



MINUTES

MOLINE CITY COUNCIL MEETING

City Hall, 619 16th Street
Tuesday, November 17, 2015

Council Meeting: The City Council meeting came to order at 7:38 p.m. The Council met in regular session in the Council Chambers at City Hall.

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

Invocation: Alderman Rodriguez gave an Invocation.

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

Items on Consent:

Approval of Minutes

Committee of the Whole and Council meeting minutes of November 10, 2015 and October Financial Report.

Second Reading Ordinances

1. 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.

2. 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.

3. 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.

Resolutions

4. Council Bill/Resolution 1134-2015

A Resolution declaring the following Article 36 seized and forfeited vehicle as surplus property: 2008 Chevrolet Silverado, VIN# 1GCEK19048Z244900.

5. Council Bill/Resolution 1135-2015

A Resolution authorizing the Mayor and City Clerk to execute an Agreement for Professional Services between the City of Moline and EnviroNET, Inc. for Motor Fuel Tax Section No. 15-00258-00-LS, Avenue of the Cities Streetscaping.

6. Council Bill/Resolution 1136-2015

A Resolution authorizing approval of a Reconciliation Change Order with Davenport Electric Contract Company for Project #1226, Traffic Signal Replacement at Avenue of the Cities and 34th Street, in the amount of \$2,049.25.

7. Council Bill/Resolution 1137-2015

A Resolution authorizing the Fleet Manager to purchase three (3) Power-LOAD Systems from Stryker Corporation, Portage, Michigan, in the amount of \$88,404.00 for the Moline Fire Department.

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

Items Not on Consent:

Resolutions

8. Council Bill/Resolution 1138-2015

A Resolution approving the remote electronic attendance of First Ward Alderman Quentin Rodriguez at Committee-of-the-Whole and City Council meetings from December 1, 2015 through May 31, 2016, due to his deployment overseas as part of his current employment.

Approved: Alderman Parker, seconded by Alderman Wendt, moved to approve Council Bill 1138-2015, these items. Motion carried on roll call with the following vote: ayes: Aldermen Parker, Wendt, Zelnio, Turner, Schoonmaker, Liddell and Acri; nays: none; abstention: Alderman Rodriguez due to employment.

First Reading Ordinances

9. Council Bill/General Ordinance 3047-2015

An Ordinance amending Chapter 2, "ADMINISTRATION," of the Moline Code of Ordinances, Article VI, "JUDICIARY," by enacting one new Division 2 entitled "ADMINISTRATIVE HEARING PROCEDURE FOR PUBLIC SAFETY EMPLOYEE BENEFIT CLAIMS."

10. Council Bill/General Ordinance 3048-2015

An Ordinance amending Chapter 20, "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Appendix 10 thereof, "PARKING PROHIBITED AT ANY TIME," by deleting 26th Avenue, on both sides, from 34th Street to 41st Street, and adding in lieu thereof the following: 26th Avenue, south side, from 34th Street to 41st Street; 26th Avenue, north side, from 34th Street east 1,300 feet; and 26th Avenue, north side, from 41st Street west 330 feet.

11. Council Bill/General Ordinance 3049-2015

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 two-hour parking on 26th Avenue, north side, from a point 70 feet east of 38th Street to a point 330 feet west of 41st Street, between the hours of 7:30 a.m. to 3:30 p.m. on school days.

12. Council Bill/General Ordinance 3050-2015

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 two on-street stalls at 3605 26th Avenue.

13. Council Bill/Special Ordinance 4049-2015

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 Reindeer Ramble 5K scheduled for Sunday, December 6, 2015.

Council, Staff and Citizen Comments:

Tracy A. Koranda, City Clerk, reminded everyone that there are no meetings on Tuesday, November 24, 2015, and that the next meeting would be held on Tuesday, December 1, 2015.

Don Welvaert, President of the Moline Park & Recreation Board, introduced Lori Wilson as the Parks Recreation Director.

Alderman Rodriguez expressed appreciation to the efforts of the leaf vacuuming crews and commended the volunteerism of Bob Vogelbaugh for the Thanksgiving dinners at SouthPark Mall.

