

## **Committee-of-the-Whole Agenda**

**6:30 p.m.**

**Tuesday, October 11, 2016**

---

### **Oath of Office**

Oath of office for permanent appointment as a Firefighter/Paramedic to Justin Epstein effective September 21, 2016.

### **Presentation**

Presentation of Letter to Rotary International Youth Exchange Student from Japan, Tenfu Matsushita.  
(Mayor Raes)

### **Questions on the Agenda**

### **Agenda Items**

- 1. Hazard Mitigation Plan Update** (Shawn Christ, Land Development Manager)
- 2. Sidewalk Variance Policy Update** (Shawn Christ, Land Development Manager)
- 3. Solid Waste Assistance Grant** (Rodd Schick, Municipal Services General Manager)
- 4. APP Grant Application** (Kaye Whitely, Community Development Program Manager)
- 5. Amendment to Chamber Agreement** (Ray Forsythe, Planning & Development Director)
- 6. Culvers PUD Amendment** (Maureen Riggs, City Attorney)
- 7. Other**
- 8. Public Comment**

### **Informational**

2017 Capital Improvement Plan (Scott Hinton, City Engineer)

---

# Explanation

---

- 1. A Resolution approving the Rock Island County Multi-Jurisdiction Local Hazard Mitigation Plan update as the City's Multi-Hazard Mitigation Plan pending FEMA approval of the Plan; and adopting the Rock Island County Multi-Jurisdiction Local Hazard Mitigation Plan update.** (Shawn Christ, Land Development Manager)

**Explanation:** The City approved and adopted the Rock Island County Multi-Jurisdictional Local Hazard Mitigation Plan on March 3, 2009. Rock Island County applied for and was awarded funding from the Hazard Mitigation Grant Program (HMGP) administered by the Federal Emergency Management Agency (FEMA) and through the Illinois Emergency Management Agency (IEMA) for developing an updated multi-jurisdictional local hazard mitigation plan. The City, with the assistance from Rock Island County and BSRC has gathered information and prepared the Rock Island County Multi-Jurisdictional Local Hazard Mitigation Plan update. The complete Plan update can be viewed at [https://www.mediafire.com/folder/318caf25erkee/Rock\\_Island\\_County\\_IL\\_HazMit\\_Plan\\_Submission\\_to\\_IEMA](https://www.mediafire.com/folder/318caf25erkee/Rock_Island_County_IL_HazMit_Plan_Submission_to_IEMA). Additional documentation attached.

**Staff Recommendation:** Approval  
**Fiscal Impact:** N/A  
**Public Notice/Recording:** N/A  
**Goals Impacted:** A Great Place to Live

- 
- 2. A Resolution amending the Sidewalk Variance Policy and An Ordinance amending Chapter 35, "ZONING AND LAND DEVELOPMENT," of the Moline Code of Ordinances, Section 35-2211: "Waivers and Modifications" under "NON-ADMINISTRATIVE DEVELOPMENT REVIEW," and amending Table 35-2200.1 "Non-Administrative Review Procedures Summary."** (Shawn Christ, Land Development Manager)

**Explanation:** On October 17, 2000, the City Council passed Council Bill 00-278 which adopted a Sidewalk Variance Policy to guide the evaluation and consideration of requests for sidewalk installation variances for the City of Moline. The updated Sidewalk Waiver or Modification Policy will remove references to the former subdivision code and also provide options for an applicant to request 1) a temporary modification to delay installation of sidewalk; or 2) a permanent waiver and payment in-lieu of constructing sidewalk. The fee payment for a permanent waiver will be based on actual and customary costs to construct an average sidewalk of similar length as would have otherwise been installed at the applicable location and will be deposited into the City's sidewalk improvement fund for priorities elsewhere in the City.

In a related matter, the Zoning Ordinance, as part of a recent amendment, now requires Plan Commission review and recommendations on sidewalk waivers/modifications. This is not consistent with current and prior practice as sidewalks are considered public, not private, improvements. If the Council so desires, the Council may change the ordinance to only have Council review such sidewalk modification requests. To make this ordinance change, the Council would refer this matter to the Plan Commission to hold a hearing on a code amendment, which will remove the Plan Commission from the sidewalk waiver/modification process, and then the item would be presented to the Council for adoption. Additional documentation attached.

**Staff Recommendation:** Approval  
**Fiscal Impact:** N/A  
**Public Notice/Recording:** N/A  
**Goals Impacted:** A Great Place to Live

---

3. **A Resolution authorizing the Mayor and City Clerk to execute an application for funding under the Rock Island County Waste Management Agency (RICWMA) for the Solid Waste Assistance Grant (SWAG) Program (FY17) in the amount of \$32,612.25 and authorizing staff to do all things necessary to complete and submit said application.** (Rodd Schick, Municipal Services General Manager)

**Explanation:** The Rock Island County Waste Management Agency awards grants to participating agencies based on their population. The grants are to help with waste reduction and to facilitate and promote recycling. The City will use said funds for Keep Moline Beautiful activities, The Great American Cleanup, neighborhood cleanups, Earth Week activities and to administer the City-wide recycling program. The agency awards the grant using a formula of \$0.75 per resident; Moline's maximum grant eligibility is calculated on a population of 43,483 for a maximum grant of \$32,612.25. Additional documentation attached.

**Staff Recommendation:** Approval  
**Fiscal Impact:** \$32,612.25 has been budgeted for the Solid Waste Assistance Grant.  
**Public Notice/Recording:** N/A  
**Goals Impacted:** Financially Strong City Upgrade City Infrastructure & Facilities  
A Great Place to Live

---

4. **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.** (K.J. Whitley, Community Development Program Manager)

**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.

**Staff Recommendation:** Approval  
**Fiscal Impact:** N/A  
**Public Notice/Recording:** N/A  
**Goals Impacted:** A Great Place to Live

---

5. **A Resolution authorizing the Mayor and City Clerk to execute a Second Amendment to Agreement between the City of Moline and the Quad Cities Chamber of Commerce, Inc. related to the administration of the Moline Centre Main Street Program and coordination of the maintenance and landscaping requirements for Special Service Areas #5 and #6.** (Ray Forsythe, Planning & Development Director)

**Explanation:** The City executed an Agreement between the City of Moline and the Quad Cities Chamber of Commerce, Inc. (Chamber) for the administration of the Moline Centre Main Street Program and coordination of the maintenance and landscaping requirements for Special Service Areas #5 and #6 (Agreement) on July 9, 2013 and extended the Agreement in 2014 until December 31, 2016. The City and the Chamber agree that the ongoing partnership related to these activities has been successful and they would like to extend the amended Agreement through December 31, 2021, with the option to terminate on December 31, 2019, if agreeable by both the City and the Chamber. Additional documentation attached.

