



MOLINE CITY COUNCIL AGENDA

Tuesday, November 10, 2015

6:30 p.m.

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

City Hall

Council Chambers – 2nd Floor

619 16th Street

Moline, IL

Call to Order

Pledge of Allegiance

Invocation – Alderman Acri

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 Made

Committee of the Whole and Council meeting minutes of November 3, 2015 and appointments made during Committee of the Whole on November 10, 2015.

Second Reading Ordinances

1. Council Bill/General Ordinance 3040-2015

An Ordinance amending Chapter 8, “BUILDINGS AND OTHER CONTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, Section 8-1401, “ELECTRICAL CONTRACTOR LICENSE,” by repealing said section in its entirety and enacting in lieu thereof one new Section 8-1401, entitled “ELECTRICAL CONTRACTOR LICENSE AND REGISTRATION,” dealing with the same subject matter; and by amending Section 8-1402, “MECHANICAL CONTRACTOR LICENSE,” by repealing subsection (b) in its entirety and enacting in lieu thereof one new subsection (b) dealing with the same subject matter; and by amending Section 8-6101 “AMENDMENTS TO MOLINE ELECTRICAL CODE – GENERAL,” by repealing subsection (e) in its entirety and enacting in lieu thereof one new subsection (e) dealing with the same subject matter.

Explanation: It is in the City’s best interest to establish building and construction guidelines to protect the health, safety and welfare of City residents. City staff recommends an amendment to Section 8-1401 of the Moline Code of Ordinances to provide a definition of “Electrical Contractor” and a definition of “Licensed Electrician.” The amendment to Section 8-1401 would also clarify that only registered electrical contractors may secure permits. Section 8-1401 would further be amended to clarify that the City registers electrical contractors, and that such electrical contractor must be, or have as an employee, a licensed electrician. Language would also be added to Section 8-1401 to provide that the passing of a master’s electrical examination administered through another state is sufficient to prove that a person is a licensed electrician. City staff also reviewed Section 8-1402 of the Moline Code of Ordinances and recommends an amendment to prohibit owners-occupants of single dwellings to conduct gas pressure testing at their dwelling and requiring such testing be done by a licensed mechanical contractor. City staff recommends amendment of Section 8-6101 of the Moline Code of Ordinances to allow for the use of Type NM and NMC cable in hotels, motels, and assisted care living facilities, including type II, IV and type V construction. The revisions to Sections 8-1401, 8-1402 and 8-6101 will add clarity to the Moline Code of Ordinances for contractors and residents that will protect the health, safety and welfare of City residents.

Fiscal Impact:

N/A

Public Notice/Recording:

Pamphlet Publication

2. Council Bill/General Ordinance 3041-2015

An Ordinance levying a special AD VALOREM TAX within the City of Moline, Illinois, Special Service Area #5 of the City of Moline, Illinois, for the tax levy year 2015 collectible 2016, and enacting an ordinance relating to the same subject matter.

Explanation: On November 15, 2005, the City Council adopted Ordinance No. 4068-2005 establishing a Special Service Area. As provided by the Special Service Area Act, the services are to be provided through a levy of an annual property tax. For 2015, a levy of \$145,335.00 is required to fund the 2016 budget.

Fiscal Impact: Special services provided will be paid by the property owners within the established Special Service Area #5.

Public Notice/Recording: This ordinance must be filed with the County Clerk by the last Tuesday in December 2015.

3. Council Bill/General Ordinance 3042-2015

An Ordinance levying a special AD VALOREM TAX within the City of Moline, Illinois, Special Service Area #6 of the City of Moline, Illinois, for the tax levy year 2015 collectible 2016, and enacting an ordinance relating to the same subject matter.

Explanation: On July 15, 2008, the City Council adopted Ordinance No. 4034-2008 establishing Special Service Area #6. As provided by the Special Service Area Act, the services are to be provided through a levy of an annual property tax. For 2015, a levy of \$257,225.00 is required to fund the 2016 budget.

Fiscal Impact: Special services provided will be paid by the property owners within the established Special Service Area #6.

Public Notice/Recording: This ordinance must be filed with the County Clerk by the last Tuesday in December 2015.

4. Council Bill/General Ordinance 3043-2015

An Ordinance levying and assessing taxes for the City of Moline, Illinois, for the tax levy year 2015 collectible 2016, and enacting an ordinance relating to the same subject matter.

Explanation: Annually, the City of Moline levies a tax on all real property within the City. It is collectible the following year and utilized as a revenue source for the budget. The recommended 2015 Tax Levy is \$14,801,470. No public hearing is required as the levy is less than 105% of the previous year.

Fiscal Impact: The levy must be passed and filed with the County Clerk in order to extend property taxes for the municipal portion of the property tax bill and will fund a portion of the 2016 budget.

Public Notice/Recording: Record with County Clerk.

5. Council Bill/Special Ordinance 4048-2015

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 Lighting on the Commons scheduled for Saturday, November 21, 2015.

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

Fiscal Impact: N/A

Public Notice/Recording: N/A

Resolutions

6. Council Bill/Resolution 1029-2015

A Resolution approving a request for a Utility Permit from the Illinois Department of Transportation for Project #1206, Airport Industrial Park Utility Extensions.

Explanation: Project #1206 includes the installation of an 8" Sanitary Sewer Force Main along Airport Road, and a 16" Water Main along and across 69th Avenue, which by law come under the jurisdiction and control of the Illinois Department of Transportation (IDOT). A Utility Permit from IDOT is required prior to starting work in said location. The Permit application requirements include a Resolution passed by the City Council stating that all work will conform to IDOT rules and Regulations. Additional documentation attached.

Fiscal Impact: N/A

Public Notice/Recording: N/A

7. Council Bill/Resolution 1030-2015

A Resolution authorizing the Mayor and City Clerk to accept a Permanent Public Water Utility Easement for Project #1188, Hawk Hollow Subdivision, at 751 9th Avenue Court; and authorizing the City Attorney to execute a letter agreement in return for such easement ensuring repair of any damaged premises resulting from the utility construction there.

Explanation: A Permanent Public Water Utility Easement for Project #1188, Hawk Hollow Subdivision, is necessary to allow work to take place on privately-owned property and to allow the City of Moline to maintain these improvements in the future. The property owner has requested specific warranties and repair criteria in return for giving the easement and permitting a water line to be installed within the easement. Additional documentation attached.

Fiscal Impact: Rock Island County recording costs

Public Notice/Recording: Engineering Department will record

8. Council Bill/Resolution 1031-2015

A Resolution authorizing City staff to solicit bids for the dredging of Marquis Harbor.

Explanation: The City of Moline is responsible for dredging Marquis Harbor “at the entrance and main channel to the slips” as per the terms of the City of Moline’s amended 1991 lease agreement with the operator of the Harbor. City staff has investigated questions and concerns raised by City Council members during the 2016 Budget discussions and found that Federal funds assisted in funding the last three dredging projects that took place in 2001, 2008, and 2010. Unfortunately, such funding is not available to assist with dredging costs at this time and it is unknown when, or if, they will be available in the future.

Additionally, staff spoke with boat owners who slip at Marquis Harbor to better understand the process of getting boats in and out of the harbor so appropriate dredging limits can be set. Staff then used silt elevation data provided by the US Army Corps of Engineers to estimate approximately 8,500 cubic yards of material removal.

Potential bidders advise that dredging operations are more efficient when water levels are low so cheaper bid pricing can be expected. As such, staff proposes to solicit for bids to complete the dredging this Fall instead of waiting until Spring when water levels are historically higher. Additional documentation attached.

Fiscal Impact: \$190,000.00 is preliminarily allocated in account #010-0828-423.04-25, Public Works, Public Property Maintenance in the proposed 2016 Budget.

Public Notice/Recording: N/A

9. Council Bill/Resolution 1032-2015

A Resolution Authorizing the Mayor to sign a letter of support for submission with Gorman & Company’s application to the Illinois Housing Development Authority for funds to redevelop the former Garfield Elementary School at 1518 25th Avenue, Moline, Illinois.

Explanation: Gorman & Company has a contract to purchase the former Garfield Elementary School located at 1518 25th Avenue, Moline, Illinois, from Moline School District No. 40 and on July 1, 2015, Gorman & Company initiated a Planned Unit Development (“PUD”) rezoning application with the City by completing a pre-application conference for a proposed project consisting of 57 multi-family senior housing units at the former Garfield Elementary School site (“Project”). Gorman & Company is applying for funding from the Illinois Housing Development Authority (“IHDA”) to proceed with this Project and it is necessary for Gorman & Company to provide a letter of support from the City of Moline along with its application to IHDA for funding indentifying the Project is located within an Opportunity Area and has demonstrated access to obtainable employment. The City strongly believes that the proposed development is located within, and proximate to, existing employment and economic opportunities that would further bolster such opportunities. The City is also in support of the Project, however, the Mayor’s signature within the City’s letter of support for use in Gorman & Company’s application to IHDA in no way approves any portion of the Project; it is simply to assist in the process of obtaining funding for the Project. The proposed development must continue to follow the City’s PUD approval process. Additional documentation attached.

