



MINUTES

MOLINE CITY COUNCIL MEETING

City Hall, 619 16th Street
Tuesday, September 27, 2016

Council Meeting: The City Council meeting came to order at 6:49 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 Waldron 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 September 20, 2016 and appointments made during September 27, 2016 Committee of the Whole.

Second Reading Ordinances

1. Council Bill/General Ordinance 3025-2016

An Ordinance amending Chapter 20 "MOTOR VEHICLES AND TRAFFIC," of the Moline Code of Ordinances, Appendix 18 thereof, "TWO-HOUR PARKING RESTRICTIONS IN NONMETERED ZONES," by including the streets identified in Section 1.

2. Council Bill/Special Ordinance 4052-2016

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 Moline Dad's Club Halloween Parade scheduled for Sunday, October 23, 2016.

3. Council Bill/Special Ordinance 4053-2016

A Special Ordinance authorizing the Mayor and City Clerk to execute a Third Amendment to the KONE Development Agreement, a Loan Extension Agreement between Financial District Properties HQO, L.L.C. and the City of Moline, a Purchase Agreement with Fifth Avenue Block LLC, an Assignment to HOA Hotels LLC of the Purchase Agreement between the City and Fifth Avenue Block LLC, and a Development Agreement between the City and HOA Hotels LLC for HOA Hotels LLC's redevelopment of the property located at 1630 5th Avenue, Moline, Illinois (n/k/a the Fifth Avenue Building), and the adjacent building located at 1620 5th Avenue; and authorizing all appropriate City officers and staff to do all things necessary to complete each of the City's responsibilities pursuant to said agreements.

4. Council Bill/Special Ordinance 4054-2016

A Special Ordinance authorizing the Mayor and City Clerk to execute a Performance Based Development Agreement between the City of Moline and Moline 501, L.L.C. and Moline Chase, L.L.C. for the "Chase Bank Building" project and to execute any necessary agreements referenced therein, and authorizing all appropriate City officers and staff to do all things necessary to complete each of the City's responsibilities pursuant to said agreement.

5. Council Bill/Special Ordinance 4055-2016

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 Mercado on Fifth scheduled for October 7, 14, 21 and 28, 2016.

Resolutions

6. Council Bill/Resolution 1135-2016

A Resolution authorizing the Mayor to sign and submit the 2016 Community Rating System Annual Recertification to the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) for floodplain management.

7. Council Bill/Resolution 1136-2016

A Resolution authorizing the Chief of Police to execute a Hold Harmless Agreement between the police department and Moline School District for use of the parking lot at Wharton Field House, 1800 20th Avenue, Moline, Illinois from October 12, 2016 through November 16, 2016 to conduct emergency vehicle operation training.

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 Aciri; nays: none.

Items Not on Consent:

First Reading Ordinances

8. 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).

Council, Staff and Citizen Comments:

Kathy Carr, Finance Director, announced that Green Bar Budget Books will be made available in advance of the Budget Work Session that will be held on October 18, 2016.

Lori Wilson, Parks Recreation Director, announced very successful events with Purses for Parks and Echoes at Riverside.

Sandy O'Neill stated that the Overlook Neighborhood had a very successful clean up event and thanked the Public Works Department for the pickup of the trash.

Executive Session:

Alderman Parker, seconded by Alderman Wendt, moved for Executive Session, for the purpose of discussion of Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. - 5 ILCS 120/2 (C) (1). Motion carried on roll call with the following vote: Ayes: Aldermen Rodriguez, Parker, Wendt, Zelnio, Turner, Schoonmaker, Waldron and Aciri; nays: none.

City Council convened in Executive Session at 6:56 p.m.

Council reconvened in open session at 6:58 p.m.

Alderman Wendt, seconded by Alderman Parker, made a motion to suspend the rules regarding the attendance of the City Attorney and City Clerk to attend all meetings of the City Council. Motion carried on roll call with the following vote: ayes: Aldermen Rodriguez, Parker, Wendt, Zelnio, Turner, Schoonmaker, Waldron and Aciri; nays: none.

