly described herein to vehicular traffic; and authorizing the use of public right-of-way in conjunction with the Children’s Therapy Center “Firststep Riverfront” 5K Race, scheduled for Saturday, May 23, 2015.**

**Explanation:** This is an annual event and has been reviewed and approved by the Special Event Committee.

**Public Notice/Recording:** N/A

**Fiscal Impact:** N/A

**6. Council Bill/Special Ordinance 4017-2015**

**A Special Ordinance closing certain streets more particularly described herein to vehicular traffic; and authorizing the use of public right-of-way in conjunction with the Walk & Run For Wishes Walk, scheduled for Saturday, June 6, 2015.**

**Explanation:** This is an annual event and has been reviewed and approved by the Special Event Committee.

**Public Notice/Recording:** N/A

**Fiscal Impact:** N/A

**7. Council Bill/Special Ordinance 4018-2015**

**A Special Ordinance closing certain streets more particularly described herein to vehicular traffic; and authorizing the use of public right-of-way in conjunction with the Trinity FROG Hop 5K, scheduled for Saturday, June 6, 2015.**

**Explanation:** This is an annual event and has been reviewed and approved by the Special Event Committee.

**Public Notice/Recording:** N/A

**Fiscal Impact:** N/A

**8. Council Bill/Special Ordinance 4019-2015**

**A Special Ordinance granting a partial variance to Section 28-3200(a) and Section 35-4218 of the Moline Code of Ordinances to delay installation of a sidewalk for property located at 2100 69<sup>th</sup> Avenue, Moline.**

**Explanation:** This ordinance will grant a variance to delay installation of sidewalk along 69<sup>th</sup> Avenue in front of the Holiday Inn Express near the Quad City International Airport.

**Fiscal Impact:** N/A

**Public Notice/Recording:** N/A

**Miscellaneous Business (if necessary)**

**Public Comment**

Members of the Public are permitted to speak after coming to the podium and stating their name.

**Executive Session (if necessary)**

Council Bill/General Ordinance No. 3020-2015

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

AN ORDINANCE

AMENDING Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, by repealing Sections 4-3101, 4-3208(b) and (e), and 4-3311 in their entirety and enacting in lieu thereof new Sections 4-3101, 4-3208(b) and (e), and 4-3311 dealing with the same subject matter; enacting new Sections 4-3312 and 4-3313 and consecutively renumbering the remaining subsections of Division 3; amending the renumbered Section 4-3317; and enacting one new Section 4-3407.

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WHEREAS, the Local Liquor Control Commissioner and City staff recently met to review potential changes to the City’s liquor code; and

WHEREAS, following review, the Commissioner and staff determined that certain amendments to the City’s liquor code will increase business in the City without compromising the safety and security of its residents and/or will improve certain existing procedures and they recommend the amendments be approved; and

WHEREAS, an amendment to Sec. 4-3101 will rename Class I Special Event to Class I Special Event Not For Profit and add two new classifications: Class II Special Event Hosted Bar and Class III Special Event Homebrewer; and

WHEREAS, amendments to Sec. 4-3208 (b) and (e) will add Class II and Class III as license classifications and set the non-refundable application fee for each at \$25.00 per day; and

WHEREAS, an amendment to Sec. 4-3311 will rename Class I Special Event to Class I Special Event Not for Profit, amend the provisions for outdoor use, and add application guidelines; and

WHEREAS, a new Sec. 4-3312 will be enacted to create a Class II Special Event Hosted Bar Liquor License that will allow individuals or businesses to provide alcoholic liquor to guests over the age of 21 at a private event held at Bass Street Landing; and

WHEREAS, a new Sec. 4-3313 will be enacted to create a Class III Special Event Homebrewer Liquor License authorizing individuals or organizations to provide samples, tastings, demonstrations or public exhibitions of homebrewed beer, as defined by 235 ILCS 5/6-36, during a City of Moline approved Special Event; and

WHEREAS, the remaining sections of Division 3 will be consecutively renumbered; and

WHEREAS, pursuant to said renumbering, Sec. 4-3315, “Option I Outdoor Use,” will become Sec. 4-3317 and will be revised in accordance with the administrative guidelines for the use of public property and right-of-way; and

WHEREAS, a new Sec. 4-3407 will be enacted to require the attendance of liquor license holders at periodic training sessions held by City staff.