Fiscal Impact: N/A

Public Notice/Recording: N/A

10. Council Bill/Resolution 1033-2015

A Resolution authorizing the Mayor and City Clerk to execute an Eleventh Addendum to a Letter of Agreement between the City of Moline and Lewis J. Steinbrecher.

Explanation: The City Administrator’s contract/letter of agreement, effective on or about October 25, 2004, was approved by Council Bill/Resolution No. 1238-2004. This Eleventh Addendum extends the effective date through November 30, 2016, and incorporates other amendments pursuant to the City Council’s November 3, 2015 review of the City Administrator’s performance evaluation.

Fiscal Impact: N/A

Public Notice/Recording: N/A

Omnibus Vote

Non - Consent Agenda

First Reading Ordinances

11. Council Bill/General Ordinance 3044-2015

An Ordinance amending Chapter 20, “MOTOR VEHICLES AND TRAFFIC,” of the Moline Code of Ordinances, Appendix 10 thereof, “PARKING PROHIBITED AT ANY TIME,” by including 25th Avenue A, on the north side, from 29th Street west to the dead end.

Explanation: Traffic Committee reviewed request and recommends approval.

Fiscal Impact: N/A

Public Notice/Recording: N/A

12. Council Bill/General Ordinance 3045-2015

An Ordinance amending Chapter 20, “MOTOR VEHICLES AND TRAFFIC,” of the Moline Code of Ordinances, Section 20-5124, “UNAUTHORIZED PERSONS USING PERSONS WITH DISABILITIES PARKING SPACES; A VIOLATION,” Appendix 24, “PERSONS WITH DISABILITIES PARKING SPACES,” by including one on-street stall at 155 4th Avenue.

Explanation: Traffic Committee reviewed request and recommends approval.

Fiscal Impact: N/A

Public Notice/Recording: N/A

13. Council Bill/General Ordinance 3046-2015

An Ordinance amending Chapter 20, “MOTOR VEHICLES AND TRAFFIC,” of the Moline Code of Ordinances, Appendix 11 thereof, “PARKING PROHIBITED AT CERTAIN TIMES,” by including 48th Street, east side, from 44th Avenue to 46th Avenue, for the hours of 7:30 a.m. to 8:30 a.m. and 1:00 p.m. to 3:30 p.m. on school days.

Explanation: Traffic Committee reviewed request and recommends approval.

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)

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

AN ORDINANCE

AMENDING Chapter 8, “BUILDINGS AND OTHER CONTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, Section 8-1401, “ELECTRICAL CONTRACTOR LICENSE,” by repealing said section in its entirety and enacting in lieu thereof one new Section 8-1401, entitled “ELECTRICAL CONTRACTOR LICENSE AND REGISTRATION,” dealing with the same subject matter; and by amending Section 8-1402, “MECHANICAL CONTRACTOR LICENSE,” by repealing subsection (b) in its entirety and enacting in lieu thereof one new subsection (b) dealing with the same subject matter; and by amending Section 8-6101 “AMENDMENTS TO MOLINE ELECTRICAL CODE – GENERAL,” by repealing subsection (e) in its entirety and enacting in lieu thereof one new subsection (e) dealing with the same subject matter.

WHEREAS, it is in the City’s best interest to establish building and construction guidelines to protect the health, safety and welfare of City residents; and

WHEREAS, City staff recommends an amendment to Section 8-1401 of the Moline Code of Ordinances to provide a definition of “Electrical Contractor” and a definition of “Licensed Electrician;” and

WHEREAS, the amendment to Section 8-1401 would also clarify that only registered electrical contractors may secure permits; and

WHEREAS, Section 8-1401 would further be amended to clarify that the City registers electrical contractors, and that such electrical contractor must be, or have as an employee, a licensed electrician; and

WHEREAS, language would also be added to Section 8-1401 to provide that the passing of a master’s electrical examination administered through another state is sufficient to prove that a person is a licensed electrician; and

WHEREAS, City staff also reviewed Section 8-1402 of the Moline Code of Ordinances and recommends an amendment to prohibit owners-occupants of single dwellings to conduct gas pressure testing at their dwellings and requiring such testing be done by a licensed mechanical contractor; and

WHEREAS, City staff recommends amendment of Section 8-6101 of the Moline Code of Ordinances to allow for the use of Type NM and NMC cable in hotels, motels, and assisted care living facilities, including type II, IV and type V construction; and

WHEREAS, the revisions to Sections 8-1401, 8-1402 and 8-6101 will add clarity to the Moline Code of Ordinances for contractors and residents that will protect the health, safety and welfare of City residents.

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

Section 1 – That Chapter 8, “BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, Section 8-1401, “ELECTRICAL CONTRACTOR LICENSE,” is hereby amended by repealing said section in its entirety and enacting in lieu thereof one new Section 8-1401, entitled “ELECTRICAL CONTRACTOR LICENSE AND REGISTRATION,” dealing with the same subject matter, which shall read as follows:

“SEC. 8-1401. ELECTRICAL CONTRACTOR LICENSE AND REGISTRATION.

(a) DEFINITIONS

- (1) As used in this chapter, the term “Electrical Contractor” shall mean and include any person who is registered as such with the City, maintains a bond and insurance as required, and employs a Licensed Electrician to perform and supervise all electrical work undertaken by the contractor. Licensed Electricians employed by a firm or corporation to perform or to supervise electrical work do not need to individually register, so long as the firm or corporation is registered pursuant to this chapter and they remain employed by the firm or corporation.
- (2) As used in the chapter, the term “Licensed Electrician” shall mean and include any individual who is engaged in and has the necessary qualifications, training, experience, and technical knowledge to supervise and do electrical work in accordance with the standard rules and regulations governing the work and is licensed as required herein.

(b) REGISTRATION AND LICENSE REQUIRED

- (1) Securing Permits: Only a registered Electrical Contractor may secure electrical permits and furnish electrical equipment and components for installation by the holder of a valid electrician license in the employ of the contractor, or to be installed under the supervision of the holder of a valid electrician license.
- (2) Licensed Electrician Status Required: If the person seeking to register as an Electrical Contractor is an individual acting as a sole proprietor, he or she must be a Licensed Electrician. If the individual seeking to register is a corporation, partnership, group or association, it must have an officer, partner, member or employee, an individual who is a Licensed Electrician. Proof of license can be shown as follows:
 - a. An individual who presents an electrical license or registration from another city in Illinois will not be required to provide proof of the Master Block Test, but will be required to submit a copy of that license and an affidavit verifying:
 - i. a minimum of five (5) years as an Electrical Contractor;
 - ii. the individual took and passed either the master’s examination through Thomson Prometric, the International Code Council National Contractor Trades Examination Program, Standard Master Electrician exam, or a master’s electrical examination administered through another state.
 - b. An individual who does not present an electrical license or registration from another city in Illinois must provide proof thereof of a passing grade on either the master’s examination through Thomson Prometric, 1260 Energy Lane, St. Paul, MN 55108, 1-(800)-280-3926; or the International Code Council National Contractor Trades Examination Program, Standard Master Electrician exam only, 900 Montclair Road, Birmingham, AL 35213, 1-888-422-7233, www.iccsafe.org/contractor; or a master’s electrical examination administered through

another state. The passing test results are not subject to expiration as long as the individual is active in the electrical trade and submits an affidavit verifying a minimum of five (5) years electrical experience.