**Staff Recommendation:** Approval  
**Fiscal Impact:** N/A  
**Public Notice/Recording:** N/A  
**Goals Impacted:** A Great Place to Live

---

**6. An Ordinance amending General Ordinance No. 2002-04-06 approving a major change of a P.U.D. Plan (PC 01-18) located at 4011 38<sup>th</sup> Avenue, Moline. (Maureen Riggs, City Attorney)**

**Explanation:** In 2002, Quasual Niche, Inc. (“Developer”) made a request to the City for a sidewalk variance for property located at 4011 38<sup>th</sup> Avenue, for its development of Culver’s, Moline. General Ordinance No. 2002-04-6 approved a change to the City’s P.U.D. Plan by authorizing a variance to delay sidewalk installation in lieu of Developer’s payment to the City for future sidewalk installation at that location. The payment amount of \$11,160 was based upon standard sidewalk construction costs and was remitted to the City by Developer. Given the current reconstruction of 41<sup>st</sup> Street in the Culver’s location, City staff has determined that certain issues pose challenges to the sidewalk installation; those issues include but are not limited to drainage and underground telephone cable relocation, driveway removals or replacements to meet grade, and installation of utility poles. Staff therefore requested, and Developer agreed, that Developer’s payment in lieu of sidewalk installation be released for use of installation of sidewalks elsewhere in the City at the City’s discretion, and that Developer’s sidewalk variance for the 4011 38<sup>th</sup> Avenue location be granted as a permanent variance upon this ordinance amendment. Additional documentation attached.

<b>Staff Recommendation:</b>	Approval
<b>Fiscal Impact:</b>	N/A
<b>Public Notice/Recording:</b>	Law Department will record
<b>Goal Impacted:</b>	Financially Strong City

---

## EXECUTIVE SUMMARY

The *Rock Island County Multi-Jurisdiction Local Hazard Mitigation Plan* was developed to meet the requirements of the Disaster Mitigation Act of 2000, also known as DMA 2000. DMA 2000 places increased emphasis on local mitigation planning. It requires local governments to develop and submit mitigation plans as a condition of receiving Pre-Disaster Mitigation (PDM) and Hazard Mitigation Grant Program (HMGP) project funds from the Federal Emergency Management Agency (FEMA). In addition to supporting ongoing mitigation actions, the plan assesses the vulnerability of the planning area to all natural hazards and, in this initial plan, some human-caused hazards. The plan identifies priority mitigation actions and establishes a process for implementation and maintenance of the plan.

Rock Island County received Hazard Mitigation Grant Program (HMGP) planning funds to update the *Rock Island County Multi-Jurisdictional Local Hazard Mitigation Plan* from 2009. All but one of the incorporated municipalities in Rock Island County and two school districts agreed to participate in order to make it a county-wide multi-jurisdictional plan. The active participation of all these jurisdictions is recorded within the plan document. Each jurisdiction that adopts the plan update receives eligibility to apply for and receive FEMA Hazard Mitigation Assistance funds.

Requirements for FEMA approval of the plan document include adoption of the plan by the local governing body. Chapter 2 of the plan documents the planning process used and public participation. The process included a Planning Committee made up of representatives of the participating jurisdictions who assisted in reviewing and refining plan draft sections. Each participating jurisdiction designated one contact to receive information and to respond to requests for data pertinent to that jurisdiction. Although other representatives may have been called on to attend meetings or respond to data requests, the primary contact structure established some continuity in the flow of information for each jurisdiction. In addition, an extended Advisory Committee was invited to represent a broader range of community interests and expertise. A list of those who received notices or attended meetings during the planning process is included in Appendix 2-3 to the document.

Chapter 3 of the plan deals with hazard analysis and risk assessment. Sixteen natural and/or human-caused hazard were identified for the planning area and profiled. A scoring methodology was agreed upon by the Planning Committee and was used as an objective means of establishing an initial priority ranking of the hazards. With review and consultation of the Planning Committee, the hazards identified as a first priority for the county-wide planning area as a whole include:

- Severe Storms Combined
  - Includes Hail, Lightning, Thunderstorm, Tornadoes, and Wind
- Severe Winter Storms
- Extreme Heat
- Influenza Pandemic
- River Flooding

- Hazardous Materials Incident
- Flash Flooding
- Levee Failure

As a requirement of a multi-jurisdictional plan, each individual jurisdiction has its own risk assessment section in the plan. These highlight where local conditions differ from the county-wide planning area as a whole and reflect local hazard priorities.

Chapter 4 develops the mitigation strategy. First, local hazard mitigation goals and objectives were reviewed and updated for the county-wide planning area. The Planning Committee identified mitigation actions to address a comprehensive range of categories including prevention, property protection, public education and awareness, natural resource protection, and structural projects. Using FEMA guidance, all mitigation actions considered were analyzed under STAPLEE criteria (STAPLEE is an acronym for Social, Technical, Administrative, Political, Legal, Economic, and Environmental criteria). Mitigation actions were selected to address first priority hazards with an emphasis on flood mitigation. Each jurisdiction was required to develop at least one mitigation action specific to that jurisdiction's local priorities. The tables of priority mitigation actions provide justification for future funding requests and grant applications. The tables also provide information on the progress of previous mitigation actions. Mitigation actions that are not being carried forward are listed in a separate table with an explanation for its removal.

Chapter 5 describes existing planning mechanisms that will assist participating jurisdictions in implementation of priority actions. This part also outlines procedures for monitoring, evaluating, and updating the local hazard mitigation plan. Based on federal requirements, once FEMA has reviewed and approved the plan document, it must be reviewed and updated every five years or in the event of a federal Presidential Disaster Declaration, whichever comes first. Chapter 5 also provides the schedule of continued plan maintenance and continued public input.

units, 500 more enrolled students, 280 more industrial employees, 445 more retail employees, and 55 other employees.