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

**Section 1** – That Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, Section 4-3101, “THE CLASSES OF LICENSES ESTABLISHED,” is hereby amended by repealing said section in its entirety and enacting in lieu thereof one new Section 4-3101, which shall read as follows:

**“SEC. 4-3101. THE CLASSES OF LICENSES ESTABLISHED.**

There shall be the following classes of liquor licenses available to qualified applicants in the City of Moline, Illinois:

<b>Classification</b>	<b>Description</b>
Class A	Restaurant
Class AA	Restaurant-Beer & Wine Only
Class B	Tavern
Class C	Packaged Sales Only-Primary
Class CC	Packaged Sales Only-Secondary
Class CCC	Packaged Sales of Wine and Beer Only-Secondary
Class D	Clubs/Fraternal Organizations
Class E	Rental Hall
Class F	Hotel/Motel
Class FF	Hotel/Motel Limited
Class G	Bowling Center
Class H	Civic Center
Class I	Special Event Not for Profit
Class II	Special Event Hosted Bar
Class III	Special Event Homebrewer
Class J	Park Concession.”

**Section 2** – That Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, Section 4-3208, “LICENSE FEES,” subsections (b) and (e), are hereby amended by repealing said subsections in their entirety and enacting in lieu thereof new subsections (b) and (e), which shall read as follows:

**“SEC. 4-3208. LICENSE FEES.**

\* \* \* \* \*

(b) A non-refundable application fee of three thousand dollars (\$3,000.00) shall be paid by all licensee applicants, except for Class D Clubs/Fraternal Organization, Class I Special Event Not for Profit, Class II Special Event Hosted Bar, Class III Special Event Homebrewer, and Class J Park Concession license applicants. A non-refundable application fee of one thousand dollars (\$1,000.00) shall be paid by Class D Clubs/Fraternal Organization license applicants. A total fee of twenty-five dollars (\$25.00) per day shall be paid by Class I Special Event Not for Profit, Class II Special Event Hosted Bar and Class III Special Event Homebrewer license applicants. Said application fees are not refundable and are intended to cover the cost of obtaining or reviewing property consents and the cost of reviewing the application and applicant as well as serve other regulatory purposes.

\* \* \* \* \*

(e) The annual fees for the various classes of licenses to be issued pursuant to this division as well as the fees for various local options shall be as follows:

<b>Classification</b>	<b>Description</b>	<b>Annual Fee</b>	
Class A	Restaurant	\$ 1,400.00	
Class AA	Restaurant-Beer & Wine Only	\$ 700.00	
Class B	Tavern	\$ 1,400.00	
Class C	Packaged Sales Only-Primary	\$ 1,400.00	
Class CC*	Packaged Sales Only-Secondary	\$ 1,400.00	
Class CCC	Packaged Sales Beer and Wine		
	Only- Secondary	\$ 1,400.00	
Class D	Clubs/Fraternal Organizations	\$ 1,400.00	
Class E	Rental Hall	\$ 1,400.00	
Class F	Hotel/Motel	\$ 1,400.00	
Class FF	Hotel/Motel Limited	\$ 700.00	
Class G	Bowling Center	\$ 1,400.00	
Class H	Civic Center	\$ 6,800.00	
Class I	Special Event Not for Profit	\$ 25.00 / Day	
Class II	Special Event Hosted Bar	\$ 25.00 / Day	
Class III	Special Event Homebrewer	\$ 25.00 / Day	
Class J	Park Concession	\$ 250.00	
<b>Options</b>	<b>Description</b>	<b>Annual Fee</b>	<b>Classification Eligible</b>
Option I	Outdoor Use	\$ 100.00	A, AA, B, D, E, F, FF, G, H
Option II	Additional Bar Station	\$ 400.00	A, AA, B, D, E, G
Option III	Caterer's Retail	\$ 350.00	A, AA, CC*
Option IV	Restaurant Alternate	\$ 400.00	A, AA
Option V	Extended Hours-3 a.m. Tavern	\$ 1000.00	A, AA,B
Option VI	Retailer's Off-Site Special Use	\$ 100.00	A, AA, B, D, F"

**Section 3** – That Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, Section 4-3311, “CLASS I SPECIAL EVENT LICENSE,” is hereby amended by repealing said section in its entirety and enacting in lieu thereof one new Section 4-3311, “CLASS I SPECIAL EVENT LICENSE NOT FOR PROFIT,” which shall read as follows:

**“SEC. 4-3311. CLASS I SPECIAL EVENT LICENSE NOT FOR PROFIT.**

(a) A Class I Special Event Not for Profit license shall be issued only to organized clubs, societies, associations, fraternal organizations, duly constituted churches, municipal governmental entities, or benevolent organizations organized not for pecuniary profits.

(b) A Class I license may be issued pursuant to this article for a specific time period not to exceed ten (10) days per licensee per location in any twelve (12) month period.

(c) A Class I license issued pursuant to this chapter shall entitle the licensee to sell alcoholic liquor for consumption on the premises at any banquet, picnic, bazaar, fair, or similar special event.