- (3) Notice of Discharge: Whenever a Licensed Electrician shall leave or be discharged from the employ of any person who is required by this section to employ a Licensed Electrician, a notice in writing thereof shall be given within five (5) days by both the employer and the Licensed Electrician to the building official, and the permit privileges of such person and Electrical Contractor shall without further order or action by the electrical inspector stand suspended until the employment of a Licensed Electrician.
- (4) Electrical Contractor Registration Application: The registration application shall state:
 - a. The name of the applicant;
 - b. The name of the contractor's business;
 - c. Whether individual, corporation or partnership (if partnership, it shall include the names of all partners);
 - d. The residence of the applicant;
 - e. The address of the applicant's place of business; and
 - f. The name, address and position of all Licensed Electricians in the Electrical Contractor's employ.
- (5) Electrical Contractor Registration Fee: The annual registration fee for an Electrical Contractor shall be fifty dollars (\$50.00). The annual fee shall be valid for a period commencing on May 1 to April 30 of the following year, and shall remain in force and effect for that period of time, unless revoked pursuant to this division.
- (6) Bond Requirements: Every person desiring to register as an Electrical Contractor shall furnish a license/permit bond in the penal sum of five thousand dollars (\$5,000.00). The bond shall be conditioned upon the faithful performance of the applicant's work in accordance with the provisions of this Code and for all work performed under the license sought. Such surety is to be a company authorized to do business in the State of Illinois. This shall be a continuing bond until canceled by notice. The surety shall have the right to cancel this bond for future liability upon sixty (60) days written notice to the building official.
- (7) Certificate of Liability Insurance: Every person desiring to register as an Electrical Contractor shall submit a certificate of liability insurance naming the City of Moline as the certificate holder and in the type and amounts listed below:
 - a. Public liability and property damage insurance in the minimum amount and form as hereby specified: \$100,000.00 for each occurrence of property damage; and \$300,000.00 for each occurrence of personal injury or bodily harm. Such policy shall provide that it cannot be cancelled except upon written notification to the building official at least thirty (30) days prior to the date of cancellation.
 - b. Proof that the applicant has obtained workers' compensation insurance or that the applicant is an approved self-insurer of workers' compensation shall be either the certificate of insurance from the insurance provider or the certificate of approval as a self-insurer issued by the Illinois Workers' Compensation Commission.
 - c. If an applicant is a sole proprietorship or partnership and the applicant has no employees, the applicant shall not be required to provide proof of workers' compensation insurance. Such

applicant’s application for registration shall include a sworn statement that said applicant has no employees.

- (8) **Renewal of Registration:** This annual fee for renewing a registration as an Electrical Contractor, pursuant to this division, shall be fifty dollars (\$50.00) and shall be valid for an annual period commencing on May 1 to April 30 of the following year, and shall remain in force and effect for that period of time, unless revoked for cause. The Electrical Contractor shall be required to confirm that certain requirements are met each year before the registration will be renewed. The Electrical Contractor must also have proof of valid insurance meeting the requirements set forth herein on file and that the bond continue to be in place before the renewal will be completed.
- (9) No person permitted to register under the provisions of this division shall install or perform any electrical work after the expiration of the registration or the revocation of the registration pursuant to this division, unless the registration or renewal thereof shall have been received.

(c) **HOMEOWNERS, EXCEPTION:** Persons performing electrical work in the single family residence that they own and where they reside will not be required to register as an electrical contractor nor shall they be required to pay a registration fee; however, the building official shall require a sufficient display of electrical experience of a practical and elementary character so as to test their knowledge and qualifications of the electrical work to be done in the interest of safeguarding life and property.”

Section 2 – That Chapter 8, “BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, Section 8-1402, “MECHANICAL CONTRACTOR LICENSE,” is hereby amended by repealing subsection (b) in its entirety and enacting in lieu thereof one new subsection (b) dealing with the same subject matter, which shall read as follows:

“SEC. 8-1402. MECHANICAL CONTRACTOR LICENSE.

* * * * *

(b) The owner-occupant of a single dwelling house may, with the assistance of any member of said owner-occupant’s family and household, personally carry on in said house, any work governed by this chapter without the license required by this subsection (a), except for gas pressure testing; however, the owner-occupant shall obtain a permit for any such work and shall call for an inspection as provided in this chapter. Gas pressure testing must be done by a licensed mechanical contractor.

* * * * *

Section 3 – That Chapter 8, “BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, Section 8-6101, “AMENDMENTS TO MOLINE ELECTRICAL CODE - GENERAL,” is hereby amended by repealing subsection (e) in its entirety and enacting in lieu thereof one new subsection (e) dealing with the same subject matter, which shall read as follows:

“SEC. 8-6101. AMENDMENTS TO MOLINE ELECTRICAL CODE - GENERAL.

* * * * *

(e) **Section 344.10 Uses Permitted.**

Delete entire section and replace with:

“Section 344.10 Uses Permitted. Type NM and Type NMC cable, minimum size #12 copper or equivalent, shall be permitted to be used in one-family, two-family, multi-family, motel, hotel, assisted care living facility, including type III, IV and type V construction. All service and sub-feeds shall be installed in raceway.

For the purpose of this article, the first floor of a building shall be that floor which is designed for human habitation and which has fifty (50) percent or more of its perimeter with or above finished grade of the exterior wall line.

Exception: One-family and two-family dwellings not exceeding three (3) stories in height may utilize #12 NM or NMC cable or larger without race-ways for sub-feeds.”

* * * * *

Section 4 – That this ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

Mayor

Date

Passed: _____

Approved: _____

Attest: _____
City Clerk

Approved as to Form:

City Attorney

Council Bill/General Ordinance No. 3041-2015
Sponsor: _____

AN ORDINANCE

LEVYING a Special AD VALOREM TAX within the City of Moline, Illinois, Special Service Area #5, of the City of Moline, Illinois.

WHEREAS, on November 15, 2005, the City Council adopted Special Ordinance No. 4068-2005 establishing Special Service Area #5 (Bass Street Landing); and

WHEREAS, as provided by the Special Service Area Act, the services for a Special Service Area are to be provided through a levy of an annual property tax not to exceed the amount necessary to produce a maximum annual tax of \$250,000; and

WHEREAS, for 2015, a levy of \$145,335 is required to fund the City's fiscal year 2016 budget.

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

Section 1 - Findings. The City Council of the City of Moline, Illinois (the "City"), finds and declares as follows:

(a) Pursuant to the provisions of the 1970 Constitution of the State of Illinois (the "Constitution"), the City of Moline, Illinois, is authorized to create special service areas in and for the City.

(b) Special Service Areas are established by home rule units pursuant to Section 6(1) of Article VII of the Constitution, which provides:

"The General Assembly may not deny or limit the power of home Rule units...(2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services; and, are established pursuant to the provision of the Special Service Area Tax Law of the State of Illinois, 35 ILCS 200/27-5 et seq., as amended (the "Law"), and pursuant to the Property Tax Code of the State of Illinois, 35 ILCS 200/1-1, as amended."

(c) At its regular meeting on November 15, 2005, the City Council adopted Special Ordinance No. 4068-2005 establishing Special Service Area #5.

(d) The Special Service Area #5 will benefit from the municipal services to be provided including, without limitation: engineering, soil testing and appurtenant work, storm water management facilities, storm drainage systems and storm sewers, site clearing and tree removal, public water facilities, sanitary sewer facilities, erosion control measures, roads, streets, curbs, gutters, street lighting, traffic controls, parking lots,

sidewalks, bike paths and related street improvements; and, equipment and materials necessary for the maintenance thereof, landscaping, tree installation, vegetation maintenance and control, costs for land and easement acquisitions relating to any of the foregoing improvements, required tap-on and related fees for water or sanitary sewer services and other eligible costs, snow removal, cul-de-sac creation and maintenance, public right-of-way creation and maintenance, public property maintenance to a higher standard than throughout the City generally, provision of amenities, (collectively, the "Services).

(e) As provided in the Special Service Area Act, the Services are to be provided through the levy of a direct annual ad valorem tax (the "Taxes") upon all taxable property within the territory, the maximum of such taxes to be extended in any year for special services within the proposed special service area shall not exceed the amount necessary to produce a maximum annual tax levy of \$250,000.

(f) The establishment of the Special Service Area #5 in the City for the purpose of providing the Services within the Territory, and the levy of the Taxes for the purposes described in subsection (d) was considered at a public hearing held on December 6, 2005, by the City Council of the City.

(g) Notice of the hearing was given by publication on November 20, 2005, not less than 15 days prior to the public hearing in the Dispatch, a newspaper qualified to carry legal notices, published in the City of Moline, Illinois, and having a general circulation within the City.

(h) Mailed notice of the hearing was given by depositing the notice in the United States first class mail, postage prepaid, not less than 10 days prior to the time set for the hearing addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the Territory; and, in those cases where taxes for the last preceding year were not paid, the notice was sent to the person or persons last listed on the tax rolls prior to that year as the owner or owners of the property.

(i) The hearing notice complied with all of the applicable requirements of the Special Service Area Act.

(j) No petition objecting to the establishment of the Special Service Area #5 or the levying of the Taxes, signed by at least 51% of the electors residing within the Territory and by at least 51% of the owners of record of the land included within the boundaries of the Territory, was filed with the City Clerk during the Petition Period.

(k) The City has satisfied all of the requirements of the Special Service Area Act that are conditions to the establishment of the Special Service Area #5 and the levy of the Taxes.

Section 2 - Levy of Tax. For the purpose of providing the Services within the Special Service Area #5 during the fiscal year of the City ending on December 31, 2016, pursuant to the Special Service Area Act, there is levied a special ad valorem tax (the "Tax") against all of the taxable property in the Special Service Area #5 subject to taxation for the fiscal year ending on December 31, 2015, necessary to produce the sum of \$145,335. The Tax shall be in addition to all other taxes provided by law and shall be extended in the manner provided by the Property Tax Code, 35 ILCS 200/1-1 et seq.