Alderman Parker, seconded by Alderman Wendt, moved for Executive Session, for the purpose of discussion of Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees - 5 ILCS 120/2 (C) (1). Motion carried on roll call with the following vote: Ayes: Aldermen Rodriguez, Parker, Wendt, Zelnio, Turner, Schoonmaker, Waldron and Aciri; nays: none.

City Council convened in Executive Session at 6:58 p.m. without the City Attorney or City Clerk. At 7:12 p.m. Maureen Riggs, City Attorney, entered the Executive Session to cite the Illinois Statute indicating that the City Clerk is to attend all City Council Meetings. Tracy Koranda, City Clerk, returned to the Executive Session.

Council reconvened in open session at 8:24 p.m.

Alderman Zelnio, seconded by Alderman Parker, made a motion that as time is of the essence and urgency, all relevant electronic and paper documents as well as other pertinent data will be secured immediately and controlled by Nathan Scott, IT Manager, in support of a pending analysis via a forensic audit and the transfer of all necessary information to the proper investigative body with jurisdiction to examine the allegations of theft and whistle blower violations. Additionally, it is expected that staff will cooperate fully with securing these documents and data or will be subject to potential discipline action, up to and including dismissal. Staff shall not alter, amend or destroy any existing employee records or time records of employment during this inquiry. Nathan Scott shall be the only employee with authority to make any alterations during this investigation, but only after receiving a written request from the appropriate department head. Motion carried unanimously.

Alderman Schoonmaker, seconded by Alderman Parker, made a motion that Kathy Carr, Director of Finance, serve as the staff contact and Alderman Zelnio and Alderman Wendt serve as the Elected Officials' contacts for the coordination of all investigation activities. Kathy Carr will work with Aldermen Zelnio and Alderman Wendt as needed between Council meetings. All other individual Council members will support the investigation when called upon. The fully Council will be updated regularly regarding the ongoing investigation, as appropriate. Motion carried unanimously.

Alderman Wendt, seconded by Alderman Parker, made a motion that as time is of the essence and urgency that Alderman Zelnio and Finance Director Kathy Carr, on behalf of the City, execute such agreements necessary to contract services for an independent forensic audit. The audit is expected to cost up to \$100,000, the audit fees are not to exceed \$100,000 without additional approval by the City Council and will be paid from 2016 and 2017 Budget Contingency. Kathy Carr, Director of Finance will be coordinated for the audit and serve as the liaison to the auditing firm for access to all relevant data and coordinate necessary interviews. Furthermore, Kathy Carr shall be given full administrative rights to Naviline as soon as possible. Motion carried unanimously.

Alderman Acri, seconded by Alderman Parker, made a motion that as time is of the essence and urgency, the City contract the services of Lane & Waterman attorney Mikkie Schiltz as independent legal counsel. This independent counsel is necessary to provide legal advice and services to the City Council associated with the forensic audit, investigation, disciplinary actions and legal actions connected to the allegations of employee misconduct. The independent legal services are not to exceed \$20,000 without additional approval of the City Council and will be paid from the 2016 and 2017 Budget Contingency. Kathy Carr will serve as the City Staff point of contact and Alderman Zelnio and Alderman Wendt will serve as Council contacts and Alderman Zelnio and Finance Director Kathy Carr, on behalf of the City, will execute such agreements necessary to contract services of Lane & Waterman attorney Mikkie Schiltz. Motion carried unanimously.

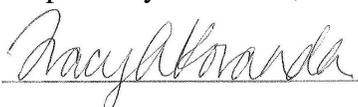
Alderman Wendt, seconded by Alderman Parker, made a motion to have a Special City Council meeting on Friday, September 30, 2016, at 8:00 a.m. in Council Chambers. Motion carried unanimously.

Larry Smith submitted photographs of the work done on the 40th Street project.

On motion of Alderman Parker, Seconded by Alderman Wendt, Council adjourned at 8:33 p.m.

The next regularly scheduled City Council meeting is on October 11, 2016.

Respectfully submitted,



Tracy A. Koranda, City Clerk