***Hazard Priorities:***

**2015**

1. Severe Storms Combined
2. Flash Flooding
2. Hazardous Material
2. Levee Failure
3. Severe Winter Storms

**2009**

1. Severe Storms (Combined)
2. Severe Winter Storms
3. Extreme Heat
4. Tornado
5. River Flood

Similar to the planning area, Severe Storms Combined can occur at least annually, and was ranked as the top priority hazard. Additionally, Flash Flooding and Levee Failure are priority hazards from the Rock River and Mill Creek as described in the geography section above. Continued certification of the levees is an ongoing priority. Hazardous materials that travel through the area are also a concern, as is Severe Winter Storms, which can occur annually in the region.

**Moline**

***Population:***

**2000:** 43,299      **2014:** 43,802      **2019:** 44,074 (Projected)

**Current County Rank in Population:** 1

**Land Area:** 16.43 SQ MI

**County Rank in Land Area:** 3

***Land Use & Geography:***

The City of Moline is the largest municipality in population. It is located on the peninsula between the Mississippi and Rock Rivers in the center portion of Rock Island County. Moline is bordered by the city of Rock Island to the west and by the City of East Moline to the east. The Mississippi River runs from east to west through this area known as the Quad Cities, so the Mississippi River is Moline's northern border. Rock Island Arsenal is located on an island of the Mississippi River between Moline and the City of Rock Island. Bluffs facing the Mississippi River to the north and the Rock River to the south form a spine running east to west across the peninsula. As a result, the center portion of Moline is in an upland area that drains off both north and south in steep slopes and ravines.

On the south, Moline touches and crosses the Rock River in several locations. Historic coal mine sites are recorded generally east of I-74 and south of the Avenue of the Cities. Transportation features include Interstate 74 north and south through the center of the city with major interchanges at Illinois Route 5 and I-280. Tracks for the Iowa Interstate Railroad roughly parallel the Mississippi River across the north of the city through the oldest downtown and industrial developed areas.

***Government Structure:***

- Mayor-Council structure, home rule
- Eight elected city council representatives elected to seven wards; one at-large representative
- Mayor serves a 4-year term, City Council serves 4-year, staggered terms
- **Departments:**
  - City Administration
  - City Clerk
  - Economic Development
  - Finance
  - Fire
  - Human Resources
  - Information Technology
  - Law
  - Library
  - Parks & Recreation
  - Planning & Development
  - Police
  - Public Works
- **Boards and Commissions:**
  - Citizen’s Advisory Council on Urban Policy
  - Consolidated Public Safety Communication Budget Board
  - Fire & Police Commissioners
  - Fire Pension Board
  - Foreign Fire Tax Board
  - Historic Preservation Advisory Commission
  - Human Rights Commission
  - Keep Moline Beautiful Commission
  - Library Board of Trustees
  - Moline Centre Main Street Commission
  - Moline Housing Authority Board
  - Park Board
  - Plan Commission
  - Police Pension Board
  - Project Management Team
  - Traffic Engineering Committee
  - Youth Commission

The City of Moline participates in the National Flood Insurance Program and has a floodplain management ordinance, which is enforced by the city’s Floodplain Manager. The city has a building code enforced by the Building Inspector. The city also has a stormwater management ordinance enforced by the city’s Environmental Manager.

***Financial Capabilities:***

The city has a comprehensive Capital Improvement Plan. Hazard mitigation projects, especially those related to stormwater management could be incorporated into the CIP. The city is a taxing body and receives revenue from property and sales taxes and fee-based revenue. The city has and is capable of receiving and managing grants, and can issue bonds for large projects.

***Critical Facilities:***

The City of Moline listed 92 facilities in its inventory of community assets. Of these, 49 are designated as critical and include major infrastructure, such as water and sewer system facilities,

schools, major medical centers, and bridges. Other transportation-related facilities listed as critical include the Quad City International Airport, railroads, and the transit system center. Business facilities included as critical relate to electrical energy transmission and fuel products storage. Other local government facilities include City Hall, police and fire departments, library, municipal garage, and pump stations. Areas noted for vulnerable populations include schools and colleges, child day care, elderly housing and assisted living, low income or minority housing concentrations, and medical facilities. Facilities where large numbers of people may congregate are listed, including arenas and shopping centers. Historic or cultural facilities include the Deere-Wiman House and the Butterworth Center.

### ***Development Trends:***

The city's most recent comprehensive plan was adopted November 13, 2001. A description of future land use is taken from that plan. The South Rock Planning District is generally bounded by the Rock River on the north and the City of Coal Valley on the east. The vast majority of this area is not in the city limits and will need to be annexed. The Quad City International Airport is located in the district and is the single largest land use. The airport has many effects on adjacent land use such as noise, structure height, approach zones, traffic, and utilities. This southern development area is the future economic driver of Moline. The city plans to move forward with annexation so that it can help guide new development rather than end up trying to correct development problems that could have been prevented. Some development has occurred, but the city has the opportunity to create the vision of a new planned community that incorporates community planning and sustainable development principles. In 2014, Moline updated their comprehensive plan for Moline Centre, Florecente, and Edgewater neighborhoods. The most significant change will occur during and after the construction of the new Interstate 74 Bridge. The current right of way for the bridge will be vacated and redeveloped.

Moline provided the following growth estimates for the *2045 Quad Cities Long Range Transportation Plan*: by 2025, there will be an estimated increase of 1,705 housing units, 8,783 additional student enrolled in grades K-12, 8,850 additional students enrolled in post-secondary school, 190 additional industrial workers, 1,130 additional retail employees, and 2,005 additional "other" employees. By 2045, there will be another 1,020 housing units, 9,071 more students enrolled in grades K-12, 9,071 additional students enrolled in post-secondary school, 310 more retail workers, and 1,355 more "other" employees.