Section 3 - Filing for Record with County Clerk; Deadline for Filing. As required by Section 27-75 of the Special Service Area Act, the Finance Director is directed to file for record a certified copy of this Ordinance with the County Clerk of the County of Rock Island, Illinois, promptly following its adoption and approval and in any case not later than the last Tuesday of December, 2015.

Section 4 - Ratification of Proceedings. The City Council ratifies, confirms and approves (i) the public notice of the public hearings that were given by publication and by mail as described in Section 1 of this Ordinance, and (ii) all proceedings in connection with the establishment of Special Service Area #5 and the levy of the Taxes.

Section 5 - Severability. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision will not affect any of the other provisions of this Ordinance.

Section 6 - Supersede and Effective Date. All ordinances, resolutions and orders, or parts of ordinances, resolutions and orders, in conflict with this Ordinance are repealed and this Ordinance shall be in full force and effect from and after its adoption and approval as provided for by law.

CITY OF MOLINE, ILLINOIS

Mayor

Date

Passed: _____

Approved: _____

Attest: _____

City Clerk

Approved as to Form:

City Attorney

Council Bill/General Ordinance No. 3042-2015
Sponsor: _____

AN ORDINANCE

LEVYING A Special AD VALOREM TAX within the City of Moline, Illinois, Special Service Area #6, of the City of Moline, Illinois.

WHEREAS, on July 15, 2008, the City Council adopted Special Ordinance No. 4034-2008 establishing Special Service Area #6; and

WHEREAS, as provided by the Special Service Area Act, the services for a Special Service Area are to be provided through a levy of an annual property tax; and

WHEREAS, for 2015, a levy of \$257,225 is required to fund the City's fiscal year 2016 budget.

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

Section 1 - Findings. The City Council of the City of Moline, Illinois (the "City"), finds and declares as follows:

(a) Pursuant to the provisions of the 1970 Constitution of the State of Illinois (the "Constitution"), the City of Moline, Illinois, is authorized to create special service areas in and for the City.

(b) Special Service Areas are established by home rule units pursuant to Section 6(1) of Article VII of the Constitution, which provides:

"The General Assembly may not deny or limit the power of home Rule units...(2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services; and, are established pursuant to the provision of the Special Service Area Tax Law of the State of Illinois, 35 ILCS 200/27-5 et seq., as amended (the "Law"), and pursuant to the Property Tax Code of the State of Illinois, 35 ILCS 200/1-1, as amended."

(c) At its regular meeting on July 15, 2008, the City Council adopted Special Ordinance No. 4034-2008 establishing a Special Service Area #6.

(d) The Special Service Area #6 will benefit from the municipal services to be provided including, without limitation: engineering, soil testing and appurtenant work, storm water management facilities, storm drainage systems and storm sewers, site clearing and tree removal, public water facilities, sanitary sewer facilities, erosion control measures, roads, streets, curbs, gutters, street lighting, traffic controls, parking lots,

sidewalks, bike paths and related street improvements; and, equipment and materials necessary for the maintenance thereof, landscaping, tree installation, vegetation maintenance and control, costs for land and easement acquisitions relating to any of the foregoing improvements, required tap-on and related fees for water or sanitary sewer services and other eligible costs, snow removal, cul-de-sac creation and maintenance, public right-of-way creation and maintenance, public property maintenance to a higher standard than throughout the City generally, provision of amenities, (collectively, the "Services).

(e) As provided in the Special Service Area Act, the Services are to be provided through the levy of a direct annual ad valorem tax (the "Taxes") upon all taxable property within the territory.

(f) The establishment of the Special Service Area #6 in the City for the purpose of providing the Services within the Territory, and the levy of the Taxes for the purposes described in subsection (d) was considered at a public hearing held on April 15, 2008, by the City Council of the City.

(g) Notice of the hearing was given by publication on March 30, 2008, not less than 15 days prior to the public hearing in the Dispatch, a newspaper qualified to carry legal notices, published in the City of Moline, Illinois, and having a general circulation within the City.

(h) Mailed notice of the hearing was given by depositing the notice in the United States first class mail, postage prepaid, not less than 10 days prior to the time set for the hearing addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the Territory; and, in those cases where taxes for the last preceding year were not paid, the notice was sent to the person or persons last listed on the tax rolls prior to that year as the owner or owners of the property.

(i) The hearing notice complied with all of the applicable requirements of the Special Service Area Act.

(j) No petition objecting to the establishment of the Special Service Area #6 or the levying of the Taxes, signed by at least 51% of the electors residing within the Territory and by at least 51% of the owners of record of the land included within the boundaries of the Territory, was filed with the City Clerk during the Petition Period.

(k) The City has satisfied all of the requirements of the Special Service Area Act that are conditions to the establishment of the Special Service Area #6 and the levy of the Taxes.

Section 2 - Levy of Tax. For the purpose of providing the Services within Special Service Area #6 during the fiscal year of the City ending on December 31, 2016, pursuant to the Special Service Area Act, there is levied a special ad valorem tax (the "Tax") against all of the taxable property in Special Service Area #6 subject to taxation

for the fiscal year ending on December 31, 2015, necessary to produce the sum of \$257,225. The Tax shall be in addition to all other taxes provided by law and shall be extended in the manner provided by the Property Tax Code, 35 ILCS 200/1-1 et seq.

Section 3 - Filing for Record with County Clerk; Deadline for Filing. As required by Section 27-75 of the Special Service Area Act, the Finance Director is directed to file for record a certified copy of this Ordinance with the County Clerk of the County of Rock Island, Illinois, promptly following its adoption and approval and in any case not later than the last Tuesday of December, 2015.

Section 4 - Ratification of Proceedings. The City Council ratifies, confirms and approves (i) the public notice of the public hearing that was given by publication and by mail as described in Section 1 of this Ordinance, and (ii) all proceedings in connection with the establishment of Special Service Area #6 and the levy of the Taxes.

Section 5 - Severability. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision will not affect any of the other provisions of this Ordinance.

Section 6 - Supercede and Effective Date. All ordinances, resolutions and orders, or parts of ordinances, resolutions and orders, in conflict with this Ordinance are repealed and this Ordinance shall be in full force and effect from and after its adoption and approval as provided for by law.

CITY OF MOLINE, ILLINOIS

Mayor

Date

Passed: _____

Approved: _____

Attest: _____
City Clerk

Approved as to Form:

City Attorney

AN ORDINANCE

LEVYING and assessing taxes for the City of Moline, Illinois, for the tax levy year 2015 collectible in the year 2016, and enacting an ordinance relating to the same subject matter.

WHEREAS, the City of Moline levies an annual tax on all real property located within the City to be collected the following year and utilized as a revenue source for the City's budget; and

WHEREAS, this ordinance sets forth the City's tax levy for 2015, collectible in 2016.

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

Section 1 – That the total amount of appropriations for all corporate purposes legally made to be collected from the tax levy of the current fiscal year is hereby ascertained to be the sum of Fourteen Million, Eight Hundred and One Thousand Four Hundred Seventy Dollars and no cents (\$14,801,470).

Section 2 – That this Council hereby determines that the amount of money estimated to be necessary to be raised by taxation upon the taxable property within the City of Moline, Illinois, for general corporate and special municipal purposes is \$14,801,470, and the levy for general corporate fund purposes and levies for separate special fund purposes are set forth and designated as follows:

Police Pension Fund	\$3,542,595
Fire Pension Fund	\$3,488,751
Illinois Municipal Retirement Fund	\$1,667,785
Social Security Fund	\$ 701,994
Park Fund	\$2,671,000
Library Fund	<u>\$2,729,345</u>
Total Tax Levy	\$14,801,470

Section 3 – That the estimated amount determined to be necessary to be levied in Section 1 above is one hundred percent (100.8%) of the amount of property taxes extended upon the tax levy of the preceding year.

Section 4 – That the total amount of Fourteen Million, Eight Hundred and One Thousand Four Hundred Seventy Dollars and no cents (\$14,801,470) ascertained above be and is hereby levied and assessed on all property subject to taxation within the City of Moline, Illinois, according to the value of said property as assessed and equalized for State and County purposes for the current fiscal year.

Section 5 – That this levy ordinance is adopted pursuant to the procedures set forth in the Illinois Municipal Code, 65 ILCS 5/8-3-1 et seq., and Chapter 2, Sec. 2-2304 of the Moline Code of Ordinances; provided, however, that any tax rate limitation of substantive limitation as to tax levies in the Illinois Municipal Code in conflict with this ordinance shall not be applicable to the ordinance pursuant to Section 6 of Article VII of the Constitution of the State of Illinois.

Section 6 – That the City’s Finance Director is hereby directed to file with the Rock Island County Clerk on or before the time required by law a certified copy of this ordinance duly certified by the Moline City Clerk.

