



MOLINE COW/COUNCIL AGENDA

Tuesday, September 20, 2022

6:00 PM

City Hall

COW Room - 2nd Floor

619 16th Street

Moline, IL 61265

Live streaming available at <http://moline.il.us/RemoteCouncil>. The meeting will also be audio or video recorded and made available to the public, as provided by law, at <http://www.moline.il.us/CivicMedia?CID=9>

1. **Council Call to Order**

2. **Pledge of Allegiance**

3. **Invocation – Alderman O'Brien**

4. **Remote Electronic Attendance (if necessary)**

Approval of the remote electronic attendance of certain elected officials

5. **Roll Call**

6. **Public Comment**

7. **Questions on the Agenda**

8. **Roundtable Discussion**

8.1 [Enterprise Fund Finances \(Director of Utilities Tony Loete, Director of Finance Carol Barnes, and Director of Public Works Michael Doi\)](#)

8.2 [Growth Areas South of the Rock River \(Director of Community & Economic Development Ryan Hvitlok, Director of Utilities Tony Loete and City Administrator Bob Vitas\)](#)

8.3 Other.

9. **Consent Agenda - Approval of Minutes**

Committee-of-the-Whole, Council and Executive Session Minutes of September 13, 2022

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.

10. **Consent Agenda - Second Reading Ordinances**

- 10.1 3021-2022 An Ordinance amending multiple sections of Chapter 34 regarding fee updates.
- 10.2 3022-2022 An Ordinance amending Chapter 24, “PERSONNEL,” of the Moline Code of Ordinances, Section 24-3207, Appendix 1, by adding a job description for Right-of-Way Utility Technician.
- 10.3 3023-2022 An Ordinance designating the Skelly Gas Station located at 820 5th Avenue, Moline, Illinois, as a locally designated landmark.
- 10.4 3024-2022 An Ordinance amending Chapter 35, “ZONING AND LAND DEVELOPMENT,” of the Moline Code of Ordinances, by enacting an amendment to the Zoning Map, incorporated therein as Section 35-3103 (151 19th Avenue).
- 10.5 3025-2022 An Ordinance amending Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, by repealing Chapter 4 in its entirety and enacting in lieu thereof one new Chapter 4 dealing with the same subject matter.
- 10.6 3026-2022 An Ordinance amending CHAPTER 8, “BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, Section 8-7202, “REGISTRATION OF RESIDENTIAL RENTAL PROPERTY,” by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review effective January 1, 2023.
- 10.7 3027-2022 An Ordinance amending Chapter 11, “FIRE PREVENTION AND PROTECTION,” of the Moline Code of Ordinances, Section 11-1101, “LOCAL AMENDMENTS TO FIRE CODE,” Section 11-1101.1, “FEES,” and Section 11-2116, “SAME-FEES,” by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review, effective January 1, 2023.

11. Consent Agenda - Resolutions

- 11.1 1163-2022 A Resolution authorizing the Mayor and City Clerk to execute and attest to Task Order No. 22-03 with Strand Associates, Inc. for engineering services related to design, implementation oversight and integration of SCADA and cybersecurity improvements at the Water Treatment Plant in the amount of \$317,000.
- 11.2 1164-2022 A Resolution approving the Honorary Street Designation in honor of David B. Sears; and authorizing the Director of Public Works to effectuate the fabrication and installation of approved signs.

12. Omnibus Vote

13. Miscellaneous Business

14. Public Comment

15. Executive Session (if necessary)

16. Adjournment of City Council

COW/COUNCIL ACTION REPORT

September 20, 2022

Enterprise Fund Finances (Director of Utilities Tony Loete, Director of Finance Carol Barnes, and Director of Public Works Michael Doi)

SUGGESTED ACTION:

ATTACHMENTS:

[0A Roundtable Discussion Item-UTL INFO Kodatt - Loete - Enterprise Fund Finances Discussion - ATT.pdf](#)
[0A Roundtable Discussion Item-UTL INFO Kodatt - Loete - Enterprise Fund Finances Discussion - PP.pdf](#)

2022

ENTERPRISE FUNDS

WPC, STORMWATER, WATER, SANITATION
CAROL BARNES, TONY LOETE AND MICHAEL DOI

CITY OF MOLINE
September 20, 2022

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**CITY OF MOLINE
STATEMENT OF REVENUES, EXPENSES & CHANGES IN NET POSITION
WATER POLLUTION CONTROL FUND (320)
FY 2020 THROUGH FY 2025**

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
	Actual	Actual	Projected	Projected	Projected	Projected
OPERATING REVENUES:						
Charges for services	9,624,805	9,814,350	9,928,380	10,283,980	11,296,480	12,256,106
Fines, forfeitures and penalties	56,170	81,494	112,000	95,000	95,000	95,000
Miscellaneous	38,628	24,483	3,000	3,000	3,000	3,000
Total Operating Revenues	9,719,603	9,920,327	10,043,380	10,381,980	11,394,480	12,354,106
OPERATING EXPENSES:						
Salaries & benefits	2,195,436	1,972,314	3,115,848	3,248,477	3,430,998	3,543,786
Operating expenditures	3,285,717	4,294,439	3,608,038	3,350,588	3,393,653	3,448,767
Depreciation	2,359,449	2,362,568	2,363,500	2,363,500	2,363,500	2,363,500
Total Operating Expenses	7,840,602	8,629,321	9,087,386	8,962,565	9,188,151	9,356,053
Operating Income (Loss)	1,879,001	1,291,006	955,994	1,419,415	2,206,329	2,998,053
NONOPERATING REVENUES (EXPENSES)						
Use of Money and Property	186,349	88,455	74,519	138,524	137,670	136,787
Interest and Fiscal charges	(1,037,842)	(745,154)	(718,790)	(679,526)	(639,474)	(598,620)
Intergovernmental	3,416	-	-	-	-	-
Gain (loss) on sale of capital assets						
Total Nonoperating Revenues (Expenses)	(848,077)	(656,699)	(644,271)	(541,002)	(501,804)	(461,833)
Income (Loss) Before Transfers	1,030,924	634,307	311,723	878,413	1,704,525	2,536,220
CONTRIBUTIONS AND TRANSFERS						
Capital grants and contributions		118,000				
Transfers In	-	477,374				
Transfers out	(100,000)	(100,000)	(100,000)	-	-	-
Total Transfers	(100,000)	495,374	(100,000)	-	-	-
Change in net position	930,924	1,129,681	211,723	878,413	1,704,525	2,536,220
NET POSITION - Beginning of Year	49,235,227	50,166,151	51,295,832	51,507,555	52,385,968	54,090,493
NET POSITION - END OF YEAR	50,166,151	51,295,832	51,507,555	52,385,968	54,090,493	56,626,713

City of Moline, Illinois
Combining Statement of Cash Flows
WPC Fund (320)

2021-2026 Estimates	2017 Actual	2018 Actual	2019 Actual	2020 Actual	2021 Actual
Cash Flows from Operating Activities:					
User charges	9,213,621	11,290,732	10,489,466	8,494,353	8,640,675
Recommended Rate increase				0	0
East Moline charges				254,372	257,889
Recommended Rate increase East Moline(25%,25%,9%)				0	0
Coal Valley charges				416,859	459,752
Recommended Rate increase Coal Valley(25%,25%,9%)				0	0
Other user charges				422,876	599,374
Total User charges	9,213,621	11,290,732	10,489,466	9,588,460	9,957,690
Receipts from other operating revenue	35,458	44,766	40,853	38,628	24,483
Payments to suppliers	(2,950,911)	(5,268,796)	(3,103,606)	(3,080,229)	(3,951,347)
Payments to employees	(2,634,806)	(2,616,708)	(2,494,451)	(2,504,379)	(2,449,125)
Net cash provided by (used in) operating activities	3,663,362	3,449,994	4,932,262	4,042,480	3,581,701
Cash Flows from Noncapital Financing Activities:					
Proceeds from interfund accounts	184,519	0	8,001	0	(461,404)
Reduce Advance for Captains Table					
Reduce Advance from TIF 12	0	(508,201)	0	(2,020,787)	0
Transfers in	0	0	0	0	477,374
Transfers out	(157,818)	(100,000)	(430,780)	(100,000)	(100,000)
Intergovernmental revenue				51,108	
Net cash provided by (used in) noncapital financing activities	26,701	(608,201)	(422,779)	(2,069,679)	(84,030)
Cash Flows from Capital and Related Financing Activities:					
Purchase of capital assets (CIP)	(12,817,588)	(4,757,214)	(2,317,595)	(1,269,799)	(612,117)
Purchase of capital assets(Other Capital)	0	0	0	0	0
South Slope Design & Construction					
EPA Loan proceeds(December 2024 start)					
Proceeds from bonds, net of issuance costs & premiums	11,329,267	6,001,489	908,187	0	0
Projected EPA Loan to start in 2028, \$4,279,658 annually					
Payment on debt	0	(1,466,279)	(1,800,777)	(1,882,146)	(1,919,883)
Interest paid on debt	0	(700,319)	(811,682)	(795,020)	(757,283)
Net cash provided by (used in) capital and related financing activities	(1,488,321)	(922,323)	(4,021,867)	(3,946,965)	(3,289,283)
Cash Flows from Investing Activities, interest received	111,429	175,937	296,665	1,607,196	92,049
Net increase (decrease) in cash and cash equivalents	2,313,171	2,095,407	784,281	(366,968)	300,437
Cash and cash equivalents, beginning of year	9,388,385	11,701,556	13,796,963	14,581,244	12,763,745
Cash and cash equivalents, end of year	11,701,556	13,796,963	14,581,244	12,763,745	13,064,183
Cash & investments as a % operating exp (25%-30%)	209.49%	174.97%	260.47%	228.55%	204.11%
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities:					
Operating income (loss)	2,664,512	2,642,490	2,477,248	1,879,001	1,291,013
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:					
Depreciation	1,199,523	1,765,258	2,305,969	2,359,449	2,362,568
Amortization	-	-	-	-	0
Change in assets and liabilities:					
Receivables and due from other governments	(485,867)	951,264	273,125	(92,515)	61,845
Prepaid items	-	-	-	-	0
Inventory	2,309	(3,644)	(1,288)	(5,133)	4,509
Accounts payable and due to other governments	11,915	(1,975,056)	(111,823)	210,621	338,582
Deposits payable	-	-	-	-	0
Compensated absences and accrued liabilities	(55,085)	(94,078)	(52,890)	(123,942)	97,426
Change in net pension liability	(68,194)	(1,147,414)	1,678,487	(1,678,487)	(1,614,620)
Change in OPEB liability	-	(162,251)	(14,179)	(66,275)	(5,938)
Net Pension Asset	-	(575,905)	575,905	(123,012)	0
Change in OPEB liability	-	-	-	-	0
Change in deferred outflows	399,981	815,341	(1,288,036)	969,679	198,785
Change in deferred inflows	(5,732)	1,233,989	(910,256)	713,094	847,531
Unearned revenue	-	-	-	-	0
	3,663,362	3,449,994	4,932,262	4,042,480	3,581,701

City of Moline, Illinois
Combining Statement of Cash Flows
WPC Fund (320)

	2022 Estimate	2023 Estimate	2024 Estimate	2025 Estimate
2021-2026 Estimates				
Cash Flows from Operating Activities:				
User charges	8,750,000	8,750,000	8,750,000	9,537,500
Recommended Rate increase	0	0	787,500	858,375
East Moline charges	260,000	260,000	325,000	406,250
Recommended Rate increase East Moline(25%,25%,9%)	0	65,000	81,250	36,563
Coal Valley charges	460,000	460,000	575,000	718,750
Recommended Rate increase Coal Valley(25%,25%,9%)	0	115,000	143,750	64,688
Other user charges	458,380	633,980	633,980	633,980
Total User charges	9,928,380	10,283,980	11,296,480	12,256,106
Receipts from other operating revenue	115,000	98,000	98,000	98,000
Payments to suppliers	(3,608,038)	(3,350,588)	(3,393,653)	(3,448,767)
Payments to employees	(3,115,848)	(3,248,477)	(3,430,998)	(3,543,786)
Net cash provided by (used in) operating activities	3,319,494	3,782,915	4,569,829	5,361,553
Cash Flows from Noncapital Financing Activities:				
Proceeds from interfund accounts	0	0	0	0
Reduce Advance for Captains Table		24,382	25,236	26,119
Reduce Advance from TIF 12	0	29,568	220,459	83,381
Transfers in	0	0	0	0
Transfers out	(100,000)	0	0	0
Intergovernmental revenue				
Net cash provided by (used in) noncapital financing activities	(100,000)	53,950	245,695	109,500
Cash Flows from Capital and Related Financing Activities:				
Purchase of capital assets (CIP)	(2,365,000)	(1,595,000)	(1,245,000)	(850,000)
Purchase of capital assets(Other Capital)	(2,879,200)	(2,282,500)	0	(65,000)
South Slope Design & Construction		(2,740,000)	(4,310,000)	(20,400,000)
EPA Loan proceeds(December 2024 start)			7,050,000	20,400,000
Proceeds from bonds, net of issuance costs & premiums	0	0	0	0
Projected EPA Loan to start in 2028, \$4,279,658 annually				
Payment on debt	(1,958,376)	(1,997,640)	(2,037,692)	(2,078,547)
Interest paid on debt	(718,790)	(679,526)	(639,474)	(598,620)
Net cash provided by (used in) capital and related financing activities	(7,921,366)	(9,294,666)	(1,182,166)	(3,592,167)
Cash Flows from Investing Activities, interest received	74,519	138,524	137,670	136,787
Net increase (decrease) in cash and cash equivalents	(4,627,353)	(5,319,277)	3,771,028	2,015,673
Cash and cash equivalents, beginning of year	13,064,183	8,436,830	3,117,553	6,888,581
Cash and cash equivalents, end of year	8,436,830	3,117,553	6,888,581	8,904,254
Cash & investments as a % operating exp (25%-30%)	125.48%	47.24%	100.94%	127.34%
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities:				
Operating income (loss)	955,994	1,419,415	2,206,329	2,998,053
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:				
Depreciation	2,363,500	2,363,500	2,363,500	2,363,500
Amortization	0	0	0	0
Change in assets and liabilities:				
Receivables and due from other governments	0	0	0	0
Prepaid items	0	0	0	0
Inventory	0	0	0	0
Accounts payable and due to other governments	0	0	0	0
Deposits payable	0	0	0	0
Compensated absences and accrued liabilities	0	0	0	0
Change in net pension liability	0	0	0	0
Change in OPEB liability				
Net Pension Asset				
Change in OPEB liability	0	0	0	0
Change in deferred outflows	0	0	0	0
Change in deferred inflows	0	0	0	0
Unearned revenue	0	0	0	0
	3,319,494	3,782,915	4,569,829	5,361,553

**CAPITAL EQUIPMENT & OTHER CITY WIDE IMPROVEMENTS
FISCAL YEAR 2022**

Department/Description	Account #	Budget	Budget AMENDED
WPC Fund:			
Hach WIMS/software)	320-1831-433.07-02	165,000	0
Coal Creek pump replacement	320-1837-433.07-50	50,000	50,000
Dewatering & conveyor equipment	320-1838-433.07-50	1,104,200	1,104,200
Construction/installation of dewatering equipment	320-1838-433.08-95	850,000	1,175,000
Design South Slope improvements	320-1839-433.07-50	3,100,000	0
Excess flow clarifier replacements		0	550,000
Pump replacement for RBC finals	320-1839-433.07-50	65,000	0
Total WPC Fund		5,334,200	2,879,200

**CAPITAL EQUIPMENT & OTHER CITY WIDE IMPROVEMENTS
FISCAL YEAR 2023**

Department/Description	Budget
WPC Fund:	
Construction/installation of dewatering equipment (50% in 2023)	587,500
Dewatering equipment engineering support	65,000
Design South Slope improvements	2,740,000
Engineering support - clarifier installation	110,000
Install excess flow clarifiers (95% in 2023)	1,400,000
Mainline sewer camera	75,000
Security improvements	45,000
Total WPC Fund	5,022,500

**CAPITAL EQUIPMENT & OTHER CITY-WIDE IMPROVEMENTS
FISCAL YEAR 2024**

Department/Description	Budget
WPC Fund:	
Design South slope improvements	910,000
South slope improvements	3,400,000
Total WPC Fund	4,310,000

**CAPITAL EQUIPMENT & OTHER CITY-WIDE IMPROVEMENTS
FISCAL YEAR 2025**

Department/Description	Budget
WPC Fund:	
Portable flood diesel pump	65,000
Total WPC Fund	65,000

2023 Capital Improvement Projects List

	WPC ORIGINAL	WPC REQUEST
Maintenance Programs		
Pavement Marking		
Joint Sealing		
Asphalt Overlay Maintenance		
Traffic Safety Initiatives		
Inlet Replacements		
Patching Program	125,000	125,000
Parking Lots and Surface Roads:		
Council Consideration		
ROADWAY PROJECTS:		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software	20,000	-
<u>Reconstruction Projects</u>		
22nd Av, 48th to 53rd St	10,000	-
MISCELLANEOUS:		
Project Design / Inspection		
Temporary Technical Assistance		
TOTAL MAINT. PROGRAMS	155,000	125,000
ROADWAY PROJECTS:		
<u>Alley Reconstructions</u>		
11th to 12th St, 13th to 14th Av		
10th to 11th St, 18th to 18th Av A		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software		
7th St., 12th to 16th Av		
AOTC, 34th to 41st St		
15th Av, 32nd to 33rd St		
15th Av, 39th to 41st St		
19th Av, 35th to 36th St		
<u>Reconstruction Projects</u>		
34th St, RR Tracks to 4th Av (moved to 2024)	90,000	
22nd Av, 48th to 53rd St		60,000
45th St, South of 26th Av	185,000	260,000
BIKEWAYS PROJECTS:		
<u>Road Diets</u>		
Mississippi River Bike Trail, 17th to 19th St		
Complete Streets - Road Diet Projects		
36th Av, 7th to 13th St (TASA Funds)		
River to River Phase I		
Bike Paths & Multi Modal Plan		
Convert 36th St to Trail		
SIDEWALK PROJECTS:		
CIP Sidewalk Repair and Infill Programs		
ADA Sidewalk Compliance		
Sidewalk Program		
Sidewalk Infill		
WATER PROJECTS:		
Trenchless & Lining Program (Red water sites)		
Lead Service Replacement		
1000 Block of 43rd Av Water Main Extension		
WPC PROJECTS:		
Bypass Sewer, South Basin (Year 2)	650,000	925,000
Sewer Lining	200,000	200,000
Manhole Lining	150,000	150,000
STORM PROJECTS:		
TBD		
5th Av, 43rd to 48th St (move to 2025)		
Storm Sewer Lining		
19th Av., West of 34th St		
Heritage Storm Station		
Dredging Box Culverts		
MISCELLANEOUS:		
Traffic Signal Replacements (32nd Ave at 41st St)		
Traffic Signal Replacements (7th St at 19th Av)		
Create Infrastructure Investments to Reduce Flooding		
ENGINEERING SERVICES:		
Design for 7th Av Reconstruction, 12th to 23rd St		
Design for Arsenal Bridge Deck		
Design for River Drive Improvements		
Design Services for 2024 Projects		
Design for River to River Phase II (Continued)		
Quiet Zones		
Available \$ for Council added projects		
Parks Capital Projects		
Transfer to Parks		
TOTAL CAPITAL IMPROVEMENTS	1,275,000	1,595,000
Total Capital Expenditures	1,430,000	1,720,000

2024 Capital Improvement Projects List

	WPC ORIGINAL	WPC REQUEST
Maintenance Programs		
Pavement Marking		
Joint Sealing		
Asphalt Overlay Maintenance		
Seal Coat		
Inlet Replacements		
Traffic Safety Initiatives		
Patching Program	125,000	125,000
Parking Lots and Surface Roads:		
Council Consideration		
ROADWAY PROJECTS:		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software	20,000	-
<u>Reconstruction Projects</u>		
36th Av Ct, East of 53rd St	10,000	-
MISCELLANEOUS:		
Project Design / Inspection		
Temporary Technical Assistance		
TOTAL MAINT. PROGRAMS	155,000	125,000
ROADWAY PROJECTS:		
<u>Alley Reconstructions</u>		
TBD		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software		
19th Av, 7th to Rock Island		
<u>Reconstruction Projects</u>		
39th St, 11th to 12th Av	310,000	
38th St, 32nd to 35th Av		80,000
48th St Reconstruction, South of 6th Av		40,000
34th St, 4th Ave to RR Tracks		125,000
BIKEWAYS PROJECTS:		
<u>Road Diets</u>		
Morgan Park Phase I		
Complete Streets - Road Diet Projects		
SRTS Project around Lincoln Irving		
Mississippi River Trail, 17th to 19th St		
SIDEWALK PROJECTS:		
ADA Sidewalk Compliance		
Sidewalk Program		
Sidewalk Infill		
WATER PROJECTS:		
Trenchless & Lining Program (Red water sites)		
Lead Service Line Replacement		
WPC PROJECTS:		
Bypass Sewer, South Basin (Year 3)	650,000	
Sewer Lining	200,000	200,000
Manhole Lining	150,000	150,000
River Drive Interceptor (Phase I)		650,000
STORM PROJECTS:		
TBD		
Manhole Lining		
Sealcoat Ditch Restoration		
Capital Construction Equipment		
Storm Sewer Lining		
MISCELLANEOUS:		
Traffic Signal Replacements (36th Av & 16th St)		
Arsenal Bridge Deck		
River Dr. Safety Improvements (Signals at 12th St)		
ENGINEERING SERVICES:		
River to River Path Phase III		
Available \$ for Council added projects		
Parks Capital Projects		
Transfer to Parks		
TOTAL CAPITAL IMPROVEMENTS	1,310,000	1,245,000
Total Capital Expenditures	1,465,000	1,370,000

2025 Capital Improvement Projects List

	WPC ORIGINAL
Maintenance Programs	
Pavement Marking	
Joint Sealing	
Asphalt Overlay Maintenance	
Inlet Replacements	
Traffic Safety Initiatives	
Patching Program	125,000
MISCELLANEOUS:	
Project Design / Inspection	
Temporary Technical Assistance	
TOTAL MAINT. PROGRAMS	125,000
ROADWAY PROJECTS:	
<u>Resurfacing Projects</u>	
TBD, using Pavement Maintenance Software	
19th Av, 7th to 16th St	
<u>Reconstruction Projects</u>	
TBD, using Pavement Maintenance Software	
7th Ave Reconstruction	
BIKEWAYS PROJECTS:	
<u>Road Diets</u>	
Phase II of River to River Trail Construction	
SRTS Project around Lincoln Irving	
SIDEWALK PROJECTS:	
ADA Sidewalk Compliance	
Sidewalk Program	
Sidewalk Infill	
WATER PROJECTS:	
Trenchless & Lining Program (Red water sites)	
Lead Service Line Replacement	
Tank Coating Project	
WPC PROJECTS:	
River Drive Interceptor (Phase II)	500,000
Sewer Lining	200,000
Manhole Lining	150,000
STORM PROJECTS:	
4700 block of 28th Av	
Dredging Box Culverts	
35th Av, south of Prospect Park	
Storm Sewer Lining	
Manhole Lining	
Inlet Special Covers	
2900 Block 7th St	
Lift Station Generator	
5th Av, 43rd St to 48th St	
MISCELLANEOUS:	
Annual Traffic Signal Replacements	
Available \$ for Council added projects	
Parks Capital Projects	
Transfer to Parks	
TOTAL CAPITAL IMPROVEMENTS	850,000
Total Capital Expenditures	975,000

City of Moline
Statement of Revenue, Expenditures & Change in Net Position
Stormwater Utility Fund
FY 2020 Through FY 2025

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
	Actual	Actual	Projected	Projected	Projected	Projected
OPERATING REVENUES:						
Charges for services	976,786	1,016,834	1,020,000	1,326,000	1,724,000	1,730,000
Licenses & permits	-	13,400	7,500	13,000	13,000	13,000
Intergovernmental		-	-	-	-	-
Miscellaneous	189,599	82	-	-	-	-
Total Operating Revenues	1,166,385	1,030,316	1,027,500	1,339,000	1,737,000	1,743,000
OPERATING EXPENSES:						
Salaries	112,375	133,050	371,265	438,362	463,067	497,640
Operating expenditures	548,196	395,510	413,711	447,886	436,311	422,680
Depreciation	371,915	360,379	365,000	372,000	372,000	372,000
Total Operating Expenses	1,032,486	888,939	1,149,976	1,258,248	1,271,378	1,292,320
Operating Income (Loss)	133,899	141,377	(122,476)	80,752	465,622	450,680
NONOPERATING REVENUES (EXPENSES)						
Use of Money and Property	130	184	500	500	500	500
Interest and Fiscal charges	(2,586)	(1,071)	(889)	(638)	(349)	-
Gain (loss) on sale of capital assets						
Total Nonoperating Revenues (Expenses)	(2,456)	(887)	(389)	(138)	151	500
Income (Loss) Before Transfers	131,443	140,490	(122,865)	80,614	465,773	451,180
CONTRIBUTIONS AND TRANSFERS						
Capital grants and contributions						
Transfers In		90,621				
Transfers out						
Total Transfers	-	90,621	-	-	-	-
Change in net position	131,443	231,111	(122,865)	80,614	465,773	451,180
NET POSITION - Beginning of Year	10,663,784	10,795,227	11,026,338	10,903,473	10,984,087	11,449,860
NET POSITION - END OF YEAR	10,795,227	11,026,338	10,903,473	10,984,087	11,449,860	11,901,040

City of Moline, Illinois
Combining Statement of Cash Flows
Stormwater Fund

2017-2027 Estimates	2017 Actual	2018 Actual	2019 Actual	2020 Actual	2021 Actual
Cash Flows from Operating Activities:					
Receipts from customers and users	991,640	1,028,373	1,034,129	1,006,446	1,036,290
Recommended Rate increase	-	-	-	-	-
Total receipts from customers & users	991,640	1,028,373	1,034,129	1,006,446	1,036,290
Receipts from other operating revenue	46	338	128	189,599	82
Payments to suppliers	(432,156)	(652,715)	(535,665)	(497,763)	(307,264)
Payments to employees	(244,968)	(254,509)	(157,946)	(124,146)	(142,620)
Net cash provided by (used in) operating activities	314,562	121,487	340,646	574,136	586,488
Cash Flows from Noncapital Financing Activities:					
Proceeds from interfund accounts	-	205,583	9,343	-	(87,687)
(Payments of) interfund accounts	(207,036)	-	-	(2,934)	-
Reduce advance from TIF 13	-	-	-	-	-
Transfers in	-	-	-	-	90,621
Transfers out	(35,422)	-	-	-	-
Net cash provided by (used in) noncapital financing activities	(242,458)	205,583	9,343	(2,934)	2,934
Cash Flows from Capital and Related Financing Activities:					
Purchase of capital assets	(429,036)	(280,441)	(358,618)	(417,472)	(62,820)
Additional projects from fee increase					
Proceeds from bonds, net of issuance costs & premiums	-	-	-	252,923	-
Payment to refunding escrow agent	-	-	-	(254,048)	-
Payment on debt	(49,026)	(51,809)	(53,582)	(55,710)	(62,395)
Interest paid on debt	(19,638)	(17,676)	(15,505)	(12,308)	(1,108)
Net cash provided by (used in) capital and related financing activities	(497,700)	(349,926)	(427,705)	(486,615)	(126,323)
Cash Flows from Investing Activities, interest received	175	116	131	130	184
Net increase (decrease) in cash and cash equivalents	(425,421)	(22,740)	(77,585)	84,717	463,283
Cash and cash equivalents, beginning of year	621,589	196,168	173,428	95,843	180,560
Cash and cash equivalents, end of year	196,168	173,428	95,843	180,560	643,843
Cash & investments as a % operating exp (25%-30%)	28.97%	19.12%	13.82%	29.03%	143.11%
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities:					
Operating income (loss)	(36,066)	(175,876)	6,561	133,899	141,376
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:					
Depreciation	351,784	357,322	362,830	371,915	360,379
Amortization	-	-	-	-	-
Change in assets and liabilities:					
Receivables and due from other governments	(27,360)	(3,328)	10,009	29,660	6,056
Prepaid items	-	-	-	-	-
Inventory	-	-	-	-	-
Net Pension Asset	-	(58,028)	58,028	(6,620)	-
Accounts payable and due to other governments	-	-	(25,024)	-	88,247
Claims payable	-	-	-	-	-
Compensated absences and accrued liabilities	(2,707)	(2,508)	(6,201)	35,889	22,463
Change in net pension liability	6,615	(108,967)	111,792	(111,792)	(101,344)
Change in OPEB liability	-	(7,600)	2,779	15,514	(407)
Change in deferred outflows	22,549	3,650	(81,783)	67,994	9,036
Change in deferred inflows	(253)	116,822	(98,345)	37,677	60,682
Unearned revenue	-	-	-	-	-
	314,562	121,487	340,646	574,136	586,488
Noncash capital and related financing activities	None	None	None		

