



MOLINE CITY COUNCIL AGENDA

Tuesday, October 11, 2016

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		
Waldron		
Acri		
Mayor Raes		

Approval of Minutes & Appointments Made

Committee of the Whole and Council meeting minutes of September 27, 2016, Special Council Minutes of September 30, 2016, and appointments made during Committee of the Whole on October 4, 2016.

Second Reading Ordinances

1. Council Bill/General Ordinance 3026-2016

An Ordinance amending Chapter 14, “FOOD AND FOOD HANDLERS,” of the Moline Code of Ordinances, Sec. 14-2203, “LICENSE FEES & PAYMENT,” by enacting one new subsection (d).

Explanation: Staff would like to amend Chapter 14 “Food and Food Handlers” to be more in line with Chapter 4 “Alcoholic Beverages” in the Moline Code of Ordinances. This amendment would give the City the authority to collect all outstanding fines, fees, taxes, bills, or invoices due and owing the City before issuing/renewing a food license.

Fiscal Impact: Collect outstanding fines, fees, taxes, bills, or invoices owed to the City

Public Notice/Recording: N/A

Resolutions

2. Council Bill/Resolution 1141-2016

A Resolution approving a request from the Civic Center Authority for payment of capital improvements in the amount of \$40,000 from Capital Improvement Project Reserve Account (CIPRA) as established per the Intergovernmental Agreement between the Civic Center Authority and the City of Moline.

Explanation: A 3% amusement tax was implemented by the City of Moline in April 1994 per the Civic Center Intergovernmental Agreement. The funds are earmarked for the future capital improvements and equipment replacement for the iWireless Center. The iWireless Center is requesting \$40,000 to replace the Concessions walk-in cooler used for draft beer sales and beverage staging. This is an original cooler from 1993 and replacing will reduce maintenance/operating costs. Additional documentation attached.

Fiscal Impact: CIPRA funds will be used

Public Notice/Recording: N/A

3. Council Bill/Resolution 1142-2016

A Resolution authorizing the Mayor and City Clerk to enter into a Contract for Professional Services with Peckham Guyton Albers & Viets, Inc. for consulting services in an amount not to exceed \$14,100.00

to explore the feasibility of establishing a business district in an area identified herein as the Business District Project Area.

Explanation: The City entered into a Development and Economic Incentive Agreement (Agreement) with Dolan Commons, LLC (Developer) on August 23, 2016 and approved Special Ordinance 4048-2016. As a part of the Agreement, the Developer asked the City to assist in the creation of a Business District under the provisions of the Illinois Business District Development and Redevelopment Business District Law (Business District Law), as amended (65 ILCS 5/11-74.3-1 thru 3-7), to facilitate redevelopment in the area and agreed to provide the funds to explore the feasibility of establishing a business district in an area. The City is also interested in development and improvement of areas within the City utilizing a Business District under the provisions of the Business District Law. If it is determined that the Business District Project Area is eligible under the applicable provisions of the Business District Law, the City may direct Peckham Guyton Albers & Viets, Inc. to prepare a Business District Plan for this area. Additional documentation attached.

Fiscal Impact: \$14,100 from Developer

Public Notice/Recording: N/A

Omnibus Vote

Non - Consent Agenda

Resolutions

4. Council Bill/Resolution 1143-2016

A Resolution authorizing the Planning and Development Department to apply to the Illinois Housing Development Authority for a 2016 Abandoned Residential Property Municipality Relief Program, Round 2 Grant in the amount of \$75,000.00 for the City; and Authorizing the City and staff to do any and all things necessary to apply for the 2016 Abandoned Residential Property Municipality Relief Program, Round 2 Grant.

Explanation: As demonstrated by the City’s past and current code enforcement activities, there is a continued need for additional code enforcement compliance of abandoned residential structures and additional resources needed to assist with the removal of deteriorated structures within the City. Staff would like to apply for the 2016 Abandoned Residential Property Municipality Relief Program (APP), Round 2 Grant in the amount of \$75,000. The funding will provide assistance for eligible uses with abandoned residential properties. Additional documentation attached.

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		
Waldron		
Mayor Raes		

1143-2016		
Council Member	Aye	Nay
Acri		
Rodriguez		
Parker		
Wendt		
Zelnio		
Turner		
Schoonmaker		
Waldron		
Mayor Raes		

Council Bill/General Ordinance No. 3026-2016

Sponsor _____

AN ORDINANCE

AMENDING Chapter 14, "FOOD AND FOOD HANDLERS," of the Moline Code of Ordinances, Sec. 14-2203, "LICENSE FEES & PAYMENT," by enacting one new subsection (d).