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

CITY OF MOLINE, ILLINOIS

Mayor

Date

Passed: _____

Approved: _____

Attest: _____

City Clerk

Approved as to Form:

City Attorney

Council Bill/Special Ordinance No 4048 -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 Lighting on the Commons scheduled for Saturday, November 21, 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, November 21, 2015, from 10:00 a.m. to 8:00 p.m.

15th Street from the southernmost side of River Drive to the northernmost side of 4th Avenue.

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

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

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

CITY OF MOLINE, ILLINOIS

Mayor

Date

Passed: _____

Approved: _____

Attest: _____
City Clerk

Approved as to Form:

City Attorney

Council Bill/Resolution No. 1129-2015

Sponsor: _____

A RESOLUTION

APPROVING a request for a Utility Permit from the Illinois Department of Transportation for Project #1206, Airport Industrial Park Utility Extensions.

WHEREAS, the City of Moline, located in the County of Rock Island, State of Illinois, wishes to install an 8” Sanitary Sewer Force Main along Airport Road, and a 16” Water Main along and across 69th Avenue, which by law come under the jurisdiction and control of the Department of Transportation of the State of Illinois (“Department”); and

WHEREAS, a Utility Permit from the Department is required before said work can be legally undertaken by the City of Moline.

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

That the City Council hereby approves a request for a Utility Permit from the Illinois Department of Transportation for Project #1206, Airport Industrial Park Utility Extensions, authorizing the City to proceed with the work herein described.

BE IT FURTHER RESOLVED that the City of Moline hereby pledges the good faith of the City and guarantees that all work shall be performed in accordance with the conditions of the permit to be granted by the Department, and to hold the Department harmless on account of any damages that may occur to persons or property during the prosecution of such work and assume all liability for the damages to persons or property due to accidents or otherwise by reason of the work which is to be performed under the provisions of said permit.

BE IT FURTHER RESOLVED that the City of Moline hereby states that the proposed work is not to be performed by the employees of the City.

BE IT FURTHER RESOLVED that the proper officers of the City of Moline are hereby instructed and authorized to sign said permit on behalf of the City.

CITY OF MOLINE, ILLINOIS

Mayor

November 10, 2015

Date

Passed: November 10, 2015

Approved: November 17, 2015

Attest: _____
City Clerk

Approved as to Form:

City Attorney



Public Improvement Yes No

IDOT Permit No. _____

Utility Reference No. _____

I (We) _____, City of Moline, _____, 3635 4th Avenue
Name of Applicant Mailing Address

_____ Moline _____, _____ Illinois 61265 _____, hereinafter termed the Permittee,
City State & Zip

request permission and authority to occupy, and to do certain work herein described on, the right-of-way of the State highway known as Airport Road & 69th Avenue, Section (33 & 40) - I, from 64th Street to Milan Beltway in Rock Island County.

The work is described in detail below and/or on the attached sketch or plans.

Install 8" force main along Airport Road to extend and tie into an existing pump station, east of 64th Street.
Install 16" Water Main along and crossing 69th Avenue.

This permit covers the operation and presence of specified equipment, material or facility on the right-of-way that may be related to the authorized work. A copy of this permit must be present when crews or equipment occupy highway right-of way. Failure to comply may result in the cessation of all construction.

This permit is subject to conditions and restrictions of Part 530 of Title 92 of the Illinois Administrative Code, Accommodation of Utilities on Right-of-Way of the Illinois State Highway System. The removal, relocation or modification of facilities permitted to occupy the right-of-way is governed by Section 9-113 of the Illinois Highway Code, as amended by Public Act 92-0470. The Permittee agrees to comply with the requirements of these laws and with all terms and conditions established by this permit. This permit is subject to revocation by the Department on violation of the terms and conditions governing its use.

Signature of Agent for Permittee Date

City of Moline (Michael P. Waldron)
Name of Permittee (Print or Type)

3635 4th Avenue
Mailing Address

Moline IL 61265
City State Zip

The work authorized by this permit shall be completed by 12/1/15 or within 180 days after the date of approval by the Department, otherwise the permit will be considered null and void.

Public Improvement Projects only: The anticipated letting date is 12/16/2014

This permit allowing occupancy and work on state right-of-way is approved. The Utility Coordination Council established by the Department in the area covered by this permit is _____

Department of Transportation Date

This permit is subject to the conditions and restrictions **established in accordance with the Illinois Highway Code and Part 530** of Title 92 of the Illinois Administrative Code including but not limited to the following:

- (1) The applicant represents all parties in interest and shall furnish material, do all work, pay all costs and shall in a reasonable length of time restore the damaged portions of the highway to a condition similar or equal to that existing before the commencement of the described work, including any landscape restoration necessary. (See Section 530.250 of Title 92).
- (2) The proposed work shall be located and constructed to the satisfaction of the Regional Engineer or his duly authorized representative. No revisions or additions shall be made to the proposed work on the right-of-way without the written permission of the Regional Engineer or his duly authorized representative (See Section 530.200 of Title 92). **In certain circumstances the Department may require that the construction plans and/or the as-built documents be sealed by an Illinois Registered Professional Engineer.** Typical of such projects would be petroleum or gas pipelines.
- (3) The applicant shall at all times conduct the work in such a manner as to minimize hazards to vehicular and pedestrian traffic. All signs, barricades, flaggers, etc., required for traffic control shall be furnished by the applicant. (See Section 530.240 of Title 92).
- (4) The applicant must ascertain the presence of Highway Authority Agreements established in accordance with 35 Ill. Admin. Code Section 742.1020 in the path of its proposed installation and take precautions to protect its workers, human health and the environment in those areas. (See Section 530.240 of Title 92). Where contamination is encountered through excavation in the ROW, it should be managed offsite and IDOT's generator number for the appropriate county may be used.
- (5) The applicant shall not trim, cut or in any way disturb any trees or shrubbery along the highway without the approval of the Regional Engineer or his duly authorized representative. (See Section 530.600 of Title 92).
- (6) The facilities authorized to occupy the right-of-way by this permit are subject to removal, relocation or modification by the permittee at no expense to the State on notice given by the Department in accordance with Section 9-113 of the Illinois Highway Code, as amended. Participation by the permittee in the UTILITY Coordination Council identified on page one of this permit is required as a condition of this permit. Permittee shall cooperate with the Department with the scheduling of any removal, relocation or modification deemed necessary for highway or highway safety purposes, and, if Utility Coordination Council participation is required by this permit, with the activities of the council identified on the first page of this permit. (See Section 9-113 of the Illinois Highway Code.) Use of and compliance with current IDOT Traffic Control Standards will be required.
- (7) If the applicant and the District cannot agree either on whether the permit should be issued or on what conditions would be appropriate, the applicant may, within 30 days of the issuance of written notice of the District's position, appeal the District's determination to the Chief of the Department's Central Bureau of Operations. (See Section 530.900 of Title 92).
- (8) The permittee agrees to fully comply with the following legal obligations in advance of entering and while upon any Right-of-way within the Illinois State Highway System.
 - a) Only a permit issued by the Department under this Part will satisfy the "written consent" requirement of Section 9-113 of the Illinois Highway Code (the Code).
 - b) A permit from the Department grants a license only to undertake certain activities in accordance with this Part on a State right-of-way, and does not create a property right or grant authority to the permittee to impinge on the rights of others who may have an interest in the right-of-way. Such others might include an owner of an underlying fee simple interest if the right-of-way is owned as an easement or dedication of right of way, an owner of an easement, or another permittee.
 - c) It shall be the responsibility of the permittee to ascertain the presence and location of existing above-ground or underground facilities on the highway right-of-way to be occupied by their proposed facilities. The Department will make its permit records available to a permittee for the purpose of identifying possible facilities. When notified of an excavation or when requested by the Department, a permittee shall locate, physically mark, and indicate the depth of its underground facilities within 48 hours excluding weekends and holidays.
 - d) The permittee shall avoid conflicts with any existing underground or above-ground facilities on or near the highway right-of-way. Both the Department and J.U.L.I.E. are to be contacted for assistance during the application process.
 - e) The permittee shall comply with all other applicable laws relating to the placement of utility lines.
 - f) The issuance of a utility permit by the Department does not excuse the permittee from complying with any existing statutes, local regulations or requirements of other Department (e.g., oversize and overweight vehicles) or the requirements of other State agencies including, but not limited to, the following:

Illinois Commerce Commission, Illinois Department of Agriculture
 Illinois Department of Natural Resources, Illinois Department of Mines and Minerals
 Illinois Environmental Protection Agency, Illinois Historic Preservation Agency
 - g) Rights of abutting and underlying property owners are protected by common law and Sections 9-113 and 9-127 of the Code. The permittee will address these rights prior to initiating activities on State right-of-way. The Department will not be a party in any negotiations between the utility and abutting property owners.
 - h) In no case shall the permit give or be construed to give an entity any easement, leasehold or other property interest of any kind in, upon, under, above or along the State highway right-of-way.
 - i) Each person responsible for a utility, in place on the effective date of this Part, on a State highway right-of-way shall notify the Department in writing, if that facility does not comply with this Part. The Department shall treat such a notice as a request for a variance under Section 530.130. Until informed that a variance will not be granted, a person responsible for a pre-existing utility will not be in violation of this Part. The failure to provide such notice constitutes a violation of this Part and of the utility accommodation permit (if any) and would justify the imposition of the sanctions set forth in Section 530.810.