City of Moline, Illinois
Combining Statement of Cash Flows
Stormwater Fund

2017-2027 Estimates	2022 Estimate	2023 Estimate	2024 Estimate	2025 Estimate
Cash Flows from Operating Activities:				
Receipts from customers and users	1,020,000	1,020,000	1,326,000	1,730,000
Recommended Rate increase	-	306,000	398,000	-
Total receipts from customers & users	1,020,000	1,326,000	1,724,000	1,730,000
Receipts from other operating revenue	7,500	13,000	13,000	13,000
Payments to suppliers	(418,441)	(447,886)	(436,311)	(422,680)
Payments to employees	(371,265)	(438,362)	(463,067)	(497,640)
Net cash provided by (used in) operating activities	237,794	452,752	837,622	822,680
Cash Flows from Noncapital Financing Activities:				
Proceeds from interfund accounts	-	-	-	-
(Payments of) interfund accounts	-	-	-	-
Reduce advance from TIF 13	46,530	-	44,091	-
Transfers in	-	-	-	-
Transfers out	-	-	-	-
Net cash provided by (used in) noncapital financing activities	46,530	-	44,091	-
Cash Flows from Capital and Related Financing Activities:				
Purchase of capital assets	(470,000)	(525,000)	(735,000)	(795,000)
Additional projects from fee increase		(35,000)	(50,000)	(50,000)
Proceeds from bonds, net of issuance costs & premiums	-	-	-	-
Payment to refunding escrow agent	-	-	-	-
Payment on debt	(62,952)	(64,067)	(63,509)	-
Interest paid on debt	(889)	(638)	(349)	-
Net cash provided by (used in) capital and related financing activities	(533,841)	(624,705)	(848,858)	(845,000)
Cash Flows from Investing Activities, interest received	500	500	500	500
Net increase (decrease) in cash and cash equivalents	(249,017)	(171,453)	33,355	(21,820)
Cash and cash equivalents, beginning of year	643,843	394,826	223,373	256,728
Cash and cash equivalents, end of year	394,826	223,373	256,728	234,908
Cash & investments as a % operating exp (25%-30%)	50.00%	25.20%	28.55%	25.52%
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities:				
Operating income (loss)	(122,476)	80,752	465,622	450,680
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:				
Depreciation	365,000	372,000	372,000	372,000
Amortization	-	-	-	-
Change in assets and liabilities:				
Receivables and due from other governments	(4,730)	-	-	-
Prepaid items	-	-	-	-
Inventory	-	-	-	-
Net Pension Asset	-	-	-	-
Accounts payable and due to other governments	-	-	-	-
Claims payable	-	-	-	-
Compensated absences and accrued liabilities	-	-	-	-
Change in net pension liability	-	-	-	-
Change in OPEB liability	-	-	-	-
Change in deferred outflows	-	-	-	-
Change in deferred inflows	-	-	-	-
Unearned revenue	-	-	-	-
	237,794	452,752	837,622	822,680
Noncash capital and related financing activities				

2023 Capital Improvement Projects List

	STORM ORIGINAL	STORM REQUEST
Maintenance Programs		
Pavement Marking		
Joint Sealing		
Asphalt Overlay Maintenance		
Traffic Safety Initiatives		
Inlet Replacements	100,000	
Patching Program		45,000
Parking Lots and Surface Roads:		
Council Consideration		
ROADWAY PROJECTS:		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software	20,000	-
<u>Reconstruction Projects</u>		
22nd Av, 48th to 53rd St	30,000	-
MISCELLANEOUS:		
Project Design / Inspection		
Temporary Technical Assistance		
TOTAL MAINT. PROGRAMS	150,000	45,000
ROADWAY PROJECTS:		
<u>Alley Reconstructions</u>		
11th to 12th St, 13th to 14th Av		
10th to 11th St, 18th to 18th Av A		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software		
7th St., 12th to 16th Av		
AOTC, 34th to 41st St		
15th Av, 32nd to 33rd St		
15th Av, 39th to 41st St		
19th Av, 35th to 36th St		
<u>Reconstruction Projects</u>		
34th St, RR Tracks to 4th Av (moved to 2024)	50,000	
22nd Av, 48th to 53rd St		
45th St, South of 26th Av	50,000	
BIKEWAYS PROJECTS:		
<u>Road Diets</u>		
Mississippi River Bike Trail, 17th to 19th St		
Complete Streets - Road Diet Projects		
36th Av, 7th to 13th St (TASA Funds)		
River to River Phase I		
Bike Paths & Multi Modal Plan		
Convert 36th St to Trail		
SIDEWALK PROJECTS:		
CIP Sidewalk Repair and Infill Programs		
ADA Sidewalk Compliance		
Sidewalk Program		
Sidewalk Infill		
WATER PROJECTS:		
Trenchless & Lining Program (Red water sites)		
Lead Service Replacement		
1000 Block of 43rd Av Water Main Extension		
WPC PROJECTS:		
Bypass Sewer, South Basin (Year 2)		
Sewer Lining		
Manhole Lining		
STORM PROJECTS:		
TBD	225,000	
5th Av, 43rd to 48th St (move to 2025)	125,000	
Storm Sewer Lining		100,000
19th Av., West of 34th St		350,000
Heritage Storm Station		25,000
Dredging Box Culverts		50,000
MISCELLANEOUS:		
Traffic Signal Replacements (32nd Ave at 41st St)		
Traffic Signal Replacements (7th St at 19th Av)		
Create Infrastructure Investments to Reduce Flooding		
ENGINEERING SERVICES:		
Design for 7th Av Reconstruction, 12th to 23rd St		
Design for Arsenal Bridge Deck		
Design for River Drive Improvements		
Design Services for 2024 Projects		
Design for River to River Phase II (Continued)		
Quiet Zones		
Available \$ for Council added projects		
Parks Capital Projects		
Transfer to Parks		
TOTAL CAPITAL IMPROVEMENTS	450,000	525,000
Total Capital Expenditures	600,000	570,000

2024 Capital Improvement Projects List

	STORM ORIGINAL	STORM REQUEST
Maintenance Programs		
Pavement Marking		
Joint Sealing		
Asphalt Overlay Maintenance		
Seal Coat		
Inlet Replacements	100,000	100,000
Traffic Safety Initiatives		
Patching Program		50,000
Parking Lots and Surface Roads:		
Council Consideration		
ROADWAY PROJECTS:		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software	20,000	-
<u>Reconstruction Projects</u>		
36th Av Ct, East of 53rd St		-
MISCELLANEOUS:		
Project Design / Inspection		
Temporary Technical Assistance		
TOTAL MAINT. PROGRAMS	120,000	150,000
ROADWAY PROJECTS:		
<u>Alley Reconstructions</u>		
TBD		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software		
19th Av, 7th to Rock Island		
<u>Reconstruction Projects</u>		
39th St, 11th to 12th Av	160,000	
38th St, 32nd to 35th Av		110,000
48th St Reconstruction, South of 6th Av		200,000
34th St, 4th Ave to RR Tracks		75,000
BIKEWAYS PROJECTS:		
<u>Road Diets</u>		
Morgan Park Phase I		
Complete Streets - Road Diet Projects		
SRTS Project around Lincoln Irving		
Mississippi River Trail, 17th to 19th St		
SIDEWALK PROJECTS:		
ADA Sidewalk Compliance		
Sidewalk Program		
Sidewalk Infill		
WATER PROJECTS:		
Trenchless & Lining Program (Red water sites)		
Lead Service Line Replacement		
WPC PROJECTS:		
Bypass Sewer, South Basin (Year 3)		
Sewer Lining		
Manhole Lining		
River Drive Interceptor (Phase I)		
STORM PROJECTS:		
TBD	350,000	-
Manhole Lining		50,000
Sealcoat Ditch Restoration		100,000
Capital Construction Equipment		100,000
Storm Sewer Lining		100,000
MISCELLANEOUS:		
Traffic Signal Replacements (36th Av & 16th St)		
Arsenal Bridge Deck		
River Dr. Safety Improvements (Signals at 12th St)		
ENGINEERING SERVICES:		
River to River Path Phase III		
Available \$ for Council added projects		
Parks Capital Projects		
Transfer to Parks		
TOTAL CAPITAL IMPROVEMENTS	160,000	735,000
Total Capital Expenditures	280,000	885,000

2025 Capital Improvement Projects List

	STORM
	ORIGINAL
<u>Maintenance Programs</u>	
Pavement Marking	
Joint Sealing	
Asphalt Overlay Maintenance	
Inlet Replacements	100,000
Traffic Safety Initiatives	
Patching Program	45,000
<u>MISCELLANEOUS:</u>	
Project Design / Inspection	
Temporary Technical Assistance	
TOTAL MAINT. PROGRAMS	145,000
<u>ROADWAY PROJECTS:</u>	
<u>Resurfacing Projects</u>	
TBD, using Pavement Maintenance Software	
19th Av, 7th to 16th St	
<u>Reconstruction Projects</u>	
TBD, using Pavement Maintenance Software	
7th Ave Reconstruction	
<u>BIKEWAYS PROJECTS:</u>	
<u>Road Diets</u>	
Phase II of River to River Trail Construction	
SRTS Project around Lincoln Irving	
<u>SIDEWALK PROJECTS:</u>	
ADA Sidewalk Compliance	
Sidewalk Program	
Sidewalk Infill	
<u>WATER PROJECTS:</u>	
Trenchless & Lining Program (Red water sites)	
Lead Service Line Replacement	
Tank Coating Project	
<u>WPC PROJECTS:</u>	
River Drive Interceptor (Phase II)	
Sewer Lining	
Manhole Lining	
<u>STORM PROJECTS:</u>	
4700 block of 28th Av	100,000
Dredging Box Culverts	25,000
35th Av, south of Prospect Park	175,000
Storm Sewer Lining	100,000
Manhole Lining	50,000
Inlet Special Covers	-
2900 Block 7th St	100,000
Lift Station Generator	70,000
5th Av, 43rd St to 48th St	175,000
<u>MISCELLANEOUS:</u>	
Annual Traffic Signal Replacements	
Available \$ for Council added projects	
<u>Parks Capital Projects</u>	
Transfer to Parks	
TOTAL CAPITAL IMPROVEMENTS	795,000
Total Capital Expenditures	940,000

City of Moline
Statement of Revenue, Expenditures & Changes in Net Position
Water Fund (310)
FY 2020 Through FY 2025

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
	Actual	Actual	Projected	Projected	Projected	Projected
OPERATING REVENUES:						
Charges for services	8,467,057	8,484,430	8,543,850	8,914,615	8,914,000	9,491,500
Fines, forfeitures and penalties	51,468	75,054	75,000	75,000	75,000	75,000
Miscellaneous	195,348	188,422	182,500	182,000	182,000	182,000
Total Operating Revenues	8,713,873	8,747,906	8,801,350	9,171,615	9,171,000	9,748,500
OPERATING EXPENSES:						
Salaries & benefits	2,820,150	2,443,276	3,160,856	3,292,114	3,458,266	3,549,170
Operating expenditures	3,108,216	3,465,940	3,550,981	4,052,360	4,098,554	4,279,577
Depreciation	1,602,282	1,583,715	1,602,550	1,602,550	1,602,550	1,602,550
Total Operating Expenses	7,530,648	7,492,931	8,314,387	8,947,024	9,159,370	9,431,297
Operating Income (Loss)	1,183,225	1,254,975	486,963	224,591	11,630	317,203
NONOPERATING REVENUES (EXPENSES)						
Use of Money and Property	59,195	26,873	32,686	66,019	64,968	63,885
Interest and Fiscal charges	(214,694)	(80,547)	(64,753)	(34,289)	(12,565)	-
Intergovernmental	37,554	31,729	-	-	-	-
Gain (loss) on sale of capital assets	-	-	-	-	-	-
Total Nonoperating Revenues (Expenses)	(117,945)	(21,945)	(32,067)	31,730	52,403	63,885
Income (Loss) Before Transfers	1,065,280	1,233,030	454,896	256,321	64,033	381,088
CONTRIBUTIONS AND TRANSFERS						
Capital grants and contributions	-	75,000	-	-	-	-
Transfers In	100,000	1,578,682	2,165,772	-	-	-
Transfers out	-	-	-	-	-	-
Total Transfers	100,000	1,653,682	2,165,772	-	-	-
Change in net position	1,165,280	2,886,712	2,620,668	256,321	64,033	381,088
NET POSITION - Beginning of Year	46,688,431	47,853,711	50,740,423	53,361,091	53,617,412	53,681,445
NET POSITION - END OF YEAR	47,853,711	50,740,423	53,361,091	53,617,412	53,681,445	54,062,533

City of Moline, Illinois
Combining Statement of Cash Flows
Water Fund (310)

2021-2026 Estimates	2017 Actual	2018 Actual	2019 Actual	2020 Actual	2021 Actual
Cash Flows from Operating Activities:					
Receipts from customers and users	8,680,872	9,055,872	9,559,884	8,290,736	8,777,763
Recommended rate increase					
Silvis usage(net)					
Recommended rate increase-Silvis					
John Deere usage					
Other charges					
Total receipts from customers & users	8,680,872	9,055,872	9,559,884	8,290,736	8,777,763
Receipts from other operating revenue	129,057	133,960	133,065	195,348	188,422
Payments to suppliers	(2,800,049)	(3,505,459)	(3,806,743)	(2,812,015)	(3,535,212)
Payments to employees	(3,007,601)	(3,091,411)	(2,864,391)	(2,847,891)	(2,998,479)
Net cash provided by (used in) operating activities	3,002,279	2,592,962	3,021,815	2,826,178	2,432,494
Cash Flows from Noncapital Financing Activities:					
Proceeds from interfund accounts	2,219	-	5,333	-	(503,156)
Reduce Advance to TIF 12	(381,775)	(256,467)	(266,295)	(728,703)	54,375
Transfers in	100,000	100,000	100,000	100,000	644,454
Transfers out	-	-	-	-	0
Intergovernmental Revenue				37,554	0
Net cash provided by (used in) noncapital financing activities	(279,556)	(156,467)	(160,962)	(591,149)	195,673
Cash Flows from Capital and Related Financing Activities:					
Purchase of capital assets(CIP)	(1,980,450)	(1,282,147)	(1,735,499)	(1,003,569)	(563,464)
ARPA Funding					934,228
Purchase of capital assets(Other Capital Equipment)	-	-	-	-	0
Silvis loan payments(\$1.07M x 20 years)					
Additional Capital projects with rate increase					
Payment to refunding escrow agent				(1,397,262)	
Proceeds from bonds, net of issuance costs & premiums	-	-	-	1,391,079	0
Payment on debt	(1,413,125)	(1,462,144)	(1,515,664)	(1,869,747)	(1,666,845)
Interest paid on debt	(383,407)	(335,412)	(284,686)	(224,145)	(101,326)
Net cash provided by (used in) capital and related financing activities	(3,776,982)	(3,079,703)	(3,535,849)	(3,103,644)	(1,397,407)
Cash Flows from Investing Activities, interest received	32,683	50,891	60,087	50,332	26,837
Net increase (decrease) in cash and cash equivalents	(1,021,576)	(592,317)	(614,909)	(818,283)	1,257,597
Cash and cash equivalents, beginning of year	5,156,099	4,134,523	3,542,206	2,927,297	2,109,014
Cash and cash equivalents, end of year	4,134,523	3,542,206	2,927,297	2,109,014	3,366,611
Cash & investments as a % operating exp (25%-30%)	71.19%	53.70%	43.88%	37.26%	51.53%
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities:					
Operating income (loss)	1,080,618	1,279,862	1,394,096	1,183,225	1,286,705
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:					
Depreciation	1,625,524	1,607,710	1,616,053	1,602,282	1,583,715
Amortization	-	-	-	-	0
Change in assets and liabilities:					
Receivables and due from other governments	(202,117)	8,406	169,372	(227,789)	186,550
Prepaid items	-	-	-	-	0
Inventory	30,903	9,730	(187,547)	223,545	(27,551)
Accounts payable and due to other governments	378,079	(520,602)	(38,150)	86,094	(41,722)
Net Pension Asset		(697,522)	697,522	(142,777)	0
Deposits payable	(226,612)	540	(346)	(230)	0
Other post employment benefits obligation		(200,466)	73,295		
Compensated absences and accrued liabilities	(33,107)	2,030	29,598	(31,924)	125,157
Change in net pension liability	99,561	(1,326,587)	1,984,575	(1,984,575)	(2,042,118)
Change in OPEB liability	-	-	-	201,203	(9,294)
Change in deferred outflows	252,086	930,663	(1,607,454)	1,082,949	214,923
Change in deferred inflows	(2,656)	1,499,198	(1,109,199)	847,383	1,156,129
Unearned revenue	-	-	-	-	0
	3,002,279	2,592,962	3,021,815	2,839,386	2,432,494

City of Moline, Illinois
Combining Statement of Cash Flows
Water Fund (310)

2021-2026 Estimates 2022 Estimate 2023 Estimate 2024 Estimate 2025 Estimate

2021-2026 Estimates	2022 Estimate	2023 Estimate	2024 Estimate	2025 Estimate
Cash Flows from Operating Activities:				
Receipts from customers and users	7,975,000	7,975,000	7,975,000	7,975,000
Recommended rate increase	0	0	0	558,250
Silvis usage(net)	0	275,000	275,000	275,000
Recommended rate increase-Silvis	0	0	0	19,250
John Deere usage		88,000	88,000	88,000
Other charges	568,550	576,615	576,000	576,000
Total receipts from customers & users	8,543,550	8,914,615	8,914,000	9,491,500
Receipts from other operating revenue	257,500	257,000	257,000	257,000
Payments to suppliers	(3,550,981)	(4,052,360)	(4,098,554)	(4,279,577)
Payments to employees	(3,200,856)	(3,292,114)	(3,458,266)	(3,549,170)
Net cash provided by (used in) operating activities	2,049,213	1,827,141	1,614,180	1,919,753
Cash Flows from Noncapital Financing Activities:				
Proceeds from interfund accounts	0	0	0	0
Reduce Advance to TIF 12	133,971	176,098	0	0
Transfers in	100,000	0	0	0
Transfers out	0	0	0	0
Intergovernmental Revenue				
Net cash provided by (used in) noncapital financing activities	233,971	176,098	-	-
Cash Flows from Capital and Related Financing Activities:				
Purchase of capital assets(CIP)	(3,955,000)	(350,000)	(1,060,000)	(750,000)
ARPA Funding	2,065,772			
Purchase of capital assets(Other Capital Equipment)	(250,000)	(610,000)	(585,000)	0
Silvis loan payments(\$1.07M x 20 years)		34,640	35,691	36,773
Additional Capital projects with rate increase				(325,000)
Payment to refunding escrow agent				
Proceeds from bonds, net of issuance costs & premiums	0	0	0	0
Payment on debt	(1,581,135)	(1,100,237)	(937,911)	0
Interest paid on debt	(64,753)	(34,289)	(12,565)	0
Net cash provided by (used in) capital and related financing activities	(3,785,116)	(2,059,886)	(2,559,785)	(1,038,227)
Cash Flows from Investing Activities, interest received	32,686	66,019	64,968	63,885
Net increase (decrease) in cash and cash equivalents	(1,469,246)	9,372	(880,637)	945,411
Cash and cash equivalents, beginning of year	3,366,611	1,897,365	1,906,737	1,026,100
Cash and cash equivalents, end of year	1,897,365	1,906,737	1,026,100	1,971,511
Cash & investments as a % operating exp (25%-30%)	28.10%	25.96%	13.58%	25.18%
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities:				
Operating income (loss)	486,963	224,591	11,630	317,203
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:				
Depreciation	1,602,550	1,602,550	1,602,550	1,602,550
Amortization	0	0	0	0
Change in assets and liabilities:				
Receivables and due from other governments	0	0	0	0
Prepaid items	0	0	0	0
Inventory	0	0	0	0
Accounts payable and due to other governments	0	0	0	0
Net Pension Asset				
Deposits payable	0	0	0	0
Other post employment benefits obligation				
Compensated absences and accrued liabilities	0	0	0	0
Change in net pension liability	0	0	0	0
Change in OPEB liability	(40,000)	0	0	0
Change in deferred outflows	0	0	0	0
Change in deferred inflows	0	0	0	0
Unearned revenue	0	0	0	0
	2,049,513	1,827,141	1,614,180	1,919,753

**CAPITAL EQUIPMENT & OTHER CITY WIDE IMPROVEMENTS
FISCAL YEAR 2023**

Department/Description	Budget
Water Fund:	
Cybersecurity design, oversight & installation	500,000
Security & access control improvements	60,000
Catwalk improvements at clarifier	50,000
Total Water Fund	610,000

**CAPITAL EQUIPMENT & OTHER CITY-WIDE IMPROVEMENTS
FISCAL YEAR 2024**

Department/Description	Budget
Water Fund:	
Cybersecurity improvements phase 2	450,000
Security & access control improvements	35,000
WTP fencing & gating improvements	100,000
Total Water Fund	585,000

**CAPITAL EQUIPMENT & OTHER CITY-WIDE IMPROVEMENTS
FISCAL YEAR 2025**

Department/Description	Budget
Water Fund:	0
Total Water Fund	0

2023 Capital Improvement Projects List

	WATER ORIGINAL	WATER REQUEST
Maintenance Programs		
Pavement Marking		
Joint Sealing		
Asphalt Overlay Maintenance		
Traffic Safety Initiatives		
Inlet Replacements		
Patching Program	250,000	250,000
Parking Lots and Surface Roads:		
Council Consideration		
ROADWAY PROJECTS:		
Resurfacing Projects		
TBD, using Pavement Maintenance Software	20,000	-
Reconstruction Projects		
22nd Av, 48th to 53rd St	5,000	-
MISCELLANEOUS:		
Project Design / Inspection		
Temporary Technical Assistance		
TOTAL MAINT. PROGRAMS	275,000	250,000
ROADWAY PROJECTS:		
Alley Reconstructions		
11th to 12th St, 13th to 14th Av		
10th to 11th St, 18th to 18th Av A		
Resurfacing Projects		
TBD, using Pavement Maintenance Software		
7th St., 12th to 16th Av		
AOTC, 34th to 41st St		
15th Av, 32nd to 33rd St		
15th Av, 39th to 41st St		
19th Av, 35th to 36th St		
Reconstruction Projects		
34th St, RR Tracks to 4th Av (moved to 2024)	210,000	
22nd Av, 48th to 53rd St		10,000
45th St, South of 26th Av	140,000	200,000
BIKEWAYS PROJECTS:		
Road Diets		
Mississippi River Bike Trail, 17th to 19th St		
Complete Streets - Road Diet Projects		
36th Av, 7th to 13th St (TASA Funds)		
River to River Phase I		
Bike Paths & Multi Modal Plan		
Convert 36th St to Trail		
SIDEWALK PROJECTS:		
CIP Sidewalk Repair and Infill Programs		
ADA Sidewalk Compliance		
Sidewalk Program		
Sidewalk Infill		
WATER PROJECTS:		
Trenchless & Lining Program (Red water sites)	750,000	-
Lead Service Replacement		-
1000 Block of 43rd Av Water Main Extension		140,000
WPC PROJECTS:		
Bypass Sewer, South Basin (Year 2)		
Sewer Lining		
Manhole Lining		
STORM PROJECTS:		
TBD		
5th Av, 43rd to 48th St (move to 2025)		
Storm Sewer Lining		
19th Av., West of 34th St		
Heritage Storm Station		
Dredging Box Culverts		
MISCELLANEOUS:		
Traffic Signal Replacements (32nd Ave at 41st St)		
Traffic Signal Replacements (7th St at 19th Av)		
Create Infrastructure Investments to Reduce Flooding		
ENGINEERING SERVICES:		
Design for 7th Av Reconstruction, 12th to 23rd St		
Design for Arsenal Bridge Deck		
Design for River Drive Improvements		
Design Services for 2024 Projects		
Design for River to River Phase II (Continued)		
Quiet Zones		
Available \$ for Council added projects		
Parks Capital Projects		
Transfer to Parks		
TOTAL CAPITAL IMPROVEMENTS	1,100,000	350,000
Total Capital Expenditures	1,375,000	600,000

2024 Capital Improvement Projects List

	WATER ORIGINAL	WATER REQUEST
Maintenance Programs		
Pavement Marking		
Joint Sealing		
Asphalt Overlay Maintenance		
Seal Coat		
Inlet Replacements		
Traffic Safety Initiatives		
Patching Program	250,000	250,000
Parking Lots and Surface Roads:		
Council Consideration		
ROADWAY PROJECTS:		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software	20,000	-
<u>Reconstruction Projects</u>		
36th Av Ct, East of 53rd St	10,000	-
MISCELLANEOUS:		
Project Design / Inspection		
Temporary Technical Assistance		
TOTAL MAINT. PROGRAMS	280,000	250,000
ROADWAY PROJECTS:		
<u>Alley Reconstructions</u>		
TBD		
<u>Resurfacing Projects</u>		
TBD, using Pavement Maintenance Software		
19th Av, 7th to Rock Island		
<u>Reconstruction Projects</u>		
39th St, 11th to 12th Av	225,000	
38th St, 32nd to 35th Av		20,000
48th St Reconstruction, South of 6th Av		355,000
34th St, 4th Ave to RR Tracks		360,000
BIKEWAYS PROJECTS:		
<u>Road Diets</u>		
Morgan Park Phase I		
Complete Streets - Road Diet Projects		
SRTS Project around Lincoln Irving		
Mississippi River Trail, 17th to 19th St		
SIDEWALK PROJECTS:		
ADA Sidewalk Compliance		
Sidewalk Program		
Sidewalk Infill		
WATER PROJECTS:		
Trenchless & Lining Program (Red water sites)	750,000	225,000
Lead Service Line Replacement		100,000
WPC PROJECTS:		
Bypass Sewer, South Basin (Year 3)		
Sewer Lining		
Manhole Lining		
River Drive Interceptor (Phase I)		
STORM PROJECTS:		
TBD		
Manhole Lining		
Sealcoat Ditch Restoration		
Capital Construction Equipment		
Storm Sewer Lining		
MISCELLANEOUS:		
Traffic Signal Replacements (36th Av & 16th St)		
Arsenal Bridge Deck		
River Dr. Safety Improvements (Signals at 12th St)		
ENGINEERING SERVICES:		
River to River Path Phase III		
Available \$ for Council added projects		
Parks Capital Projects		
Transfer to Parks		
TOTAL CAPITAL IMPROVEMENTS	975,000	1,060,000
Total Capital Expenditures	1,255,000	1,310,000

2025 Capital Improvement Projects List

	WATER ORIGINAL
Maintenance Programs	
Pavement Marking	
Joint Sealing	
Asphalt Overlay Maintenance	
Inlet Replacements	
Traffic Safety Initiatives	
Patching Program	290,000
MISCELLANEOUS:	
Project Design / Inspection	
Temporary Technical Assistance	
TOTAL MAINT. PROGRAMS	290,000
ROADWAY PROJECTS:	
<u>Resurfacing Projects</u>	
TBD, using Pavement Maintenance Software	
19th Av, 7th to 16th St	
<u>Reconstruction Projects</u>	
TBD, using Pavement Maintenance Software	
7th Ave Reconstruction	
BIKEWAYS PROJECTS:	
<u>Road Diets</u>	
Phase II of River to River Trail Construction	
SRTS Project around Lincoln Irving	
SIDEWALK PROJECTS:	
ADA Sidewalk Compliance	
Sidewalk Program	
Sidewalk Infill	
WATER PROJECTS:	
Trenchless & Lining Program (Red water sites)	250,000
Lead Service Line Replacement	100,000
Tank Coating Project	400,000
WPC PROJECTS:	
River Drive Interceptor (Phase II)	
Sewer Lining	
Manhole Lining	
STORM PROJECTS:	
4700 block of 28th Av	
Dredging Box Culverts	
35th Av, south of Prospect Park	
Storm Sewer Lining	
Manhole Lining	
Inlet Special Covers	
2900 Block 7th St	
Lift Station Generator	
5th Av, 43rd St to 48th St	
MISCELLANEOUS:	
Annual Traffic Signal Replacements	
Available \$ for Council added projects	
Parks Capital Projects	
Transfer to Parks	
TOTAL CAPITAL IMPROVEMENTS	750,000
Total Capital Expenditures	1,040,000