### ***Hazard Priorities:***

#### **2015**

1. Severe Storms Combined
2. Severe Winter Storms
2. Flash Flooding
2. River Flooding
2. Extreme Heat
6. Hazardous Materials

#### **2009**

1. Severe Winter Storms
2. Hazardous Materials Incident
3. Flash Flood
3. Severe Storms (Combined)
5. Extreme Heat

Moline's hazard priorities are similar to the *Rock Island County Multi-Jurisdictional Local Hazard Mitigation Plan, 2009*. Small shifts in priorities may be due to a different scoring methodology and the inclusion of tornadoes in the Severe Storms Combined. Flash flooding is caused by both north and south facing bluffs, and heavy rains and run-off in steep or ravine areas

have a more immediate and severe impact on structures and foundations. Therefore, urban flash flooding has a higher priority for Moline. New to the top hazard priority list is River Flooding. This is due in part to increased frequency of flooding but also due to the scouring of a pedestrian bridge connecting Moline to an island in the Mississippi River. The bridge was deemed unsafe in 2013, and the city closed the island to public use. The island is viewed as a large natural asset to the city, and the bridge is estimated to cost over \$1 million to replace. Areas of the 100-year floodplain are generally north of the railroad tracks to the Mississippi River. Ben Butterworth Parkway along the edge of the Mississippi provides a buffer, and most structures are outside the floodplain. Mississippi River flooding may impact road access and some sewer and water lines, but there is minimal property damage. Access issues for new development east of I-74 for RiverTech and the Western Illinois University campus will be mitigated with an all-weather access road. On the Rock River side, much of Moline's river frontage and the 100-year flood plain is taken up by Green Valley Park. With freight transfer by railroad and major highways through developed areas, the frequency and probability of hazardous materials spills is a major concern for the fire department.

### Moline-Coal Valley Community School District #40

#### *Overview:*

The Moline-Coal Valley School district provides public education for grades kindergarten through 12. The district also has a preschool and an alternative high school. Below are enrollment numbers for the district's schools.

#### **School Enrollment as of April 15, 2015**

School	Location	Enrollment	Staff	Total
Bicentennial Elementary	Coal Valley	317	41	<b>358</b>
Butterworth Elementary	Moline	251	36	<b>287</b>
Ericsson Elementary*	Moline	106	25	<b>131</b>
Franklin Elementary	Moline	286	37	<b>323</b>
Garfield Elementary*	Moline	377	44	<b>421</b>
Hamilton Elementary	Moline	600	N/A	<b>Over 600</b>
Jane Addams Elementary	Moline	270	35	<b>305</b>
Lincoln-Irving Elementary	Moline	443	44	<b>487</b>
Logan Elementary	Moline	385	48	<b>433</b>
Roosevelt Elementary	Moline	305	57	<b>362</b>
Washington Elementary	Moline	305	39	<b>344</b>
Willard Elementary	Moline	270	35	<b>305</b>
Jefferson Early Learning Center	Moline	274	25	<b>299</b>
John Deere Middle School	Moline	761	70	<b>831</b>
Wilson Middle School	Moline	889	72	<b>961</b>
Moline High School	Moline	2056	202	<b>2258</b>
Coolidge Campus	Moline	97	29	<b>126</b>

---

## 4. MITIGATION STRATEGY

### *Local Hazard Mitigation Goals*

This chapter presents the mitigation strategy developed by the Planning Committee based on the risk assessment. The mitigation strategy was developed through a collaborative group process. The Steering Committee reviewed the Goals and Objectives from the 2009 plan and made several changes, as discussed below.

### Goals

Goals are general guidelines that explain desired achievements. They are usually long-term, broad, policy-type statements.

#### **2009 Plan Goals**

- **Goal 1:** Protect human life and health.
- **Goal 2:** Minimize the need for rescue and relief efforts associated with all hazards.
- **Goal 3:** Minimize damage and displacement of private property, including both residential and commercial.
- **Goal 4:** Minimize expenditure of community resources for response and recovery resulting from all hazards.
- **Goal 5:** Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; bridges, and roads.
- **Goal 6:** Ensure that the public is adequately informed of the potential for all hazards to occur and of the means of warning, mitigation, and recovery available within the county-wide planning area.

At the February 19, 2015 Planning Committee meeting, the goals were review and discussed. Goal 1 remained very similar, but was clarified. Goals 2 and 3 were combined and reworded to reflect overall vulnerabilities. Goal 4 was eliminated as it is more directly related to emergency response. Goal 5 was reworded, and Goal 6 was reworded to be broader. A new goal was brought in to emphasize the intergovernmental collaboration that is needed to help mitigate hazards. This also helps recognize collaboration has been occurring the planning area and region. Following the meeting, the Planning Committee agreed to revise the goals to the following:

#### **2015 Plan Goals**

- **Goal 1:** Protect human life and public health from the effects of hazards.
- **Goal 2:** Minimize vulnerability of property from the effects of hazards.
- **Goal 3:** Minimize damage to critical facilities, infrastructure, and other community assets from the effects of hazards.
- **Goal 4:** Improve public communication, education, and awareness of hazards and their risks.

- **Goal 5:** Strengthen intergovernmental coordination among jurisdictions within Rock Island County and the Region.

### Objectives

Objectives are defined as strategies or implementation steps to attain stated goals. The Planning Committee reviewed the objectives from the 2009 plan at their April 16, 2015 Planning Committee meeting. It was agreed that the objectives from the 2009 plan were no longer relevant with the new goals. The Planning Committee utilized FEMA guidance documents that describe a range of mitigation measures as the basis of the objectives in the plan and agreed on the following objectives:

- **Objective 1:** Develop and implement government administrative or regulatory actions or processes to influence the way land and buildings are developed and built. (Preventative Measure)
- **Objective 2:** Protect buildings and structures from hazards by modifying or removing them from hazard areas. (Property Protection)
- **Objective 3:** Inform and educate citizens, elected officials, and property owners about hazards and ways of mitigating. (Public Education and Awareness)
- **Objective 4:** Preserve or restore functions of natural systems while minimizing hazard losses. (Natural Resource Protections)
- **Objective 5:** Construct and maintain structural projects to reduce or redirect the impact of hazards away from at-risk populations and facilities. (Structural Projects)
- **Objective 6:** Protect people and property during and after a disaster event in order to minimize its impact and preserve the community's health and safety. (Emergency Services)

As described in Chapter 3, the Planning Committee determined that the focus of the mitigation actions would be on hazards identified as a first priority for the planning area. The first priority hazards are:

- Severe Storms Combined
- Severe Winter Storms
- Extreme Heat
- Influenza Pandemic
- River Flooding
- Hazardous Materials Incident
- Flash Flooding
- Levee Failure

The identified hazards and their ranking may differ for individual jurisdictions based on their unique conditions within Rock Island County; however, jurisdictions include most of the planning area hazards. The overall prioritization was agreed upon by the Planning Committee.

---

### ***Review and Evaluation of Mitigation Actions***

In the 2009 plan, the Steering Committee brainstormed possible mitigation actions to address the First Priority Hazards. These were sorted by the six categories within the comprehensive range of mitigation action to identify where other actions might be considered. The original action concepts were edited into consistent language of actionable items. Next, the actions were assigned to appropriate goals and objectives and numbered accordingly. During the process of developing hazard mitigation actions, a number of suggestions were added to the original list. These are noted as appropriate in the evaluation. For the 2015 update, the Planning Committee reviewed existing mitigation actions and updated as necessary.