Work to be coordinated with Department Representatives:

CINDY BENNETT-UTILITY PERMIT TECHNICIAN

Phone (815) 284-5471

KRISTIE NYDEREK

Phone (815) 284-5474

Utility Contact Person: Mark Orey - Sewer Maintenance Manager

Phone (309) 524-2341

Work to be done by:

Contractor: Needham Excavating, Inc.

Daytime Phone: (563)284-6178

Emergency Phone: ()

Traffic control operation:

Number of lane closures: Up to One Lane

Time of closures: Unknown

Council Bill/Resolution No. 1130-2015

Sponsor: _____

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to accept a Permanent Public Water Utility Easement for Project #1188, Hawk Hollow Subdivision, at 751 9th Avenue Court; and

AUTHORIZING the City Attorney to execute a letter agreement in return for such easement ensuring repair of any damaged premises resulting from the utility construction there.

WHEREAS, a Permanent Public Water Utility Easement for Project #1188, Hawk Hollow Subdivision, is necessary to allow work to take place on privately-owned property and to allow the City of Moline to maintain these improvements in the future; and

WHEREAS, the property owner has requested specific warranties and repair criteria in return for giving the easement and permitting a water line to be installed within the easement; and

WHEREAS, staff recommends acceptance of said easement and approval of the letter agreement.

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 accept a Permanent Public Water Utility Easement for Project #1188, Hawk Hollow Subdivision, at 751 9th Avenue Court, and the City Attorney is hereby authorized to execute a letter agreement in return for such easement ensuring repair of any damaged premises resulting from the utility construction there; provided, however, that said easement and letter agreement are in substantially similar form and content to that attached hereto and incorporated herein by this reference thereto as Exhibit A and have been approved as to form by the City Attorney.

CITY OF MOLINE, ILLINOIS

Mayor

November 10, 2015

Date

Passed: November 10, 2015

Approved: November 17, 2015

Attest: _____
City Clerk

Approved as to Form:

City Attorney

RECEIVED
10/26/15

ALVINE & ALVINE
ATTORNEYS AT LAW
SUITE 200
525 - 16TH STREET
MOLINE, ILLINOIS
61265

ROBERT H. ALVINE*
ROBERT N. ALVINE**

*ADMITTED IN ILLINOIS AND IOWA
**ADMITTED IN ILLINOIS AND WISCONSIN

TELEPHONE (309) 762-0728
FAX NO. (309) 762-1075

October 23, 2015

Ms. Maureen E. Riggs
City Attorney
City of Moline
619 - 16th Street
Moline, Illinois 61265

Re: Easement from Greenridge, L.L.C.
One Moline Place

Dear Maureen:

I am returning the "Permanent Public Water Utility Easement" you drafted and sent to me at an earlier date fully signed and acknowledged with Exhibits A and B.

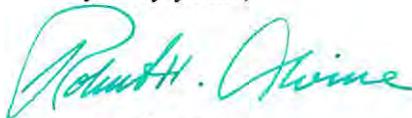
You are only authorized to record and use this easement conditioned that the City fully agree to all of the following. If you proceed, you will be deemed to have agreed to all of the following, to-wit:

1. City of Moline agrees not to start any construction whatsoever in or on the easement area until after November 1, 2015.
2. As stated in letter from the City of Moline, Maureen E. Riggs, City Attorney to Attorney Robert H. Alvine dated October 8, 2015: "the City warrants the driveway replacement for two years from the date that construction of the new driveway is completed".
3. It is agreed between the Grantor and the City of Moline that the granted utility easement is for an 8" waterline only. That would include its proper maintenance, inspection and repair.
4. The City agrees that if they disturb any of the existing residentially landscaped lawn within the easement area that in regard to grass, all grass shall be re-seeded; and when it comes to trees/shrubs, that the same will be replaced with like quality items and guaranteed for two years from the date of replacement.

5. When the City has to replace the driveway for Lot 1 in Block 2 of One Moline Place, Phase I, then, the fill shall consist only of sand and aggregate (no dirt).

I will accept the City's assurances to be evidenced by the signature of the City Attorney on the bottom of this page, and the same returned to the offices of Alvine & Alvine.

Very truly yours,



Robert H. Alvine

RHA/nlb
enc.

Approved and agreed to by the City Attorney of the City of Moline, Illinois.

By _____
Maureen E. Riggs, City Attorney,
City of Moline

Return to:
City Clerk
619 16th Street
Moline, IL 61265

Project #1188
Parcel #089364

PERMANENT PUBLIC WATER UTILITY
EASEMENT
FOR
CITY OF MOLINE, ILLINOIS

THIS INDENTURE WITNESSETH, that the Grantors, **Greenridge, L.L.C.**, owner of **751 9th Avenue Court**, Moline, Illinois, and in consideration of ONE and NO/100 DOLLARS (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, and of the covenants and agreements herein expressed, the undersigned hereby grant unto the City of Moline, Illinois, a municipal corporation, (herein "City") a permanent Easement in, over, across, and under the land hereafter specifically described as follows:

Part of the West Half of Section 32, Township 18 North, Range 1 West of the 4th Principal Meridian, Rock Island County, Illinois more particularly described as follows:

The West 20 feet of the East 40 feet of the Lot 1 in Block 2 of One Moline Place Phase I, Moline, Illinois, containing 1160 sq. ft. more or less.

Said described Real Estate being also shown by the plat hereto attached as **Exhibit "A"** and made a part hereof. Said permanent Easement is for utility installation and maintenance, site grading and related work on said tract of land. Said permanent Easement shall not remove nor replace existing easement per One Moline Place Phase I subdivision plat that allows access to building structures. The Grantors herein assign, covenant and agree that no building structure, permanent or temporary, shall ever be constructed on the land herein above described; provided, however, the surface of said land may be used for fences, lawn improvements or paved access, which do not deny access to the City for maintenance or inspection purposes, or interfere with the operation of the above-mentioned facilities. The City of Moline, Illinois, by accepting this Easement, agrees to repair, at its sole expense, any damages or disturbances which may be caused to the land of the Grantors in relation to the installation, operation, and maintenance of said Easement. The City of Moline, Illinois agrees to repair in its entirety

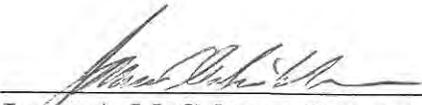
the existing driveway of the property from the private road to the building slab for the said Easement as detailed in the attached City of Moline Standard #10 dated 10/11 attached as **Exhibit "B"**.

This grant includes the right of ingress and egress to and from said above described tract of land for the uses and purposes herein set out.

To these covenants and agreements, the undersigned hereby binds itself and its assigns, forever.

The Grantors hereby releases and waives all rights under and by virtue of the Homestead Exemption Laws of the State.

IN WITNESS WHEREOF, the Grantors has hereunto set its Hand and Seal this 1st day of November, 2015.



**James A. McGehee as Representative for
Greenridge, L.L.C.**

ACCEPTED BY THE CITY OF MOLINE

By: _____
Scott Raes, Mayor

Attest: _____
City Clerk

Approved as to form:

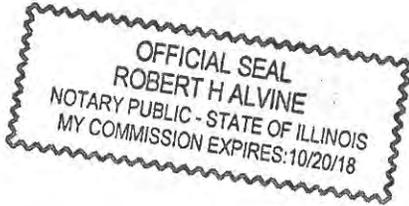
Maureen Riggs, City Attorney

Return to Grantee's Address
City of Moline
619 – 16th Street
Moline, IL 61265

STATE OF ILLINOIS _____)
_____)SS
COUNTY OF ROCK ISLAND _____)

I, Robert H. Alvino, a Notary Public in and for said County and State, do hereby certify that James A. McGehee who is personally known to be the same person(s) whose name(s) is subscribed to the forgoing instrument appeared before me this day in person and acknowledges that James A. McGehee signed, sealed and delivered said instrument as a free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 1st day of November, 2015.