(d) A Class I licensee may maintain the following hours of business:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 a.m. until 1:00 a.m. the next day
Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day;

provided, however, that any event described in subsection (c) above which takes place outside of an enclosed building shall cease the sale of liquor at 11:00 p.m. of the same day upon which sales commenced.

(e) If the sale of alcoholic liquor is to be conducted outside of an enclosed building, certain requirements must be met as set forth below. If the outdoor use is to operate on public right-of-way, the special event license may be granted only with a City Council approved licensing agreement executed by the licensee, which licensing agreement shall require proof of insurance on behalf of the City in appropriate amounts, insuring for the use of right-of-way. The requirements for an outdoor event are as follows:

- (1) Adequate lighting must be maintained at all times such that law enforcement personnel may visually identify patrons;
- (2) Sound amplification is permitted only if granted prior to the event by the liquor control commissioner;
- (3) Security provided by Moline police department and paid for by licensee if the liquor control commissioner deems it necessary;
- (4) Only non-glass containers may be used.
- (f) A Class I licensee may provide live entertainment.

(g) Minors may be allowed on premises licensed as a Class I Not for Profit Licensee pursuant to this chapter for purposes other than the purchase or consumption of alcoholic liquors; however, no minor may be allowed to sit or stand at a bar or be served from a bar.

(h) A Class I license application shall be received in the office of the local liquor commission not fewer than ten (10) business days prior to the event and include the following information:

- (1) Full legal name of authorized representative of organized club, society, association, fraternal organization, duly constituted church, municipal governmental entity, or benevolent organization organized not for pecuniary profit;

- (2) Mailing address, email address and telephone number to be reached during the hours of event;
- (3) Color copy of government issued photo identification of authorized representative of organized club, society, association, fraternal organization, duly constituted church, municipal governmental entity, or benevolent organization organized not for pecuniary profit;
- (4) Date, beginning and ending time and type of event.”

**Section 4** – That Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, is hereby amended by enacting one new Section 4-3312, “CLASS II SPECIAL EVENT HOSTED BAR,” which shall read as follows:

**“SEC. 4-3312. CLASS II SPECIAL EVENT HOSTED BAR.**

(a) A Class II Special Event Hosted Bar license shall be issued only to individuals, corporations, limited liability corporations or partnerships over the age of twenty-one (21) as the host of a private event not open to the public providing alcoholic liquor free of charge held at public property known as Bass Street Landing.

(b) A Class II license may be issued pursuant to this article for a specific time period not to exceed one (1) time per licensee in any twelve (12) month period.

(c) A Class II license may maintain the following hours of service of alcoholic liquor at a private event:

<u>Day</u>	<u>Hours</u>
Monday through Thursday	For each day: 5:00 p.m. until 10:00 p.m.
Friday and Saturday	For each day: 10:00 a.m. until 11:00 p.m.

(d) A Class II license holder shall execute a City Council approved licensing agreement and shall require proof of liquor liability insurance on behalf of the City in the amount of \$1,000,000.00 insuring for the use of public property known as Bass Street Landing.

(e) A Class II license shall only serve alcoholic liquor free of charge to guests in non-glass containers.

(f) A Class II may provide live or recorded entertainment at City-owned property known as Bass Street Landing during the following hours:

<u>Day</u>	<u>Hours</u>
Monday through Thursday	For each day: 5:00 p.m. until 10:00 p.m.
Friday and Saturday	For each day: 10:00 a.m. until 11:00 p.m.

(g) A Class II license may have minors present at the private event where alcoholic liquor is being served free of charge; however, no minor may be allowed to consume, possess or serve alcoholic liquor.

(h) A Class II license application shall be received in the office of the local liquor commission not fewer than ten (10) business days prior to the event and include the following information:

- (1) Full legal name of individual, authorized representative of corporation, limited liability corporation or partnership;
- (2) Mailing address, email address and telephone number to be reached during the hours of event;

- (3) Color copy of government issued photo identification of individual, authorized representative of corporation, limited liability corporation or partnership applying for license;
- (4) Date, beginning and ending time and type of event.”

**Section 5** – That Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, is hereby amended by enacting one new Section 4-3313, “CLASS III SPECIAL EVENT HOMEBREWER,” which shall read as follows:

**“SEC. 4-3313. CLASS III SPECIAL EVENT HOMEBREWER.**

(a) A Class III Special Event Homebrewer license issued pursuant to this chapter shall entitle the license holder, a homebrewer as defined by 235 ILCS 5/6-36, to provide homebrew product samples as defined by 235 ILCS 5/2-1 for consumption at a City of Moline approved special event open to the public to persons over the age of twenty-one (21) as outlined by 235 ILCS 5/6-36.