WHEREAS, the City seeks to amend Chapter 14, "FOOD AND FOOD HANDLERS," to enhance collection of various municipal fees.

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

Section 1 – That Chapter 14, "FOOD AND FOOD HANDLERS," of the Moline Code of Ordinances, Section 14-2203, "LICENSE FEES & PAYMENT," is hereby amended by enacting one new subsection (d), which shall read as follows:

"SEC. 14-2203. LICENSE FEES & PAYMENT.

* * * * *

(d) Before any class of license is issued pursuant to this division, the applicant therefore shall pay the license and/or option fee prescribed in this section as well as any outstanding fines, fees, taxes, bills, or invoices due and owing the City by the licensee or its partners if the licensee is a partnership or its stockholders if the licensee is a corporation.

* * * * *

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

CITY OF MOLINE, ILLINOIS

Mayor

Date

Passed: _____

Approved: _____

Attest: _____
City Clerk

Approved as to Form:

City Attorney

Sponsor: _____

A RESOLUTION

APPROVING a request from the Civic Center Authority for payment of capital improvements in the amount of \$40,000 from Capital Improvement Project Reserve Account (CIPRA) as established per the Intergovernmental Agreement between the Civic Center Authority and the City of Moline.

WHEREAS, in April of 1994 the City of Moline implemented a 3% amusement tax; and

WHEREAS, the City agreed that the funds from such tax could be used for future capital improvements and equipment replacement for the iWireless Center; and

WHEREAS, the Intergovernmental Agreement stipulates that the City shall fund the CIPRA from proceeds of its amusement tax; and

WHEREAS, the Civic Center Authority is requesting \$40,000 for the replacement of the 1993 original Concessions walk-in cooler used for draft beer sales and beverage staging; and

WHEREAS, as monies are available through the collection of the amusement tax, disbursements will be made to the iWireless Center.

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

That the City Council hereby approves the request from the Civic Center Authority for the payment of capital improvements in the amount of \$40,000 from the Capital Improvement Project Reserve Account (CIPRA) as established per the Intergovernmental Agreement between the Civic Center Authority and the City of Moline.

CITY OF MOLINE, ILLINOIS

Mayor

October 11, 2016

Date

Passed: October 11, 2016

Approved: October 18, 2016

Attest: _____

City Clerk

Approved as to form:

City Attorney



CAPITAL IMPROVEMENTS - FY2016-17
(CIPRA)

1 WALK-IN COOLER

Concessions walk-in cooler (used for draft beer sales and beverage staging) is in need of replacing. This is an original cooler from 1993. Replacement will reduce maintenance/operating costs.

Authority bid approval: 9/15/2016

Requested
\$40,000

TOTAL REQUESTS FOR CIPRA FUNDING

\$40,000

Council Bill/Resolution No. 1142-2016

Sponsor: _____

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to enter into a Contract for Professional Services with Peckham Guyton Albers & Viets, Inc. for consulting services in an amount not to exceed \$14,100.00 to explore the feasibility of establishing a business district in an area identified herein as the Business District Project Area.

WHEREAS, the City entered into a Development and Economic Incentive Agreement (Agreement) with Dolan Commons, LLC (Developer) on August 23, 2016 and approved Special Ordinance 4048-2016; and

WHEREAS, as a part of the Agreement, the Developer asked the City to assist in the creation of a Business District under the provisions of the Illinois Business District Development and Redevelopment Business District Law (Business District Law), as amended (65 ILCS 5/11-74.3-1 thru 3-7), to facilitate redevelopment in the area; and

WHEREAS, the City is also interested in development and improvement of areas within the City utilizing a Business District under the provisions of the Business District Law; and

WHEREAS, the creation, development, improvement, maintenance, and redevelopment of business districts will stimulate economic activity, create and maintain jobs, increase tax revenues, encourage the creation of new and lasting infrastructure, other improvements, and facilities, and cause the attraction and retention of businesses and commercial enterprises which generate economic activity and services and increase the general tax base, including, but not limited to, increased retail sales, hotel or restaurant sales, manufacturing sales, or entertainment industry sales, thereby increasing employment and economic growth; and

WHEREAS, a proposal from Peckham Guyton Albers & Viets, Inc. (the Consultant) for consulting services in an amount not to exceed \$14,100.00 to explore the feasibility of establishing a business district is incorporated into the Agreement with Developer and as part of the Agreement, Developer has agreed to provide the City with the funds to complete the responsibilities outlined in the Professional Services Contract (Contract) with the Consultant prior to the City executing the Contract to commence the services; and

WHEREAS, the City has received funds from the Developer for the consulting services; and

WHEREAS, if it is determined that the Business District Project Area is eligible under the applicable provisions of the Business District Law, the City may direct the Consultant to prepare a Business District Plan for this area; and

WHEREAS, the Consultant is duly experienced in providing technical services for the preparation of a Business District Plan.