Due to the format utilized in the 2009 plan, it was hard to determine definitively which actions belonged to each jurisdiction. Any actions that possibly related to a jurisdiction were given to that jurisdiction to review and evaluate. Mitigation actions are listed under each jurisdiction. Updates on each jurisdiction's actions are included in Tables 4-1 and 4-2.

Actions were evaluated according to the STAPLEE method recommended by FEMA guidance for local hazard mitigation planning. This method provides a systematic way of evaluating the opportunities and constraints of implementing a particular mitigation action in the local jurisdiction. STAPLEE is an acronym for evaluating each action in terms of Social, Technical, Administrative, Political, Legal, Economic, and Environmental (STAPLEE) factors for implementation. A more detailed explanation of the STAPLEE evaluation method is in Appendix 4-1. A sample of the STAPLEE worksheet is included as Appendix 4-2.

Because of the extensive detail of the STAPLEE analysis, that information is included as a separate Appendix 4-3. This appendix contains the list of all actions considered: benefit, costs and/or funding source if available, person responsible for leading the action by title of position, timeframe for completion, and priority.

### ***Multi-Jurisdiction Mitigation Actions***

In addition to the priority actions identified for the planning area as a whole, each participating jurisdiction identified at least one of its own actions to carry out. Staff assisted with the STAPLEE evaluation of these actions as shown in Appendix 4-3. The evaluations were reviewed by the jurisdictions, and the actions were identified as priorities. The individual jurisdiction priority actions are summarized in Table 4-1. Following the evaluation of the mitigation actions, some of the jurisdictions decided to remove actions from their list. Reasons for doing so included completion of mitigation actions, no jurisdiction over the action, and fiscally infeasible. Table 4-2 lists mitigation actions that are not carried forward and the reason why.

Priority	Action	Objective	Goal	Hazard Addressed	From 2009 Plan	Status	New for 2015
<b>MILAN</b>							
1	Update levee certification	SP	2	Levee Failure; River flood	no	planned	yes
2	Continue NFIP compliance by enforcing local floodplain ordinances based on State of Illinois Model Code, which exceeds NFIP minimum requirements	PM	2	All Hazards	no	completed inspections currently	yes
3	Establish written procedures for severe weather and hazard events	PM	5	All Hazards	yes	ongoing	no
4	Ensure that mobile homes have adequate tie downs	PM	1	Severe Storms Combined	no	ongoing	yes
<b>MOLINE</b>							
1	Continue NFIP compliance by enforcing local floodplain ordinances based on State of Illinois Model Code, which exceeds NFIP minimum requirements and adopt new model codes as they are issued.	PM	2	River Flood	Yes	Ongoing	No
2	Secure outside funding to update and enhance City's Emergency Services Preparedness Plan	PM	5	All Hazards	Yes	In progress as of plan update	No
3	Enforce and update building codes to current International Code Series	PM	1	All Hazards	Yes	On 2012 Codes	No
4	Maintain Community Rating System at current class level.	PM	2	River Flood	No	Ongoing; current class is 8	Yes
5	Implement voluntary flood acquisition and mitigation programs on both Mississippi and Rock Rivers as needed	PP	2	River Flood	Yes	As needed	No

**CITY OF MOLINE**  
**SIDEWALK WAIVER OR MODIFICATION POLICY**  
**Proposed amendments - October 6, 2016**

Sidewalks are a fundamental component of good land development. Sidewalks provide essential linkages between neighborhoods, allow for the safe movement of the pedestrian public, and contribute to the community's health, safety, and welfare by enhancing those areas of the public realm. Sec. 35-4200, "PURPOSE AND INTENT," of the Moline Zoning and Land Development Code ("Code") states the following as specific objectives:

- To promote the orderly growth and development of the City; and
- To ensure the timely and coordinated provision of required transportation improvements, utilities and other public facilities and services to new subdivisions and developments.

Public Improvement Standards and Waiver/Modification Review Criteria

To meet the above objectives, the Code explicitly states: "Sidewalks must be installed on both sides of all public and private streets, except in cases where sidewalks are not allowed by IDOT. The sidewalk requirements are triggered as set forth in Sec. 35-4201 of the Code and other provisions, as applicable. Decision-making bodies are authorized to require the installation of sidewalks in other locations, such as at the end of permanent dead-end streets through private property when they determine that such sidewalks will create a logical and well connected pedestrian circulation system." (Sec. 35-4218) Should an owner/developer not wish to install sidewalks when required, the owner/developer must apply for a waiver or modification. The approval criteria at Sec. 35-2211(d), states that "In order to be approved, the applicant must demonstrate that the requested waiver or modification:

1. Will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the subject property is located;
2. Is the result of conditions that are unique to the subject property, and that these conditions are not self-created, and that the applicant had no knowledge of the impact of the regulations on the development of the property at the time of the property's purchase.

A request for a waiver or modification to the sidewalk standards at Sec. 35-4218 shall be submitted in writing to the Department of Planning & Development. In addition to the conditions unique to the site, staff may consider the following to evaluate sidewalk waiver or modification requests:

- Topographic limitations
- Insufficient right-of-way

- Pedestrian safety
- The proximity of connection to the existing sidewalk network
- Planned future development or redevelopment of surrounding properties
- The classification and condition of the street and its construction (e.g. arterial with or without curb and gutter)
- Planned future street improvements

### Approval Procedure and Options

The request for waiver or modification may take one of two forms to be considered by the City. Upon completion of review by staff, the request shall be forwarded to the City Council which shall decide whether the waiver or modification should or should not be granted as stated in Sec. 35-2211(c) of the Code.

