



MINUTES

MOLINE CITY COUNCIL MEETING

City Hall, 619 16th Street
Tuesday, August 2, 2016

Council Meeting: The City Council meeting came to order at 7:09 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 Parker gave an Invocation.

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

Items on Consent:

Approval of Minutes

Committee-of-the-Whole and Council meeting minutes of July 26, 2016.

Resolutions

1. Council Bill/Resolution 1106-2016

A Resolution authorizing the Mayor and City Clerk to apply for a highway permit and execute the necessary forms for the proposed Moline High School Homecoming Parade, scheduled for Friday, September 23, 2016.

Second Reading Ordinances

2. Council Bill/General Ordinance 3022-2016

An Ordinance amending Chapter 25, "PLANNING AND DEVELOPMENT," of the Moline Code of Ordinances, Section 25-2100, "OFFICIAL COMPREHENSIVE PLAN; ADOPTED; TERRITORIAL APPLICATION," by amending the Official Comprehensive Plan as follows: by adopting and adding new text at Appendices Adopted, page 1; and by adopting and adding to the Appendices Adopted a new Appendix P entitled "Moving Moline Forward, Urban Design & Transportation Plan."

3. Council Bill/Special Ordinance 4041-2016

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 5th Avenue Cruise In scheduled for Saturday, August 6, 2016.

4. Council Bill/Special Ordinance 4042-2016

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 "Gabe's Gift Memorial 5K & 1 Mile Fun Run" scheduled for Saturday, August 20, 2016.

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, Waldron and Acri; nays: none.

Items Not on Consent:**First Reading Ordinances****5. Council Bill/General Ordinance 4043-2016**

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 QCA Heritage Tractor Parade and Show scheduled for Saturday, September 10, 2016.

6. Council Bill/Special Ordinance 4044-2016

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 Unity Point Quad Cities Classic Rowing Regatta scheduled for Saturday, September 10, 2016.

Council, Staff and Audience Comments:

Alderman Parker, seconded by Alderman Schoonmaker, made a motion to direct staff to obtain a traffic study using CIP contingency Reserve funds to determine if a traffic signal is warranted at the intersection of 7th Street and 35th Avenue Place and, if so, to determine the appropriate traffic signal configuration. Motion passed unanimously.

Alderman Wendt, seconded by Alderman Parker, made a motion to direct staff to investigate a noise ordinance as it pertains to loud motorcycles, cars and fireworks. Motion passed unanimously.

Alderman Wendt, seconded by Alderman Turner, made a motion to reconsider Council Bill 4038-2016. Motion to reconsider carried with Alderman Acri voting nay. Alderman Wendt, seconded by Alderman Parker, made a motion to amend Council Bill 4038-2016 that would include the following conditions:

- Keeps all the outlots listed that were in the original council bill which are the outlots along 16th Street between John Deere Road and 52nd Avenue
- Provides for payment of \$10,000 for each outlot that is developed or redeveloped that would require sidewalk installation otherwise
- Automatically grants a variance for any outlot upon payment of \$10,000 (The \$10,000 still to be used for sidewalks elsewhere as Council sees fit)
- Withholds a building permit if a variance is sought and payment has not been made
- Provides for the ordinance to expire in 5 years so that Council could increase the payment amount or decide to reassess its policy as to further development there.
- Any variances granted during the period this ordinance is in effect shall survive expiration of the ordinance and run with the land.

Motion to adopt the amended Council Bill carried with Alderman Acri voting nay.

Alderman Acri, seconded by Alderman Zelnio, made a motion to direct staff to prepare a Request for Proposal for the repairs to Prospect Park Pavilion that will stabilize the structure for 20 years and comply with all applicable code requirements. Motion passed unanimously.

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, Waldron and Acri; nays: none.

City Council convened in Executive Session at 7:25 p.m.

Council reconvened in open session at 7:54 p.m.

Alderman Schoonmaker stated that he recently became aware of contractor liens against Three Corners Development/Madison Construction and requested an update from staff. Maureen Riggs, City Attorney, indicated that she had made the Council aware of the mechanics liens suit that had been filed against Madison Construction for the Riverbend Commons Project at the time of filing at the beginning of 2015 because the City was named as a defendant in the lawsuit as a lien holder on the notice due to its Junior Construction Mortgage position. Because the City has since been removed from the lawsuit, this litigation is a matter between the contractors and Madison Construction. Two of the three claims have been settled and the last one will be scheduled for arbitration hearing in the fall. Several Council members expressed concern over this situation and requested that future Development Agreements have lien wavers included. Alderman Acri, seconded by Alderman Wendt, made a motion to direct staff to not pursue any agreement with Three Corners Development regarding a public parking structure and to continue to support the original Phase I Development Agreement that stated that no further incentives would be given and a timeline of the next steps moving forward. Motion carried unanimously.

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 August 9, 2016.

Respectfully submitted,

A handwritten signature in cursive script, reading "Tracy A. Koranda", written in black ink on a white background.

Tracy A. Koranda
City Clerk