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 enter into a Contract for Professional Services with Peckham Guyton Albers & Viets, Inc. for consulting services in an amount not to exceed \$14,100.00 to explore the feasibility of establishing a business district in an area identified herein as the Business District Project Area; provided, however, said Agreement 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

October 11, 2016

Date

Passed: October 11, 2016

Approved: October 18, 2016

Attest: _____

City Clerk

Approved as to Form:

City Attorney

CONTRACT FOR PROFESSIONAL SERVICES

**BETWEEN CITY OF MOLINE
AND
PECKHAM GUYTON ALBERS & VIETS, INC.**

(Proposed Avenue of the Cities/27th St. Business District)

THIS AGREEMENT is entered into on the date and by execution shown hereafter, by and between the City of Moline, Illinois (hereinafter referred to as the "City") and Peckham Guyton Albers & Viets, Inc., (hereinafter referred to as "PGAV").

WITNESSETH:

WHEREAS, the City is considering the potential for creation of an Illinois Business District under the provisions of the Illinois Business District Development and Redevelopment Business District Law, as amended (65 ILCS 5/11-74.3-1 thru 3-7), hereinafter referred to as the "Business District Law"; and

WHEREAS, the City desires to designate a portion of the City identified on Exhibit A of this Agreement as the Avenue of the Cities/27th St. Business District, an area generally located at the northeast corner of the intersection of Avenue of the Cities and 27th Street, hereinafter referred to as the Study Area; and

WHEREAS, in order to designate all or a portion of the Study Area as a Business District, the City must conduct an investigation of the ability of the study area to qualify as a "Blighted area" as defined in the Business District Law, prepare a Business District Plan, and conduct other planning analyses in order to accomplish such designation and thereby provide the appropriate incentives necessary to induce the development of the Study Area; and

WHEREAS, PGAV is duly experienced in providing the planning and economic analysis services required for establishing a Business District pursuant to the Business District Law.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

I. SCOPE OF SERVICES

PGAV will provide the services outlined below in pursuit of designation of a Business District for all or a portion of the Study Area.

A. Development of a Project Map and Determination of Eligibility

1. PGAV will prepare a base map of the Study Area to depict land use, and other pertinent data about the Study Area gathered in subsequent tasks outlined below.
2. PGAV will conduct field investigations of the existing conditions in the Study Area to determine its ability to qualify as a "Blighted area" under the provisions of the Business District Law. Visible conditions will be documented in graphic and photographic form as appropriate. In addition, data that can be provided by the City and/or other sources considered reliable will be

incorporated into the analysis as appropriate. In conducting this sub-task, an initial recommendation will be made with respect to potential boundaries for the proposed Business District and the findings of the existing conditions investigation.

3. PGAV will document its findings and prepare a preliminary written report on whether or not the Study Area or portion thereof meets the definition of a “blighted area” as defined in the Business District Law.
4. PGAV will meet review the finding with appropriate City staff to discuss the findings and obtain concurrence of the Business District boundaries.

B. Business District Plan

1. If the work conducted in Task “A” above indicates that the Study Area can qualify as a “blighted area” under the terms of the Business District Law, PGAV will prepare a Business District Development Plan (the “Plan”), which will incorporate the findings in Task A above.
2. The proposed Plan will set forth in writing:
 - a. A specific description of the proposed boundaries of the district, including a map illustrating the boundaries.
 - b. A general description of each project proposed to be undertaken within the Business District, including a description of the approximate location of each project.
 - c. The name of the proposed Business District.
 - d. The estimated Business District project costs.
 - e. The anticipated source of funds to pay Business District project costs.
 - f. The anticipated type and terms of any obligations to be issued.
 - g. The rate of any tax to be imposed pursuant to subsection (12) or (13) of Section 11-74.3-3 of the Business District Law and the period of time for which the tax shall be imposed.
 - h. That the Business District is a blighted area pursuant to the definition of blighted area in the Business District Law.
 - i. A finding that the Business District, on the whole, has not been subject to growth and development through investment by private enterprises or would not reasonably be anticipated to be developed or redeveloped without the adoption of the business district development or redevelopment plan. In order to make such a finding, PGAV will examine development financing information, to be provided by the developer proposing the redevelopment project, to ascertain the nature and amount of extraordinary project costs.