Alderman Parker wished Alderman Rodriguez safe travels on his trip overseas.

Alderman Wendt displayed mini historic preservation plaques of historic buildings throughout Moline and indicated that they are for sale at Lagomarcinos and Model Printers.

Alderman Turner stated that Moline Centre Main Street had very good participation for “Get Jazzed for the Holidays” on November 13 & 14, 2015, and that Lighting on the Commons would be held on Saturday, November 21, 2015.

Dakota Upshaw stated that he is on strike from Hy-Brand due to poor working conditions.

Ron Senteras stated that he is on strike from Hy-Brand due to poor working conditions.

Paul Rogers stated that there are a number of curb cuts for wheelchair accessibility needed throughout Moline.

Executive Session:

Alderman Parker, seconded by Alderman Wendt, moved for Executive Session, for the purpose of discussion of Pending, Probable or Imminent Litigation- 5 ILCS 120/2 (C) (11) and Property Acquisition-5 ILCS 120/2 (C) (5). Motion carried on roll call with the following vote: Ayes: Aldermen Rodriguez, Parker, Wendt, Zelnio, Turner, Schoonmaker, Liddell and Aciri; nays: none.

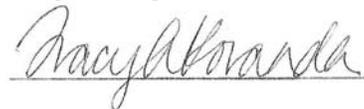
City Council convened in Executive Session at 8:03 p.m.

Council reconvened in open session at 8:09 p.m.

On motion of Alderman Parker, Seconded by Alderman Wendt, Council adjourned at 8:09 p.m.

The next regularly scheduled City Council meeting is on December 1, 2015.

Respectfully submitted,



Tracy A. Koranda
City Clerk



BUILDING JUSTICE AT BRANDT/HY-BRAND

BRANDT/HY-BRAND: BAD ACTORS

Brandt Construction Co., based in Illinois, is a bad actor in the construction world. Brandt works primarily on publicly-funded construction projects like roads and bridges.

Brandt is owned by Charles Brandt and has multiple affiliated companies including Hy-Brand Industrial Contractors. Hy-Brand performs structural steel erection, pre-cast concrete erection, pre-engineered metal building erection, and reinforcing bar installation.

Hy-Brand, headquartered in Muscatine, Iowa, is focused in Illinois, Iowa, and the Mid-West but also works all over the country.

Currently, workers from Brandt and Hy-Brand are on strike because of abusive practices by the management and owners who repeatedly put profits over the basic well-being of their employees. Workers at these companies have also filed unfair labor practices for issues including being fired for exercising their basic labor rights.

The striking workers are receiving tremendous support from former Hy-Brand workers who have shared their own experiences of abuse and exploitation. Many other supporters are also standing with the Brandt and Hy-Brand workers through The Quad Cities Coalition for Worker Justice. This coalition includes community groups and clergy members.

BRANDT / HY-BRAND PROJECTS

Muscatine Community College

Aledo Fire Station

Splash Landing Waterpark for the City of Bettendorf, IA

Bridge construction at I-74 & I-80



Current and former Hy-Brand workers with Kent Ferris, Director of Catholic Charities, Diocese of Davenport, and members of the Quad Cities Coalition for Worker Justice

ABUSE BY OWNERS & MANAGERS

Workers report managers and foremen regularly abuse employees both verbally and physically.

Brandt striking worker Ron Senteras says that verbal abuse by foremen is "ridiculous." Ron recalls seeing an incident where "a person got yelled at so much they teared up." Ron adds: "it honestly feels like jail. If you say something, it feels like are going to get more time. And if you do something wrong, you'll get shoved somewhere that won't allow you to make as much money."

Dakota Upshaw, a striking worker from Hy-Brand, states, "I've personally seen one manager physically strike workers and push employees for no reason. On multiple occasions, this manager pushed and hit in the hard hat a worker and made degrading remarks to all employees."

Austin Hovendon, another Hy-Brand striking worker, recalled an incident when his foreman, "tried to start a fight with me and I just walked away. I went to another foreman to issue a

complaint, but they just told me that's how he is and to deal with it."