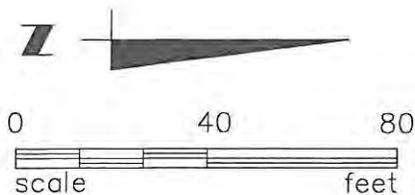
Robert H. Alvino

Notary Public

My commission expires _____

PERMANENT PUBLIC WATER UTILITY EASEMENT

THE WEST 20 FEET OF THE EAST 40 FEET OF LOT 1 IN BLOCK 2 OF
 ONE MOLINE PLACE PHASE 1
 MOLINE, ROCK ISLAND COUNTY, ILLINOIS



LEGEND

-  - EASEMENT AREA (1160 SQ.FT. ±)
-  - EXISTING EASEMENT BOUNDARY
-

MY LICENSE EXPIRES 11/30/2016

Scott K. Taulbee 10/01/2015
 DATE

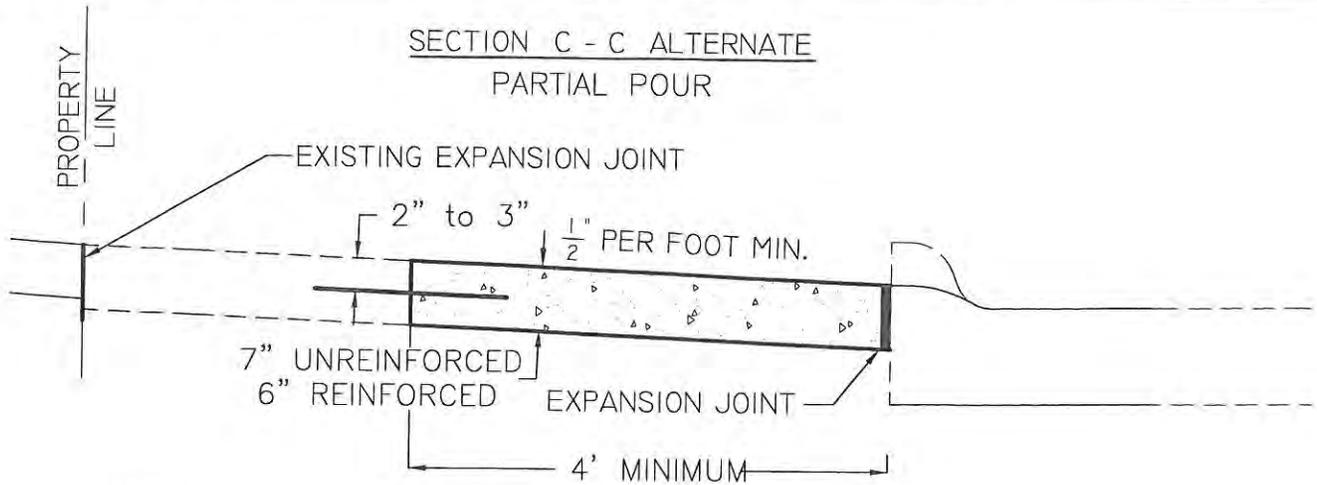
I, SCOTT K. TAULBEE, ILLINOIS PROFESSIONAL LAND SURVEYOR NO.035-003490,
 DO HEREBY STATE THAT THIS PERMANENT PUBLIC WATER UTILITY EASEMENT PLAT
 WAS PREPARED UNDER MY DIRECTION FROM FIELD AND RECORD INFORMATION. NO
 BOUNDARY SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS EASEMENT
 PLAT.



H:\Engineering\ALL PROJECTS\1188- Hawk Hollow Addition\Design\Survey\EASEMENT PLAT.dwg

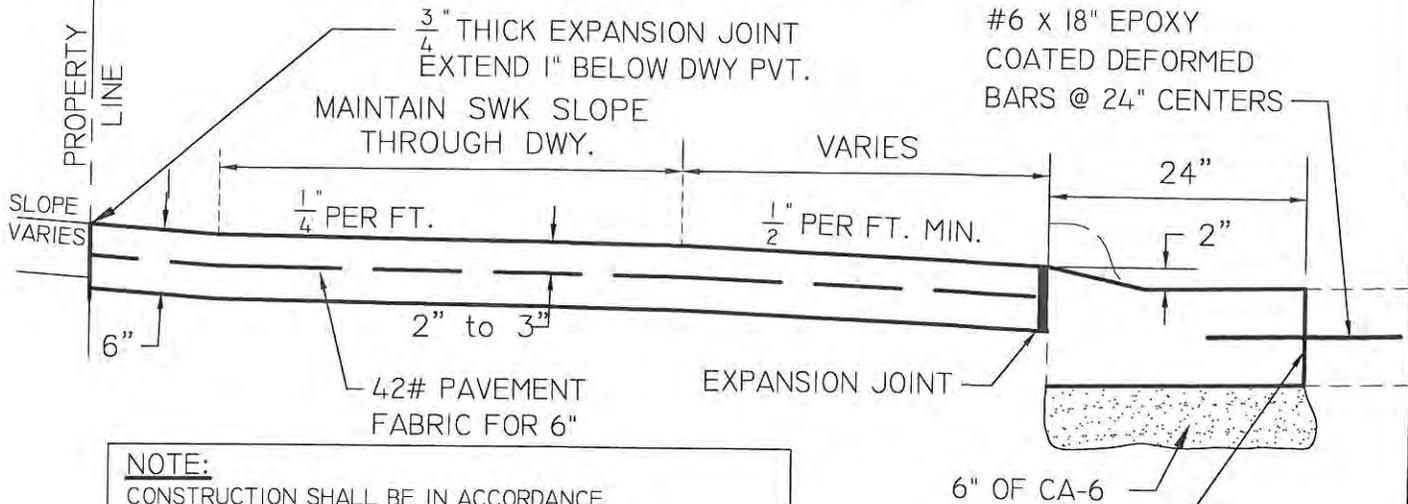
EXHIBIT "B"

SECTION C - C ALTERNATE PARTIAL POUR



NOTE:
#4 x 18" EPOXY COATED
DEFORMED BARS @ 12" CENTERS.
NO EXPANSION JOINT IS REQUIRED.

SECTION C - C ALTERNATE CURB AND DRIVEWAY POURED INTEGRAL



NOTE:
CONSTRUCTION SHALL BE IN ACCORDANCE
WITH STATE OF ILL. STANDARD SPECIFICATIONS
NO MORE THAN ONE DRIVEWAY PER LOT
WHERE THE STREET PAVEMENT HAS 6" CURB, THE CURB
SHALL BE REMOVED & REPLACED AS SHOWN IN DETAIL 1
ON STND SHEET 9 OR C-C ALT. CURB MAY BE CUT OFF
WITH A SAW DESIGNED FOR THIS APPLICATION.
DRIVEWAY PAVEMENT SHALL BE 6" REINFORCED
OR 7" PLAIN CEMENT CONCRETE.
REINFORCING SHALL BE MESH WEIGHING
42 LBS. PER 100 SQUARE FEET.
ALL JOINTS AT BACK OF CURB SHALL BE SEALED
WITH APPROVED POURED JOINT SEALER.
WHERE THE STREET PAVEMENT HAS 4" DRIVEOVER
CURB, THE CURB MAY REMAIN INTACT. NO MATERIAL
WILL BE ALLOWED TO BE PLACE IN THE GUTTER.
BARS TO BE 18" LONG, DRILLED
AND EPOXIED 9" INTO EXISTING PAVEMENT

TYPICAL BOULEVARD SECTIONS DETAIL

DATE	CITY OF MOLINE	#10
10/11	STANDARD	

Council Bill/Resolution No. 1131-2015
Sponsor: _____

A RESOLUTION

AUTHORIZING City staff to solicit bids for the dredging of Marquis Harbor.

WHEREAS, the City of Moline is responsible for dredging Marquis Harbor “at the entrance and main channel to the slips” as per the terms of the City of Moline’s amended 1991 lease agreement; and

WHEREAS, \$190,000.00 is preliminarily allocated in the proposed 2016 budget; and

WHEREAS, potential bidders advise that dredging operations are more efficient when water levels are low; and

WHEREAS, staff proposes to solicit bids to complete the dredging this Fall instead of waiting until Spring when water levels are historically higher.

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

That the City Council finds it in the best interest of the City of Moline, Illinois, to authorize City staff to solicit bids for the dredging of Marquis Harbor.

CITY OF MOLINE, ILLINOIS

Mayor

November 10, 2015

Date

Passed: November 10, 2015

Approved: November 17, 2015

Attest: _____
City Clerk

Approved as to Form:

City Attorney



RIVER DR

Council Bill/Resolution No. 1132-2015

Sponsor: _____

A RESOLUTION

AUTHORIZING the Mayor to sign a letter of support for submission with Gorman & Company's application to the Illinois Housing Development Authority for funds to redevelop the former Garfield Elementary School at 1518 25th Avenue, Moline, Illinois.