3. PGAV will submit a draft of the Plan to the City for review and comment. If necessary, PGAV will make changes to the Plan based upon comments received on the draft Plan.

C. Revenue Projections

PGAV will develop estimates of tax revenue to be generated from implementation of the redevelopment project, including new revenues to be generated by the imposition of an Illinois Business District sales and services tax, resulting from the proposed redevelopment of the Study Area. These estimates of tax revenues are intended to be prepared based on redevelopment plan concept and a single set of redevelopment assumptions to be agreed to by and between the PGAV, the City, and the property owner/developer at the outset of the work. Additional projections on major revisions or additions to the development plan will be considered outside the scope of this agreement.

D. Draft Ordinance for Plan Adoption

PGAV will provide a draft of the ordinances for adoption of the Business District Plan and establishment of the tax rate necessary for filing with the Department of Revenue.

E. Review & Approval Process

1. PGAV will prepare, for the City's use, a schedule that documents the review and approval process for the Business District Plan. Included on this schedule will be dates for publication of the required notices pursuant to the requirements of the Business District Law.
2. PGAV will provide guidance to the City in the formal approval process of the Business District Plan. This shall include general advice on the process and preparation of the notice of the public hearing.
3. PGAV will present the proposed Business District Plan at the required public hearing.
4. PGAV will provide guidance to the City with respect to filing with the Illinois Department of Revenue (IDOR) the required documentation in order for the IDOR to administrate and enforce the collection of the applicable Business District sales taxes.

II. INFORMATION TO BE PROVIDED BY THE CITY

A. The City will provide, or cause to be provided to, PGAV available data as follows:

1. Existing information which is pertinent to the preparation of the eligibility analysis, as required by the Business District Law. This may include information that the City has, or that may be readily acquired without extensive research, such as building code non-compliance and deficiencies in public utilities.
2. A written boundary description of the Business District Area boundaries required for the Business District Plan and ordinance designating the Business District.

3. Financial information on the proposed development project indicating the need for Business District financial incentives to make the project feasible.

III. TIMING OF PERFORMANCE

The work on all tasks as provided for herein will begin upon execution of this agreement (which shall constitute “notice to proceed” unless otherwise provided in written or electronic form by the City) and will be conducted based on a mutually agreed upon schedule. This schedule shall be prepared by PGAV in consultation with City officials and City legal counsel.

IV. FEE AND METHOD OF COMPENSATION

- A. Compensation for the completed services associated with Tasks A through E of the Scope of Services shall be \$13,500, exclusive of reimbursable expenses as stated below.
- B. Reimbursable expenses will consist of reasonable travel expenses, local mileage, long distance telephone charges, express delivery charges, photographic expenses, or the cost of printing or other reproduction of documents. Such expenses will be billed at their direct cost to PGAV. Reimbursable expenses shall not exceed \$600 without prior written consent from the City.
- C. Method of Compensation shall be in accordance with the below schedule:
 1. \$1,500 Retainer amount upon signing of contract and submittal of Invoice
 2. \$4,000 upon completion of services stated in Section I, Tasks A and submittal of Invoice.
 3. \$5,500 upon completion of the Redevelopment Plan as stated in Section I, Task B, C and D and submittal of invoice.
 4. \$2,500 upon completion of Section I, Task E and submittal of invoice.

PGAV may submit invoices for partial completion of services for any Task per the above payment schedule.

- D. Payments to PGAV for services and reimbursable expenses are due within 30 days after receipt of our statement. If no payment has been received within 60 days after receipt of our initial statement, PGAV will suspend services under this Agreement until PGAV has been paid in full the amounts due for services and expenses.

V. TERMINATION OF AGREEMENT

If as a result of the work to be conducted in Task B, PGAV determines that the Study Area may not qualify as a “blighted area” as defined by the Business District Law, PGAV will cease work and no further cost will be incurred by the City. If for any other reason the City determines that the work should be terminated, the City will inform PGAV in writing that it wishes to terminate this agreement. The date of said termination

shall occur upon receipt of the written notice of termination by PGAV via the U.S. Postal Service or facsimile (followed by receipt of an original signature copy).

The City will pay PGAV an amount representing the work performed to the date of termination, plus any expenses which have been incurred by PGAV to that date.