1. Temporary modification to delay installation of sidewalk. An approved waiver or modification allows the applicant and his/her successors to delay installation of a sidewalk or sidewalk component. The City Council reserves the right to require installation in accordance with current sidewalk standards at such time that it determines the unique conditions or circumstances which justified the temporary waiver or modification no longer exists.
2. Permanent waiver and payment in-lieu of constructing sidewalk. In certain situations where it may never be practical or desirable to require installation of a sidewalk, the owner/developer may apply for a permanent waiver or modification. Under this scenario, the owner/developer must pay an amount equal to the actual estimated total cost of installing the sidewalk for which the waiver or modification has been sought from the City. This payment in-lieu of construction would be deposited into the City's sidewalk improvement fund to be utilized to meet sidewalk priorities elsewhere in the City. The City Engineer shall determine an appropriate cost for the sidewalk in question for the purpose of the owner/developer making payment to said sidewalk fund. Such cost as determined by the City Engineer shall include material, labor, and other relevant, normal, and customary costs for an average sidewalk of similar length to that sidewalk that would have been required otherwise to be constructed elsewhere in the City. This permanent waiver or modification would be recorded against the property and would run with the land.

# **RICWMA Guidelines for the Solid Waste Assistance Grant (SWAG) Program (FY 17)**

## **FUNDING ELIGIBILITY & LIMITED USE OF FUNDS**

Individual units of government, as members of the Rock Island County Waste Management Agency (RICWMA), are eligible to apply for a Solid Waste Assistance Grant (SWAG). **Grant funds must be used by the individual community to manage solid waste and recycling activities, to educate citizens on solid waste issues, or to address special solid waste needs in their jurisdiction.**

Expenditure of Grant funds must be consistent with and conform to the overall purpose and mission of RICWMA as follows:

*“To assist member governments to provide efficient solid waste management and education services in their community. To promote waste reduction efforts, recycling and/or reuse options, and responsible disposal of municipal solid waste materials, that are generated by residents, in order to protect the environment and public health, safety, and welfare from hazards that may result from uncontrolled and/or improper disposal of these materials.”*

## **GRANT APPLICATION & AWARD PROCESS**

RICWMA will inform its member communities at the beginning of each funding cycle with a Request for Applications (RFA). RICWMA will provide the community with a grant application form and will establish a deadline for submitting all applications for SWAG funding. Applications will then be reviewed by RICWMA staff for consistency with these guidelines and the above stated purpose and mission of RICWMA. The community will be notified of grant approval and will receive the allocated grant funds. **All grant funds must be expended within the allowed performance period for the current funding cycle. At the conclusion of the grant performance period, the member community must submit to RICWMA supporting documentation and a brief narrative that indicates how the funds were used.**

## **PROGRAM GUIDELINES**

- Only RICWMA member governments are eligible to apply for a SWAG Grant.
- Communities may only apply once per funding cycle for their established maximum funding limit. (see “Allowable Funding Limits” below)
- SWAG Funds must be used for solid waste management, recycling or educational related activities within the community. (The communities may make this determination within the above stated funding limitations, “the RICWMA purpose and mission”)
- Maximum funding limits are established for each community based on the corrected 2010 U.S. Census population data. (see “Allowable Funding Limits” below)
- Communities will receive the first half of their funds in October and the second half of the funds will be released in March. Communities can expend funds at anytime of the fiscal year regardless of when funds are received.
- Communities must expend all SWAG funds within the allotted time frames for each funding cycle. (The RICWMA fiscal year is July 1 to June 30, although the RICWMA Board may establish other funding cycles as needed)
- Only one End of Year report is needed and should include how both waves of funding were used.
- Upon completion of the performance period for the applicable funding cycle, communities must submit appropriate documentation and a brief narrative summary to RICWMA indicating how the SWAG funds

were used. (Examples of appropriate documentation may be copies of contracts, applicable invoices, canceled checks, etc.)

- Communities agree to be cooperative, responsive and timely in meeting all deadlines and in all communications/correspondence with RICWMA staff. (Failure to do so will be grounds for disqualification and could jeopardize future funding)

## **ALLOWABLE SWAG FUNDING LIMITS**

The SWAG Grant amounts are determined by the corrected 2010 Census populations for each member community. Due to fiscal constraints, the SWAG funds have been reduced. Communities with less than 1,000 citizens will be awarded a maximum of \$750. The grant amount for communities with more than 1,000 citizens is based on the community's population and will be awarded a maximum of \$0.75/capita. SWAG Grants will be awarded according to the following table:

<b>Community</b>	<b>Population</b>	<b>Subsidy</b>
<b>Andalusia</b>	1,178	\$ 883.50
<b>Carbon Cliff</b>	2,134	\$ 1,600.50
<b>Coal Valley</b>	3,743	\$ 2,807.25
<b>Cordova</b>	672	\$ 750.00
<b>East Moline</b>	21,302	\$ 15,976.50
<b>Hampton</b>	1,863	\$ 1,397.25
<b>Milan</b>	5,099	\$ 3,824.25
<b>Moline</b>	43,483	\$ 32,612.25
<b>Port Byron</b>	1,647	\$ 1,235.25
<b>Rapids City</b>	959	\$ 750.00
<b>Rock Island</b>	39,018	\$ 29,263.50
<b>Rock Island County</b>	17,511	\$ 13,133.25
<b>Silvis</b>	7,479	\$ 5,609.25

# ROCK ISLAND COUNTY WASTE MANAGEMENT AGENCY (RICWMA)

## SOLID WASTE ASSISTANCE GRANT (SWAG) FY 17 APPLICATION

**DUE: OCTOBER 14, 2016**

### **I. GENERAL COMMUNITY INFORMATION**

APPLICANT NAME (Entity): City of Moline

FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN): 36-6005-999

BUSINESS STREET ADDRESS: 3635 Fourth Avenue P.O. BOX: \_\_\_\_\_

CITY: Moline STATE: IL ZIP CODE: 61265

CHIEF ELECTED OFFICIAL: Scott Raes TITLE: Mayor

EXPIRATION DATE OF CURRENT TERM: April 30, 2017

### **II. DESIGNATED CONTACT INFORMATION**

CONTACT PERSON: Rodd Schick TITLE: Municipal Services General Manager

OFFICE PHONE: (309)524-2401 CELL PHONE: (309)737-3953

FAX: (309)524-2369 E-MAIL: rschick@moline.il.us

### **III. SPECIAL SWAG GRANT CONDITIONS**

Units of Local Government, which are members of the Rock Island Waste Management Agency (RICWMA), may apply for a SWAG Grant once per funding cycle. Funding cycles are based on the RICWMA fiscal year, (July 1<sup>st</sup> through June 30<sup>th</sup>), or as authorized by the RICWMA Board.

SWAG Grants are restricted to and must be used for solid waste management and recycling related activities within the applicant jurisdiction. Communities with less than 1,000 citizens may request a maximum grant award of \$750 per funding cycle. Communities with more than 1,000 citizens may request a maximum grant award of \$0.75/capita per funding cycle, based on the corrected 2010 U.S. Census populations.