(b) A Class III license may be issued no more than ten (10) times per calendar year.

(c) A Class III license may maintain the following hours of service of homebrewed samples at a special event:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 a.m. until 1:00 a.m. the next day
Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.

(d) A Class III license holder shall execute a City Council approved licensing agreement and shall require proof of liquor liability insurance on behalf of the City in the amount of \$1,000,000.00.

(e) A Class III license shall only serve homebrewed samples free of charge in non-glass containers.

(f) A Class III license may have minors present at the special event where homebrewed alcoholic liquor samples are being served free of charge; however, no minor may be allowed to consume, possess or serve homebrewed alcoholic liquor.

(g) A Class III license application shall be received in the office of the local liquor commission not fewer than ten (10) business days prior to the event and include the following information:

- (1) Full legal name of individual, authorized representative of corporation, limited liability corporation or partnership;
- (2) Mailing address, email address and telephone number to be reached during the hours of event;
- (3) Color copy of government issued photo identification of individual, authorized representative of corporation, limited liability corporation or partnership applying for license;
- (4) Date, beginning and ending time and type of event.
- (5) Copy of State of Illinois Homebrewer Special Event License within two (2) business days of event.”

**Section 6** – That the remaining sections of Division 3 shall be consecutively renumbered.

**Section 7** – That Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, Section 4-3315, “OPTION I OUTDOOR USE,” shall become Section 4-3317 pursuant to the consecutive renumbering of Division 3 and shall be amended to read as follows:

**“SEC. 4-3317. OPTION I OUTDOOR USE.**

(a) The following classes of licenses are eligible for the outdoor use option: Class A, AA, B, D, E, F, FF, and G, and H.

(b) The outdoor use option allows a licensed premises to conduct activities licensed under the provisions of this chapter outside of an enclosed building for the purpose of serving patrons when no residential neighborhood will be adversely affected; provided, however, that all activities take place on the licensed premises or, if the outdoor use is to operate on public right-of-way or public property, the outdoor use option may be granted only with a City Council approved licensing agreement executed by the licensee which licensing agreement shall require proof of insurance on behalf of the City in appropriate amounts, insuring for the use of right-of-way or public property. In addition, no outdoor use option shall be granted by the liquor control commissioner unless all of the following terms are included within the permitted option:

- (1) Adequate lighting must be maintained at all times such that law enforcement personnel may visually identify patrons from the public right-of-way;
- (2) The maximum hours of operation for outdoor use shall be the exact hours of operation of the licensee if the outdoor use is on private property; if the outdoor use is to operate on public right-of-way or public property, the hours of operation shall be daily from 10:00 a.m. to 11:00 p.m.;
- (3) All parking requirements of City ordinances must be satisfied;
- (4) No sound amplification equipment will be used outside; provided, however, that ambient background music is permissible; for purposes of this subsection, "ambient background music" shall mean quiet music played at a minimal volume such that it is not audible from adjoining property or public rights-of-way;
- (5) That appropriate demarcation elements shall be required herein to identify the outside premises licensed hereunder and the proposed demarcation elements shall be approved as set forth in Section 6-2106 of the Moline Code of Ordinances;
- (6) Only non-glass containers may be used if the outdoor premises are located on public property or public right-of-way;
- (7) Live animals shall be excluded from all areas under the control of the licensed establishment both inside and outside of an enclosed building for the purpose of serving patrons on private property, public right-of-way or public property. This exclusion does not apply to edible fish, crustacean, shellfish, or to fish in aquariums. Patrol dogs accompanying security or police officers and support animals trained to assist handicapped persons accompanying such persons shall be permitted in dining areas.

(c) To ensure compliance with all requirements of the ordinance, at least one (1) employee of the premises must physically frequent such outside portion at least once every five (5) minutes to monitor and require such compliance; provided, however, that such requirement is only effective when patrons or other individuals are present at the outdoor portion of the licensee.”

**Section 8** – That Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, Division IV, “ADMINISTRATIVE PROCEEDINGS,” is hereby amended by enacting one new Section 4-3407 entitled “REQUIRED TRAINING FOR LICENSEE,” which shall read as follows:

**“SEC. 4-3407. REQUIRED TRAINING FOR LICENSEE.**

(a) The City shall offer mandatory periodic training sessions regarding the rules and regulations of the sale of alcoholic liquor within the City and liquor license holders shall be notified of the date of the training sessions via first class mail and electronic mail, if applicable, at least five (5) business days prior to the session dates.

(b) A designated representative from every business licensed to sell alcoholic liquor within the City shall attend the training sessions per the City’s notice of same.