VI. SERVICES OUTSIDE THE SCOPE OF THIS AGREEMENT

The scope of the work to be performed by PGAV shall be as provided for herein. The following work elements are hereby specifically noted as not included as tasks to be performed in conjunction with the terms of this agreement:

- A. Data collection and analysis relating to the parcels that are located beyond the Study Area identified in this Agreement.
- B. Revenue projections for new or expanded businesses beyond what is initially provided for under Task C of Section I of this agreement.
- C. Preparation of and/or review of development agreements between the City and private parties wishing to receive Business District assistance.
- D. Other technical assistance as requested by the City beyond the scope of this agreement.

These services shall be considered additional work beyond the scope of this proposal. The City may acquire the provision of such services by PGAV at an additional cost to be negotiated and provided for in the form of an addendum, or separate agreement, between the City and PGAV.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed this _____ day of _____, 2016.

ATTEST:

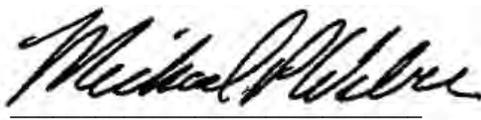
CITY OF MOLINE, ILLINOIS

Tracy A. Koranda, City Clerk

Scott Raes, Mayor

ATTEST:

PECKHAM GUYTON ALBERS & VIETS, INC.



Mike Weber
Director



John W. Brancaglione
Vice President

Attachment: Exhibit A – Boundary Map, Proposed Avenue of the Cities/27th St. Business District

Sponsor: _____

A RESOLUTION

AUTHORIZING the Planning and Development Department to apply to the Illinois Housing Development Authority for a 2016 Abandoned Residential Property Municipality Relief Program, Round 2 Grant in the amount of \$75,000.00 for the City; and

AUTHORIZING the City and staff to do any and all things necessary to apply for the 2016 Abandoned Residential Property Municipality Relief Program, Round 2 Grant.

WHEREAS, as demonstrated by the City’s past and current code enforcement activities, there is a continued need for additional code enforcement compliance of abandoned residential structures and additional resources needed to assist with the removal of deteriorated structures within the City; and

WHEREAS, the 2016 Abandoned Residential Property Municipality Relief Program (APP), Round 2 Grant funding will provide assistance for eligible uses with abandoned residential properties; and

WHEREAS, the Planning Department will manage and operate the APP, Round 2 Grant under the appropriate Illinois Housing Development Authority program guidelines; and

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

That the Department of Planning & Development is hereby authorized to make application to the Illinois Housing Development Authority for the 2016 Abandoned Residential Property Municipality Relief Program, Round 2 Grant in the amount of \$75,000.00 for the City.

BE IT FURTHER RESOLVED that the City and staff are hereby authorized to do any and all things necessary to apply for the 2016 Abandoned Residential Property Municipality Relief Program, Round 2 Grant.

CITY OF MOLINE

Mayor

October 11, 2016
Date

Passed: October 11, 2016

Approved: October 18, 2016

Attest: _____
City Clerk

Approved as to form:

City Attorney

Standard Requirements and Certifications

Every grantee under the program will be required to comply with these certifications and requirements:

1. Applicant certifies that all statements herein are true, accurate, and complete;
2. Applicant is an eligible recipient of grant funds based on Section 381.201 of the Program Rules;
3. Applicant will not permit any discrimination on the basis of gender, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability in connection with its participation in the Program;
4. Applicant will ensure expenditures of grant funds are for eligible uses under the Program;
5. Applicant will maintain records in connection with administration of the Program for five years after the date of termination of the Commitment;
6. Applicant will comply with the terms and conditions of the Program;
7. Applicant will comply with monitoring and evaluation of the Program through the full Commitment period;
8. Applicant will comply with all prevailing wage requirements;
9. Applicant will comply with all federal/state/local laws and regulations, including, but not limited to historical preservation, environmental, demolition, and lead based paint laws; Applicant agrees and acknowledges that it is its responsibility to determine which laws and regulations apply;
10. Applicant certifies that all procurements/vendor contracts comply and will continue to comply with all applicable laws and regulations, including applicable municipal procurement policies and procedures;
11. Applicant certifies all properties assisted with this grant are Abandoned as defined by to Section 381.202 of the Abandoned Residential Property Municipality Relief Fund [Program Rules](#); and
12. Applicant certifies that they have legal authority and rights to complete the demolition for all properties proposed.

On behalf of _____, I certify that the information contained herein accurately reflects my jurisdiction's commitment and ability to participate fully in the Abandoned Property Program.

Name

Title

Date (MM/DD/YYYY)

Signature of Authorized Official