All grant funds must be fully expended for the stated purpose given in this application. **The community is to expend all funds by the completion deadline of June 30, 2017 and to submit appropriate documentation to this affect to RICWMA no later than July 30, 2017.**

### **IV. PROJECT INFORMATION**

COMMUNITY 2010 CENSUS POPULATION: 43,483

MAXIMUM AMOUNT OF SWAG FUNDING REQUESTED: \$32,612.25 (Whole Dollars Only)



## 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

**SECOND AMENDMENT TO AGREEMENT  
BETWEEN THE CITY OF MOLINE, ILLINOIS AND THE QUAD CITIES  
CHAMBER OF COMMERCE, INC.**

This First Amendment to the Agreement (“Amendment”) is made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the City of Moline, an Illinois Municipal Corporation (“City”), and the Quad Cities Chamber of Commerce, Inc. (“the Chamber”).

**RECITALS**

A. WHEREAS, the City and the Chamber entered into an Agreement (“Agreement”) for the administration of the Moline Centre Main Street Program and coordination of the Maintenance and landscaping requirements for Special Service Areas #5 and #6 on July 16, 2013 and approved Resolution No. 1094-2013; and

B. WHEREAS, Section 1 of the Agreement Provides that the initial term of the Agreement shall commence on July 10, 2013 and terminate on June 30, 2014; and further provides that an extension of the original term, if any, shall be at the discretion of the City and the Chamber on terms negotiated between the parties; and

C. WHEREAS, the City and the Chamber entered into a First Amendment to the Agreement for an extension through December 31, 2016 on July 15, 2014 and approved Resolution No. 1096-2014; and

D. WHEREAS, the City and the Chamber have agreed that a third term would be beneficial and the Chamber has requested an annual budget increase of 3% for the 2017, 2018, 2019, 2020 and 2021 Fiscal Years; and

E. WHEREAS, the City and Chamber have agreed to the terms of this Amendment.

**TERMS OF AGREEMENT**

NOW THEREFORE, in consideration of the recitals and mutual covenants contained herein, and for other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged by the parties, the City and the Developer contract and agree as follows:

1. Section 1 “TERM”. Of the Agreement is hereby amended to read as follows:

1.1 Term. The Term of this Second Amendment to the Agreement shall commence on January 1, 2017 and terminate on December 31, 2021, with the option to terminate on December 31, 2019, if agreeable by both the City and the Chamber and subject to earlier termination as provided in Section 9 below.

2. Section 6 “BUDGET” Paragraph 1 of the Agreement is hereby amended as follows:

The Chamber has submitted as Exhibit F attached hereto and incorporated herein by reference, the annual operating budget to the City for the Cost of administering the Moline Centre main Street Program and SSA's ("operating budget") for the term of this Agreement. This budget delineates specific line items for operational costs such as staffing costs, office space, equipment, supplies, and program costs (such as items associated with sponsorship of special events). This operating budget is to be kept separate and apart from the individual SSA budgets, which include maintenance contracts. The City has approved the budget and shall remit payment to the Chamber in semi-annual installments. These payments shall be made by February 1, 2017, 2018, 2019, 2020 and 2021; and August 1, 2017, 2018, 2019, 2020 and 2021.

3. Except as specifically amended by this Amendment, all other terms, provisions and conditions contained in the Agreement are and remain full force and effect in accordance with their terms.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the dates set forth above their respective signatures.

**THE CITY OF MOLINE, ILLINOIS**

DATED: \_\_\_\_\_

\_\_\_\_\_  
Scott Raes, Mayor

ATTEST: \_\_\_\_\_

Tracy A. Koranda, City Clerk

Approved as to form:

\_\_\_\_\_  
Maureen E. Riggs, City Attorney

**QUAD CITIES CHAMBER OF COMMERCE, INC.**

DATED: \_\_\_\_\_

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

Tara Barney, President and CEO

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for the State of Illinois, personally appeared **SCOTT RAES** and **TRACY KORANDA** to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the **CITY OF MOLINE**, executing the within and foregoing instrument to which this is attached; that said instrument was signed (and sealed) on behalf of (the seal affixed thereto is the seal of said corporation) as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

(seal)

\_\_\_\_\_  
NOTARY PUBLIC

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for the State of Illinois, personally appeared **TARA BARNEY** to me personally known, who, being by me duly sworn, did say that they are the President and CEO, of the **QUAD CITIES CHAMBER OF COMMERCE**, executing the within and foregoing instrument to which this is attached; that said instrument was signed (and sealed) on behalf of (the seal affixed thereto is the seal of said corporation) as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

(seal)