(c) Failure of attendance to a training session by an alcoholic liquor license holder shall be considered a violation of this ordinance and administrative proceedings shall be enforced.”

**Section 9** – That this ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

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

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

Approved as to Form:

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

Council Bill/Resolution No. 1054-2015  
Sponsor: \_\_\_\_\_

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to execute a contract with Hoerr Construction, Inc. for Project #1225, 2015 Lining Program, in the amount of \$117,088.

WHEREAS, bids were publicly read on April 28, 2015; and

WHEREAS, bids were solicited with Hoerr Construction, Inc. submitting the lowest responsible and responsive bid; and

WHEREAS, sufficient funds are available.

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

That the Mayor and City Clerk are hereby authorized to execute a contract with Hoerr Construction, Inc. for Project #1225, 2015 Lining Program, in the amount of \$117,088; provided, however, that said contract is in substantially similar form and content to that attached hereto and incorporated herein by this reference thereto as Exhibit A and has been approved as to form by the City Attorney.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

May 12, 2015  
Date

Passed: May 12, 2015

Approved: May 19, 2015

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

Approved as to Form:

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

# **CITY OF MOLINE CONTRACT**

THIS AGREEMENT, made and concluded this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2015, between **HOERR CONSTRUCTION, INC.** of **1601 WEST LUTHY DRIVE, PEORIA, IL 61615**, hereinafter referred to as the “CONTRACTOR,” and the CITY OF MOLINE, ILLINOIS, hereinafter referred to as the “CITY;”

WITNESSETH, that the CONTRACTOR for and in consideration of the payments to be made to it by the CITY in the amount of **ONE HUNDRED SEVENTEEN THOUSAND EIGHTY EIGHT AND 00/100 (\$117,088.00) DOLLARS**, hereby covenants and agrees, to and with the CITY, that it shall and will in good and workmanlike manner, furnish all the labor and material for **PROJECT #1225, 2015 LINING PROGRAM** as set out in the plans and specifications.

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

The Contractor further agrees that the unit prices submitted are for the purpose of obtaining a gross sum, and for use in computing the value of extras and deductions; that if there is a discrepancy between the gross sum bid and that resulting from the summation of the quantities multiplied by their respective unit prices, the latter shall apply. When this contract shall be wholly carried out and

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

This Contract calls for the construction of a “public work” within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. (“the Act”). The Act requires contractors, subcontractors, and truckers to pay laborers, workers, and mechanics performing services on public works projects not less than the “prevailing rate of wages” (hourly cash wages plus fringe benefits) in the county where the work is performed. The prevailing wage rates for projects for the City of Moline required by Moline Special Ordinance 4023-2014 are updated monthly by the Illinois Department of Labor and may be found at:

[http://www.illinois.gov/idol/Laws-Rules/CONMED/Rates/14-07Jul/ROCK\\_ISL.htm](http://www.illinois.gov/idol/Laws-Rules/CONMED/Rates/14-07Jul/ROCK_ISL.htm).

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

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

It is further provided that the CONTRACTOR shall upon the sealing of this contract, file with the CITY a good and sufficient bond in the penal sum of **ONE HUNDRED SEVENTEEN THOUSAND EIGHTY EIGHT AND 00/100 (\$117,088.00) DOLLARS** conditioned upon the

faithful performance and execution of the work covered by this contract according to the complete and detailed specifications and full and complete drawings, profiles and models therefore, and according to the terms and conditions of this contract, and conditioned also that the CONTRACTOR shall pay all debts incurred by said CONTRACTOR in the prosecution of such work, including those for labor and materials furnished. The CONTRACTOR further agrees to pay liquidated damages as set forth in the specifications for failure to complete the Project by the date specified.

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

CONTRACTOR:

\_\_\_\_\_

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

CITY:

CITY OF MOLINE, ILLINOIS

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

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

Approved as to form:

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

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

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

Performance Bond Attached

Certificate of Insurance Attached

**CITY OF MOLINE, IL BID TABULATION**

Bid Date and Time: April 28, 2015 11:00 a.m.