City of Moline
Statement of Revenue, Expenditures & Changes in Net Position
Sanitation Fund
FY 2020 Through FY 2025

	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Projected	FY 2023 Projected	FY 2024 Projected	FY 2025 Projected
OPERATING REVENUES:							
Charges for services	2,491,672	2,460,007	2,839,868	2,487,605	2,897,330	2,962,330	3,022,330
Fines, forfeitures and penalties							
Intergovernmental	32,612			30,435	30,500	30,500	30,500
Miscellaneous	147,371	156,151	162,295	169,600	171,600	171,600	171,600
Total Operating Revenues	2,671,655	2,616,158	3,002,163	2,687,640	3,099,430	3,164,430	3,224,430
OPERATING EXPENSES:							
Salaries	665,909	711,683	700,489	892,117	855,777	907,680	933,897
Operating expenditures	2,007,599	1,962,547	1,805,214	1,980,691	2,098,223	2,125,809	2,144,267
Depreciation			77,262	77,262	77,262	77,262	77,262
Total Operating Expenses	2,673,508	2,674,230	2,582,965	2,950,070	3,031,262	3,110,751	3,155,426
Operating Income (Loss)	(1,853)	(58,072)	419,198	(262,430)	68,168	53,679	69,004
NONOPERATING REVENUES (EXPENSES)							
Use of Money and Property	13,826	3,961	170	2,000	3,000	3,000	3,000
Interest and Fiscal charges					(10,000)	(9,000)	(8,000)
Intergovernmental		45,112	23,372	-	-	-	-
Gain (loss) on sale of capital assets							
Total Nonoperating Revenues (Expenses)	13,826	49,073	23,542	2,000	(7,000)	(6,000)	(5,000)
Income (Loss) Before Transfers	11,973	(8,999)	442,740	(260,430)	61,168	47,679	64,004
CONTRIBUTIONS AND TRANSFERS							
Capital grants and contributions							
Transfers In							
Transfers out							
Total Transfers	-	-	-	-	-	-	-
Change in net position	11,973	(8,999)	442,740	(260,430)	61,168	47,679	64,004
NET POSITION - Beginning of Year	(446,884)	(434,911)	(443,910)	616,926	356,496	417,664	465,343
Restatement			618,096				
NET POSITION - END OF YEAR	(434,911)	(443,910)	616,926	356,496	417,664	465,343	529,347

*Includes Proposed Fee Increase

City of Moline, Illinois
Combining Statement of Cash Flows
Sanitation Fund (449)
2022-2025 Estimate

	2017 Actual	2018 Actual	2019 Actual	2020 Actual	2021 Actual
Cash Flows from Operating Activities:					
Receipts from customers and users	2,276,640	2,348,940	2,540,295	2,462,717	2,493,873
Recommended fee increase					
Total receipts from customers & users	2,276,640	2,348,940	2,540,295	2,462,717	2,493,873
Receipts from other operating revenue	139,615	142,867	147,371	156,151	162,294
Payments to suppliers	(1,705,658)	(2,396,791)	(2,064,928)	(1,870,910)	(1,865,483)
Payments to employees	(706,053)	(708,167)	(655,009)	(726,445)	(837,712)
Net cash provided by (used in) operating activities	4,544	(613,151)	(32,271)	21,513	(47,028)
Cash Flows from Noncapital Financing Activities:					
Proceeds from interfund accounts	47,735	-	39,598	(41,375)	(9,576)
Payments of interfund accounts	-	(23,643)	-	209	152,548
General Fund Balance transfer in	-	-	-	-	0
Transfers in	-	-	-	-	0
Transfers out	-	-	-	-	0
Intergovernmental Revenue	-	-	-	-	-
Net cash provided by (used in) noncapital financing activities	47,735	(23,643)	39,598	(41,166)	142,972
Cash Flows from Capital and Related Financing Activities:					
Purchase of capital assets	-	-	-	-	0
Proceeds from bonds, net of issuance costs & premiums	-	772,620	-	-	0
Payment on debt	-	(10,731)	(128,770)	(128,770)	(128,770)
Interest paid on debt	-	-	-	-	0
Net cash provided by (used in) capital and related financing activities	-	761,889	(128,770)	(128,770)	(128,770)
Cash Flows from Investing Activities, interest received	147	6,498	13,826	3,961	168
Net increase (decrease) in cash and cash equivalents	52,426	131,593	(107,617)	(144,462)	(32,658)
Cash and cash equivalents, beginning of year	495,032	547,458	679,051	571,434	426,972
Cash and cash equivalents, end of year	547,458	679,051	571,434	426,972	394,314
Cash & investments as a % operating exp (25%-30%)	22.70%	21.87%	21.01%	16.44%	14.59%
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities:					
Operating income (loss)	21,361	(657,305)	(1,853)	(12,959)	442,571
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:					
Depreciation	-	-	-	-	77,262
Amortization	-	-	-	-	0
Change in assets and liabilities:					
Receivables and due from other governments	(33,501)	(25,586)	16,011	(42,403)	(369,367)
Prepaid items	-	-	-	-	0
Inventory	-	-	-	-	0
Net Pension Asset	-	-	165,070	-	-
Accounts payable and due to other governments	(61,058)	15,436	(57,329)	91,636	(60,269)
Claims payable	-	-	-	-	0
Compensated absences and accrued liabilities	(10,848)	6,149	2,354	735	35,473
Change in net pension liability	(8,656)	(482,463)	467,102	(501,850)	(593,584)
Change in OPEB liability	-	(47,587)	17,399	24,074	(2,042)
Change in deferred outflows	98,604	223,354	(378,184)	256,128	39,150
Change in deferred inflows	(1,358)	354,851	(262,841)	206,152	383,778
Unearned revenue	-	-	-	-	0
	4,544	(613,151)	(32,271)	21,513	(47,028)


City of Moline, Illinois
Combining Statement of Cash Flows
Sanitation Fund (449)
2022-2025 Estimate

	2022 Estimate	2023 Estimate	2024 Estimate	2025 Estimate
Cash Flows from Operating Activities:				
Receipts from customers and users	2,518,040	2,497,330	2,897,330	2,962,330
Recommended fee increase	0	400,000	65,000	60,000
Total receipts from customers & users	2,518,040	2,897,330	2,962,330	3,022,330
Receipts from other operating revenue	169,600	202,100	202,100	202,100
Payments to suppliers	(1,980,691)	(2,098,223)	(2,125,809)	(2,144,267)
Payments to employees	(892,117)	(855,777)	(907,680)	(933,897)
Net cash provided by (used in) operating activities	(185,168)	145,430	130,941	146,266
Cash Flows from Noncapital Financing Activities:				
Proceeds from interfund accounts	500,000	0	0	0
Payments of interfund accounts	0	0	0	0
General Fund Balance transfer in	0	0	0	0
Transfers in	0	0	0	0
Transfers out	0	0	0	0
Intergovernmental Revenue	30,435	30,500	30,500	30,500
Net cash provided by (used in) noncapital financing activities	530,435	30,500	30,500	30,500
Cash Flows from Capital and Related Financing Activities:				
Purchase of capital assets	0	0	0	0
Proceeds from bonds, net of issuance costs & premiums	0	0	0	0
Payment on debt	(128,770)	(178,770)	(178,770)	(50,000)
Interest paid on debt	0	(10,000)	(9,000)	(8,000)
Net cash provided by (used in) capital and related financing activities	(128,770)	(188,770)	(187,770)	(58,000)
Cash Flows from Investing Activities, interest received	2,000	3,500	3,500	3,500
Net increase (decrease) in cash and cash equivalents	218,497	(9,340)	(22,829)	122,266
Cash and cash equivalents, beginning of year	394,314	612,811	603,471	580,642
Cash and cash equivalents, end of year	612,811	603,471	580,642	702,908
Cash & investments as a % operating exp (25%-30%)	21.33%	20.43%	19.14%	22.84%
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities:				
Operating income (loss)	(262,430)	68,168	53,679	69,004
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:				
Depreciation	77,262	77,262	77,262	77,262
Amortization	0	0	0	0
Change in assets and liabilities:				
Receivables and due from other governments	0	0	0	0
Prepaid items	0	0	0	0
Inventory	0	0	0	0
Net Pension Asset				
Accounts payable and due to other governments	0	0	0	0
Claims payable	0	0	0	0
Compensated absences and accrued liabilities	0	0	0	0
Change in net pension liability	0	0	0	0
Change in OPEB liability	0	0	0	0
Change in deferred outflows	0	0	0	0
Change in deferred inflows	0	0	0	0
Unearned revenue	0	0	0	0
	(185,168)	145,430	130,941	146,266



Enterprise Fund Financial Analysis

GOAL 2.3 E CONDUCT UTILITY RATE STUDIES

- 
- Water Pollution Control Fund
 - Stormwater Fund
 - Water Fund
 - Sanitation Fund

* Enterprise funds are those maintained separately from other governmental funds. Separate accounting and financial reporting mechanisms segregate revenues and expenses associated with these funds' business activities.

Water Pollution Control

- 2013 Rate Study
 - Recommended a series of increases to Moline customers across the board and was intended to fund debt payments related to North Slope improvements.
 - The increases were also intended to fund planning and design for improvements at South Slope.
 - There were no recommended increases for regional (wholesale) customers, which were last adjusted in 2009.
 - There were no adjustments to the premium paid by retail outside customers.

Sewer customer classes

- Wholesale (Regional) Customers
- Residential/Commercial (non-strength)/Municipal – all classified the same
- Surcharged customers – customer classes have surcharge for strength of waste with regard to solids and biological demand.
- S2 - Laundry
- S3 – Restaurant
- S4 - Grocery
- S5 - Bakery
- S6 - Creamery

Waterworth

- A Waterworth model was created in 2022
- Cost of service analysis was conducted to determine:
 - Current revenue and expense distribution across all customer classes
 - Assignment of responsibility for expenses
 - Wholesale share of current expenses – without regard to future improvements at South Slope
 - Outside retail premium

Stormwater

- Stormwater utility created in 2002; relocated under the utilities umbrella in late 2019.
- Last stormwater rate adjustment was 2005
- Customer classes & quarterly charges
 - Residential Small - \$5.84
 - Residential Medium \$11.24
 - Residential Large \$23.07
 - Measured – commercial and multi-family residential
 - $\text{Pervious acreage} \times 0.15 + \text{Impervious acreage} \times 0.95 = \text{property EHA}$
 - Quarterly charge = EHA X \$87.83

Waterworth Stormwater

- A model was created without regard to cost of service.
- Stormwater O&M is largely reactionary now.
- Capital spending is the largest variable until a study can be completed
- CIP spending currently is predominately dictated by street improvement projects.
- Until a Stormwater Master Plan is completed, cost of service is hard to determine.

Location	Project	2023	2024	2025	2026	2027
35th Ave S. of Prospect Park	Replace 72" CMP under 35th Ave			\$175,000.00		
5 th Ave between 43-48 th St	Spring flows into 5th Ave			\$175,000.00		
19th Ave W 34th St	Severe ponding	\$350,000.00				
Heritage Storm Station	Controls Improvements	\$25,000.00				-
2900 block of 7th Street	Pipe deep residential ditches			\$100,000.00		
4700 block, 28 Ave	Ditch restoration			\$100,000.00		
4700 block, 27th Ave				\$100,000.00		
Storm Sewer Lining		\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00
Storm MH Lining			\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
Dredging box culverts			\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
Second pump station 16 St (KONE)				\$400,000.00		
Structure, gates and pumping 18 St 2 Ave					\$350,000.00	
Dredging 16 St ditch	Ditch restoration					\$100,000.00
Dredging 60 St ditch	Ditch restoration					\$100,000.00
New line on 19th to pump station						
Capital Construction Equipment			\$100,000.00		\$100,000.00	
Tree Boxes						
Trash collector devices						\$50,000.00
Replace pump at 17th ST						\$100,000.00
Inlet special covers			\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
Lift station generator				\$70,000.00		
Total		475,000.00	305,000.00	1,225,000.00	625,000.00	\$525,000.00

Drinking Water Financial Analysis

- Is on deck, ready to be initiated when sewer and stormwater rates are resolved.
- In general, water fund is stable, but detailed analysis will be conducted in late 2022.
- WTP debt and meter replacement debt (approx. \$1.5M annually) retire within the three year budget window.
- Lead water service replacement mandate is looming.
- Cash flow analysis indicates a 7% increase may be needed at start of 2025.

Sanitation Fund

This fund collects fees for the following services:

- Residential Refuse Collection
- Residential Recycling Collection
- Brush Collection
- Lawn Yard Waste Bag Collection
- Lawn Yard Waste Cart Collection
- Bulky Solid Waste Collection



Sanitation Fund

For the FY 2022 Budget, a loan from the General Fund for \$500,000 was required for the Sanitation Fund to balance.

Cash flow analysis indicates a 13% increase in overall revenue required for the FY 2023 Budget and a minimum of 1.5% increase to both the FY 2024 & FY 2025 Budgets.

The last rate increases were in 2018 for residential recycling and 2014 for residential refuse.



Turn presentation over to Waterworth

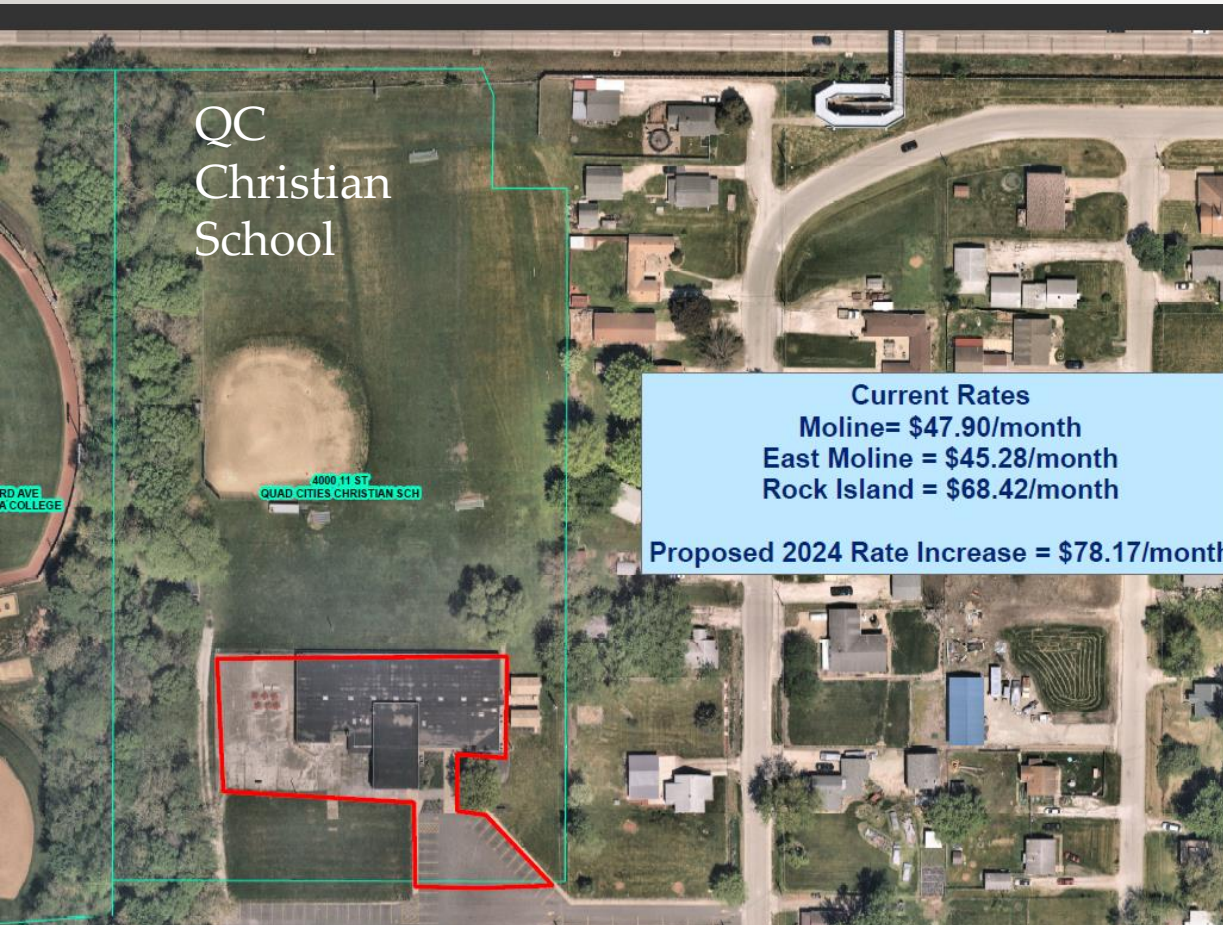
Stormwater

Proposed 30% increases in 2023, 2024, & 2% increase in 25 result in the following:

Proposed Increases	30%	30%	2%
	2023 Proposed Increase	2024 Proposed Increase	2024 Proposed Increase
Small Residential (67% of customers/24% of revenue)	\$0.58	\$0.76	\$0.07
Medium Residential (15% of customers/10% of revenue)	\$1.12	\$1.46	\$0.13
Large Residential (7% of customers/10% of revenue)	\$2.31	\$3.00	\$0.26
Measured Commercial/EHA (11% of customers/56% of revenue)	\$8.78	\$11.42	\$0.99

Proposed Rates	30%	30%	2%		
	Moline 2023 (proposed)	Moline 2024 (proposed)	Moline 2025 (proposed)	RI - Current Rate	EM - Current Rate
Small Residential	\$2.53	\$3.29	\$3.36	\$3.47	\$2.61
Medium Residential	\$4.87	\$6.33	\$6.46	\$4.63	\$4.57
Large Residential	\$10.00	\$13.00	\$13.26	\$5.79	\$6.53
Measured Commercial/EHA	\$38.06	\$49.48	\$50.47	\$72.02	\$51.69

Measured (Commercial) Comparison



HISTORY OF STORMWATER RATES

Examples of Rate Increases and their Impacts on average residential property.

Year	Annual	Rate	Effective	Residential Rates			Commercial	Residential	Commercial	TOTAL	100% Pervious
	Revenue	% Increase	Date	Small	Medium	Large	Rate	Revenue	Revenue	Revenue	(undeveloped)
2001	\$ 367,831			\$4.00	\$7.70	\$15.80	\$60.16				
2002	\$ 705,346			\$4.00	\$7.70	\$15.80	\$60.16				
2003	\$ 792,300			\$4.00	\$7.70	\$15.80	\$60.16				
2004	\$ 717,784			\$4.00	\$7.70	\$15.80	\$60.16				
2005	\$ 1,017,247	46.0%	1/1/2005	\$5.84	\$11.24	\$23.07	\$87.83				
2006	\$ 1,044,615		8/15/2006	\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2007	\$ 992,999			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2008	\$ 988,636			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2009	\$ 972,321			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2010	\$ 948,487			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2011	\$ 980,138			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2012	\$ 1,013,466			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2013	\$ 974,744			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2014	\$ 988,536			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2015	\$ 997,412			\$5.84	\$11.24	\$23.07	\$87.83	\$420,318.34	\$577,093.29	\$997,411.63	zero charge
2016	\$ 1,002,185			\$5.84	\$11.24	\$23.07	\$87.83	\$438,535.91	\$563,649.25	\$1,002,185.16	zero charge
2017	\$ 1,001,050			\$5.84	\$11.24	\$23.07	\$87.83	\$457,745.71	\$543,304.55	\$1,001,050.26	zero charge
2018	\$ 1,015,351			\$5.84	\$11.24	\$23.07	\$87.83	\$458,177.88	\$557,172.97	\$1,015,350.85	zero charge
2019	\$ 1,009,620			\$5.84	\$11.24	\$23.07	\$87.83	\$455,660.84	\$553,959.16	\$1,009,620.00	zero charge
2020	\$ 963,685			\$5.84	\$11.24	\$23.07	\$87.83	\$457,828.85	\$505,856.61	\$963,685.46	zero charge
2021	\$ 1,015,000			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2022	\$ 1,020,000			\$5.84	\$11.24	\$23.07	\$87.83				zero charge
2023	\$ 1,326,000	30.0%	1/1/2023	\$7.59	\$14.61	\$29.99	\$114.18				
2024	\$ 1,724,000	30.0%	1/1/2024	\$9.87	\$18.99	\$38.99	\$148.43				
2025	\$ 1,730,000	2.0%	1/1/2025	\$10.07	\$19.37	\$39.77	\$151.40				

Year	% increase	Projected Net Increase in Annual Revenue
2022	current	\$1,020,000
2023	30%	\$306,000
2024	30%	\$398,000
2025	2%	\$6,000

WPC

- Impending South Slope Improvements require financial decisions to be made
- Previous rate adjustments did not consider regional (wholesale) rates
- Recommendations:
 - Wholesale rate increase – 25% in 2023 & 2024
 - Retail rate increase of 9% in 2024
 - Retail & Wholesale increase of 9% in 2025
 - 4% Retail and Wholesale increases 2026-2031
 - Rate increases are applied uniformly to both fixed and commodity charges.
 - Industry standard is to aim for 30%+ in fixed revenue.

Moline Sewer Rates - Increase Scenario

	2022	2023	2024	2025	2026	2027
Rate Increase			9.00%	9.00%	4.00%	4.00%
Base Charge	\$31.23	\$31.23	\$34.04	\$37.10	\$38.59	\$40.13
Base Charge - Outside Customers	\$34.35	\$62.46	\$68.08	\$74.21	\$77.18	\$80.26
Commodity Rate - Residential	\$6.42	\$6.42	\$7.00	\$7.63	\$7.93	\$8.25
Commodity Rate - Commercial S2	\$7.83	\$7.83	\$8.54	\$9.30	\$9.68	\$10.06
Commodity Rate - Commercial S3	\$10.68	\$10.68	\$11.64	\$12.69	\$13.20	\$13.72
Commodity Rate - Commercial S4	\$10.38	\$10.38	\$11.31	\$12.33	\$12.83	\$13.34
Commodity Rate - Commercial S5	\$10.98	\$10.98	\$11.97	\$13.05	\$13.57	\$14.11
Commodity Rate - Commercial S6	\$43.30	\$43.30	\$47.20	\$51.45	\$53.50	\$55.64
Wholesale Customers:		25.00%	25.00%	9.00%	4.00%	4.00%
Wholesale Base Charge	\$31.23	\$39.04	\$48.80	\$53.19	\$55.32	\$57.53
Wholesale Commodity	\$2.02	\$2.53	\$3.16	\$3.44	\$3.58	\$3.72

Rates Comparison

Average Residential Customer - 4000 gallons per month				
2023 Monthly Residential rates				
	Davenport	East Moline	Rock Island	Moline
Monthly Fixed Fee	\$12.45	\$3.62	\$25.83	\$10.41
\$/1000 gal	\$8.03	\$7.65	\$6.83	\$6.42
4000 gal/month cost	\$44.59	\$34.21	\$53.16	\$36.09

Average Residential Customer				
2024 Monthly Residential rates				
	Davenport	East Moline	Rock Island	Moline
Monthly Fixed Fee	\$12.96	\$3.82	\$19.37	\$12.37
\$/1000 gal	\$8.44	\$8.07	\$6.83	\$7.63
4000 gal/month cost	\$46.70	\$36.10	\$46.69	\$42.89

Average Residential Customer				
2025 Monthly Residential rates				
	Davenport	East Moline	Rock Island	Moline
Monthly Fixed Fee	\$12.96	\$6.82	\$28.21	\$12.37
\$/1000 gal	\$8.44	\$12.99	\$7.46	\$7.63
4000 gal/month cost	\$46.70	\$58.80	\$58.05	\$42.89

Funding for South Slope – SRF Requirements

User Charge System: Where a user charge system is the dedicated source of revenue, it must:

- Be enacted and enforceable before the first loan disbursement.
- Generate sufficient revenue to offset the cost of operations, maintenance, and replacement for the facilities covered by the loan.
- Be incorporated in one or more municipal legislative enactments or other appropriate authorization. If the project is for a regional treatment works accepting wastewater from treatment works owned by others, then the subscribers receiving wastewater treatment services from the loan recipient must have adopted user charge systems.
- The user charge systems must be incorporated in the appropriate municipal legislative enactments, intergovernmental or service agreements or other appropriate authorizations.
- Ensure that the dedicated source of revenue is adequate to make loan repayments for the entire term of the loan.

HISTORY OF SEWER RATES

Examples of Rate Increases and their Impacts on average residential property.

Year	Rate % Increase	Effective Date	Base rate (sewer readiness)	Commodity rate (sewer use per 1K gals)	Average Bill 12.5K gals	net change
2001			\$13.06	\$2.25	\$41.19	\$0.00
2002	6.0%	10/1/2002	\$12.96	\$2.43	\$43.34	\$2.15
2003			\$12.96	\$2.43	\$43.34	\$0.00
2004			\$12.96	\$2.43	\$43.34	\$0.00
2005	5.0%	1/1/2005 / 11/1/2005	\$13.42	\$3.64	\$58.94	\$15.61
2006	8.2%	1/1/2006 / 11/1/2006	\$16.26	\$2.80	\$51.23	(\$7.71)
2007	8.4%	10/13/2007	\$14.46	\$3.07	\$52.84	\$1.61
2008	4.9%	4/4/2008	\$14.46	\$3.22	\$54.71	\$1.88
2009			\$14.46	\$3.22	\$54.71	\$0.00
2010	13.0%	1/1/2010	\$17.90	\$3.58	\$62.65	\$7.94
2011	13.0%	1/1/2011	\$20.02	\$4.08	\$71.02	\$8.37
2012	13.0%	1/1/2012	\$22.58	\$4.64	\$80.58	\$9.56
2013			\$22.58	\$4.64	\$80.58	\$0.00
2014	7.5%	1/1/2014	\$24.27	\$4.99	\$86.65	\$6.07
2015	7.0%	1/1/2015	\$25.97	\$5.34	\$92.72	\$6.08
2016	7.0%	1/1/2016	\$27.79	\$5.71	\$99.17	\$6.44
2017	6.0%	1/1/2017	\$29.46	\$6.05	\$105.09	\$5.92
2018	6.0%	1/1/2018	\$31.23	\$6.42	\$111.48	\$6.40
2019			\$31.23	\$6.42	\$111.48	\$0.00
2020			\$31.23	\$6.42	\$111.48	\$0.00
2021			\$31.23	\$6.42	\$111.48	\$0.00
2022			\$31.23	\$6.42	\$111.48	\$0.00
2023	0.0%	1/1/2023	\$31.23	\$6.42	\$111.48	\$0.00
2024	9.0%	1/1/2024	\$34.04	\$7.00	\$121.54	\$10.06
2025	9.0%	1/1/2025	\$37.10	\$7.63	\$132.48	\$10.94

Rate change twice in 2005 and 2006 years;

1/1/2005 / 11/1/2005	13.41 / 13.56	2.56 / 2.59
1/1/2006 / 11/1/2006	14.67 / 14.51	2.80 / 2.77

Year	% increase	Projected Net Increase in Annual Revenue
2022	current	\$ 8,750,000
2023	0%	\$ -
2024	9%	\$ 787,500
2025	9%	\$ 858,375

20 Year History of Quarterly Water Rates

Examples of Rate Increases and their Impacts on average residential property.