Dakota confirms Austin's experience and added, "The managers call workers every name in the book. Our main foreman thinks that he can make people work harder by pissing them off – and so everyday that's his goal. Questions and concerns to management all go the same way: either they tell you that you're an idiot or that you're not paid to think. And if you do ask questions or raise concerns, they'll either make you do a task that is less appealing or just tell you to go home because they don't need you."

Workers say the abuse and degradation are how management intimidates workers to prevent them from standing up for themselves. They also say the abuse demonstrates management's lack of concern about the health and safety of the workers. When asked about not completing a safety training that was required for one of the public projects, one manager allegedly responded with, "Who the [expletive] has ever looked at that?"



HE FOUGHT FOR YOUR RIGHTS. RESPECT HIS.

John Stelzner is a former employee of Hy-Brand and a veteran of the armed services who served 8 years in active duty, including 3 tours in Iraq and another in Afghanistan. On Veteran's Day 2013 John asked to spend the day with his fellow servicemen and women, as well as his family. Not only did Hy-Brand refuse to allow him to observe the national holiday with his loved ones, but they accused him of lying about his service to this country.

TRACK RECORD OF ENDANGERING WORKERS

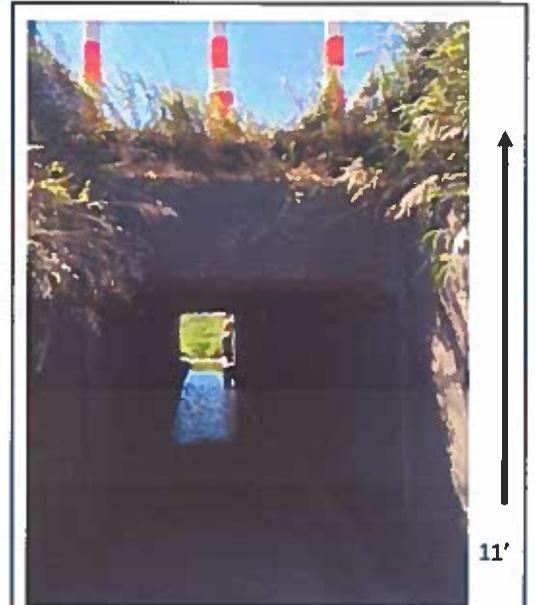
Brandt-affiliated companies have shameful histories of endangering workers.

Since 2005, the companies have been cited ten times for safety and health violations. 70% of those violations are classified as 'Serious.' According to OSHA standards, a 'Serious' violation exists where the workplace hazard could cause an accident or illness that would most likely result in death or serious physical harm.

Standards violated by Brandt-affiliated companies include:

- ⇒ multiple instances of failing to provide fall protection,
- ⇒ failing to maintain guards for openings in floors and walls,
- ⇒ failure to provide eye, face, and respiratory protection,
- ⇒ and multiple citations for failing to meet even basic general requirements for health and safety.

These violations resulted in more than \$10,500 in penalties, but unfortunately have not seemed to move management to improve safety conditions for the workers.



In August 2014, Ron Senteras fell backwards 11 feet on to his back into a ditch (pictured above). The accident happened while he was working for Brandt Construction. Ron, who is currently on strike from Brandt, was wearing a hardhat and other safety gear (vest, eye protection, etc), but still needed to be rushed to the hospital for serious damage to his back and his head (pictured below). Ron is still battling with his healthcare provider regarding medical procedures related to this injury.



Brandt/Hy-Brand workers hold a prayer vigil with The Quad Cities Coalition for Worker Justice to commemorate the hundreds of construction workers who fall to their death every year.



1. <https://www.osha.gov/newsrelease/reg6-20150406.html>

LACK OF SAFETY EQUIPMENT & TRAINING

Companies are legally required to report all workplace accidents to OSHA.² However, many companies either underreport or totally fail to report accidents out of fear their worker compensation policy premiums will increase.