Project: 1225 - 2015 Lining Program

ITEM NO.	ITEM	APPROX QUANTITY	UNIT	Hoerr Construction, Inc.		Visu-Sewer of Illinois, LLC		SAK Construction, LLC	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT	AMOUNT
1	MH 08931 to MH 08941, 10"	228	LF	\$33.00	\$7,524.00	\$35.50	\$8,094.00	\$30.50	\$6,954.00
2	MH 01302 to MH 01301, 20"	355	LF	\$68.00	\$24,140.00	\$84.00	\$29,820.00	\$87.00	\$30,885.00
3	MH 04022 to MH 04020, 10"	361	LF	\$32.00	\$11,552.00	\$35.50	\$12,815.50	\$30.50	\$11,010.50
4	MH 095A11 to MH 09556, 12"	401	LF	\$33.00	\$13,233.00	\$32.50	\$13,032.50	\$38.00	\$15,238.00
5	MH 08129 to MH 08130, 8"	319	LF	\$31.00	\$9,889.00	\$29.00	\$9,251.00	\$27.50	\$8,772.50
6	MH 03314 to MH 03315, 8"	382	LF	\$31.00	\$11,842.00	\$29.00	\$11,078.00	\$27.50	\$10,505.00
7	REINSTATE SERVICES	26	EA	\$100.00	\$2,600.00	\$150.00	\$3,900.00	\$100.00	\$2,600.00
8	LATERAL CONNECTION CUTTING	4	EA	\$400.00	\$1,600.00	\$350.00	\$1,400.00	\$250.00	\$1,000.00
9	PROTRUDING LATERAL REMOVAL	1	EA	\$400.00	\$400.00	\$750.00	\$750.00	\$250.00	\$250.00
10	MH P071008 TO MH P071004, 24"	200	LF	\$74.00	\$14,800.00	\$103.00	\$20,600.00	\$113.00	\$22,600.00
11	MH P019037 TO MH P029042, 18"	126	LF	\$74.00	\$9,324.00	\$88.00	\$11,088.00	\$130.00	\$16,380.00
12	TRAFFIC CONTROL COMPLETE	1	L.SUM	\$1,800.00	\$1,800.00	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00
13	MH 06412 TO MH 06411, 8"	262	LF	\$32.00	\$8,384.00	\$29.00	\$7,598.00	\$27.50	\$7,205.00
	<b>TOTAL</b>				<b>\$117,088.00</b>		<b>\$132,427.00</b>		<b>\$134,900.00</b>

AN ORDINANCE

AMENDING Chapter 5, "AMUSEMENTS," of the Moline Code of Ordinances, Article III, "OUTDOOR CARNIVALS AND CIRCUSES," by repealing Sections 5-3103 and 5-3104 in their entirety and enacting in lieu thereof two new Sections 5-3103 and 5-3104 dealing with the same subject matter.

WHEREAS, the City of Moline approved the Council Bill for implementation of an Outdoor Carnivals and Circuses license on March 25, 2008; and

WHEREAS, the licensing procedures include requirement of a background check performed by the Moline Police Department of the license applicant and all employees; and

WHEREAS, City staff has reviewed the licensing procedures and learned that other area municipalities do not require background checks prior to issuing a license for a carnival or circus event, and that the State of Illinois does require an annual permit for these events requiring its applicant to perform background checks on all employees and volunteers prior to working at the event; and

WHEREAS, staff therefore recommends removing the background check requirement from the City's licensing procedures; and

WHEREAS, this ordinance will amend Sections 5-3103 and 5-3104 to add the requirement to provide a list of employees and volunteers along with personal information on each and to delete the background check requirement by the Moline Police Department and require the applicant to conduct background checks on all employees and volunteers prior to working at the event pursuant to State of Illinois' licensing requirements.

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

**Section 1** – That Chapter 5, "AMUSEMENTS," of the Moline Code of Ordinances, Article III, "OUTDOOR CARNIVALS AND CIRCUSES," is hereby amended by repealing Sections 5-3103 and 5-3104 in their entirety and enacting in lieu thereof two new Sections 5-3103 and 5-3104 dealing with the same subject matter, which shall read as follows:

**"SEC. 5-3103. APPLICATION FOR LICENSE; LICENSE FEE.**

- (a) Application for outdoor carnival or outdoor circus licenses shall be made to the Finance Director on forms provided by said Director and shall contain the following information:
  - (1) The site or location of the proposed carnival or circus;
  - (2) A precise description of the kinds of entertainment to be offered, the number, and a diagram indicating wherein they are to be located on the proposed site;
  - (3) The name of the owner, lessee, proprietor, operator or manager of the carnival or circus, and in addition thereto, the name of the owner, lessee, proprietor, operator or manager of each entertainment, performance or exhibition which collectively make up the carnival or circus, and the legal relationship of each to the applicant or to the proprietor of the carnival or circus;
  - (4) The names, birth dates, social security numbers and state driver's license or state identification for every person who will be working or volunteering for the registered purpose;

- (5) The number and location of off-street parking spaces and toilet facilities to be used by patrons of the carnival or circus, to be indicated on the diagram referred to in subsection (2) above;
- (6) An indication of the dates the carnival or circus is to be in operation and the hours during which the carnival or circus is to be open the public;
- (7) Current USDA licenses for any animals appearing at the carnival or circus;
- (8) A food license from the City of Moline for any food concessions for the length of the carnival or circus; and
- (b) The fee for a license to operate an outdoor carnival or outdoor circus shall be one hundred seventy five dollars (\$175) plus fifty (\$50.00) per additional day.”