Year	Rate % Increase	Effective Date	Base rate (metering & billing)	Capacity charge (water readiness for 5/8")	Commodity rate (water use per 1K gals)	Quarterly Average Bill 12.5K gals	net change
2001	16.0%	4/1/2001	\$19.10	\$0.00	\$3.15	\$58.48	\$6.13
2002	16.0%	4/1/2002	\$19.25	\$0.00	\$3.60	\$64.25	\$5.78
2003			\$19.25	\$0.00	\$3.60	\$64.25	\$0.00
2004			\$19.25	\$0.00	\$3.60	\$64.25	\$0.00
2005	5.2%	1/1/2005	\$20.00	\$0.00	\$3.80	\$67.50	\$3.25
2006			\$20.00	\$0.00	\$3.80	\$67.50	\$0.00
2007	4.6%	1/1/2007	\$20.00	\$3.00	\$3.80	\$70.50	\$3.00
2008	8.1%	4/4/2008	\$25.00	\$5.00	\$3.80	\$77.50	\$7.00
2009			\$25.00	\$5.00	\$3.80	\$77.50	\$0.00
2010			\$25.00	\$5.00	\$3.80	\$77.50	\$0.00
2011			\$25.00	\$5.00	\$3.80	\$77.50	\$0.00
2012	9.5%	1/1/2012	\$5.22	\$25.36	\$4.08	\$81.58	\$4.08
2013	9.5%	1/1/2013	\$5.72	\$27.77	\$4.46	\$89.24	\$7.66
2014	9.5%	1/1/2014	\$6.26	\$30.41	\$4.89	\$97.80	\$8.55
2015			\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2016			\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2017			\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2018			\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2019			\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2020			\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2021			\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2022			\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2023	0.0%		\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2024	0.0%		\$6.26	\$30.41	\$4.89	\$97.80	\$0.00
2025	7.0%		\$6.70	\$32.54	\$5.23	\$104.62	\$6.82

Year	% increase	Projected Net Increase in Annual Revenue
2022	current	\$ 7,975,000
2023	0%	\$ -
2024	0%	\$ -
2025	7%	\$ 558,250

Sanitation Rate Comparisons

Community	2023 Rate	2024 Rate	2025 Rate
East Moline	\$14.84/month	\$15.29/month	
Rock Island	\$15.39/month		
Davenport	\$22.06/month	\$22.72/month	
Bettendorf	\$23.36/month		
Moline Current Rate	\$13.11/month		
Moline Proposed Rates	\$14.81/month	\$15.04/month	\$15.26/month

Sanitation Fund Rate Recommendations

Residential Refuse Collection

- Increase 2023 rate from \$9.42 per month to \$11.12
- Increase 2024 rate from \$11.12 per month to \$11.35
- Increase 2025 rate from \$11.35 per month to \$11.57

No increase to the recycling collection fee is recommended so the overall rates would be as follows:

- 2023 - \$14.81 per month
- 2024 - \$15.04 per month
- 2025 - \$15.26 per month

Sanitation Fund Rate Recommendations

Paid Brush Collection

1. Institute a \$30 fee for up to the first two & one half (2.5) cubic yards of volume and a \$40 fee for each additional two & one half (2.5) cubic yards.
2. Institute requirements that brush be cut to lengths not to exceed six (6) feet in length.

This rate/requirements structure isn't anticipated to impact revenues but will reduce City costs associated with the service.

Sanitation Fund Rate Recommendations

Bulky Waste Collection

1. Institute a \$30 fee for up to the first two & one half (2.5) cubic yards of volume and not to exceed one-hundred (100) pounds and a \$40 fee for each additional two & one half (2.5) cubic yards.

This rate/requirements structure will reduce the subsidy for this service from \$164,520 to \$82,410.

Sanitation Fund Revenue Increases from Recommendations

Service	FY 2023 Revenue	FY 2024 Revenue	FY 2025 Revenue
Refuse Collection	\$317,890	\$382,890	\$442,890
Brush Collection	NC	NC	NC
Bulky Collection	\$82,110	\$82,110	\$82,110
Lawn Bag Collection	NC	NC	NC
Lawn Cart Collection	NC	NC	NC
Recycling Collection	NC	NC	NC
Total Revenue Increase	\$400,000	\$465,000	\$525,000
Loan Repayment	(\$50,000)	(\$50,000)	(\$50,000)
Net Revenue Increase	\$350,000	\$415,000	\$475,000

HISTORY OF GARBAGE/RECYCLING RATES

Rate Increases and their Impacts on average residential property.

Year	Annual Revenue	Rate % Increase	Effective Date	Quarterly Charge		
				Residential (5 units or less)	Recycling	Garbage
2008	\$397,307		4/1/2008	\$7.68	\$7.68	\$0.00
2009	\$475,525			\$7.68	\$7.68	\$0.00
2010	\$476,870	78.1%	10/1/2010	\$13.68	\$7.68	\$6.00
2011	\$822,604			\$13.68	\$7.68	\$6.00
2012	\$1,389,201	65.8%	1/1/2012	\$22.68	\$7.68	\$15.00
2013	\$1,575,625	13.9%	1/1/2013	\$25.83	\$7.68	\$18.15
2014	\$1,851,432	18.2%	1/1/2014	\$30.54	\$7.68	\$22.86
2015	\$2,349,006	17.7%	1/1/2015	\$35.94	\$7.68	\$28.26
2016	\$2,235,220			\$35.94	\$7.68	\$28.26
2017	\$2,234,874			\$35.94	\$7.68	\$28.26
2018	\$2,288,874	9.4%	9/21/2018	\$39.33	\$11.07	\$28.26
2019	\$2,445,194			\$39.33	\$11.07	\$28.26
2020	\$2,448,017			\$39.33	\$11.07	\$28.26
2021	\$2,827,607			\$39.33	\$11.07	\$28.26
2022	\$2,475,275			\$39.33	\$11.07	\$28.26
2023	\$2,885,000	13.0%		\$44.44	\$11.07	\$33.37
2024	\$2,950,000	1.5%		\$45.11	\$11.07	\$34.04
2025	\$3,010,000	1.5%		\$45.79	\$11.07	\$34.72

Year	% increase	Projected Net Increase in Annual Revenue
2022		\$2,475,275
2023	13.0%	\$400,000
2024	1.5%	\$65,000
2025	1.50%	\$60,000

Staff's proposal for **MONTHLY Fee Increases** per household

	2023	2024	2025	Total Increase per month
WPC - (mandated by EPA for construction of South Slope)	\$0.00	\$3.35	\$3.65	\$7.00
Water - (required to maintain minimum cash balances)	\$0.00	\$0.00	\$2.27	\$2.27
Stormwater-Medium lot size (Fees are project driven)	\$1.12	\$1.46	\$0.13	\$2.71
Sanitation - (required to maintain minimum cash balances)	\$1.70	\$0.22	\$0.23	\$2.15
Total	\$2.82	\$5.03	\$6.28	\$14.13

NOTES:

1. **Monthly utility billing is targeted to be implemented in 2024.**

2. Across all Enterprise Funds: Monthly increase per household over 3 years totals \$14.13. The average increase per month for each year is \$4.71.

3. Staff's proposed increases are necessary to maintain financial stability in each of the Utility funds and fund on-going operating and capital expenses as adopted by City Council. Fees will be reviewed annually by the City Council.

COW/COUNCIL ACTION REPORT

September 20, 2022

Growth Areas South of the Rock River (Director of Community & Economic Development Ryan Hvitlok, Director of Utilities Tony Loete and City Administrator Bob Vitas)

SUGGESTED ACTION:

ATTACHMENTS: [0B Roundtable Discussion Item-CED INFO Janine-Ryan - South of the Rock River Roundtable Memo Packet.pdf](#)

MEMORANDUM

To: Bob Vitas, City Administrator
From: Ryan Hvitløk, AICP, CFM – Community & Economic Development Director
Re: Development South of the Rock River
Date: September 13, 2022



Introduction

“The City of Moline is full”; this was the lede to a Quad-City Times article dated November 12, 2001 headlined “*Moline Looks to grow by annexing*”. Development south of the Rock River has been a major topic in the city since at least 2001 and is a cornerstone of the City’s 2001 Comprehensive Plan. Growth in this area was a goal within the plan (*Goal 7: Growth South of the Rock River*). The goal specifically states to “*Develop an aggressive and imaginative plan to annex and develop land south of the Rock River which incorporates new residential, commercial, industrial and recreational uses.*”

Due to the geographic realities and historic development patterns of the city, south of the Rock River is the only remaining major developable land within the City’s area of influence. Geographic boundaries of this area are generally established with the Rock River to the north, the City’s annexation boundary agreements with Coal Valley and Milan to the east and west, and between 78th Avenue and 120th Avenue to the south. The City expanded on the planning work for this area in 2013 with the adoption of the *Airport South District Development Plan*. The intent of this memo is to provide the administration and City Council a brief review of the history of planning and annexation activities in this area, an analysis of land the City is entitled to annex under state law, and finally an examination of next steps.

History of Planning Efforts South of the Rock River

Moline South Plan (1995)

The Moline South Plan was adopted by the City in 1995, and was the first planning document to analyze development opportunities south of the Rock River. This plan studied the land south of the airport, west of U.S. 150, east of the Indian Bluff Forest Reserve, and north of 78th Avenue. Key findings of the plan showed that population and employment within the study area were limited but the proximity of the airport served as a potential catalyst for future development and employment. Population projections during the plan’s 25-year horizon indicated a need for housing in the study area, with the southern and western portions of the study area being suitable for residential development of varying densities, styles, and type.

2001 Comprehensive Plan (2001)

The 2001 Comprehensive Plan was an update to the City’s previously adopted 1966 Comprehensive Plan. This plan addressed several planning issues including the fact that the city was nearly out of developable land north of the Rock River and that future development would need to be considered south of the Rock River.

The plan adopted a South Rock Planning District encompassing approximately 10 square miles, bordered by the Rock River to north, 106th Avenue to the south, and the annexation boundaries with Coal Valley and Milan to the east and west. The future land use designation of the planning district consists of predominately Low Density

Residential (6 or less units/acre) south of the airport with commercial north and southeast of the airport. Park and conservation areas are designated along the river and the Indian Bluff Golf Course. Future neighborhood commercial nodes, school and future sites are scattered throughout the planning area at major intersections **(Exhibit 1)**.

Case Creek Trails Development Plan (2009)

In 2009, the City received a private development master plan for a mixed-use (retail and office) business park for the Case Creek area. The vision of this this plan was to create an environmentally sustainable development developed within LEED standards. A TIF district and financing bonds were envisioned with agreements between the Airport, City, and Rock Island County.

TIF #7 – Moline Business Park (2011)

In 2011, the City created TIF #7, a 134-acre site located southwest of the airport, north of 78th Avenue/Indian Bluff Road and east of the Milan Beltway. The site consists of 19 parcels and is a mix of “I-2” General Industrial and “ORT” Office/Research Park and Tech zoning districts. Located within the City’s limits, this area is prime for industrial and business development with its proximity to the airport as well as the Milan Beltway/I-280/I-74. City staff is continuing to market the Moline Business Park as the sites are shovel ready with utilities and road access.

Airport South District Development Plan (2013)

The Airport South District Development Plan was adopted by the City Council in December 2013. This plan was prepared to provide a more detailed and focused plan on the area south of the Rock River, first identified in the 2001 Comprehensive Plan. The study of the Airport South plan expanded from the South Rock Planning District, expanding the southern boundary to 120th Avenue. This plan expanded the handful of pages in the 2001 Comprehensive Plan dedicated to the area south of the Rock River to a fully developed plan of 120 pages examining multiple aspects of the study area. The study area encompassed approximately 6,000 acres (9.4 square miles). Nearly 40% of the study area was proposed for residential of varying densities. Industrial and office consisted of approximately another 15% of the study area (Exhibit 2). This study went further than previous studies with a concept of character areas and basic infrastructure plans. These character areas included proposed land use types and conceptual design guidelines.

Challenges For Developing South of the Rock River

Topography

Unlike typical greenfield development in the Quad Cities which has traditionally been located in undeveloped farm land, the area south of the Rock River, especially south of 78th Avenue is a mixture of hills and bluffs. This landform presents a challenge for the construction of typical suburban style development most recently seen in Bettendorf and Davenport. Furthermore, the topography presents a challenge to the traditional grid system of streets. These challenges also represent a unique opportunity for development not commonly found in the city or the region.

Infrastructure

The topography of the area south of the Rock River also represents a challenge to utility infrastructure as well as roadway connectivity. The varying elevations of the area may necessitate the need for additional infrastructure such as lift stations and water towers. Existing utility lines installed by the City are located through the area. Often these were placed to facilitate utility connections with neighboring communities or in

anticipation of future development. City staff have been working to identify properties in the area that have city utilities and are unincorporated. The City is working with these property owners to secure annexation agreements, a strategic plan goal of the City Council.

Quad City International Airport

The airport is a major opportunity for development in the area as identified as far back as the Moline South Plan. While the opportunity for development the airport can encourage outweighs the challenges, the airport still represents some challenges for development. Height is a major development constraint with proximity to the airport. The FAA limits the height of building within the approach zones of the airport. Any development in close proximity to the airport will need to be coordinated with the airport. This might be a minor challenge as the airport has made a concentrated effort to acquire land in close proximity to the airport.

Current Ordinances

Currently the vast majority of the area south of the Rock River is not within the City of Moline. This land would need to be annexed by the City as development is proposed. Land that is annexed is assigned a zoning designation (typically agricultural for vacant land or low-density residential for residential uses) or the property owner can request a zoning designation at the time of annexation. The adopted plans for the area all envision mixed use or “flex” development for a portion of the area. The City’s current zoning and land development ordinance includes a process for Planned Unit Development (PUD). PUD’s are typically used for those developments that are doing something unique that isn’t addressed in the traditional zoning code. Staff’s review of the current PUD ordinance finds that it is difficult to administer and potentially complicated for a developer. A review and potential overhaul of the PUD ordinance is anticipated in early 2023.

Another pressing challenge regarding the City’s ordinances is a lack of a dedicated subdivision ordinance. The City’s subdivision ordinance was repealed in 2015 and while portions of the ordinance remain in Chapter 35, Zoning and Land Development, the lack of a full subdivision ordinance complete with design and improvement standards makes it difficult for the City to implement policies like Complete Streets and multi-modal transportation. The absence of a subdivision ordinance represents a challenge to ensure the City meets its development standards for new development. This is a challenge for all new development as the starting point for most development is a subdivision action. Staff recommends revisiting the subdivision ordinance to examine the structure and location for regulations.

Conclusion

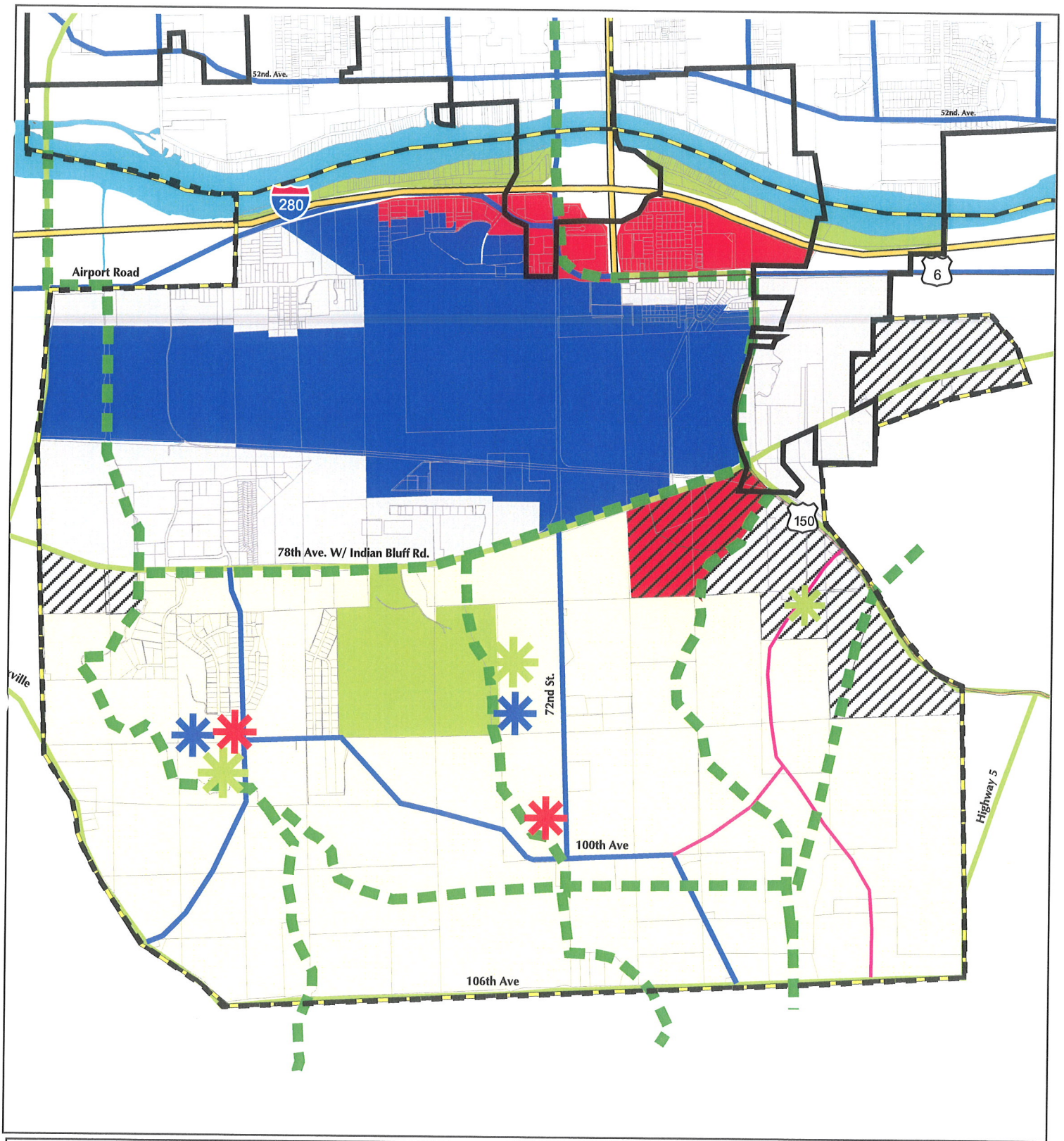
The purpose of this memo was to spur discussion among the Council regarding development south of the Rock River. Staff provided an analysis of the City’s planning efforts in the area as well as a brief discussion of perceived challenges of developing in the area. The Airport South District Development plan represents a solid foundation for the planning of the area and staff believes implementing the plan as well as updates to the City’s land development ordinances will create a foundation for the City to attract developers to the area.

Attachments:

Exhibit 1 – South Rock Planning Area Future Land Use Plan

Exhibit 2 – Airport South Concept Development Framework

Exhibit 3 – South Rock Utilities and Annexation Boundary Map



Legend

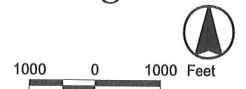
- City Boundary
- City Planning Area
- Planning District Boundary
- Street Classification**
- Freeway
- Major Arterial
- Minor Arterial
- Collector Street
- Future Trails

Land Use Classification

- Agricultural
- Parks and Conservation Areas
- Low Density Residential - (6 or less dwelling units/acre)
- Medium Density Residential - (6 -14 dwelling units/acre)
- High Density Residential - (Over 14 dwelling units/acre)
- Public & Semipublic
- Office
- Mixed Use

- Commercial
- Moline Centre
- Commercial/Industrial
- Industrial
- Business Park Overlay
- Future Neighborhood Commercial
- Future School Site
- Future Park Site

**Future Land Use
South Rock Planning District**



BUCHER, WILLIS & RATLIFF
CORPORATION

1910 Pine Street, Suite 120
St. Louis, MO 63103-2254 (314) 231-3510

Note: This map is not a stand alone document and must be used in conjunction with the text of the entire Comprehensive Plan.



LAND USE & DEVELOPMENT FRAMEWORK

The proposed generalized land use (refer to Figure 08) and development framework envisions a full range of long-term uses to provide opportunity and serve the needs of the area. The envisioned mix of uses for the 6,000+ acre area includes:

- Conservation (protection/enhancement of natural areas).
- Commercial (Highway and Neighborhood).
- Industrial and Light Industrial.
- Mixed-Use
- Office.
- Office/Research & Technology (ORT).
- Parks, Open Space and Recreation.
- Public and Semi-Public.
- Residential (Single and Multi-Family).



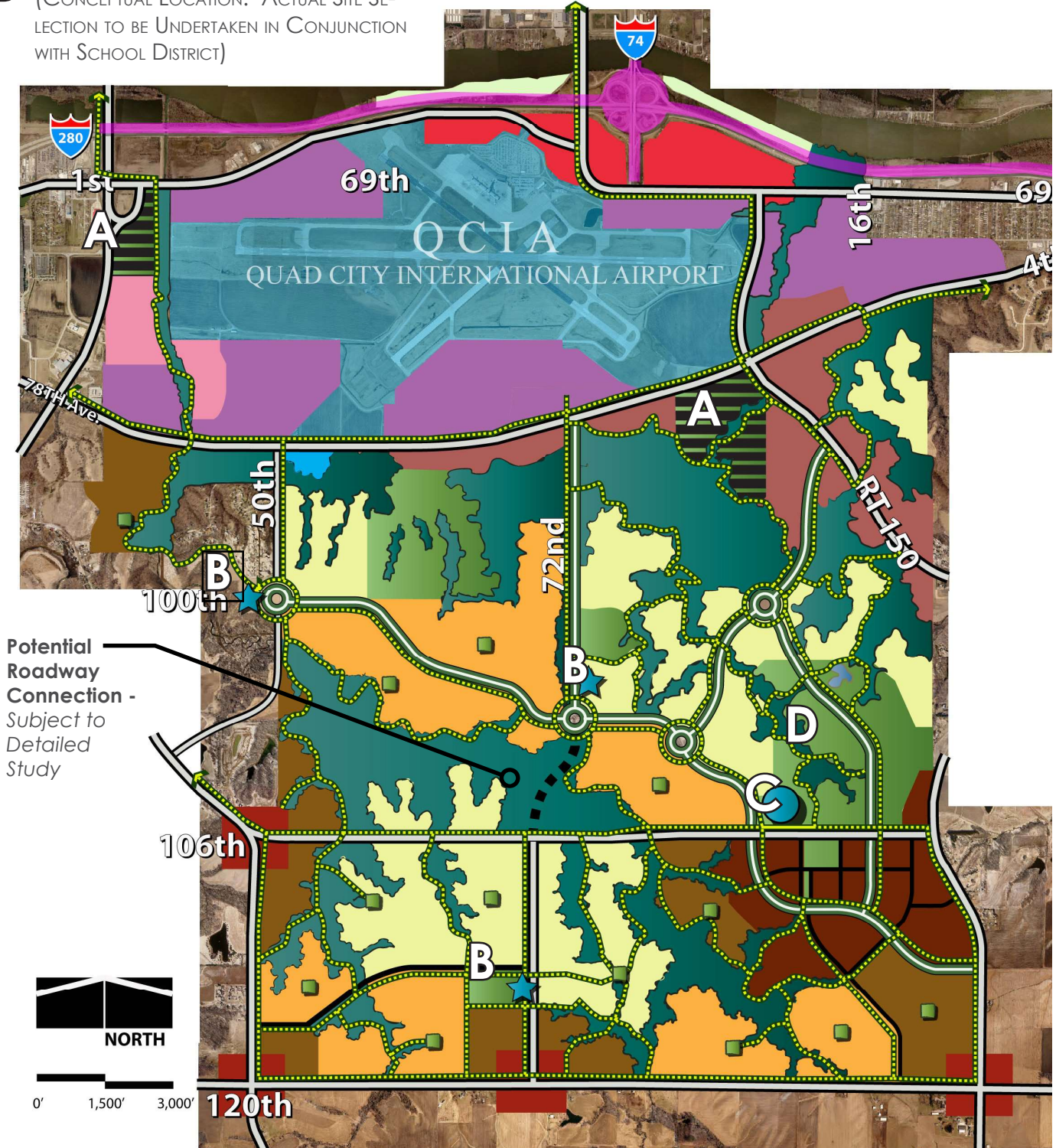
FIGURE 08 CONCEPT DEVELOPMENT FRAMEWORK

A OPEN SPACE/AVIGATION NO BUILD ZONE
 Approximately 127 Acres/2% of total planning area.

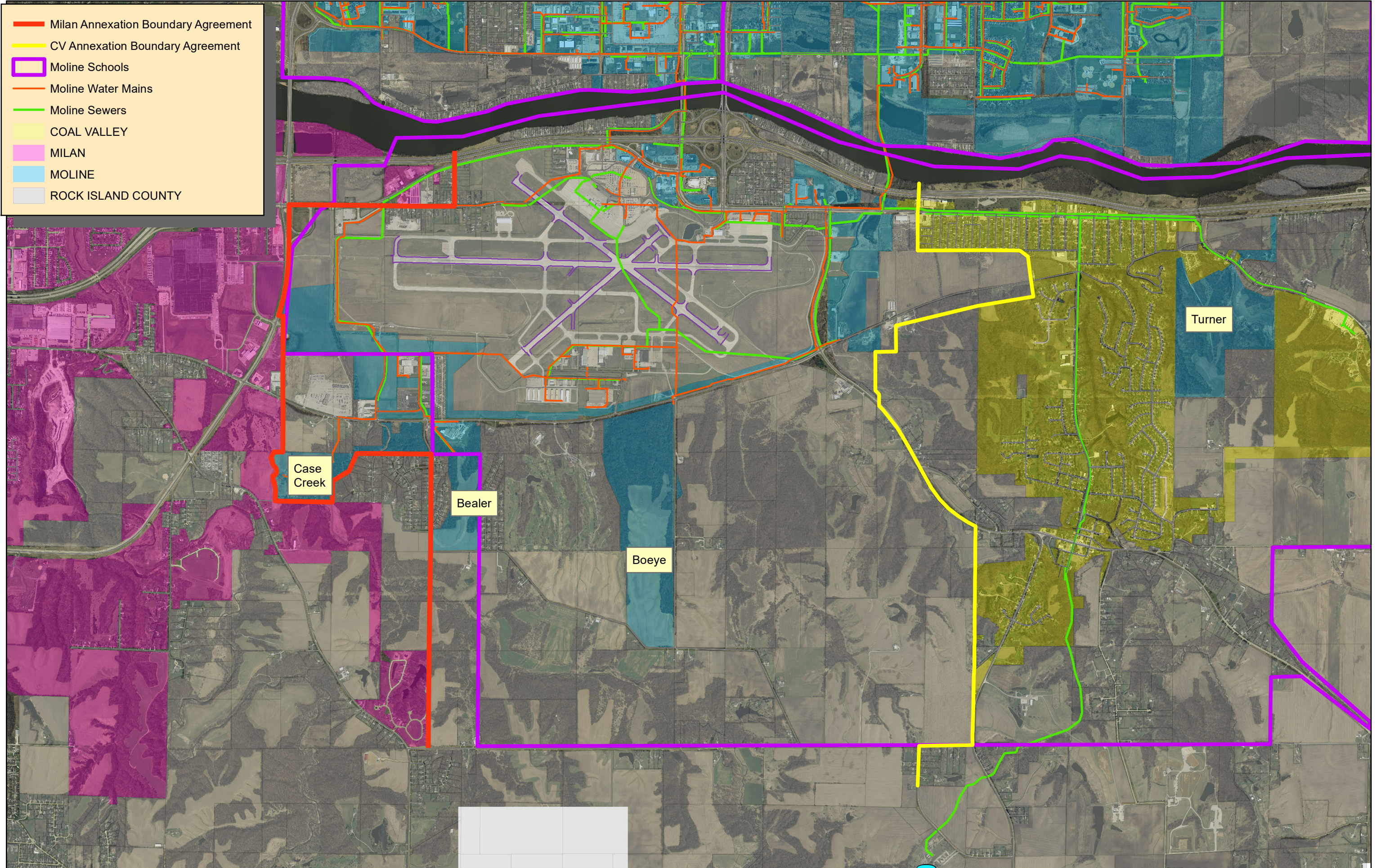
B SCHOOL OR PUBLIC SAFETY FACILITY
 (CONCEPTUAL LOCATION. ACTUAL SITE SELECTION TO BE UNDERTAKEN IN CONJUNCTION WITH SCHOOL DISTRICT)

C COMMUNITY FACILITY
 (CONCEPTUAL LOCATION)

D CITY PARK, PUBLIC/PRIVATE GOLF COURSE OF OTHER RECREATIONAL DESTINATION



- Milan Annexation Boundary Agreement
- CV Annexation Boundary Agreement
- Moline Schools
- Moline Water Mains
- Moline Sewers
- COAL VALLEY
- MILAN
- MOLINE
- ROCK ISLAND COUNTY



COW/COUNCIL ACTION REPORT

September 20, 2022

An Ordinance amending multiple sections of Chapter 34 regarding fee updates.