\_\_\_\_\_  
NOTARY PUBLIC

**EXHIBIT F**

<b>PER QC CHAMBER BUDGET</b>					
	<b>FY2017 Budget (7/1/16-6/30/2017)</b>	<b>FY2018 Budget (7/1/17-6/30/2018)</b>	<b>FY2019 Budget (7/1/18-6/30/2019)</b>	<b>FY2020 Budget (7/1/19-6/30/2020)</b>	<b>FY2021 Budget (7/1/20-6/30/2021)</b>
<b>REVENUE</b>					
City of Moline Support	\$ 155,150	\$ 159,805	\$ 164,599	\$ 169,537	\$ 174,623
<b>TOTAL REVENUE</b>	<b>\$ 155,150</b>	<b>\$ 159,805</b>	<b>\$ 164,599</b>	<b>\$ 169,537</b>	<b>\$ 174,623</b>
<b>MOLINE CENTRE PROGRAMS / EVENTS</b>					
<b>REVENUE</b>					
Get Jazzed	\$ 2,500	\$ 2,575	\$ 2,652	\$ 2,732	\$ 2,814
Pub Crawl	\$ 4,500	\$ 4,635	\$ 4,774	\$ 4,917	\$ 5,065
<b>TOTAL MCMS EVENT REVENUE</b>	<b>\$ 7,000</b>	<b>\$ 7,210</b>	<b>\$ 7,426</b>	<b>\$ 7,649</b>	<b>\$ 7,879</b>
<b>TOTAL REVENUE</b>	<b>\$ 162,150</b>	<b>\$ 167,015</b>	<b>\$ 172,025</b>	<b>\$ 177,186</b>	<b>\$ 182,501</b>
<b>EXPENSE</b>					
Event Marketing & Promotion	\$ 6,500	\$ 6,695	\$ 6,896	\$ 7,103	\$ 7,316
Facebook / Website / Constant Contact	\$ 1,500	\$ 1,545	\$ 1,591	\$ 1,639	\$ 1,688
Moline Centre Events					
Get Jassed	\$ 2,000	\$ 2,060	\$ 2,122	\$ 2,185	\$ 2,251
Pub Crawl	\$ 2,750	\$ 2,833	\$ 2,917	\$ 3,005	\$ 3,095
Training & Travel	\$ 6,000	\$ 6,180	\$ 6,365	\$ 6,556	\$ 6,753
<b>TOTAL MMCMS PROGRAM EXPENSE</b>	<b>\$ 18,750</b>	<b>\$ 19,313</b>	<b>\$ 19,892</b>	<b>\$ 20,489</b>	<b>\$ 21,103</b>
<b>EXPENSES - OPERATIONAL SUPPORT</b>					
Personnel - Program Specific	\$ 103,735	\$ 106,847	\$ 110,052	\$ 113,354	\$ 116,755
Personnel - Supporting Services	\$ 9,293	\$ 9,572	\$ 9,859	\$ 10,155	\$ 10,459
Marketing & Communications	\$ 3,839	\$ 3,954	\$ 4,073	\$ 4,195	\$ 4,321
Occupancy & Facilities	\$ 12,306	\$ 12,675	\$ 13,055	\$ 13,447	\$ 13,851
Admin & Office Expenses	\$ 6,250	\$ 6,438	\$ 6,631	\$ 6,830	\$ 7,034
Information Technology	\$ 7,977	\$ 8,216	\$ 8,463	\$ 8,717	\$ 8,978
<b>TOTAL OPERATIONAL SUPPORT</b>	<b>\$ 143,400</b>	<b>\$ 147,702</b>	<b>\$ 152,133</b>	<b>\$ 156,697</b>	<b>\$ 161,398</b>
<b>TOTAL EXPENSES</b>	<b>\$ 162,150</b>	<b>\$ 167,015</b>	<b>\$ 172,025</b>	<b>\$ 177,186</b>	<b>\$ 182,501</b>
<b>OPERATING INCOME (LOSS)</b>	<b>\$ -</b>				



August 4, 2016

**Law Department**

619 16th Street  
Moline, Illinois  
61265

**City Attorney**  
(309) 524-2010

**Deputy City Attorney**  
(309) 524-2012

**Legal Services  
Specialist**  
(309) 524-2010

**Legal Assistant**  
(309) 524-2012

**Rental Housing  
Inspection Coordinator/  
FOIA Officer**  
(309) 524-2015

**Neighborhood  
Improvement Officer**  
(309) 524-2014

**Neighborhood  
Improvement & Lead  
Assessment Specialist**  
(309) 524-2016

**Office Fax**  
(309) 524-2020

Mr. Scott Davis  
Culver's of Davenport  
5320 Jersey Ridge Road  
P.O. Box 2255  
Davenport, IA 52809-2255

**Re: Culver's Moline**

Dear Mr. Davis:

It was a pleasure speaking with you about the Planned Unit Development for Culver's in Moline and the current issue concerning the sidewalk variance that was granted there. As you may recall, in 2002, a change to the Planned Unit Development ("PUD") was approved by ordinance by the City of Moline after a request was made by your company, Quasual Niche, Inc. This change consisted of a sidewalk variance to delay installation of a sidewalk at your location to a later date in lieu of payment based on standard sidewalk construction costs. A copy of this ordinance is attached for your reference. Subsequently, payment of \$11,160 was made to the City for a future sidewalk at this location. The street, as you are certainly aware, is now under reconstruction, and City staff has considered the installation of a sidewalk at your location. It appears that the following issues remain:

- the drainage ditch and underground telephone cable there would have to be relocated;
- driveways would have to be removed or replaced to meet grade;
- additional right-of-way would be needed that would have potential impacts on private parking lots and other pavement areas; and
- MidAmerican Energy plans to install utility poles that would further obstruct and complicate the installation of a sidewalk from Culver's eastward to 41<sup>st</sup> Street.

Given these challenges, the City would respectfully request that the payment made for a sidewalk at Culver's in Moline be released for use for sidewalks in other parts of the City at the City's discretion. In return, the City would be willing to amend the ordinance to make the sidewalk variance granted for your property a permanent one given the challenges of installation that existed in 2002 and now.



Mr. Scott Davis  
Culver's of Davenport  
August 4, 2016  
Page 2 of 3

If you and your partner are agreeable to this resolution, please sign the below agreement before a notary and return it to me at your earliest convenience. I will then present an amendment to the ordinance to the City Council for approval.

Very truly yours,

CITY OF MOLINE, ILLINOIS

By Maureen E Riggs  
Maureen E. Riggs  
City Attorney  
[mriggs@moline.il.us](mailto:mriggs@moline.il.us)

Copy via email:

Lew Steinbrecher, City Administrator  
Ray Forsythe, Planning & Development Director  
Shawn Christ, Land Development Manager

Enclosure

**Agreement**

Quasual Niche, Inc., an Illinois corporation doing business as Culver's Moline, Inc., hereby agrees that the \$11,160 payment that it made in 2002 to the City of Moline for a sidewalk at the Culver's located on 38th Avenue in Moline may be used by the City of Moline for sidewalk installation at another location in the City, at the City's discretion. This release of funds shall be effective only upon passage of an ordinance amending the prior ordinance that makes the sidewalk variance at this location permanent and that releases the payment to be used for sidewalks at another location to be determined by the City.

QUASUAL NICHE, INC.

By Scott T. Davis  
Scott T. Davis, President

By Mitchell F. Pencil  
Mitchell F. Pencil, Secretary

**Law Department**

619 16th Street  
Moline, Illinois  
61265

**City Attorney**  
(309) 524-2010

**Deputy City Attorney**  
(309) 524-2012

**Legal Services  
Specialist**  
(309) 524-2010

**Legal Assistant**  
(309) 524-2012

**Rental Housing  
Inspection Coordinator/  
FOIA Officer**  
(309) 524-2015

**Neighborhood  
Improvement Officer**  
(309) 524-2014

**Neighborhood  
Improvement & Lead  
Assessment Specialist**  
(309) 524-2016

**Office Fax**  
(309) 524-2020