**“SEC. 5-3104. INSPECTION AND ENFORCEMENT.**

It shall be the duty of the inspections division of the department of public works to make or cause to be made a visit of inspection of each premise subject to this division; it shall be the duty of the police department to conduct a site visit; and it shall be the duty of the fire department to conduct a site visit. It shall be the duty of the applicant to conduct background checks for all employees and volunteers prior to working at the event pursuant to State of Illinois’ licensing requirements.”

**Section 2** – That this ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

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

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

Approved as to Form:

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

Council Bill/Ordinance No. 4015-2015

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

A SPECIAL ORDINANCE

CLOSING certain streets more particularly described herein to vehicular traffic; and

AUTHORIZING the use of public right-of-way in conjunction with the Young Life “You Were Made for This” 5K Race scheduled for Saturday, May 16, 2015.

\_\_\_\_\_

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

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

Saturday, May 16, 2015, from 7:00 a.m. until 11:00 a.m.

All lanes of Old River Drive from the westernmost entrance of the 55<sup>th</sup> Street Boat Ramp parking lot to the southernmost side of River Drive;

All lanes of River Drive from the easternmost side of Old River Drive to the easternmost side of the Celebration Belle parking lot.

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

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

**Section 3** – That this ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

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

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

City Clerk

Approved as to Form:

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

Council Bill/Ordinance No. 4016-2015

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

A SPECIAL ORDINANCE

CLOSING certain streets more particularly described herein to vehicular traffic; and

AUTHORIZING the use of public right-of-way in conjunction with the Children’s Therapy Center “Firststep Riverfront” 5K Race scheduled for Saturday, May 23, 2015.

\_\_\_\_\_

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

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

Saturday, May 23, 2015, from 8:00 a.m. until 11:00 a.m.

All lanes of University Drive from the southernmost side of River Drive the westernmost side of 34<sup>th</sup> Street

All lanes of 34<sup>th</sup> Street from the southernmost side of University Drive to the northernmost side of River Drive

All lanes of River Drive from the easternmost side of 23<sup>rd</sup> Street to the easternmost entrance to the city-owned parking lot on the 4800 block of River Drive, west of the Captain’s Table

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

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

**Section 3** – That this ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

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

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

City Clerk

Approved as to Form:

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

Council Bill/Ordinance No. 4017-2015

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

A SPECIAL ORDINANCE

CLOSING certain streets more particularly described herein to vehicular traffic; and

AUTHORIZING the use of public right-of-way in conjunction with the Walk & Run for Wishes Walk scheduled for Saturday, June 6, 2015.

\_\_\_\_\_

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

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

Saturday, June 6, 2015, from 7:00 a.m. until 11:00 a.m.

All lanes of Old River Drive from the westernmost entrance of the 55<sup>th</sup> Street Boat Ramp parking lot to the southernmost side of River Drive;

All lanes of River Drive from the easternmost side of Old River Drive to the easternmost side of the Celebration Belle parking lot.

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

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

**Section 3** – That this ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

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

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

City Clerk

Approved as to Form:

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

A SPECIAL ORDINANCE

CLOSING certain streets more particularly described herein to vehicular traffic; and

AUTHORIZING use of public right-of-way in conjunction with the Trinity Lutheran Church FROG Hop 5K scheduled for Saturday, June 6, 2015.

\_\_\_\_\_

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

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

Saturday, June 6, 2015, 7:00 a.m. to 10:00 a.m.

13<sup>th</sup> Avenue from the westernmost side of 14<sup>th</sup> Street to the westernmost side of 10<sup>th</sup> Street

10<sup>th</sup> Street from the northernmost side of 13<sup>th</sup> Avenue to the southernmost side of 16<sup>th</sup> Avenue

16<sup>th</sup> Avenue from the westernmost side of 10<sup>th</sup> Street to the easternmost side of 10<sup>th</sup> Street

10<sup>th</sup> Street from the northernmost side of 16<sup>th</sup> Avenue to the southernmost side of 18<sup>th</sup> Avenue

17<sup>th</sup> Avenue from the westernmost side of 10<sup>th</sup> Street to the easternmost side of 11<sup>th</sup> Street A

11<sup>th</sup> Street from the northernmost side of 17<sup>th</sup> Avenue to the southernmost side of 18<sup>th</sup> Avenue