SUGGESTED ACTION:

ATTACHMENTS:

[3021-2022 UTL ORD 1 Kodatt - Loete - Chapter 34 Fee Updates - CBx.pdf](#)

[3021-2022 UTL ORD 1 Kodatt - Loete - Chapter 34 Fee Updates - ATT.pdf](#)

AN ORDINANCE

AMENDING Chapter 34, “WATER and SEWERS,” of the Moline Code of Ordinances, Section 34-1100, “GROUNDS FOR TERMINATION,” Section 34-2103 “SERVICE TAPS,” Section 34-2121, “CHARGES AND COLLECTIONS,” Section 34-2126, “DEPOSIT FOR TEST OF METER,” Section 34-3402, “PRETREATMENT OF WASTEWATER,” Section 34-3403, “ENVIRONMENTAL REMEDIATION WASTEWATERS,” and Section 34-3414, “PRETREATMENT CHARGES AND FEES,” by repealing said sections in their entirety and enacting in lieu thereof new Sections 34-1100, 34-2103, 34-2121, 34-2126, 34-3402, 34-3403 and 34-3414 dealing with the same subject matter.

WHEREAS, staff has reviewed various fees related to utility service and a number of fees were recommended to be adjusted to allow the true cost of service to be charged; and

WHEREAS, fees in question relate to service provided to specific customers; and

WHEREAS, the best industry practice is to charge only those customers receiving specific services, rather than having the entire customer base subsidize specific activities; and

WHEREAS, staff recommends amendments to Chapter 34 of the Code of Ordinances pursuant to direction provided by City Council during the fee review roundtable meeting held on August 16, 2022; and

WHEREAS, said fees will be effective January 1, 2023.

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

That Chapter 34, “WATER and SEWERS”, of the Moline Code of Ordinances, Section 34-1100, “GROUNDS FOR TERMINATION”, Section 34-2103 “SERVICE TAPS”, Section 34-2121 “CHARGES AND COLLECTIONS”, Section 34-2126 “DEPOSIT FOR TEST OF METER”, Section 34-3402 “PRETREATMENT OF WASTEWATER”, Section 34-3403 “ENVIRONMENTAL REMEDIATION WASTEWATERS”, and Section 34-3414 “PRETREATMENT CHARGES AND FEES”, is hereby amended by repealing said sections in their entirety and enacting in lieu thereof new Sections 34-1100, 34-2103, 34-2121, 34-2126, 34-3402, 34-3403 and 34-3414 dealing with the same subject matter; provided, however, that said contract is in substantially similar form and content to that attached hereto and incorporated herein by this reference thereto as Exhibit A.

CITY OF MOLINE, ILLINOIS

Mayor

September 20, 2022

Date

Passed: _____
September 20, 2022

Approved: _____
September 27, 2022

Attest: _____
City Clerk

Chapter 34 Fee adjustments: Redlined version for council consideration.

SEC. 34-1100. GROUNDS FOR TERMINATION.

Wherever in Chapter 34 of the Code of Ordinances involuntary termination of services is provided for, the procedures of Article I shall apply.

(1) All water, sewerage and stormwater drainage bills not paid within twenty (20) days after date of statement shall receive a pre-termination notice demanding payment within five (5) days, unless the fifth (5th) day falls on a Saturday, Sunday, or legal holiday, then payment may be made on the next business day. If payment is not made on the required day, the Public Works Department may terminate water and sewerage service, except as hereinafter provided. A forty-eight (48) hour turn off notice is posted on seriously delinquent water/sewer accounts. An administrative fee of twenty-five dollars (\$25.00) will be charged for staff time preparing and posting this notice. When service is terminated under this section, a ~~forty-five~~ ~~forty-five~~ ~~dollar~~ (~~\$45.00~~~~55.00~~) charge will be made for turning off water service. When service is reinstated, a ~~thirty-five~~ ~~forty~~ ~~dollar~~ (~~\$35.00~~~~40.00~~) charge will be made for turning water service back on. Bills due for water, sewerage and stormwater drainage shall be cumulative and may not be parsed or separated out in any manner. Failure to pay any portion thereof shall be treated as failure to pay under this chapter.

(2) Said five- (5-) day notice shall enumerate the administrative procedure for hearing in the event the amount of the bill is disputed.

(3) If the amount of the bill is disputed, the customer shall state the dispute in writing and shall submit said statement and payment of any undisputed portion of the bill prior to expiration of notice.

(4) The administrative hearing procedure shall occur prior to termination except as hereinafter provided.

(Ord. No. 3017-2006; Sec. 34-1100(1) repealed; new Sec. 34-1100(1) enacted; 04/04/06)

(Ord. No. 3023-2017; Sec. 34-1100(1) repealed; new Sec. 34-1100(1) enacted; 10/10/17)

SEC. 34-2103. SERVICE TAPS.

(a) No tap smaller than one (1) inch size shall be allowed or permitted.

(b) In the event that a property owner requests that the City install a small diameter service tap that is two (2) inches or smaller in size, the property owner shall pay a fee of ~~one hundred~~ ~~ten~~ ~~one hundred thirty~~ dollars (~~\$110.00~~~~130.00~~) for City labor and equipment. The property owner is responsible for all other costs associated with the tap, such as but not limited to, materials, excavation, backfill and paving restoration.

(c) In the event that a property owner requests that the City install a large diameter service tap that is greater than two (2) inches but twelve (12) or less inches in size, the property owner shall pay a fee of ~~three hundred twenty-five~~ ~~three hundred sixty~~ dollars (~~\$325.00~~~~360.00~~) for City labor and equipment. The property owner is responsible for all other costs associated with the tap, such as but not limited to, materials, excavation, backfill and paving restoration.

(Ord. No. 3027-2008; Sec. 34-2103 repealed; new Sec. 34-2103 enacted; 03/25/08; Ord. No. 3020-2010; Sec. 34-2103(c) repealed; new Sec. 34-2103(c) enacted; 04/13/10)

SEC. 34-2121. CHARGES AND COLLECTIONS.

(a) Quarterly charges for water supply by meter. The quarterly charges for water supply by meter shall be:

(1) The schedule of charges effective for all bills issued after January 1, 2012 to December 31, 2012, shall be:

Base Rate - \$5.22 per quarter/bill

Commodity Rate -\$4.08 per thousand gallons

Quarterly Capacity Charge \$25.36 for 5/8-inch meters
\$38.04 for 3/4-inch meters
\$63.40 for 1-inch meters
\$126.80 for 1 ½-inch meters
\$202.88 for 2-inch meters
\$380.40 for 3-inch meters
\$634.00 for 4-inch meters
\$1,268.00 for 6-inch meters

(2) The schedule of charges effective for all bills issued after January 1, 2013 to December 31, 2013 shall be:

Base Rate - \$5.72 per quarter/bill

Commodity Rate -\$4.46 per thousand gallons

Quarterly Capacity Charge \$27.77 for 5/8-inch meters
\$41.65 for 3/4-inch meters
\$69.42 for 1-inch meters
\$138.85 for 1 ½-inch meters
\$222.15 for 2-inch meters
\$416.54 for 3-inch meters
\$694.23 for 4-inch meters
\$1,388.46 for 6-inch meters

(3) The schedule of charges effective for all bills issued after January 1, 2014, until modified by Council, shall be:

Base Rate - \$6.26 per quarter/bill

Commodity Rate -\$4.89 per thousand gallons

Quarterly Capacity Charge \$30.41 for 5/8-inch meters
\$45.61 for 3/4-inch meters
\$76.02 for 1-inch meters
\$152.04 for 1 ½-inch meters
\$243.26 for 2-inch meters
\$456.11 for 3-inch meters
\$760.18 for 4-inch meters
\$1,520.36 for 6-inch meters

The per meter rates for service outside the City limits, but connected to the City-owned water system, shall be two hundred per cent (200%) of the above schedule of charges; however, the percentage applied to out-of-city service shall not apply to water service furnished to another governmental unit pursuant to a contract. Charges for service to such governmental unit shall be determined pursuant to the terms of said contract.

The minimum rate shall be charged as long as the meter remains in service. Upon a written request by the owner or authorized agent asking that the water be shut off and the meter removed, the department shall proceed to comply with such request and the minimum rate shall cease on the date when the meter is removed. Charges as determined in accordance with subsection 34-2121(f) will be made when the meter is removed and when the meter is again installed.

Upon written request of an owner or owner's authorized agent, asking that the public works department change meters from time to time because the owner's seasonal demands for water fluctuate, the department shall comply with such request, provided that the proper plumbing connections are in place and that a fee, as determined in accordance with subsection 34-2121(f), is paid for each requested meter change.

(b) Landscape meters. Those meters designated for measuring water for landscape use, which have been installed to avoid sewer charges, shall be charged actual gallons used as rounded to the nearest one thousand (1,000) gallons with the charge computed in accordance with Sec. 34-2121(a).

(c) Fire sprinkler service connections. All property owners using fire sprinkler service connections to the City's public water supply system shall pay an annual fee based on the size of the fire sprinkler service connection, in accordance with the following fee schedule:

Annual Fee

Size & Type of Connection

2012

2013

2014, and until modified by City Council

2-inch or less Sprinkler

\$80.74
 \$108.65
 \$146.21
 3-inch Sprinkler
 \$114.38
 \$153.92
 \$207.13
 4-inch sprinkler
 \$201.85
 \$271.63
 \$365.53
 6-inch Sprinkler
 \$336.42
 \$452.72
 \$609.22
 8-inch Sprinkler
 \$605.56
 \$814.90
 \$1,096.60
 10-inch Sprinkler
 \$874.70
 \$1,177.07
 \$1,585.97
 12-inch Sprinkler
 \$1,682.11
 \$2,263.60
 \$3,046.10
 16-inch Sprinkler
 NA
 \$4,640.05
 \$6,240.57

This fee shall be billed in four (4) equal quarterly installments, in addition to all other charges for water used elsewhere on the premises.

(d) Fire Hydrants on Private Property. All property owners who have or shall cause to be placed a fire hydrant on their own property for the purpose of fire protection thereof shall pay an annual fee for the same in accordance with the following fee schedule:

Annual Fee

Private Hydrant Charges

2012

2013

2014, and until modified by City Council

\$336.42

\$452.72

\$609.22

This fee shall be billed in four (4) equal quarterly installments, in addition to all other charges for water supply and service to the premises.

(e) New Services. All new services shall pay a fee of ~~ninety-one hundred~~ dollars (~~\$90.00~~~~100.00~~) per meter, plus the cost of the meter, with ownership of the meter retained by the City, said charge to be paid upon any of the following, and pursuant to the terms set forth herein:

- (1) Original meter installation;
- (2) Reinstallation of any meter;
- (3) Placement of additional meters on any existing service to provide individual metering in multi-family units or for separating water and sewer charges;
- (4) The setting fee may be waived for a general contractor; the property owner would then pay the setting fee upon transfer of service from the general contractor. Service may be shut off if terminated by the general contractor.

(f) Service Charge.

(1) For transfer of billing, when the service has not been terminated, the charge will be twenty-five dollars (\$25.00); however, in the case where the public works or accounts and finance departments are aware that a new occupant exists and the provisions of Section 34-2119 have not been met, an administrative fee of twenty-five dollars (\$25.00) will be charged for staff time preparing and posting notice to property. A turn-on fee of ~~thirty-five~~ ~~forty~~ dollars (~~\$35.00~~~~40.00~~) shall be assessed for turning on water during business hours for existing customers. A fee of ~~fifty-fifty-five~~ dollars (~~\$50.00~~~~55.00~~) shall be assessed for turning on water when a meter is also installed or reinstalled. A turn-off fee with meter removal during business hours will be charged ~~fifty-fifty-five~~ dollars (~~\$50.00~~~~55.00~~). Overtime charges shall be charged to the customer and shall apply to work performed in transferring the billing outside of regular business hours.

(2) Overtime charges in the minimum amount of ~~eighty-five~~ ~~one hundred-five~~ dollars (~~\$85.00~~~~105.00~~) for each occurrence shall be charged to turn on a water service outside of the normal business hours of the accounts and finance office.

(3) A service charge of twenty-five dollars (\$25.00) shall be charged to collect a meter reading and prepare an interim bill at a time that does not coincide with the routine meter reading cycle.

(4) When routine readings are requested for meters which are not used for City billing (sub-meters), the owner shall purchase and be responsible for each meter. Meter repairs shall be performed by public works personnel. Actual repair costs shall be billed to the owner's utility

account. A \$450.00 (four hundred fifty dollar) one-time route set-up fee shall be charged to the owner at the time meters are purchased. Recurring fees shall be billed as follows:

On-Cycle Readings

Reading Quantity

Fee

<10 meters

\$10.00

>10 meters

\$20.00

Off-Cycle Readings

<10 meters

\$20.00

>10 meters

\$30.00

(g) Coliform test charges. A fee of ~~fifteen-twenty-five~~ dollars (~~\$15.00~~~~25.00~~) shall be charged for each coliform test that is performed by the City for construction contractors, private individuals and other non-City entities.

(h) Collection of Service Charges.

(1) In the case only water or only sewer service is provided, to the fund providing the service;

(2) When both water and sewer service is provided, fifty-five percent (55%) to the water fund and forty-five percent (45%) to the water pollution control fund.

(3) When overtime charges are collected and if the water field representative did the turn-on and installation of meter, then the percentages of above apply; and otherwise, all to the water fund.

(i) Prorated Utility Billing. Whenever a utility bill is issued for a period of time less than a full quarterly billing cycle, the following fixed utility bill charges shall be prorated based on the number of actual service days: water capacity charge; sewer fixed charge; solid waste and recycling fee; and quarterly stormwater utility service charge.

(j) Use Charge Exemption for Red Water: Effective for all bills issued after January 1, 2020, and for so long as a water customer is affected by water discoloration due to iron concentration levels in excess of the Illinois Primary Drinking Water Maximum Contaminant Level, said affected customer shall be exempt from the City's commodity charge. Said customers shall pay all other fees and charges for water service.

(1) The exemption shall apply to the commodity charge that would have otherwise been due for the water consumed as measured by the water meter on the premises.

(2) The determination of whether the iron concentration level is in excess of the Illinois Primary Drinking Water Maximum Contaminant Level shall be made as follows: City public works department staff shall collect a sample of water at a tap within the premises, and said

sample shall be analyzed by certified staff at the City's public works facility to determine the iron concentration level.

(3) The exemption shall cease with the first billing issued after two (2) consecutive tests, conducted no less than two (2) weeks apart, in which the iron concentration level is at or below the Illinois Primary Drinking Water Maximum Contaminant Level.

Sec. 34-2121 Amendments:

Sub (a): Ord. No. 3079-2004; Sec. 34-2121(a) repealed; new Sec. 34-2121(a) enacted; 10/05/04; Ord. No. 3047-2006; Sec. 34-2121(a) repealed; new Sec. 34-2121(a) enacted; 11/07/06; Ord. No. 3022-2008; Sec. 34-2121(a)(1) repealed; new Sec. 34-2121(a)(1) enacted; 03/25/08; Ord. No. 3035-2008; Sec. 34-2121(a) repealed; new Sec. 34-2121(a) enacted; 05/27/08; Ord. 3047-2011; Sec. 34-2121(a) repealed; new Sec. 34-2121(a) enacted; 11/22/11

Sub (b): Ord. 3047-2011; Sec. 34-2121(b) repealed; new Sec. 34-2121(b) enacted; 11/22/11

Sub (c) or (d): Ord. No. 3017-2006; Sec. 34-2121(d) repealed; new Sec. 34-2121(d) enacted; 04/04/06; Ord. No. 3021-2008; Sec. 34-2121(c) and (d) repealed; new Sec. 34-2121(c) and (d) enacted; 03/18/08; Ord. 3047-2011; Sec. 34-2121(c)(d) repealed; new Sec. 34-2121(c)(d) enacted; 11/22/11; Ord. No. 3033-2013; Sec. 34-2121(c) and (d) repealed; new Sec. 34-2121(c) and (d) enacted; 10/08/13

Sub (e): Ord. No. 3024-2017; Sec. 34-2121(e) repealed in its entirety; new Sec. 34-2121(e) enacted; 10/10/17

Sub (f): Ord. No. 3017-2006; Sec. 34-2121(f) repealed in its entirety; new Sec. 34-2121(f) enacted; 04/04/06; Ord. No. 3027-2008; Sec. 34-2121(f)(3), (4) and (6) repealed; new Sec. 34-2121(f)(3) and (4) enacted; 03/25/08; Ord. No. 3045-2011; Sec. 34-2121(f)(1), (f)(2) repealed; new Sec. 34-2121(f1)(f2) enacted; 11/22/11; Ord. No. 3032-2013; Sec. 34-2121(f)(1) repealed; new Sec. 34-2121(f)(1) enacted; 10/08/13; Ord. No. 3024-2017; Sec. 34-2121(f) repealed in its entirety; new Sec. 34-2121(f) enacted; 10/10/17

Sub (g): Ord. No. 3017-2006; Sec. 34-2119(g) repealed; new Sec. 34-2119 enacted; 04/04/06

Sub (i): Ord. No. 3036-2015; Sec. 34-2121(i), "Delayed Billing," repealed in entirety; new Sec. 34-2121(i) enacted; 10/06/15; Ord. No. 3036-2015, Sec. 34-2121(i) repealed; new Sec. 34-2121 enacted; 10/06/15

Sub (j): Ord. No. 3042-2019; Sec. 34-2121(j) enacted; 12/10/19

Other: Ord. No. 3072-2004; Sec. 34-2121(e through h) repealed; new Sec. 34-2121 (e through i) enacted; 09/14/04

SEC. 34-2126. DEPOSIT FOR TEST OF METER.

Before making a test of any meter the person requesting such test shall, at the time of making application for test, make a deposit at the accounts and finance office of the amount charged for such test, subject to the conditions herein stated, which charges are fixed as follows:

Meter Size Fee Structure

Meter Size Fee Structure

5/8"	\$132.50 <u>140.00</u>
3/4"	\$132.50 <u>140.00</u>
1"	\$132.50 <u>140.00</u>
1-1/2"	\$212.00 <u>230.00</u>
2"	\$212.00 <u>230.00</u>
3"	\$305.00 <u>330.00</u>
4"	\$305.00 <u>330.00</u>
6"	\$305.00 <u>330.00</u>

No meter shall be removed or in any way disturbed, nor the seal broken, except in the presence of, or under the direction of, the director or said director's authorized agent. If meter test is positive, the fee will be waived.

(Ord. No. 3072-2004; Sec. 34-3126 repealed; new Sec 34-3126 enacted; 09/14/04; Ord. No. 3017-2006; Sec. 34-2126 repealed; new Sec. 34-2126 enacted; 04/04/06)

SEC. 34-3402. PRETREATMENT OF WASTEWATER.

(a) Pretreatment Facilities. Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 34-3401 of this ordinance within the time limitations specified by USEPA, the state, or the director of public works, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the director of public works and the IEPA for review, and shall be acceptable to the director of public works and IEPA before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City, and the state under the provisions of this ordinance.

(b) Additional Pretreatment Measures:

(1) Whenever deemed necessary, the director of public works may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this ordinance.

(2) The director of public works may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An Individual Discharge Permit may be issued solely for flow equalization.

(3) Grease, oil, and sand interceptors shall be provided when, in the opinion of the director of public works, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the director of public works and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense.

(4) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

(c) Accidental Discharge/Slug Control Plans. The City shall evaluate all SIUs for the need of a slug control plan within a year of becoming an SIU. The City shall also evaluate an industrial user's need for slug control plans on an appropriate frequency and consider applicable and relevant control measures for industrial user compliance. The director of public works may require any user to develop, submit for approval, and implement such a plan. Alternatively, the director of public works may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- (1) Description of discharge practices, including nonroutine batch discharges;
- (2) Description of stored chemicals;
- (3) Procedures for immediately notifying the water pollution control division of any accidental or slug discharge, as required by Section 34-3406 (f) (1-3) of this ordinance; and
- (4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(d) Hauled Wastewater.

(1) General Requirements. Industrial, landfill leachate, thin stillage corn syrup, septic tank, grease waste or any other wastewater hauled by truck or trailer may be introduced into the POTW only at locations and at such times as are established by the public works director ("director") or his designee. Any person, firm or corporation desiring to haul said waste to the City of Moline Wastewater Treatment Plant shall obtain a Waste Hauler Permit by registering annually with the director. Said director may prohibit or restrict, and has the right to refuse, the disposal of any or all hauled wastes. No load shall be discharged without prior consent of the director and samples may be collected from each hauled load to ensure compliance with applicable standards. Said waste shall not violate Section 34-3401 of this ordinance or any other requirements or provisions established by the City or the IEPA. Grease trap waste shall be exempt from the requirements set forth in Sec. 34-3401(a)(3)(q). The Waste Hauler Permit does not act as a general control mechanism, rather an additional permit that operates in conjunction with each user's Individual Discharge Permit (described in Section 34-3405 of this ordinance).

(2) Permit Requirements.

a. Grease Trap and Septic Waste Haulers. A Waste Hauler Permit fee of ~~fifty one hundred~~ dollars (~~\$50,00100.00~~) shall be required annually for each type of waste disposal and be valid for a one-year period commencing on January 1.

b. Industrial Waste, Landfill Leachate, Thin Stillage Corn Syrup Waste.

Generators. The director shall require generators to obtain the Individual Discharge Permit and submit a Supplemental (Baseline Monitoring) Report. If the generator is also the hauler, the generator shall be required to obtain a Waste Hauler Permit (fee exempt).

Haulers. The director may require contract haulers (not generator owned) to obtain an Individual Discharge Permit and submit a Supplemental (Baseline Monitoring) Report, in addition to the required Waste Hauler Permit.

c. Permit Registration. Permit registration shall consist of providing the legal business name of the person, firm or corporation; the address and telephone number of the business; the names of representatives, officers, or employees authorized to haul waste in the business name; vehicle identification; disposal site; known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

d. Insurance Requirements. Proof of liability insurance acceptable to the office of the director in the type and amount listed below:

Each applicant desiring to haul grease, septic tank, leachate, or thin stillage corn syrup waste to the City of Moline Wastewater Treatment Plant shall obtain and maintain for the duration of such permit registration, public liability and property damage insurance in the minimum amount and form as hereby specified: \$100,000.00 for each occurrence of property damage; and \$300,000.00 for each occurrence of personal injury or bodily harm. Such policy shall provide that it cannot be cancelled except upon written notification to the director at least thirty (30) days prior to the date of cancellation. Proof shall be a certificate of insurance; and

Proof that the applicant has obtained workers' compensation insurance or that the applicant is an approved self-insurer of workers' compensation. Proof shall be either the certificate of insurance from the insurance provider or the certificate of approval as a self-insurer issued by the Illinois Industrial Commission. If an applicant is a sole proprietorship or partnership and the applicant has no employees, the applicant shall not be required to provide proof of workers' compensation insurance. Such applicant's application shall include a sworn statement that said applicant has no employees.

(3) Receiving Fees. Waste hauler receiving fees for grease trap, septic, and industrial waste shall be based on the tank capacity of container per load. See 34-3414 for fees.

(4) Administrative Penalties.

a. Multiple violations of the Waste Hauler Permit, as defined in this section, may warrant administrative penalties, revocation of permit, and termination of discharge privileges to the Moline Wastewater Treatment Plant.

b. When the director finds that a user has violated, or continues to violate, any provision of this ordinance for a waste hauler permit, or any other pretreatment standard or requirement, the director may assess an administrative penalty to such user in an amount of at least one thousand dollars (\$1,000.00). Such penalties shall be assessed on a per violation, per day basis.

c. A lien against the user's property will be sought for unpaid charges, fines, and penalties.

d. Users desiring to dispute such penalties must file a written request to the director for reconsideration along with full payment of the fine amount within thirty (30) days of being notified of the penalty. Where a request has merit, the director may convene a hearing on the matter. In the event the user's appeal is successful, the payment shall be returned to the user. The director may add the costs of preparing administrative enforcement actions, such as notices and orders, to the penalty.

e. Issuance of an administrative penalty shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. No. 3054-2013; Sec. 34-3402(d) repealed; new Sec. 34-3402(d) enacted; 11/19/13)

(Ord. No. 3019-2019; Sec. 34-3402 (b)(2), (c), (d)(1), (d)(2)(b), and (d)(4)(b) repealed; new Sec. 34-3402 (b)(2), (c), (d)(1), (d)(2)(b), and (d)(4)(b) enacted; 7/16/19)

SEC. 34-3403. ENVIRONMENTAL REMEDIATION WASTEWATERS.

(a) City Requirements. Environmental Remediation Wastewaters (ERW), as defined in this ordinance, that are conveyed to the City by truck, rail, dedicated pipeline or sanitary sewer may be accepted by the City if all the requirements set forth in the following provisions of this ordinance and all applicable administrative procedures established by the director of public works are met.

Discharges into the sanitary sewers of such ERW as defined in this ordinance shall pay an ERW Discharge Fee of ~~one and three quarter two and one quarter~~ cents (~~\$0.01750.0225~~) per gallon for each gallon of such wastewaters delivered to the City under the provisions of this ordinance. Such charge shall be in lieu of flow, BOD and TSS charges as established by ordinance and rate ordinances in effect from time to time. Except as specifically superseded or modified, all rates and charges applicable to ERW, as defined in this ordinance, by reason of any City ordinance or ordinances, shall continue to be due and payable.

(Ord. No. 3053-2013; Sec. 34-3403(a) repealed; new Sec. 34-3403(a) enacted; 11/19/13)

(b) Non-Hazardous Waste. In order for the City to receive any wastewater for treatment, there must be assurances that the wastewater is non-hazardous as defined in 40 CFR 261 and 35 Illinois Administrative Code 721. This means that it must not be a listed hazardous waste and it must pass the four criteria as found in 40 CFR 261 of Section 20, which are summarized as follows:

- (1) It must not be a flammable waste, i.e., flashpoint must be >140 F.
 - (2) It has a pH not lower than 2.0 or higher than 12.5.
 - (3) Does not contain any 'reactive' chemicals such as cyanides, sulfides capable of generating a toxic gas.
 - (4) Passes the Toxic Characteristic Leaching Procedure (TCLP), which means it complies with all the criteria. Copies of the analysis must be on file at the City.
- (c) Compliance with Sewer Use Ordinance. The ERW discharged must comply with the requirements as found in this Sewer Use Ordinance, General Pretreatment Requirements.
- (d) ERW Discharge Permit:
- (1) The user is required to complete an Individual Discharge Permit Application in order to obtain an ERW Discharge Permit. The user would be required to get an ERW Discharge Permit

from the City before this particular ERW could be discharged. If the user has an existing Individual Discharge Permit, this permit would be amended to include these requirements.

(2) This ERW Discharge Permit would contain specific discharge limits and special conditions for the user. Permit review will follow the same time constraints as listed in Section 34-3404 of this ordinance. The potential user may have to provide certain chemical analysis and/or representative sample(s) to the City as necessary.

(Ord. No. 3019-2019; Sec. 34-3403 (d)(1) and (d)(2) repealed; new Section 34-3403 (d)(1) and (d)(2) enacted; 7/16/19)

(e) Permitted ERW Hauler. The aforementioned ERW that are hauled to the City by truck and tanker must be hauled by a City permitted ERW hauler. This is separate and different from IEPA special waste hauler permit, which is also required. The potential user can have its own truck and tanker permitted by filling out the appropriate City forms and paying the ~~fifty onw hundred~~ dollar (~~\$50-00100.00~~) permit fee. The permitted ERW hauler must comply with all City requirements relative to discharging at the treatment plant(s).

(f) Letter from IEPA. Where deemed necessary by the director of public works, the City will require a letter from the IEPA stating that the ERW is not a hazardous waste and shall determine that it is otherwise appropriate for the City to receive such waste.

(g) ERW Discharge Costs and Monitoring Charges. The City will bill the user for the ERW discharges into the sanitary sewers as per ordinance, which is currently ~~\$0.0175-0.0225~~ per gallon. The cost for City sampling and analysis are also covered in the ordinance, and are separate charges from ERW Discharge Fee.

(Ord. No. 3053-2013; Sec. 34-3403(g) repealed; new Sec. 34-3403(g) enacted; 11/19/13)

(h) Flow Metering Requirements. ERW that is discharged to the sanitary sewer from a facility must be measured volumetrically. This can be done either by installing a wastewater flow meter or a water metering device. If the ERW is trucked to the City's POTW for disposal, the volume discharged will be determined by the volume of the container or containment device on the truck.

(i) Sampling Manhole. For ERW discharged to the sanitary sewer, the potential user must provide a sampling point for the wastewater. In certain situations, a separate sampling manhole may be required. If a separate manhole is required, the sampling manhole must be constructed and approved according to City standards.