Companies are also required by law to provide personal protective equipment (PPE) to all workers on the jobsite and the PPE has to be in safe working order.³

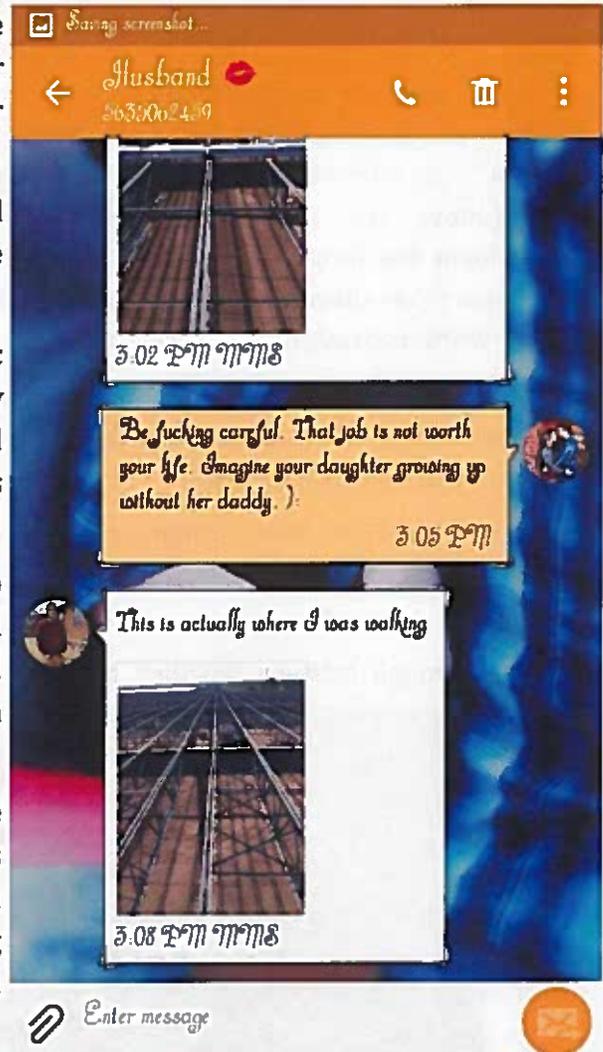
Unfortunately, Hy-Brand and Brandt workers say basic safety equipment like harnesses, respirators/masks, safety glasses, and hearing protection are insufficiently provided on the job. And when PPE is provided workers claim it is usually dangerously out-of-order.

Dakota Upshaw states, "Harnesses aren't assigned to individual workers, and the ones they do have are in pretty rough shape. If you want a harness in good condition, you have to buy it yourself. I've never seen them take a harness out of service."

Even the equipment workers use to complete jobs are substandard and dangerous. Out of date machines sometimes cause work to take longer to complete or can be more dangerous. "All of their equipment is breaking down, leaking oil, or on the verge of blowing up," Dakota recalls.

Austin Hovendon had no construction experience before working at Hy-Brand. According to Austin, "When I first interviewed for my job, they said that they would train me. But I never received that training before I went out to do the job."

Ron Senteras says that Brandt doesn't always supply their workers with safety equipment: "if the safety inspector has it in her truck, she might give you what you need and she might not. I had ripped my safety vest and asked her for another one. She said 'it's not my job to get you your proper outfit for work.'"



These text messages between Dakota and his wife Chasity reveal the fear Dakota had while working at Hy-Brand.

In this instance, Dakota did not have a harness, and was not tied off to anything.

Falling is one of the most common causes of death among construction workers.

2. <https://www.osha.gov/as/opa/worker/employer-responsibility.html>

3. <https://www.osha.gov/workers/index.html>

WORKING IN DANGEROUS CONDITIONS

Though PPE and safe equipment are essential to preventing worksite accidents, so is simply working in safe conditions. According to Brandt and Hy-Brand workers, even when temperatures reach dangerous levels (above 100 degrees, or below freezing), management has forced workers to continue work, even when other subcontractors on the same project let their workers break for safety reasons.

"I've watched guys who look like they are ready to throw up because of how hot it is," Ron recalls. "The managers and owners don't care."

Dakota notes, "When there is thunder and lightning, we are forced to return before the 30 minutes safe period."