WHEREAS, Gorman & Company has a contract to purchase the former Garfield Elementary School located at 1518 25th Avenue, Moline, Illinois, from Moline School District No. 40; and

WHEREAS, on July 1, 2015, Gorman & Company initiated a Planned Unit Development ("PUD") rezoning application with the City by completing a pre-application conference for a proposed project consisting of 57 multi-family senior housing units at the former Garfield Elementary School site ("Project");

WHEREAS, the Project is consistent with the plans and goals of the City; and

WHEREAS, Gorman & Company is applying for funding from the Illinois Housing Development Authority ("IHDA") to proceed with said Project that includes points awarded for qualifying as an Opportunity Area; and

WHEREAS, IHDA defines Opportunity Areas as places that have low poverty, high access to jobs and low concentrations of existing affordable rental housing; and

WHEREAS, it is necessary for Gorman & Company to provide a letter of support from the City of Moline along with its application to IHDA for funding indentifying the Project is located within an Opportunity Area and has demonstrated access to obtainable employment; and

WHEREAS, the City strongly believes that the proposed development is located within, and proximate to, existing employment and economic opportunities that would further bolster such opportunities; and

WHEREAS, the City is in support of the Project; and

WHEREAS, the City believes that such a redevelopment effort would afford significant benefits to neighborhood and community vitality; and

WHEREAS, the Mayor's signature within the City's letter of support for use in Gorman & Company's application to IHDA in no way approves any portion of the Project; and

WHEREAS, the proposed development must continue to follow the City's PUD approval process.

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

That the Mayor is authorized to sign a letter of support for submission with Gorman & Company's application to the Illinois Housing Development Authority for funds to redevelop the former Garfield Elementary School at 1518 25th Avenue, Moline, Illinois, provided; however, that said letter 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

November 10, 2015

Date

Passed: November 10, 2015

Approved: November 17, 2015

Attest: _____

City Clerk

Approved as to Form:

City Attorney



Scott Raes
Mayor

619 16th Street
Moline, Illinois 61265

Office: 309.524.2001

Email:
sraes@moline.il.us

November 10, 2015

Mr. Bryan Zises
Interim Executive Director
Illinois Housing Development Authority
401 North Michigan Avenue, Suite 700
Chicago, IL 60611

Re: Garfield School Senior Residences (the "Project")

Dear Mr. Zises:

The City of Moline strongly supports the redevelopment of the historic Garfield School into affordable senior residences. As such, a Resolution will be placed before the Moline City Council at their November 10 meeting stating the City's support for this important project. Additionally, we are pleased to be working closely with Gorman & Company and its not-for-profit partners whom we sought out specifically for this project.

The City believes that the significant economic opportunities for employment exist within the area surrounding the Garfield School property that could benefit the project and we also believe that significant benefits in terms of community revitalization, economic activity, and further investment in nearby housing would be further stimulated by this project. We support the Gorman & Company request to approve the Garfield school project location as a "proximate Opportunity Area" as we feel that this property meets the intent of the goals and conditions for twining affordable housing in these areas.

Please know that the City has successfully collaborated with the Gorman Team on several other projects in Moline and we appreciate their approach and commitment to excellence on projects such as the historic Moline High School Lofts and the Moline Enterprise Lofts projects. These projects have resulted in much needed new affordable housing for Moline and have positively impacted their respective neighborhoods.

On behalf of the City of Moline, I respectfully request your favorable consideration of Gorman & Company's request. I am sure that will find as much merit in the Garfield School redevelopment project as we do in terms of providing quality affordable housing at a historic property that we believe will revitalize and transform this portion of Moline. Please do not hesitate to contact the City of Moline if we can be of any assistance to you regarding this project and application.

Respectfully,

Scott Raes
Mayor
City of Moline

SR/amv

Council Bill/Resolution No. 1133-2015

Sponsor: _____

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to execute an Eleventh Addendum to a Letter of Agreement between the City of Moline and Lewis J. Steinbrecher.

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 an Eleventh Addendum to a Letter of Agreement, effective on or about October 25, 2004 and approved by Council Bill/Resolution No. 1238-2004, between the City of Moline and Lewis J. Steinbrecher; provided, however, that said Eleventh Addendum 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

November 10, 2015

Date

Passed: November 10, 2015

Approved: November 17, 2015

Attest: _____

City Clerk

Approved as to Form:

City Attorney

**ELEVENTH ADDENDUM TO A LETTER OF AGREEMENT
BETWEEN THE CITY OF MOLINE AND LEWIS J. STEINBRECHER**

THIS ADDENDUM, effective this 10th day of November 2015, modifies a Letter of Agreement, effective on or about October 25, 2004, between the City of Moline and Lewis J. Steinbrecher (“Employee”), pursuant to the approval of Council Bill/Resolution No. 1238-2004, and its subsequent addendums and amendment, by amending the following paragraphs.

1. Section 2, “SALARY,” is hereby amended to read as follows:

“The City agrees to pay the Employee for his services rendered as City Administrator an annual base salary of \$171,988.54. This salary amount shall become effective, retroactively, as of October 25, 2015. The City agrees to change such base salary and/or other benefits of the Employee in such amounts and to such extent as the City Council may determine that it is desirable to do so on the basis of an annual performance evaluation of such Employee; such evaluation shall be as set forth in Section 3 hereof.”

2. Section 10, “VACATION AND SICK LEAVE,” is hereby amended to add the following language to the existing language: “On October 25, 2015 (the Employee’s anniversary date) and on each October 25 thereafter, Employee shall receive an additional eight (8) hours of vacation in an annual adjustment and not an accrual.”

3. Section 12, “RETIREMENT,” is hereby amended to reflect the City’s payment into Employee’s account as four hundred thirty-nine and 47/100 (\$439.47) per pay period (year total \$11,426.22).

4. Subsection (F) of Section 19, “GENERAL PROVISIONS,” is hereby amended to read as follows:

“F. This agreement shall be effective through November 30, 2016.”

In all other respects, the referenced Letter of Agreement shall remain in full force and effect.

By _____
Lewis J. Steinbrecher

By _____
Mayor Scott Raes

Attest: _____
City Clerk Tracy A. Koranda

Council Bill/General Ordinance No. 3044-2015

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 20, "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Appendix 10 thereof, "PARKING PROHIBITED AT ANY TIME," by including 25th Avenue A, on the north side, from 29th Street west to the dead end.

WHEREAS, a request for no parking at the above designated location was received and reviewed by the Traffic Committee on November 3, 2015; and

WHEREAS, the request meets the criteria for designating such location as parking prohibited at any time when appropriate signs are posted.

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

Section 1 – That Chapter 20, "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Appendix 10 thereof, "PARKING PROHIBITED AT ANY TIME," is hereby amended by including 25th Avenue A, on the north side, from 29th Street west to the dead end.

Section 2 – That pursuant to Section 1-1107 of the Moline Code of Ordinances, any person, firm or corporation violating any of the provisions of this ordinance shall be fined not more than seven hundred fifty dollars (\$750.00) for each offense.

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

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 20, "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Section 20-5124, "UNAUTHORIZED PERSONS USING PERSONS WITH DISABILITIES PARKING SPACES; A VIOLATION," Appendix 24, "PERSONS WITH DISABILITIES PARKING SPACES," by including one on-street stall at 155 4th Avenue.

WHEREAS, a request was received and reviewed by the Traffic Committee on November 3, 2015; and

WHEREAS, the request meets the criteria for designating such a space.

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

Section 1 – That Chapter 20, "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Section 20-5124, "UNAUTHORIZED PERSONS USING PERSONS WITH DISABILITIES PARKING SPACES; A VIOLATION," Appendix 24, "PERSONS WITH DISABILITIES PARKING SPACES," is hereby amended to include the following when appropriate signs are posted:

One on-street stall at 155 4th Avenue.

Section 2 – That pursuant to Section 1-1107 of the Moline Code of Ordinances, any person, firm or corporation violating any of the provisions of this Ordinance shall be fined not more than seven hundred fifty dollars (\$750.00) for each offense.

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/General Ordinance No. 3046-2015

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 20, "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Appendix 11 thereof, "PARKING PROHIBITED AT CERTAIN TIMES," by including 48th Street, east side, from 44th Avenue to 46th Avenue, for the hours of 7:30 a.m. to 8:30 a.m. and 1:00 p.m. to 3:30 p.m. on school days.

WHEREAS, a request for no parking at the above designated location was received and reviewed by the Traffic Committee on November 3, 2015; and

WHEREAS, the request meets the criteria for designating such location as parking prohibited at any time when appropriate signs are posted.

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

Section 1 – That Chapter 20, "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Appendix 11 thereof, "PARKING PROHIBITED AT CERTAIN TIMES," is hereby amended by including 48th Street, east side, from 44th Avenue to 46th Avenue, for the hours of 7:30 a.m. to 8:30 a.m. and 1:00 p.m. to 3:30 p.m. on school days.

Section 2 – That pursuant to Section 1-1107 of the Moline Code of Ordinances, any person, firm or corporation violating any of the provisions of this ordinance shall be fined not more than seven hundred fifty dollars (\$750.00) for each offense.

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