(j) IEPA Requirements:

(1) IEPA Construction Permit - If the potential user is required to install pretreatment equipment to control the pollutants in the ERW discharged, then the potential user would have to contact the Illinois Environmental Protection Agency, Division of Water Pollution Control (IEPA DWPC) concerning the need for a Construction Permit for the potential pretreatment system. The IEPA DWPC permit section would make the determination as to whether an IEPA Construction Permit would be necessary.

(2) IEPA Connection Permit - The potential users will have to obtain a Connection Permit if: 1) the ERW will be hauled to the POTW(s), or 2) if the user is not already connected to the sanitary sewer, or 3) is already connected to the sanitary sewer, but the proposed ERW is

substantially different than the normal process wastewater discharged. To obtain an IEPA DWPC Connection Permit, the potential user must fill out the appropriate IEPA DWPC forms.

(3) Operator Class K License - If a pretreatment system is constructed, the IEPA may require a Certified Class K Operator for the pretreatment system. The IEPA Operator Certification Unit can assist in determining if a particular Class K Operator License is required for the personnel of a potential user to operate the pretreatment system.

(4) IEPA Special Waste Stream Permit - If the ERW is to be hauled to the City by truck, the user will have to obtain an IEPA Special Waste Stream Permit. This application will be filled out by the user and sent to the City for signature. The user will mail this to the IEPA DWPC with copies to the City. If a special waste hauler permit is necessary, the hauler would be required to manifest the waste. To obtain information on this kind of permit, contact the IEPA Division of Land Pollution Control Permit Section.

The above requirements are listed as guidance only. Other specific criteria may vary and will be provided to any request or at the time of request for discharge to the sanitary sewer as deemed appropriate to the director of public works or the IEPA DWPC.

(k) Surface Water Run-Off. If the ERW is surface water run-off from stormwater associated with industrial activity as defined in 40 CFR 122.26(b)(14), then it shall subject to ERW charge. However, if the source of ERW is potable water from washing of manufacturing services such as loading platforms and docks, then the industrial user shall not be subject to the ERW charge.

(l) Groundwater Monitoring Wells:

(1) Development Wastewater shall not be considered ERW and therefore shall not be charged at the rate of \$0.0175 per gallon, but shall be charged at the domestic rate and must first be settled out to remove suspended solids before discharging to sanitary sewer or at the treatment plant. For purposes of this subsection, development wastewater shall be that water which contains sediment and clay and is encountered when the wells must be drilled and "developed" prior to groundwater pumping commencing at the site of contamination.

(Ord. No. 3053-2013; Sec. 34-3403(l)(1) repealed; new Sec. 34-3403(l)(1) enacted; 11/19/13)

(2) Purge Water, of volumes less than twenty (20) gallons may be discarded to the sanitary sewer and not require permit so long as such purge waters comply with the limits found in this ordinance. Said purge water will not be subject to the ERW charges imposed elsewhere in this ordinance. For purposes of this subsection, purge water shall be that water which is pumped out of several well volumes throughout the life of the groundwater monitoring well in order to take samples for analysis on an approximately quarterly basis.

(m) Groundwater Clean-Up. If the Industrial User (IU) is involved in a groundwater clean-up which is generating ERW and wishes to use this ERW as a substitute for potable water in the normal processes which generate wastewater, then the IU shall not be charged the \$0.0175 per gallon ERW Discharge Fee. However, the IU must demonstrate and prove to the satisfaction of the City by clear and convincing evidence that it is not using this as process wastewater as a means of avoiding the \$0.0175 per gallon ERW Discharge Fee. As part of this test, the IU must prove that they have not increased the amount of normal process wastewater to accommodate all of the ERW that is generated.

(Ord. No. 3053-2013; Sec. 34-3403(m) repealed; new Sec. 34-3403(m) enacted; 11/19/13)

(n) Underground Storage Tanks (UST) Wastewaters. Wastewaters found in UST, which shall be removed as part of the UST Program are to be considered ERW. Since the removal of UST can be considered a form of environmental remediation, the wastewater generated from such a project, whether it be from the storage tank itself or removal and recovery of contaminated groundwater directly underneath the tank shall be considered ERW.

SEC. 34-3414. PRETREATMENT CHARGES AND FEES.

(a) Purpose. The City may adopt reasonable fees for reimbursement of costs of setting up and operating the City's pretreatment program which may include:

- (1) Fees for Individual Discharge Permit applications including the cost of processing such applications;
- (2) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports submitted by users;
- (3) Fees for reviewing and responding to accidental discharge procedures and construction;
- (4) Fees for filing appeals; and
- (5) Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties chargeable by the City.

(b) Established Permits and Fees.

(1) Permit Fees.

- a. An Individual Discharge Permit ~~\$400.00~~\$500.00
- b. Renewal of an Individual Discharge Permit ~~\$350.00~~\$400.00
- c. Supplemental (Baseline Monitoring) Report ~~\$125.00~~\$150.00
- d. Waste Hauler Permit
 - ERW \$ ~~50.00~~100.00
 - Grease \$ ~~50.00~~100.00
 - Septic \$ ~~50.00~~100.00
 - Thin Stillage Corn syrup \$ ~~50.00~~100.00
 - Industrial and Landfill Leachate No Fee
(included in an Individual Discharge Permit)

(2) Pretreatment Fees.

- a. Industrial User Sampling (per sample) \$ ~~150.00~~175.00
- b. In-House Laboratory Testing Fees.

BOD ₅	\$ 20.00
Total suspended solids	\$ 16.00
Chemical oxygen demand	\$ 18.00
Oxygen demand index	\$ 18.00
pH	\$ 5.00
Fecal coliform	\$ 30.00
<u>Ammonia</u>	<u>\$15.00</u>

Formatted: Subscript

Total Phosphorus \$30.00

c. Contract Laboratory Testing Fees.

Laboratory testing fees (testing done outside City) will be the cost of the laboratory test(s) plus ten percent (10%) of test cost(s).

(3) Hauled Waste Fees.

a. Camper Trailer Discharge

Camper trailers (Moline residents only) No Fee
Camper trailers (Non-Moline residents) \$ 10.00

b. Hauled Wastewater Receiving Fees

(based on tank capacity of container per load)

Industrial Waste (landfill leachate and thin stillage)

\$0.05/gallon – Moline Origin

~~\$0.05~~0.075/gallon – Non-Moline Origin (Rock Island County only unless otherwise approved by director)

Septic Waste

\$0.05/gallon – Moline Origin

~~\$0.07~~0.10/gallon – Non-Moline Origin (Rock Island County only unless otherwise approved by director)

Grease Trap Waste

\$0.15/gallon – Moline Origin

~~\$0.20~~0.25/gallon – Non-Moline Origin (Rock Island County only unless otherwise approved by director)

(4) Environmental Remediation Wastewater (ERW) Discharge Fee

~~\$0.0175~~0.0225/gallon

(Ord. No. 3029-2009; Sec. 34-3414 repealed; new Sec. 34-3414 enacted; 10/20/09)

(Ord. No. 3046-2011; Sec. 34-3414(c)(d) repealed; new Sec. 34-3414(c)(d) enacted; 11/22/11)

Ord. No. 3054-2013; Sec. 34-3414 repealed; new Sec. 34-3414 enacted; 11/19/13)

(Ord. No. 3025-2017; Sec. 34-3414(b)(2) repealed; new Sec. 34-3414(b)(2) enacted; 10/10/17)

(Ord. No. 3019-2019; Sec. 34-3414 (a)(1), (b)(1)(a), (b)(1)(b), and (b)(1)(d) repealed; new Sec. 34-3414 (a)(1), (b)(1)(a), (b)(1)(b) and (b)(1)(d) enacted; 7/16/19)

COW/COUNCIL ACTION REPORT

September 20, 2022

An Ordinance amending Chapter 24, “PERSONNEL,” of the Moline Code of Ordinances, Section 24-3207, Appendix 1, by adding a job description for Right-of-Way Utility Technician.

SUGGESTED ACTION:

ATTACHMENTS: [3022-2022 HR ORD1 Fawn-Miller-Right-of-Way Utility Technician-CBx.pdf](#)
 [3022-2022 HR ORD1 Fawn-Miller-Right-of-Way Utility Technician-ATT.pdf](#)

Council Bill/General Ordinance No. 3022-2022

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 24, "PERSONNEL," of the Moline Code of Ordinances, Section 24-3207, Appendix 1, by adding a job description for Right-of-Way Utility Technician.

WHEREAS, the formal adoption of the job description for Right-of-Way Utility Technician is required; and

WHEREAS, the proposed job description accurately reflects the duties performed; and

WHEREAS, the administration has reviewed this matter and has recommended the course of action taken herein.

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

Section 1 – That Chapter 24, "PERSONNEL," of the Moline Code of Ordinances, Section 24-3207, Appendix 1, is hereby amended by adding a job description for Right-of-Way Utility Technician, provided said job description is substantially similar in form and content to that attached hereto as Exhibit A.

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 by law.

CITY OF MOLINE, ILLINOIS

Mayor

September 27, 2022

Date

Passed: September 27, 2022

Approved: October 4, 2022

Attest: _____

City Clerk

AFSCME GRADE	A54
FLSA	NE
WC	9410
EEO	02/20
POSITION	271

JOB TITLE: RIGHT-OF-WAY UTILITY TECHNICIAN

CHARACTERISTICS OF THE JOB

Under general supervision of a professional engineer or manager, performs program coordination/administration and technical work coordinating the use of the public's right-of-way. The work involves direct responsibility for the Engineering Department's Right-of-Way permit program, enforcing City ordinances, reviewing and coordinating the Engineering Department's review of right-of-way permits, inspecting contractors for permit compliance and the placement of appropriate traffic control in the field. Performs technical and quasi-professional functions such as traffic control plan preparation, review, communication with contractors and the public, policy and plan interpretation, field inspection of projects, and program activities.

The existence of this position depends on the availability of funding, including federal, state, local grant funding.

EXAMPLES OF DUTIES Other duties may be assigned.

Assist applicants in securing Right-of-Way Use Permits.

Evaluate contractors' plans for compliance to Moline Ordinances, and to determine appropriate fees and deposits as required.

Assess and recommend traffic control plans consistent with Moline Ordinances and the MUTCD.

Coordinate with Department Engineers to ensure appropriateness of location within the right-of-way and use.

Inspect right-of-way permits and worksites to ensure contractor compliance with permit conditions and appropriate traffic control is in place.

Field complaints and respond to the public and businesses as they relate to traffic control and permitted activities in the public right-of-way.

Educate contractors in regards to City Ordinances.

Prepare, understand and discuss construction documents including easements, rights of entry, and driveway permits with property owners affected by pending public works projects.

Enforce City Ordinance violations by preparing notice of corrective action.

Draft and prepare traffic control plans as necessary.

Attend meetings with contractors and other City staff, provide input as to traffic control.

Assist in conducting traffic-engineering studies.

Provide construction observation on work within the right-of-way and for public works projects as required.

REQUIREMENTS

Training and Experience

High school diploma or GED equivalent with a thorough understanding of algebra and trigonometry and five (5) years of experience in municipal public works; or any equivalent combination of training and experience which provides the required knowledge, skills and abilities.

Knowledge, Skills and Abilities

Thorough knowledge of standard engineering and/or traffic engineering nomenclature; mathematics; and fundamental principles, practices and techniques as they relate to municipal public works; the policies, practices, procedures and governing laws, ordinances and/or regulations pertaining to the Department including the FHWA's Manual on Uniform Traffic Control Devices; knowledge of the methods, techniques, tools, instruments and equipment used in public works projects, including ArcMap.

Skill in the use of ArcMap; the interpretation of technical drawing and contract documents; use of a motor vehicle.

Ability to interpret technical drawing and contract documents and engineering plans and make independent investigations of municipal engineering issues; recognize deviations in construction from approved construction plans; establish and maintain effective working relationships with other employees, contractors, property owners and the general public; follow oral and written instructions; and dispense technical information quickly, accurately, and in a tactful, courteous manner over the telephone, in writing and in person to members of the public.

Licenses and Certifications

Valid Illinois driver's license or equivalent.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to walk, sit and talk or hear. The employee is occasionally required to stand; use hands to operate technical and scientific instruments and equipment; reach with hands and arms; climb or balance; and stoop, kneel, crouch or crawl. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and ability to adjust focus. Work is performed under varied weather conditions in disagreeable conditions. The employee is occasionally exposed to moving mechanical parts, fumes or airborne particles, toxic or caustic chemicals and risk of electrical shock. The noise level in the work environment is usually moderate.

COW/COUNCIL ACTION REPORT

September 20, 2022

An Ordinance designating the Skelly Gas Station located at 820 5th Avenue, Moline, Illinois, as a locally designated landmark.

SUGGESTED ACTION:

ATTACHMENTS:

[3023-2022 PLA ORD Meister-Foley-Skelly Gas Station Landmark-CBx.pdf](#)
[3023-2022 PLA ORD Meister-Foley-Skelly Gas Station Landmark-ATT.pdf](#)

Council Bill/General Ordinance No. 3023-2022
Sponsor: _____

AN ORDINANCE

DESIGNATING the Skelly Gas Station located at 820 5th Avenue, Moline, Illinois, as a locally designated landmark.

WHEREAS, the City of Moline established an Historic Preservation Commission to preserve and protect historic sites and structures in Moline; and

WHEREAS, the City of Moline received an application from Felix and Mary Vallejo requesting designation of the Skelly Gas Station, located at 820 5th Avenue, as an historic landmark; and

WHEREAS, the Skelly Gas Station meets the criteria for a locally designated landmark, because it embodies the distinctive characteristics of a type of architecture, is significant in local history, and possesses integrity of design, materials and workmanship; and

WHEREAS, the Historic Preservation Commission recommends approval of the nomination after public hearing upon due notice.

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

Section 1 – That this Landmark Designation described herein is necessary to preserve the architectural integrity of the structure.

Section 2 – That the following described territory shall be and the same is hereby granted a Landmark Designation as provided in Chapter 25, “PLANNING & DEVELOPMENT,” of the Moline Code of Ordinances, Section 25-4105 “LANDMARK AND HISTORIC DISTRICT DESIGNATION PROCEDURES”:

The North 53.25 feet and West 32.0 feet of Lot Seven (7) in Block Number Twelve (12) of Pitts, Gilbert and Pitts Second Addition to Moline, situated in Section 32, Township 18 North, Range 1 West of the Fourth P.M. in Rock Island County, Illinois; known as and called, 820 5th Avenue, Moline, Illinois (a portion of PIN 08-32-316-001).

Section 3 – That this Landmark Designation authorizes and limits the development of the herein described real estate.

Section 4 – 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 by law.

CITY OF MOLINE, ILLINOIS

Mayor

September 27, 2022
Date

Passed: September 27, 2022

Approved: October 4, 2022

Attest: _____
City Clerk

June 13th, 2022 Meeting Minutes
MOLINE HISTORIC PRESERVATION COMMISSION

Commission Members	Present	Absent
Frank Ege	x	
Craig Mack	x	
Dan Mizner	x	
Brandon Tidwell	x	
Dick Potter		x
Barb Sandberg	x	
Jeffery Dimer		x
Sean Foley - Staff	x	

Public Hearing for Landmark Request - Skelly Station 820 5th Ave.

Landmarking Hearing called to order: At 4:00pm the hearing was called to order by Commissioner Mizner.

Introduction of Guests

Ryan Hvitlok, Director of Community and Economic Development - City of Moline
Kayla Meister, Admin Assistant - City of Moline
Irene Mekus, Planning and Zoning Technician - City of Moline
Jan Stoffer - Q.C. Preservation Consortium

Public Comments - N/A

Speaking Against the Property: None

Close Public Meeting: 4:02pm by Commissioner Mizner

Committee Discussion - Commissioner Sandberg shared that she felt the owners had brought back the property close to the original look both on the exterior and interior of the building. Best efforts to preserve the property were made and in her opinion it is a good candidate for local landmarking. Motion made by Commissioner Sandberg to approve the land marking of the Skelly Station. Motion was seconded by Commissioner Mack. Motion passed with all in favor.

Hearing adjourned at 4:04pm.

Regular meeting called to order: At 4:04pm the regularly scheduled HPC meeting was called to order by Commissioner Mizner.

Approval of Meeting Minutes for May 9th, 2022

Commissioner Sandberg motioned to approve minutes as submitted. The motion was seconded by Commissioner Mack. Motion carried, all in favor.

*** Proof of Publication ***

STATE OF ILLINOIS)
COUNTY OF ROCK ISLAND)
CITY OF EAST MOLINE)

NOTICE

NOTICE OF PUBLIC HEARING

Review of Nomination for a Local Historic Landmark Designation: Public notice is hereby given that on Monday, June 13th, 2022 at 4:00 p.m., the Moline Historic Preservation Commission will hold a public hearing in the Council Chambers of Moline City Hall, 619 16th Street, to consider the eligibility and approval of an application by Felix and Mary Vallejo, owners, for the designation of a Local Historic Landmark in accordance with Sections 25-4103 and 22-4105 of the Moline Code, on property located at 820 5th Avenue (PIN 08-32-316-001), Moline, IL. Interested parties, including the nominator(s), owner(s), City officials, and the public are invited to attend to be apprised of the proposal, to ask questions, to give testimony, and to submit evidence regarding the eligibility of the proposed landmark designation.

The undersigned, hereby certifies that Lee Enterprises, Incorporated is a corporation, existing and doing business under the laws of the State of Delaware, licensed to do business in the State of Illinois, is publisher of The Dispatch/Rock Island Argus, and further certifies that the public notice attached hereto, was printed and published in said newspaper 1 time(s) in each week for 1 successive week(s), for publication dates as listed below.

Persons wishing to appear as "Interested Parties," who wish to present testimony or question witnesses presented at the hearing shall identify themselves as such by completing and filing the "Interested Parties Appearance Form" with Claire McKay at City Hall. You can find the Interested Parties Appearance Form, Public Hearing Cross Examination Form and all application materials online at https://moline.il.us/1506/ or they are also available at Moline City Hall in the Community & Economic Development Department. You may also call 309-524-2030 for assistance. Comments may be emailed to sfoley@moline.il.us before 12:00 noon on the day of the meeting.

City of Moline
Community & Economic Development Department
619 16TH STREET
MOLINE IL 61265

ORDER NUMBER 126812

CHAIR, HISTORIC PRESERVATION COMMISSION CITY OF MOLINE, IL
c/o Claire McKay
Community & Economic Development Administrative Assistant

The undersigned, further certifies that The Dispatch/Rock Island Argus is now and has been for more than one year continuously, a daily secular newspaper of general circulation published in the City of East Moline, County of Rock Island, State of Illinois, and further certifies that said newspaper has been continuously published at a regular interval of more than once each week with more than a minimum of fifty issues per year for more than one year prior to the first publication of the notice, and further certifies that The Dispatch/Rock Island Argus is a newspaper as defined by the Statutes of the State of Illinois in such cases made and provided, and further hereby certifies that the annexed notice is a true copy, and has been regularly published in said paper.

IN WITNESSETH WHEREOF, Lee Enterprises, Incorporated has signed this Certificate by Deb Anselm, Publisher of The Dispatch/Rock Island Argus, or by her authorized agent this 22 day of

May, 2022

LEE ENTERPRISES, INCORPORATED
d/b/a THE DISPATCH/ROCK ISLAND ARGUS

By: Damine Glascock
Publisher or his/her Authorized Agent

Date: May 22, 2022

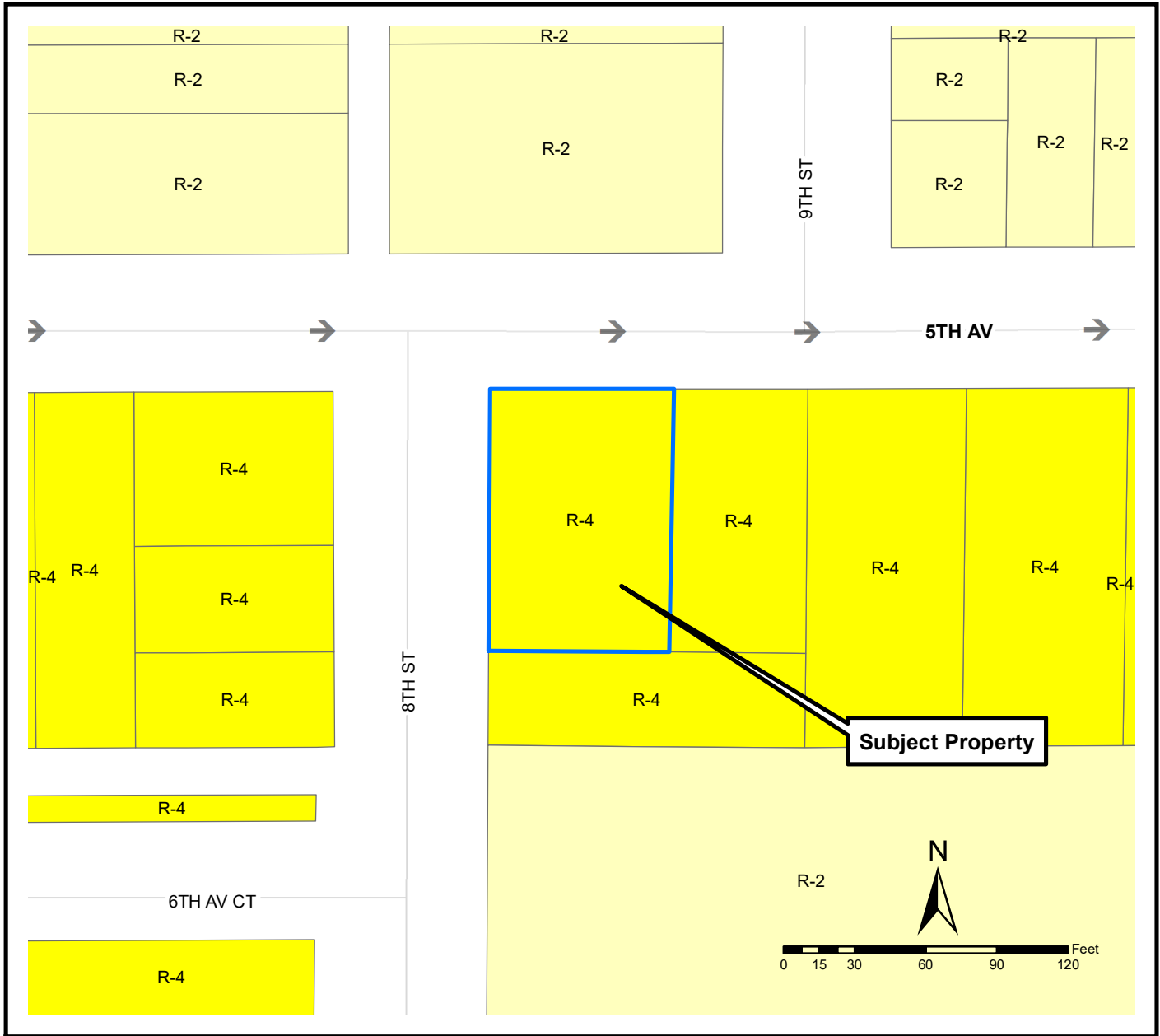
Section: Legals

Category: 2627 Miscellaneous Notices

PUBLISHED ON: 05/22/2022

TOTAL AD COST: 79.96

FILED ON: 5/22/2022



**2022-04-HPC
LANDMARK DESIGNATION REVIEW**

Property PIN: 08-32-316-001
 Property Address: 820 5th Avenue
 Parcel-area size: 8250 sq. ft. (0.18 acres)
 Zoning: "R-4" 1 to 6 Family Dwelling District

Request: To designate property as a Local Landmark

*HISTORIC PRESERVATION COMMISSION: 2022 jUNE 13th
 Map: Community and Economic Development Department*

ZONING	
	"R-2" One-Family Residence District
	"R-2" PUD One-Family Residence
	"R-4" One to Six Family Dwelling District
	"R-6" Multi-Family Residence District
	"R-6" PUD Multi-Family Residence District Planned Unit Development
	"R-7" Mobile Home Park District
	"B-1" Neighborhood Business District
	"B-2" Central Business District
	"B-3" Community Business District
	"B-3" PUD Community Business District
	"B-4" Highway/Intensive Business District
	"B-4 PUD" Highway/Intensive Business District Planned Unit Development
	"I-1" Light Industrial District
	"I-2" General Industrial District
	"NC" Neighborhood Center District
	"O-1" Office District
	"ORT" Office/Research Park and Technology District
	"AG-2" General Agricultural District
	"C-2" Conservation District



LANDMARK NOMINATION APPLICATION

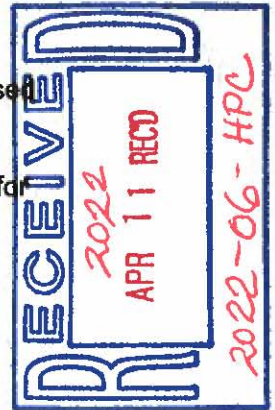
SKELLY GAS STATION 820-5TH AVE Mol.
 Common Street Address of Property
FELIX & MARY VALLEJO 501-8th St Mol.
 Name and Address of Property Owner(s)

Is the Owner aware of the Proposed Designation? Yes No

Please attach supporting documents setting forth the various reasons for requesting designation. Please refer to the criteria listed in the Code of Ordinances Chapter 25, Article IV and the Landmark Guideline handout.

For consideration, an application for nomination of a Landmark should minimally include the following:

- (1) The name and address of the property owner(s) of the proposed Landmark.
- (2) The legal description (available from the abstract or Rock Island County Recorder of Deeds office) and common street address of the property and/or a map delineating the boundaries of the area.
- (3) A written history describing the property and setting forth reasons in support of the proposed designation.
- (4) Documentation that the property owners have been notified or consent to the application for designation.
- (5) Documentation of the building or structure construction date, if possible.
- (6) A list of significant exterior architectural features that should be protected.
- (7) Photographs and overall site plan.
- (8) A complete bibliography of research sources used to write the application with applicable footnotes or endnotes.



Applicant's Name: FELIX VALLEJO
 Group/Association (if any): _____
 Address of Applicant: 501-8th St Phone: 309-236-0656
 Signature: [Handwritten Signature] Date: 4/3/2022

SUBMIT NOMINATION TO: City of Moline
 Community & Economic Development Department
 619 - 16th Street
 Moline, IL 61265

Revised 10/7/20

Nomination for Landmark Destination

**Skelly Gas Station
820 5th ave
Moline, Illinois**

Legal Description :

820-5th ave: Parcel# 08-32-316-001

**Lot 7 BLOCK 12 PITTS GILBERT AND PITTS 2ND ADD ADD W 9 FT OF N 110 FT
OF L6 AND N 110**

Nomination Criteria

The applicant believes the Skelly Gas Station meets the following criteria as set forth in the Moline Historic Preservation Ordinance:

1. It had significant help in creating American driving culture.
2. The property is one of few remaining gas stations portraying design aesthetics from the high style age of service stations.

In support of criteria #1:

By the 1930's, the City of Moline's auto population had grown along with auto dealerships in the downtown area. In response to the growth, filling stations were built at the edges of downtown. Drive-in gas stations weren't just about fuel; they offered free air, water, crankcase service, and tire and tube service. Each station had a manager (owner) and attendants to refuel and facilitate needed repairs. Gas stations helped shape American travel, selling the first commercial road maps in the United States. Before there were gas stations, consumers bought gasoline out of a barrel at the grocery or hardware store. But the new market for gas and consumer desire to buy gas led to a landscape dotted with gas stations. Although it doesn't seem revolutionary now, their service and structural positioning changed retail and travel in the United States. Gas stations were the first commercial buildings to be set back from the street. The design accommodated consumers without disrupting street traffic which became a model that has come to dominate the American retail landscape. Geographically, the 820 5th Avenue Skelly Station sits below the Butterworth, and Deere-Wiman historical homes on 8th St & 11th Ave in Moline, IL. This Skelly Station most likely served those titans of industry which, as we know, shaped Moline.