Working through extreme weather conditions isn't

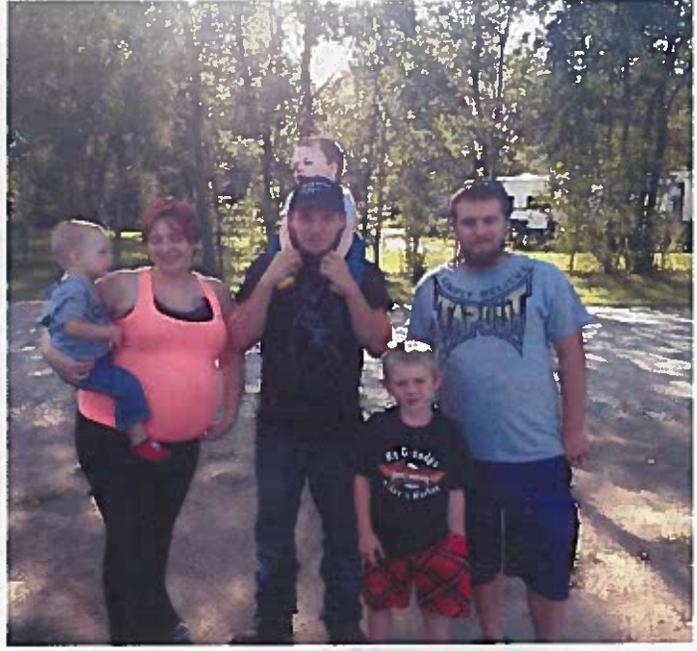
the only unsafe practice at these companies. "The managers and foremen would yell at us to hurry up and just get the job done. So, we would be atop 40-foot buildings walking along beams that were barely the width of our feet, doing work without wearing any harness," Austin states. "I don't feel that they care about their employees at all."

Drinking water on the job is a federal requirement for all workplaces,⁴ and it is an essential item on construction sites where heat-stroke and dehydration are potentially fatal. According to Brandt and Hy-Brand workers, owners and management refuse to provide water until workers demand it. When the companies finally give in, they still don't provide enough water for everyone working.



Brandt/Hy-Brand workers march with Kent Ferris, Director of Catholic Charities, Diocese of Davenport, and community members to demand the companies put worker safety over company profit.

4. https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=202



From left to right: Ron Senteras with his wife and children; Dakota Upshaw and his son, as well as Austin Hovendon with his wife Pamela and their sons.

WORKING FULL-TIME, LIVING IN POVERTY, RELYING ON GOVERNMENT ASSISTANCE

No one who works full time should qualify for public assistance. Despite Hy-Brand workers being tasked with performing highly-skilled labor, poverty wages are common for Hy-Brand workers and their families.

Ron, who is striking from Brandt, doesn't think it's right how little Hy-Brand workers make. "We do the same work," Ron says, "and we get paid less than comparable construction workers. I don't think what Brandt pays is a fair wage, – that's not right."

Workers say they are offered health insurance coverage, but the monthly premiums are unaffordable for them and their families. "Not being able to provide my family insurance through my job and not making a decent enough wage is hard because it means my kids have to be on Hawk-I [state-provided health care]," Dakota says. "Even though I work full-time, we still qualify for food stamps and that's the only thing that saves us every month."



"I was doing the work of an iron-worker: tying rebar, setting metal, putting insulation on the roof, putting metal siding on buildings but only making \$12 an hour. Given the grueling work, I didn't feel we were making a fair wage." - Austin

There is a national outcry from the public demanding responsible contracting and accountability against contractors who work on public projects, but pay poverty wages and put the well-being of workers and the public at risk. This outcry is being heard in the Quad Cities, where workers from Brandt-affiliated companies are leading the fight.

Here's how you can express your support for responsible contracting:

If you're a developer, general contractor, or subcontractor – make a commitment to only support ethical contractors who treat their workers fairly, pay family wages, and maintain safe, dignified work environments.

If you're a member of the community, faith organization, or other social justice advocacy group, help us speak out about these injustices by contacting the Quad Cities Coalition for Worker Justice at QCCWJ2015@gmail.com.