18<sup>th</sup> Avenue from the westernmost side of 2<sup>nd</sup> Street to the easternmost side of 11<sup>th</sup> Street

9<sup>th</sup> Street from the northernmost side of 18<sup>th</sup> Avenue to the southernmost side of 18<sup>th</sup> Avenue A

18<sup>th</sup> Avenue A from the westernmost side of 8<sup>th</sup> Street to the easternmost side of 9<sup>th</sup> Street

8<sup>th</sup> Street from the northernmost side of 18<sup>th</sup> Avenue to the southernmost side of 18<sup>th</sup> Avenue A

5<sup>th</sup> Street from the northernmost side of 17<sup>th</sup> Avenue to the southernmost side of 18<sup>th</sup> Avenue

17<sup>th</sup> Avenue from the westernmost side of 2<sup>nd</sup> Street to the easternmost side of 5<sup>th</sup> Street

2<sup>nd</sup> Street from the northernmost side of 17<sup>th</sup> Avenue to the southernmost side of 18<sup>th</sup> Avenue

It shall be an offense to use said roadways for vehicular purposes during said time.

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

**Section 3** – That this ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

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

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

Approved as to form:

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

A SPECIAL ORDINANCE

GRANTING a partial variance to Section 28-3200(a) and Section 35-4218 of the Moline Code of Ordinances to delay installation of a sidewalk for property located at 2100 69<sup>th</sup> Avenue, Moline.

---

WHEREAS, the owner of the property addressed as 2100 69<sup>th</sup> Avenue, Moline (parcel # 12334-L-1), has requested a variance from installing sidewalks; and

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

WHEREAS, the City Council has identified a lack of connectivity to accommodate a public sidewalk at this location which constitutes a hardship on the subject property.

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

**Section 1** – That this Council hereby finds and declares upon the recommendation of its Committee-of-the-Whole on May 5, 2015, that it is in the best interests of the City of Moline, Illinois, to grant a variance to Sec. 28-3200(a) and Sec. 35-4218 of the Moline Code of Ordinances for the following described territory to allow the owner of 2100 69<sup>th</sup> Avenue to delay installation of a sidewalk until such time that it is deemed necessary by the City to place a sidewalk at this location, legally described as follows:

Part of Outlots 2 and 3 of Valley View Place, an addition situated in the Southeast Quarter of the Southwest Quarter of Section 16 and the Northeast Quarter of the Northwest Quarter of Section 21 all in Township 17 North, Range 1 West of the Fourth Principal Meridian being more particularly described as follows:

Commencing at the Northwest corner of the said Outlot 2, Thence 00 degrees 33 minutes, 51 seconds West along the West line of said Outlot 2, a distance of 69.93 feet to a Point on the South Right-of-Way Line of 69<sup>th</sup> Avenue (F.A. Route 10/F.A.U. Route 5788); Thence South 73 degrees 22 minutes 14 seconds East along the said South Right-of-Way Line, a distance of 35.28 feet to the Point of Beginning; Thence continuing South 73 degrees 22 minutes 14 seconds along said South Right-of-Way line, a distance of 257.25 feet; Thence South 56 degrees 53 minutes 02 seconds East along the said South Right-of-Way Line, a distance of 308.50 feet; Thence South 41 degrees 10 minutes 02 seconds West, a distance of 249.27 feet; Thence North 66 degrees 41 minutes 12 seconds West, a distance of 212.85 feet; Thence North 89 degrees 42 minutes 30 seconds West, a distance of 149.12 feet; Thence North 00 degrees 37 minutes 50 seconds East, a distance of 344.83 feet to the Point of Beginning, containing 3.134 acres more or less.

Basis of Bearings are to the West Line of said Outlot 2 South 00 degrees 33 minutes 51 seconds West to the Illinois State Plane Coordinate System, West Zone (NAD 83).

**Section 2** – That the Developer of the property, Frontier Hospitality Group, further agrees to amend its lease with the Metropolitan Airport Authority of Rock Island County, Illinois, the owner of the property, so that Developer will install a sidewalk at such time the Metropolitan Airport Authority deems it desirable, even if the City has not yet made such a request. This lease amendment in no way abrogates Developer’s responsibility to install a sidewalk when deemed necessary by the City.

**Section 3** – That this ordinance shall not constitute a repeal of any or all ordinances or resolutions in conflict herewith but shall be construed as a one-time variance with regard to such conflicting ordinances or resolutions.

**Section 4** – That this ordinance is an exercise of the City’s home rule powers granted to it by virtue of Article VII, Section 6 of the 1970 Illinois Constitution, and shall therefore take precedence over any conflicting State Statutes or rules.

**Section 5** – That this ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

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

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

Approved as to Form:

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