In support of criteria # 2

The local Skelly franchise opened in 1932 managed by Wallace L. Mitchell. A service bay was added to the building in 1938, tripling the structure's footprint. Aesthetically, Tudor Revival residential structures were popular throughout the 1930's. The popular residential design was naturally translated into to gas stations= design to blend in with the surrounding

neighborhoods. On this building Tudor Revival influences are seen in the timber/stucco gables and the diamond-pane glass windows. Currently, the diamond shaped windows hold replicated Skelly logo signage. Tudor Revival with brick base design was a corporate brand for Skelly. Through research, it is seen that the last year of operation as a Skelly Service Station was 1958. Other busnises followed over the years. They include: A-1 Heating and Filter Service, Coyna's Auto Repair, Junior Achievement, and an antique shop. The building remained as a storage building from 1977 to 2017. In 2018, ownership transferred to Felix & Mary Vallejo. The two cleaned it out and began restoring the facade in accordance to its original design. With the help of the Global Communities, Felix and Mary were connected with Dan Mizner of Habitat for Humanities & the Historic Preservation Commission. Dan's guidance, helped ensure restoration was carried through properly.

Summation:

We believe that this Skelly Station possesses historical integrity of facade design, showcasing craftsmanship of the 1930s and because of its location, will serve as a significant contributor to Moline Local Landmark Destinations. .

As a historical site, the Skelly Station will be a very visual and easily accessible tourist attraction. In addition, a vintage gas pump will soon sit in front of the station, providing a great photo opportunity for vintage car enthusiasts to step back in time.

There is strong potential for adaptive reuse of this unique historic structure in the Floreciente Neighborhood.

SHEET NUMBER **A**
 CONTINUED
 SEC. 24
 SE SW NW NE
 10 ACRES EACH
 SE SW NW NE
 40 ACRES EACH
 LOTS 1 to 0
LAND INDEX
 BLOCK _____ SECTION _____
 ADDITION _____ TOWNSHIP _____
 CITY _____ RANGE _____

LEGAL DESCRIPTION OF PROPERTY
 LOT 6 BLOCK 12
 PITTS, GILBERT & PITTS 2ND ADD.,
 MOLINE

GRANTEE	GRANTOR <i>sc/11/24</i>	KIND OF INST.	DATE OF INST.			DATE OF FILING		RECORDED BOOK PAGE	DATE RELEASED	REMARKS
			Month	DAY	YEAR	Month	DAY			
FARRELL, MARGARET L.	MAYFIELD, T. EMERY & HATTIE D.	WD	AUG	25	1928	AUG	29	1928	244 526	S 40'
LUNDGREN, LOYAL & PEARL	PED. SAV. BANK & TR. CO.	REL	OCT	18	1928	OCT	19	1928	173 444	162-493, S 40'
RICE, FANNIE J.	LEWIS, ANNE E. & LADETTE C.	AGREMT	JUL	16	1927	FEB	23	1929	213 256	W9' of N110'
LEWIS, ANNIE G. & LADETTE C.	BLAUVELT, FANNIE J. & JESS E.	Q.C.	JAN	1931	JAN	13	1931	259 309		W.9' N.110'
MITCHELL, WALLACE	LEWIS, ANNE E. & LADETTE C.	AGREMT	JAN	12	1931	SEP	21	1931	224 541	W 9' of N 120'
SKELLY OIL COMPANY	MITCHELL, WALTER L.	LEASE	AUG	2	1932	SEP	21	1932	229 82	
SKELLY OIL CO.	MITCHELL, WALLACE L.	LEASE	AUG	20	1937	SEPT	15	1937	263 110	
SKELLY OIL CO.	MITCHELL, WALLACE L.	LEASE	MAY	14	1938	JUN	15	1938	268 39	
BOCKHART, MEDARD & BERTHA	ENTRIKEN, W. J.	AFFID	AUG	31	1900	JULY	10	1941	324 208	In Res D. Benton Pitts
COLLO, FRANK W.	FARRELL, MARGARET L. & JOHN J.	W.D. REC.	AUG	18	1941	AUG	19	1941	338 208	S.40' W.9' N.110'
COLLO, FRANK W. JR.	LEWIS, ANNE E. BY EXEC.	DEED	FEB	24	1945	MAR	5	1945	365 110	SUBJ. TO RT. OF WAY
WAHLBERG, HANNAH & KARL W. ET AL	MITCHELL, WALLACE	Q.C.	MAR	2	1945	MAR	5	1945	365 112	DO, N.110' E.57' & RT. OF S.12' W.110' W.9'
BODFORS, E.M. ET AL	SKELLY OIL CO.	Q.C.	FEB	28	1945	MAY	8	1945	364 556	WAY OVER
BAKER, SAMUEL J. & MARY	MITCHELL, WALLACE L. M. ET AL	Q.C.	JAN	3	1945	MAY	8	1945	364 559	DO.
COLLO, FRANK W	WAHLBERG, HANNAH, KARL W. & BLANCH	W.D.	APR	10	1945	MAY	8	1945	364 560	DO.
MOLINE, CITY OF	COLLO, FRANK W. JR.	Q.C.	MAR	19	1945	APR	2	1945	375 379	W.9' N.110'
DO.	COUNTY CLERK	TAX CERT.	NOV	10	1945	JULY	9	1945	380 318	W.75' N.100' N.10' S.80'
SOUTHWICK, KEITH E.	DO.	DO.	NOV	10	1945	JULY	9	1945	380 319	DO.
MEHL, JOSEPH & HELEN	COLLO, FRANK W.	W.D.	OCT	3	1945	OCT	7	1945	385 286	W.9' N.110'
	SOUTHWICK, KEITH E. & GERALDINE	W.D.	OCT	4	1945	OCT	7	1945	385 287	DO.

ROCK ISLAND COUNTY
 ROCK ISLAND, ILLINOIS

**Total Cost Listed at \$6900;
Fifty-three Permits Are
Issued by Faust.**

Gust Faust, Moline building inspector, issued fifty-three building permits this week, two of which were for construction of new houses. This makes a total of eighty-nine new houses which have been built or are under construction in the city since January 1.

Permits for new residences were for Charles E. Nelson at 4124 Tenth avenue, \$2100, and Harold W. McCarl at 2355 Thirtieth street, \$4800.

Permits Listed.

Other permits issued are as follows:

Mrs. Leslie Benck, 2820 Twenty-sixth avenue, enclose porch, \$35.

D. J. Settle oil station, 4905 Fourth avenue, furnace, \$450.

Jens Jensen, 2823 Twenty-third avenue, replace furnace, \$175.

Henry Kuehl, 1410 Sixteenth street, reroof residence, \$47.

Henry Kuehl 1541 Twenty-fourth avenue, reroof front porch, \$9.

Skelly Oil company, 820 Fifth

avenue, addition to filling station, \$100.

Axel Christenson, 410 Twentieth avenue, replace furnace, \$65.

Trignon DeWalsche, 1828 Third street, new floor, 50.

Howard Nelson, 1620 Nineteenth avenue, reroof residence, \$145.

Rene Caules, 624 Fourth avenue, new floor in tavern, \$175.

Herman Lackey, 2506 Fifth avenue, addition to porch, \$40.

John Cooper, 2207 Fourteenth street, addition to present building, \$50.

International Harvester company, foundation base for smoke stack, \$25.

Volmer Moss, 616 Railroad avenue, reroof residence, \$50.

Nels Christenson, 1425 Fifteenth street, loading platform and repairing store front, \$300.

A. G. Umbarger, 2135 Twelfth street, hot air register, \$49.

Shearer agency, 2317 Thirty-first street, furnace, \$188.

Reuben Johnson, 2700 Twenty-fifth avenue, furnace, \$573.

Johnson and Reeder, 302 Seventeenth avenue, furnace, \$160.75.

Leslie Nelson, Fifty-fourth street and Eleventh avenue, furnace, \$210.

Lee Swanson, 1712 Thirteenth avenue, enclose back porch, \$25.

John J. Normoyle, 607 Third avenue repair roof \$700

Fifteen

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avenue

C. I

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John

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L. E

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FILLING STATIONS WILL BE ERECTED

Council Grants Two Permits; Is Presented with New Flag.

Permits for construction of two new gasoline filling stations in Moline were granted by the city council at its meeting last night.

The granting of the applications was recommended by the street and alley committee. The first of the new buildings is to be erected by Mason Carruthers at Fifty-third street and Fourth avenue. The second is to be built by W. L. Mitchell at Eighth street and Fifth avenue.

The aldermen voted to award the contract for insuring city automobiles to the Tarbox-Nelson Insurance agency on a bid of \$774.92. Nine bids were received, Alderman Frank Herbst, chairman of the finance committee, announced.





COW/COUNCIL ACTION REPORT

September 20, 2022

An Ordinance amending Chapter 35, “ZONING AND LAND DEVELOPMENT,” of the Moline Code of Ordinances, by enacting an amendment to the Zoning Map, incorporated therein as Section 35-3103 (151 19th Avenue).

SUGGESTED ACTION:

ATTACHMENTS: [3024-2022 PLA ORD Meister-Foley-2022-14-PC Rezoning-CBx.pdf](#)
[3024-2022 PLA ORD Meister-Foley-2022-14-PC Rezoning Staff Report-ATT.pdf](#)

Council Bill/General Ordinance No. 3024-2022

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 35, “ZONING AND LAND DEVELOPMENT,” of the Moline Code of Ordinances, by enacting an amendment to the Zoning Map, incorporated therein as Section 35-3103 (151 19th Avenue).

WHEREAS, the Plan Commission has received a request for rezoning sufficient in form and content; and

WHEREAS, the Plan Commission, after public hearing upon proper notice, has made its recommendation; and

WHEREAS, this Council finds and declares that a change from “B-1” Neighborhood Business District to “B-3” Community Business District zoning will be more consistent in relation to the comprehensive zoning plan embodied in Chapter 35, “Zoning and Land Development,” of the Moline Code of Ordinances (hereinafter “Moline Zoning and Land Development Code”).

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

Section 1 – That the following described territory shall be, and the same is, hereby changed from zoning classification “B-1” Neighborhood Business District, as provided in Section 35-3307 of said Zoning and Land Development Code, to zoning classification “B-3” Community Business District, as provided in Section 35-3310 of said Zoning and Land Development Code.

Lot 1 of the Free Addition, a 0.95-acre tract of land, located at the northeast corner of 1st Street and 19th Avenue, addressed as 151 19th Avenue (PIN 17-06-215-002).

Section 2 – That the City Planner is hereby directed to amend the Zoning Map as provided in Section 35-3103 of the Moline Zoning and Land Development Code and to enter a notation thereon, as to show that the above-described area is established as above set forth and shall hereinafter be included in “B-3” Community Business District.

Section 3 – That the foregoing amendment to the Moline Zoning and Land Development Code was made after public hearing, of which due notice by publication and by mail to property owners within 250 feet of said territory was given, held before the Moline Plan Commission under said Moline Zoning and Land Development Code, and at the report of said Moline Plan Commission to this Council, all as required by ordinance and law.

Section 4 – 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

September 27, 2022
Date

Passed: September 27, 2022

Approved: October 4, 2022

Attest: _____
City Clerk

STAFF REPORT
Department of Community and Economic Development
Rezoning Request
2022-14-PC

GENERAL INFORMATION

Owner/Applicant: JP Morgan Chase Bank, National Association

Requested Action: Rezoning from B-1 (Neighborhood Business District) to B-3 (Community Business District) to allow Sales & Services, In-Vehicle (Drive-Through).

Location: 151 19th Avenue

Size of Tract: Approximately 0.95 Acres (~41,380 sq ft)

Existing Land Use: Vacant. Prior use was a financial office with a detached multiple drive through facility.

Existing Zoning: B-1 (Neighborhood Business District)

Surrounding Land Use: North: R-2 (One-Family Residential), East: R-2 (One-Family Residential), South: B-3 (Community Business District), West: R-2 (One-Family Residential) and B-1 (Neighborhood Business District)

BACKGROUND

The subject property currently has two (2) vacant buildings on the lot, a former financial office, and a detached, multiple drive through facility. The applicant is proposing to demolish the exiting bank building and replace it with a drive-through coffee shop. Drive-through facilities are allowed under the Sales and Service, In-Vehicle land uses. This principal use is not allowed in the B-1 district but is first allowed in the B-3 district. Therefore, the property must be rezoned to allow for the proposed use.

ANALYSIS AND REVIEW CRITERIA (see Sec. 35-2203 and Approval Criteria)

In determining whether the proposed amendment shall be approved, the following factors shall be considered:

(1) Whether the existing text or zoning designation was in error at the time of adoption.

Given the established zoning designations, the land uses in this area, and the previous use, it does not appear that the existing B-1 zoning was in error at the time of adoption.

- (2) Whether there has been a change of character in the area or throughout the city due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.**

The location of this property is in a well-established, mixed-use, part of Moline. There has been no major change of character in the area brought on by any development, trends, public facilities improvements, etc. The previous financial complex was an allowable use in the existing district. The location of this parcel is such that the more intense B-3 zoning district is located to the south, across a major three (3) lane thoroughfare which provides a buffer from the less intense districts to the north.

- (3) Whether the proposed rezoning is compatible with the surrounding area and defining characteristics of the proposed zoning district or whether there may be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new zone may generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances.**

The proposed rezoning is not compatible with the surrounding areas. As mentioned, there is an R-2 zoning district to the north, east and west of this property. The existing single-family homes are established structures. In addition, St. Paul's Lutheran Church is adjoining the property to the east. Not only could the proposed drive-through coffee shop have a negative impact on the area, but the other uses allowed under the R-3 zoning district would also have an adverse impact.

- (4) Whether the proposal is in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this Code, and other City regulations and guidelines.**

The land use classification shown in the Comprehensive Plan Future Land Use map shows commercial as the desired use.

The proposed rezoning seems consistent with the following Goals as indicated in Chapter 7 of the Comprehensive Plan: Goal #3: Business Development and Retention.

- (5) Whether adequate public facilities and services are available or will be made available concurrent with the projected impacts of development in the proposed zone.**

There does appear to be adequate public facilities and services already to the property.

- (6) Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs.**

There does appear to be adequate supply of land for the proposed development.

(7) Whether there is a need in the community for the proposal and whether there will be benefits derived by the community or area by the proposed rezoning.

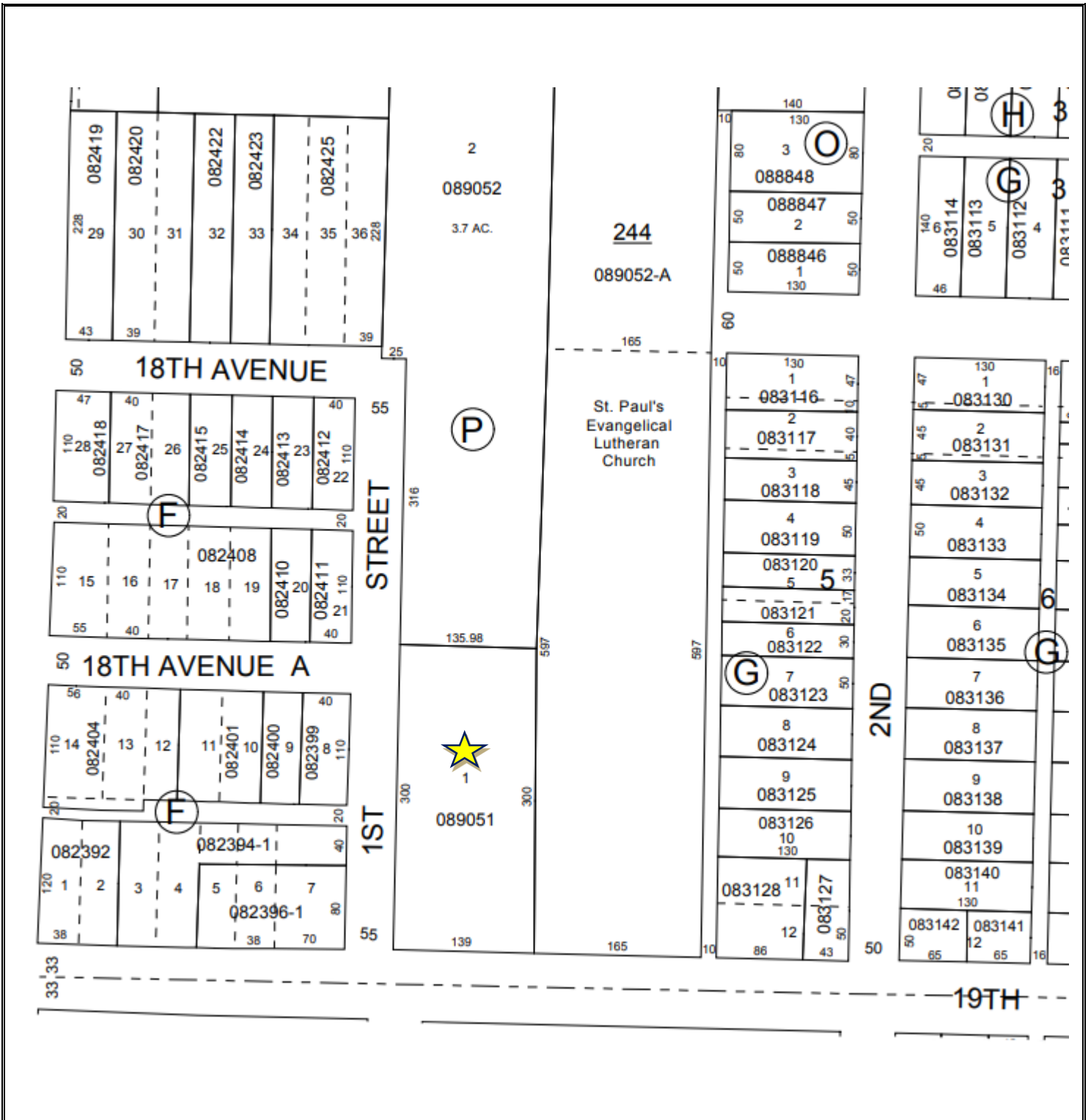
The property has been sitting vacant for some time under the existing zoning. A rezoning might eliminate a possible lengthy vacancy.




STAFF RECOMMENDATION

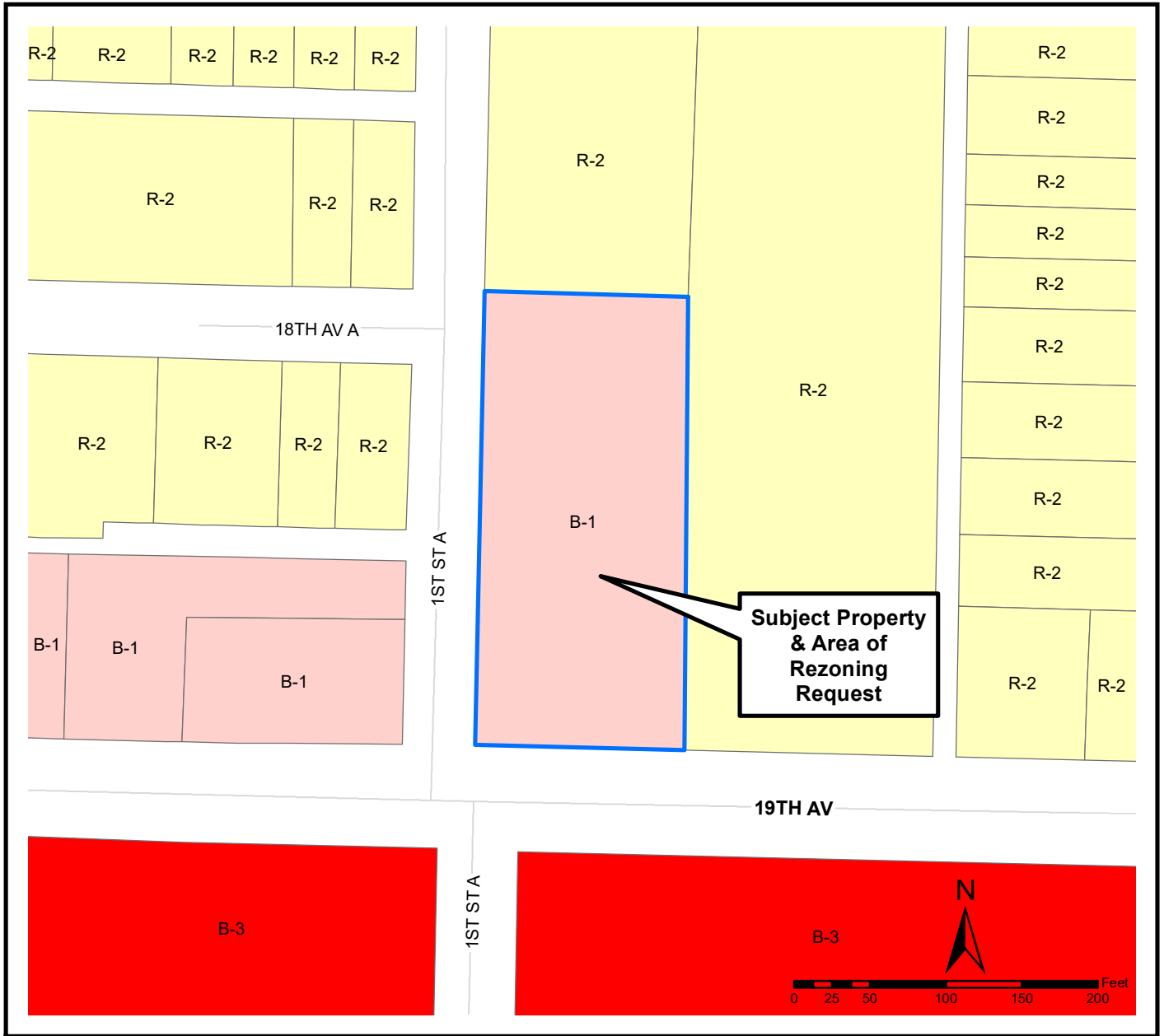
Based on factors 1, 2 & 3 the request does not meet these criteria and does not appear compatible with the surrounding zoning and uses. It is recommended that Plan Commission deny the request to rezone the subject property from B-1 to B-3.

ATTACHMENTS

1. Tax Parcel map (location map)
2. Surrounding zoning map
3. Site Plan
4. Application form
5. Owner/applicant disclosure forms



	PLAN COMMISSION	Tax Parcel Exhibit
	NORTH  CITY OF MOLINE COMMUNITY DEVELOPMENT DEPARTMENT	 Subject Property PIN: 17-06-215-002



2022-14 PC – REZONING REQUEST

Applicant: JP Morgan Chase Bank, National Assoc.
 Property PIN: 17-06-215-002
 Property Address: 151 19th Avenue
 Acres: 0.95

Requested change:
 From: "B-1" Neighborhood Business District
 To: "B-3" Community Business District

PLAN COMMISSION: 2022 July 27th

Map: Community and Economic Development Department

ZONING	
	"R-2" One-Family Residence District
	"R-2" PUD One-Family Residence
	"R-4" One to Six Family Dwelling District
	"R-6" Multi-Family Residence District
	"R-6" PUD Multi-Family Residence District Planned Unit Development
	"R-7" Mobile Home Park District
	"B-1" Neighborhood Business District
	"B-2" Central Business District
	"B-3" Community Business District
	"B-3" PUD Community Business District
	"B-4" Highway/Intensive Business District
	"B-4" PUD Highway/Intensive Business District Planned Unit Development
	"I-1" Light Industrial District
	"I-2" General Industrial District
	"NC" Neighborhood Center District
	"O-1" Office District
	"ORT" Office/Research Park and Technology District
	"AG-2" General Agricultural District
	"C-2" Conservation District



APPLICATION FOR AMENDMENT TO ZONING & LAND DEVELOPMENT CODE AND REZONING

(For staff only) PC Case No. 2022-14-PC

Filing Date 2022 JUL 01

\$650 Filing Fee (non-refundable) submitted: CHK # 10760

The undersigned Owner of Record or Agent requests that an amendment be made to the Zoning and Land Development Code of the City of Moline, Illinois.

APPLICATION TYPE (check one)

- REZONING.** Complete Section 1 and Section 2 below and attach additional documentation if necessary.
- TEXT AMENDMENT.** Attach a detailed copy of the proposed amendment(s) and complete Section 2 below.

SECTION 1

Legal Description from Deed or Survey (attach additional sheets if necessary):

See attached.

Property Location (Street Address): 151 19th Avenue Moline, Rock Island County, Illinois 61265

Parcel Number: 17-06-215-002-0000 Total Area (Acres or Square Feet): 2,852

Present Zoning Classification: B-1 Proposed Zoning Classification: B-3

Present Use: Bank Proposed Use: Starbucks

Owner Name: JPMorgan Chase Bank, National Association

Owner Mailing Address: 237 Park Avenue, 12th Floor New York, NY 10017-3140

Owner Phone Number: _____ Owner Email Address: _____

SECTION 2

Applicant/ Authorized Agent Name: Bradley L. Heinrich

Applicant Mailing Address: 10540 N 2nd Street Machesney Park, IL 61115

Applicant Phone Number: 815-222-8887 Applicant Email Address: bheinrich1@aol.com

Signature of Applicant (for text amendment) or Signature of Owner of Record or Authorized Agent (for rezoning)

Note: Authorized Agent must attach written authorization from Owner of Record.

DocuSigned by:
Deborah Simon
04C7D75B18204F

Jun 27, 2022 | 10:52

Signature

Date

REQUIRED ATTACHMENT: Interested Party Disclosure Form

EXHIBIT A

PROPERTY DESCRIPTION

Property Location: 151 19th Avenue, Moline, Rock Island County, Illinois, 61265

Property Description: A single story approximately 2,852 square-foot building situated on a site of approximately .93 acres.

Parcel Number: 17-06-215-002-0000

Legal Description:

Lot 1 in Free Addition to the City of Moline, Illinois, a part of Heirs of C.F. Mueller's Assessors Plat, located in the SW1/4 of the NE Section 6, Township 17 North, Range 1 West of the 4th PM situated in Rock Island County, Illinois.

RECEIVED

JUL 1 2017

**CITY OF MOLINE
COMMUNITY & ECONOMIC
DEVELOPMENT DEPARTMENT
619 16TH STREET
MOLINE, IL 61265**

STATE OF ILLINOIS } ss.
 Rock Island County } 745416
 No. 745416
 Filed for record this 1st
 day of October, A. D. 1973
 at 1:35 o'clock P. M. and recorded
 in Book 43
 of Chats on page 382
 of Chats
 Fee, \$10.50, Recorder of Deeds.

745416

STATE OF ILLINOIS, ROCK ISLAND COUNTY
 Filed and Recorded October 1, 1973, at Rock Island, Ill.
 Plat No. 43 Page 382 of Chats

FREE ADDITION

CITY OF MOLINE, ILLINOIS
 PART OF HEIRS OF C.F. MUELLER'S
 ASSESSORS PLAT, LOCATED IN THE
 SW 1/4 OF THE NE 1/4, SEC. 6, T. 17N., R. 1W.

SURVEYOR'S CERTIFICATE

I, VINCENT J. MATHIAS, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I HAVE, AT THE REQUEST OF THE PROPRIETOR THEREOF, MADE A CAREFUL SURVEY OF THE FOLLOWING DESCRIBED PROPERTY: LOT ELEVEN (11), OF HEIRS OF C. F. MUELLER'S ASSESSORS' PLAT OF 1886, PLAT BOOK 3, PAGE 35, WHICH PROPERTY IS LOCATED IN THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTH EAST QUARTER (NE 1/4) OF SECTION 6, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE FOURTH PRINCIPAL MERIDIAN, ROCK ISLAND COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF 19TH AVENUE WITH THE EAST LINE OF 1ST STREET, BOTH SITUATED IN THE CITY OF MOLINE, ILLINOIS, GO THENCE N. 0° 35' E. ALONG THE EAST LINE OF SAID 1ST STREET FOR 500.0 FEET; THENCE WEST FOR 25.0 FEET; THENCE N. 0° 29' W. FOR 10.0 FEET TO THE NORTH LINE OF 18TH AVENUE IN MOLINE; THENCE CONTINUE N. 0° 29' W. FOR 664.55 FEET; THENCE EAST FOR 164.0 FEET; THENCE S. 0° 01' 16" W. FOR 1254.50 FEET TO THE NORTH LINE OF 19TH AVENUE IN MOLINE; THENCE WEST ALONG SAID NORTH LINE OF 19TH AVENUE FOR 139.0 FEET TO THE POINT OF BEGINNING AND THERE TERMINATING.