Center for Worker Justice of Eastern Iowa

940 S. Gilbert Court, Iowa City, Iowa 52240
www.cwjiaowa.org email: info@cwjiowa.org
phone: (319) 339-9873 fax: (319) 351-1582

August 4, 2015

Dear Hy-Brand/Brandt Construction Customer,

We hope this letter finds you well. We are members of the Muscatine community, as well as members of individual faith communities. We are writing you because you are or have been in business with Brandt Construction Company.

We recently met with workers from Hy-Brand Industrial Contractors, a subsidiary of Brandt Construction Company, and understand that the workers have experienced dangerous working conditions, lack of safety equipment and improper safety training. The workers are on strike and have requested a meeting with management several times, and have been denied a meeting.

We are concerned about the safety and well-being of all our neighbors who work in Muscatine, and these workers are no exception.

As an entity involved with business transactions with Brandt Construction Company, we ask that you please inform the company that you received communication from us, and encourage them to meet with the workers who have expressed the safety concerns. In so doing, the workers' basic dignity can begin to be restored.

We believe that all workers deserve dignity and that when we stand together as a community we can have safer communities where all people are treated fairly. We are a coalition of faith-based groups, organized labor, and workers who are united to pursue social and economic justice in eastern Iowa.

Thank you for considering our request and for your attention to this timely issue in our community.

Sincerely,

David Schindler *Carol Schinker*
Lori Ferris *Kenfer* *Rev. Stan Conley*
Christine Compton *Judith Leibel*
Michael Bohlen, PASTOR UAC
Keith Pota *Keith Ferris*



DEMANDING JUSTICE at HY-BRAND!

On July 2015, we started striking at Hy-Brand Industrial Contractors because the owners and the management of Hy-Brand are abusive and refuse to put our well-being ahead of their profits. We're on strike because:

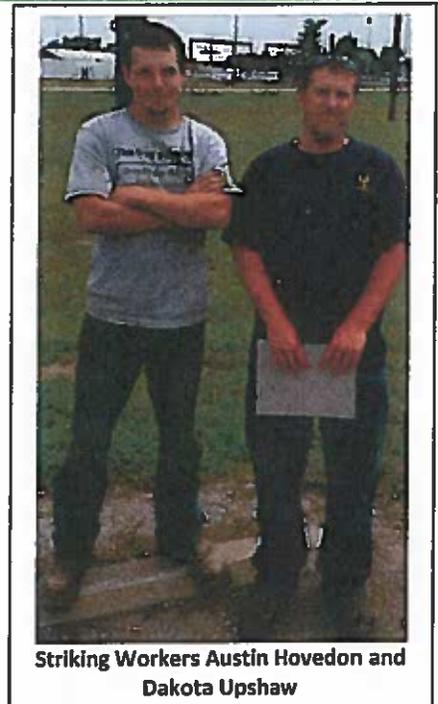
- We're tired of verbal and physical abuse by management. We deserve respect on the jobsite;
- We want proper safety training and certification to perform welding. Improper welds aren't just dangerous for us workers, it's dangerous for the general public who use our buildings;
- Hy-Brand is not a safe place to work and we are subjected to unsafe working conditions. Lack of safety equipment, including hard hats, harnesses and other fall protection – is a too common sight on jobsites;
- Several Hy-Brand employees work 40+ hours every week and still need government assistance – like food stamps and title 19 insurance – to get by. We want wages and benefits that can allow us to provide for our families.

This strike is about Hy-Brand doing right by their workers. It shouldn't have to be this way. **We're on strike for us, our families, our co-workers, and our community.**

Many have joined our effort for responsible contracting to demand companies build fairly, respect our rights, and respect the local community. Here's what you can do:

If you are a developer, general contractor or subcontractor; make a commitment to use ethical contractors who treat their workers fairly, pay proper wages and maintain safe and dignified work environments.

If you are a current or former Hy-Brand employee, member of the community, a faith organization, or other social justice organization help us speak out against these injustices, by contacting the



Striking Workers Austin Hovedon and Dakota Upshaw

**Quad Cities Coalition for Worker Justice:
QCCWJ2015@gmail.com**