AND, THAT I HAVE PLATTED THE SAME INTO LOTS AS MORE FULLY SET FORTH AND SHOWN TO APPEAR ON THE ATTACHED PLAT ENTITLED "FREE ADDITION", (NON PIN MONUMENTS) AND BEEN PLACED IN THE GROUND FOR THE GUIDANCE OF FUTURE SURVEYS; NO PART OF THE FOREGOING DESCRIBED PROPERTY LIES WITHIN 500 FEET OF ANY SURFACE DRAIN OR COURSE SERVING A TRIBUTARY AREA OF 640 ACRES OR MORE.
 ATTESTED TO THIS 26 DAY OF June, A.D., 1973.
 VINCENT J. MATHIAS, R.L.S.

OWNER'S CERTIFICATE

I, LOIS M. FREE, OWNER OF THE FOREGOING DESCRIBED PROPERTY, DO HEREBY ADOPY AND ACCEPT THE ATTACHED PLAT OF "FREE ADDITION", AND I DO HEREBY DEDICATE TO THE USE OF THE PUBLIC AND PRIVATE UTILITIES COMPANIES ANY EASEMENTS RECORDED OR SHOWN HEREON.
 ATTESTED TO THIS 5th DAY OF July, A.D., 1973.
 LOIS M. FREE, OWNER

STATE OF ILLINOIS } ss.
 COUNTY OF ROCK ISLAND } I, A NOTARY PUBLIC IN AND FOR THE COUNTY OF ROCK ISLAND, ILLINOIS, DO HEREBY CERTIFY THAT LOIS M. FREE IS WELL KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AS HER FREE OWNER AND DEED, THIS 2nd DAY OF July, A.D., 1973.
 VINCENT J. MATHIAS, R.L.S.

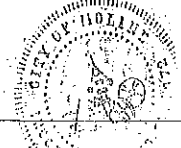
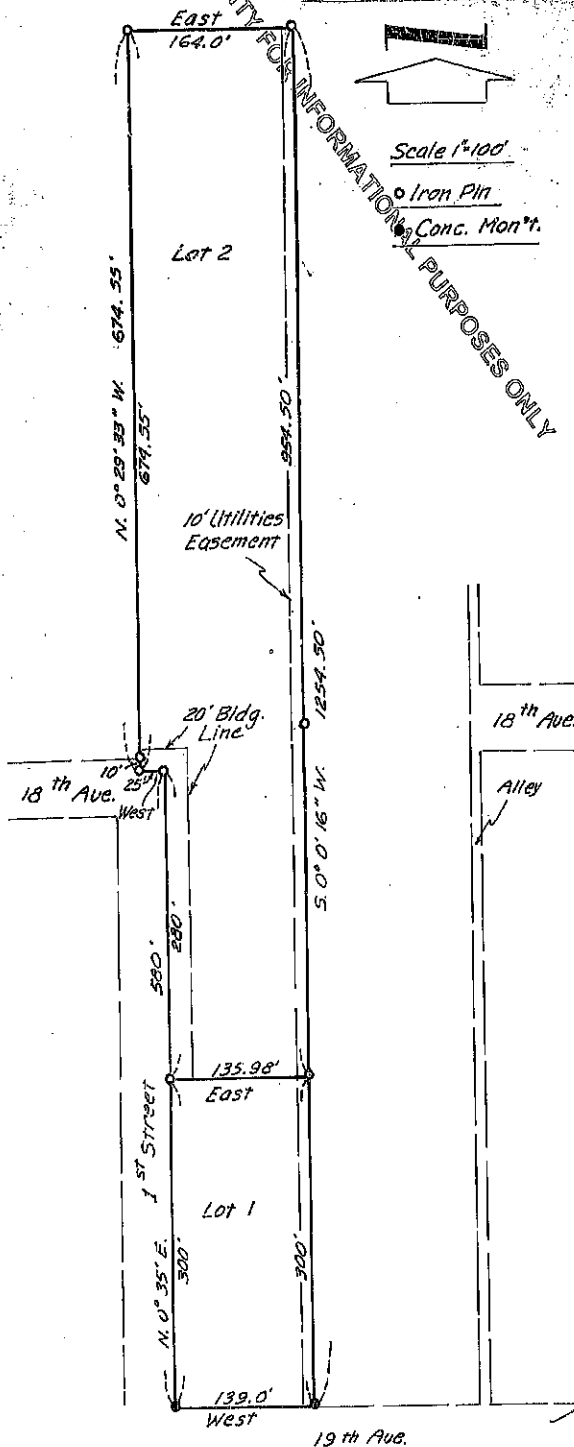
STATE OF ILLINOIS } ss.
 COUNTY OF ROCK ISLAND } I, WILLIAM J. FOLEY, COUNTY CLERK, ROCK ISLAND COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TAX RECORDS IN AND FOR SAID COUNTY, OR WHICH I AM LEGAL CUSTODIAN, RELATIVE TO THE PROPERTY DESCRIBED IN THE FOREGOING CERTIFICATE OF THE SURVEYOR, AND THAT I FIND NO RECORD OF DELINQUENT GENERAL TAXES OR UNPAID CURRENT TAXES AGAINST SAID DESCRIBED PROPERTY.
 ATTESTED TO THIS 2nd DAY OF July, A.D., 1973.
 WILLIAM J. FOLEY, COUNTY CLERK

STATE OF ILLINOIS } ss.
 CITY OF MOLINE } I, MARGARET KAESER, CITY CLERK, MOLINE, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS AGAINST THE PROPERTY DESCRIBED IN THE FOREGOING CERTIFICATE OF THE SURVEYOR.
 MARGARET KAESER

STATE OF ILLINOIS } ss.
 CITY OF MOLINE } THE DESIGN OF THE ATTACHED PLAT OF "FREE ADDITION" HAS BEEN EXAMINED AND FOUND TO MEET THE SUBDIVISION REQUIREMENTS OF THE CITY OF MOLINE, ILLINOIS THIS 2nd DAY OF July, A.D., 1973.
 WILLIAM A. STEWART, CITY ENGINEER, MOLINE, ILLINOIS

STATE OF ILLINOIS } ss.
 CITY OF MOLINE } WE, THE UNDERSIGNED, OFFICERS OF THE MOLINE PLANNING COMMISSION OF THE CITY OF MOLINE, ILLINOIS, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT OF "FREE ADDITION" WAS APPROVED AND ITS ACCEPTANCE RECOMMENDED TO THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, THIS 21st DAY OF June, 1973.
 PLAYS CHAIRMAN CHAIRMAN, PLANNING COM. SEC'Y., PLANNING COM.

STATE OF ILLINOIS } ss.
 CITY OF MOLINE } WE, THE UNDERSIGNED, MAYOR AND CITY CLERK OF THE CITY OF MOLINE, ILLINOIS, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT OF "FREE ADDITION" WAS SUBMITTED TO THE AUTHORITIES OF THIS CITY FOR ITS APPROVAL AT A REGULAR MEETING HELD ON THE 16th DAY OF July, 1973, AND THAT SAID PLAT WAS APPROVED AND RATIFIED BY SAID AUTHORITIES ON SAID DATE. THIS CERTIFICATE HAS BEEN EXECUTED BY SAID CITY OF MOLINE, A MUNICIPAL CORPORATION, BY ITS MAYOR, AND ITS CLERK, AND ITS OFFICIAL SEAL AFFIXED HERETO ON THIS 28th DAY OF Sept. 1973.
 MARGARET KAESER, CITY CLERK, MOLINE, ILL. EARL L. WENDEL, MAYOR, CITY OF MOLINE, ILL.



CITY OF MOLINE
APPLICANT/OWNER INTERESTED PARTIES DISCLOSURE

Please acknowledge the relationship and specific interest of all interested parties to the requested zoning or subdivision action. If a trust, partnership, corporation or other legal entity is involved in the ownership of the subject property or will benefit or be affected via a pecuniary interest, you must disclose the beneficial owners, partners, corporate officers, or relevant interested parties respectively. Failure to provide a complete and accurate response may render the application incomplete and delay consideration.

Entity name (if applicable): RSCC Group, Inc.

RECEIVED
JUL 1 2011

Name Bradley L. Heinrich
Address 10540 N. 2nd Street
City, ZIP Machesney Park, IL 61115
Phone 815-222-8887 Title Secretary
Ownership Percentage 500

Name _____
Address _____
City, ZIP _____
Phone _____ Title _____
Ownership Percentage _____

Name Nathan B. Heinrich
Address 10540 N. 2nd Street
City, ZIP Machesney Park, IL 61115
Phone 815-520-3384 Title President
Ownership Percentage 500

Name _____
Address _____
City, ZIP _____
Phone _____ Title _____
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City, ZIP _____
Phone _____ Title _____
Ownership Percentage _____

CITY OF MOLINE INTERESTED PARTY APPEARANCE FORM

Nature of zoning amendment (check one):

Special Use Permit Planned Unit Development Rezoning

Address of Property subject to public hearing: 151 19th Avenue Moline, IL 61265

Your Name: Bradley L. Heinrich

Your Home Address: 15516 Will Road Rockton, IL 61072

Your Phone Number (Daytime): 815-222-8887

Are you a proponent or opponent of the proposed zoning amendment? Proponent

Did you receive a notice from the City about this case? Yes No

Do you have a direct property or economic interest in the subject property? Yes No

Are you the representative of a duly organized group with an interest in a specific public policy issue as it relates to the subject of the public hearing? Yes No

If you have answered "No" to the three prior questions, please state why your interest in the subject of the public hearing is greater than that of the general public's interest. Use the space below. You can also attach additional sheets to provide more information:

RSCG Group, Inc. is in the process of purchasing this property to build a Starbucks.

Please describe the nature of the testimony you intend to present.

Planning and zoning approval.

Please identify any witnesses you intend to have in attendance, specify their name, address, qualifications and the subject area they will cover:

N/A

Signature 

Date 6/28/22

City Use Only

File Number: _____

Received by City Clerk: _____
Date Time Signature

Received by Planning Department: _____
Date Time Signature

*** Proof of Publication ***

STATE OF ILLINOIS)
COUNTY OF ROCK ISLAND)
CITY OF EAST MOLINE)

NOTICE

NOTICE OF PUBLIC HEARING

Public notice is hereby given that on Wednesday, July 27, 2022 at 4:00 p.m., the Moline Plan Commission will hold a public hearing in the Council Chambers of Moline City Hall, 619 16th Street, to consider a request from JP Morgan Chase Bank, National Association for RECLASSIFICATION OF ZONING of an 0.95-acre tract of land, located at the northeast corner of 1st Street and 19th Avenue, addressed as 151 19th Avenue (PIN 17-06-215-002).

FROM: "B-1" Neighborhood Business
TO: "B-3" Community Business District.

Anyone attending the public hearing will have an opportunity to hear the request and voice comments or concerns to the Plan Commission. Persons wishing to appear as Interested Parties, who wish to present testimony or cross-examine the witnesses presented at the hearing shall identify themselves as such by completing and filing the "Interested Parties Appearance Form" and/or "Public Hearing Cross Examination Registration Form" with Kayla Melster at City Hall. You can obtain these forms and all application materials online at

<https://moline.il.us/1506>

or they are also available at Moline City Hall in the Community & Economic Development Department. You may also call 309-524-2030 for assistance.

MOLINE PLAN COMMISSION
CITY OF MOLINE, IL

c/o Kayla Melster
Community & Economic Development
Administrative Assistant

The undersigned, hereby certifies that Lee Enterprises, Incorporated is a corporation, existing and doing business under the laws of the State of Delaware, licensed to do business in the State of Illinois, is publisher of The Dispatch/Rock Island Argus, and further certifies that the public notice attached hereto, was printed and published in said newspaper 1 time(s) in each week for 1 successive week (s), for publication dates as listed below.

City of Moline
Community & Economic Development Department
619 16TH STREET
MOLINE IL 61265

ORDER NUMBER 130923

The undersigned, further certifies that The Dispatch/Rock Island Argus is now and has been for more than one year continuously, a daily secular newspaper of general circulation published in the City of East Moline, County of Rock Island, State of Illinois, and further certifies that said newspaper has been continuously published at a regular interval of more than once each week with more than a minimum of fifty issues per year for more than one year prior to the first publication of the notice, and further certifies that The Dispatch/Rock Island Argus is a newspaper as defined by the Statutes of the State of Illinois in such cases made and provided, and further hereby certifies that the annexed notice is a true copy, and has been regularly published in said paper.

IN WITNESSETH WHEREOF, Lee Enterprises, Incorporated has signed this Certificate by Deb Anselm, Publisher of The Dispatch/Rock Island Argus, or by her authorized agent this 8 day of July, 2022

LEE ENTERPRISES, INCORPORATED
d/b/a THE DISPATCH/ROCK ISLAND ARGUS

By: Darlene Glascock
Publisher or his/her Authorized Agent

Date: 7/8/22

Section: Legals
Category: 2633 Zoning Notices
PUBLISHED ON: 07/08/2022

TOTAL AD COST: 62.68
FILED ON: 7/8/2022

COW/COUNCIL ACTION REPORT

September 20, 2022

An Ordinance amending Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, by repealing Chapter 4 in its entirety and enacting in lieu thereof one new Chapter 4 dealing with the same subject matter.

SUGGESTED ACTION:

ATTACHMENTS: [3025-2022 LEG ORD Janine-Margaret - Chapter 4 Housekeeping-CBxg.pdf](#)
[3025-2022 LEG ORD Janine-Margaret - Chapter 4 Housekeeping-Memo & Ordinance.pdf](#)

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 4, "ALCOHOLIC LIQUOR," of the Moline Code of Ordinances, by repealing Chapter 4 in its entirety and enacting in lieu thereof one new Chapter 4 dealing with the same subject matter.

WHEREAS, the City is an Illinois municipal corporation possessing home rule powers under Section 6 of Article VII of the Illinois Constitution; and

WHEREAS, City staff has decided to do a complete review of all chapters of the Moline Code of Ordinances to correct those items that are merely housekeeping in nature; and

WHEREAS, the City Council finds that housekeeping changes are necessary in Chapter 4 of the Moline Code of Ordinances.

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

Section 1 – That Chapter 4, "ALCOHOLIC LIQUOR," of the Moline Code of Ordinances, is hereby amended by repealing Chapter 4 in its entirety and enacting in lieu thereof one new Chapter 4 dealing with the same subject matter, which shall read as attached (additions in underline; deletions in strikethrough):

Section 2 – All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to give effect to the provisions of this Ordinance.

Section 3 – This ordinance and every provision thereof shall be considered severable. If any word, phrase, clause, sentence, paragraph, provision, section, or part of this Ordinance is found to be void, unconstitutional, or otherwise unenforceable, all remaining portions of this Ordinance not so declared void, unconstitutional, or unenforceable shall remain in full force and effect.

Section 4 – This Ordinance will be in full force and effect upon passage, approval and publication in pamphlet form in the manner provided by law.

CITY OF MOLINE, ILLINOIS

Mayor

September 20, 2022

Date

Passed: September 20, 2022

Approved: September 27, 2022

Attest: _____
City Clerk

Memorandum



To: City Council

From: Margaret Kostopulos, Corporation Counsel
Janine A. H. Parr, City Clerk
Rhonda Bartz, Legal Services Specialist
Amy Saunders, Legal Services Specialist

Date: September 12, 2022

Re: Chapter 4 – Responses to Questions from Alderperson Wendt

This memorandum is in response to questions and proposed revisions received from Alderman Wendt via email yesterday. An updated redline is also attached and has been added to the posted agenda. Thank you: jhp (ext. 2004)

1. **Q:** 4-1100 (20) The redline says there is no such thing as a Category I facilities in Illinois, but I found these:

- <https://www.illinoisfoodsantiationtraining.com/establishment-categories/>
- <https://www.c-uphd.org/inspection-risk-categories.html>
- <https://www.pcchd.org/DocumentCenter/View/62/Risk-Assessment-Classification-PDF?bidId=>
- <https://www.lakecountyiil.gov/DocumentCenter/View/25368/2020-Update---IL-Food-Code-Changes---FDA-2017-Food-Code-PDF>
- <http://www.wheelingil.gov/DocumentCenter/View/2386/New-IL-Food-Code-FDA-Changes--2017-for-food-facilities-revised?bidId=>

Perhaps there has been a change in the law/administrative code etc. that did away with category I, but if that is the case a lot of places still reference it. And if it was amended, I believe we still want something that defines a restaurant by more than just intent, otherwise we are going to end up with a crock pot and calling that a restaurant (Susie's Chili Bowl). What is staffs suggestion to we can ensure that a restaurant is indeed really a restaurant and not just a microwave and some snack bags.

A: "Category I facility" means a food establishment that presents a high relative risk of causing food-borne illness, based on the large number of food handling operations typically implicated in food-borne outbreaks and/or the type of population served by the facility. This is not a general description of restaurants and is used to regulate training and management requirements. It is not used correctly here, thus the recommendation to strike it.

Chapter 5, "AMUSEMENTS," will be presented for discussion on September 27th. At that time, primary and incidental definitions as well as the factors to be used when incidental revenue exceeds 50 percent of gross revenue.

2. **Q:** 4-3303 – Class B Tavern: Do we care if the sale of food is incidental? If they are a bar but happened to have great food too, is that something we are worried about? I understand why we want liquor to be incidental to a COPIA, because they have less restrictive set backs etc.

A: Staff agrees, as we believe does Council, that the sale of food need not be incidental to the sale of alcohol in a tavern; rather, video gaming revenue is of primary concern. The language in this section is for purposes of ensuring that establishments are properly licensed only. The number of tavern licenses are limited and if an establishment is really operating as a restaurant by sales and other factors, then it should be properly licensed as a restaurant.

3. **Q:** 4-3302 – Why did we add “offering of” in (a) (“Class B”), but not in (b) (“Class BB”)?

A: Staff agrees that the revised language applies to Section 4-3303(b) “Class BB” as well. The revision is included in the attached redline.

4. **Q:** 4-3302 – Have we always allowed people to bring their kids to a Tavern?

A: The Code currently does not allow minors inside taverns. The proposed amendment to this would allow minors inside a tavern if accompanied by a parent or guardian, but they may not sit at the bar. With the proposed revision to the definition of “restaurant”, staff suggests that minors continue to be prohibited from entering a tavern. The revision is included in the attached redline.

5. **Q:** 4-3304(c) – Why do have “After October 1, 2021, a new initial Class C license.”? That doesn’t seem to make any sense.

A: The referenced sentence in this section should read, “After October 1, 2021, a new initial Class C license may not be located within one hundred (100) feet of a renewed Class C license.” The correction/revision is included in the attached redline.

6. **Q:** 4-3306(b) – are outside caterers required to have a valid food license in whichever municipality they reside? I assume we don’t want someone setting up shop in the county, making food with no regulation or review, and then serving food within Moline city limits.

A: All liquor licensees must hold a Moline food license with the exception of Class EE, I, II and III. Class EE is a brand new registration that will require proof of food license from the municipality in which they are located. The revision is included in the attached redline.

7. Q: 4-3306(a?) – I think your number/lettering of this section dealing with minors is wrong. I also don't understand a minor being within a Caterer's establishment. Is this where they are serving their customers, or inside the facility where they make the food/drinks?

A: (a) corrected to (e). This is to say that a minor may be allowed on premises of a catered event, but may not sit at a bar. The language has been clarified in this subsection of the revised redline.

8. Q: 4-3307(a)(1) – If they are using a caterer (Class E or EE), does the hotel also need a Class F license as well?

A: No.

9. Q: 4-3307(b,c) – is this supposed to say "Class F"?

A: References to "F" in this section should be "G" and have been corrected/revised in the attached redline.

10. Q: 4-3307(a)(2) – "for offsite consumption", does that mean the hotel guest must leave the hotel to drink the drinks?

A: This is how the Code currently reads and no revision is being proposed by staff.

11. Q: 4-3312 – Class K Video Gaming – if under (f) a Class K must be 300 feet from a church, how are we measuring Suzie's Chili Bowl, which I think is a Class K from the First Baptist Church behind it?

A: Please see attached email from Todd Green.

12. Q: 4-3314 – Is a Caterer prohibited from providing services outside? I guess I'm still not clear how Class E relates to the requirement of a license from the building they work in?

A: The caterer's license is less expensive because it will almost always be an add-on license. An example of when it may stand alone is if someone rents a suite in the Spotlight Theatre where there is a commercial kitchen and caters events there or anywhere else in Moline.

13. Q: 4-3316 – again is Caterer prohibited from this off site special use as well?

A: Yes.

14. Q: 4-4101 – It is my understanding that once the Safe-t act is in place the police can no longer remove trespassers from a place of business. Is the licensee going to be held responsible if someone won't leave after closing hour?

A: "(a-1) Law enforcement shall issue a citation in lieu of custodial arrest, upon proper identification, for those accused of traffic and Class B and C criminal misdemeanor offenses, or of petty and business offenses, who pose no obvious threat to the community or any person, or who have no obvious medical or mental health issues that pose a risk to their own safety. Those released on citation shall be scheduled into court within 21 days." [725 ILCS 5/109-1](#); [P.A. 101-652](#) (sec. 10-255 eff. Jan 1, 2023).

A person who is creating a disturbance because they will not leave a premises may also have violated other laws but may also pose a threat to the community or any person (i.e. the business owner or employee).

15. Q: 4-5107 – is that numbered correctly (f)? Are there other provisions missing?

A: formatting error corrected in attached redline.

Aldersperson Wendt's Proposed Amendments:

Amendment 4-1100 (10) Incidental. By adding the following at the end of this section. "In the event the gross revenue of the secondary or incidental purpose of the business exceeds fifty (50) percent of the gross revenue, yet is found by The Liquor Commissioner be in compliance due to the aforementioned factors; such findings shall be documented in writing and filed with the City Clerk and a copy of such report shall be provided to the City Council prior to the next regular meeting."

Amendment 4-1100 (16) Principal. By adding the following at the end of this section. "In the event the gross revenue of the principal purpose of the business be less than fifty (50) percent of the gross revenue, yet is found by The Liquor Commissioner be in compliance due to the aforementioned factors; such findings shall be documented in writing and filed with the City Clerk and a copy of such report shall be provided to the City Council prior to the next regular meeting."

Amend 4-3210(b)(f). by adding at the end: "The Council shall be notified of such conditional license being issued at the next regular meeting immediately following the issuance of the conditional license."

Response:

Staff will present factors on September under Chapter 5, "AMUSEMENTS," to be used in the Local Liquor Commissioner's review when total revenue of the secondary/incidental purpose exceeds 50 percent of gross revenue. We would ask if these amendments and discussion could wait until that time.

CHAPTER 4 ALCOHOLIC LIQUOR

Art. I. In General, §4-1100 - §4-1103

Art. II. Local Liquor Control Commissioner, §4-2100 - §4-2105

Art. III. Retail Licenses,

Div. 1. In General, §4-3100 - §4-3104

Div. 2. Licensing Procedure, §4-3200 - §4-3211

Div. 3. Privileges Conferred By Various Classes of Licenses, §4-3300 - §4-3327

Div. 4. Administrative Proceedings, §4-3400 - §4-3407

Art. IV. Operation, §4-4100 - §4-4110

Art. V. Minors, §4-5100 - §4-5111

Art. VI. Vicarious Liability, §4-6100

ARTICLE I. IN GENERAL

SEC. 4-1100. DEFINITIONS.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them:

(1) Alcohol. The product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.

(2) Alcoholic liquor. Includes the four (4) varieties of liquor defined in this section, i.e., alcohol, spirits, wine and beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by human beings.

(3) Bar. A counter or place where alcoholic liquor is served, poured, and/or mixed.

(4) Beer. A beverage obtained by alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water, and includes among other things, beer, ale, stout, lager beer, porter and the like.

(5) ~~Caterer-Retailer~~. A person who serves alcoholic liquors for consumption off-site of the licensed premises, whether the location is licensed or unlicensed, as an incidental part of food service. Prepared meals and alcoholic liquors are sold at a package price agreed upon under contract, which may include a cash bar.

(6) Civic Center. One or more buildings or structures, within the same site, complex or campus, having a gross seating capacity of 8,000 persons or more, in each of which space is regularly rented or licensed for the viewing of or participation in conventions, exhibitions, sporting events, concerts or performances of plays, circuses or similar presentations.

(7) Club. A corporation organized under the laws of the state, not for pecuniary profit, solely for the promotion of some common object other than the sale or consumption of alcoholic liquors, kept, used and maintained by its members through the payment of annual dues, and owning, hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests.

- (8) Entertainment/Recreational/~~Service~~ Facility. A business conducted in any indoor building, room, space or area whose principal purpose is as an entertainment venue for activities such as live musical or theatrical performances, art exhibitions or oral presentations; a facility for recreational activities such as bowling, arcade games, simulated golf, and billiards or pool; or a service establishment that offers and provides services for sale to its patrons. An entertainment/recreational/~~service~~ facility shall not include a civic center, as defined in this chapter as having a gross seating capacity of 8,000 persons or more. Video gaming shall not be considered as an entertainment or recreational activity under this definition.

Additionally, for bowling, the activity shall be conducted in any indoor building, room, space or area with a minimum of 3,000 square feet dedicated to bowling, which is open or frequented by the public and operated for gain. For a billiards or pool hall, a pool table is a billiard table or other table for playing billiards, pool, bumper pool, eight-ball or similar games.

(9) Hotel. Every building or other structure kept, used, maintained, advertised, and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent or residential, in which twenty-five (25) or more rooms are used for the sleeping accommodations of such guests and having one or more public dining rooms where meals are served to such guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings, structure or structures being provided with adequate and sanitary kitchen and dining room equipment and capacity.

~~(9-510)~~ Incidental. Except as otherwise indicated in Section 4-3304(d), (e) and (f), the term "incidental" when describing a secondary business purpose of a liquor licensee shall mean that the licensee intends such secondary business purpose to be subordinate to the dominant business. Evidence of the intent of the licensee in operating a secondary business purpose shall be initially determined based on whether the gross revenue of the secondary or incidental purpose of the business is ~~may include the gross revenue of that secondary or incidental business,~~ less than fifty (50) percent of its gross, as compared to the primary or dominant business operations of the licensee. Should the gross revenue of the secondary or incidental purpose of the business exceed fifty (50) percent of the gross revenue of the business in total, the Liquor Commissioner, without hearing, may consider other factors in determining the licensee's intent relative to principal or secondary business purposes, such as ~~along with the comparison between secondary or incidental and dominant or principal~~ many business[es] based on the layout or design and devotion of space to the business purposes in the establishment, its inventory, equipment, assignment of staff and their functions and training, and business advertising, along with any other relevant indicia of intent of business purpose. ~~derives less than fifty (50) percent of its gross revenue from such secondary pursuit(s) in contrast with the dominant purpose of the business. By way of illustration, a "video gaming establishment," as defined in this Section, means a licensed establishment in which the sales of alcoholic liquor and/or food aggregate to less than fifty (50) percent of the licensee's gross revenue.~~

(4011) Live entertainment. The offering or permitting of any amusement feature, including music, vaudeville, singing, acting, dancing or contests, whether by personal

performance or instrumental device. In no instance shall live entertainment include nude or semi-nude conduct.

(4412) Minor. Any person under the age of twenty-one (21) years except for persons under eighteen (18) years of age through twenty (20) years of age who are acting in pursuance of their employment at and with an establishment that is licensed in accordance with this chapter.

(4213) Motel. See definition of hotel.

(4314) Original package. Any bottle, flask, jug, can, cask, barrel, keg, ~~hoghead~~ or other receptacle or container whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor to contain and to convey any alcoholic liquor.

(4415) Package sale. A licensed retailer's sale of alcoholic liquor in the manufacturer's unopened original package for off-premises consumption.

(44516) Principal Purpose. Except as otherwise indicated in Section 4-3304(d), (e) and (f), the phrase "principal purpose" when describing the business operations of a liquor licensee shall mean that the licensee intends such principal business purpose business to be dominant to any secondary or subordinate business[es]. Evidence of the intent of the licensee in operating a principal business purpose shall be whether the licensee derives fifty (50) percent or more of their ~~may include the~~ gross revenue from ~~their of that~~ principal business as compared to the incidental or secondary business operations of the licensee. ~~Should the gross revenue of the principal purpose of the business be less than fifty (50) percent of the gross revenue of the business in total for the prior year, the Liquor Commissioner, without hearing, may consider other factors in determining the licensee's intent relative to principal business purpose, such as along with the comparison between principal and incidental dominant and secondary business[es] based on the layout or design and devotion of space to the business purposes in the establishment, its inventory, equipment, assignment of staff and their functions and training, and business advertising, along with any other relevant indicia of intent of business purpose, derives fifty (50) percent or more of its gross revenue from the display, operation or sale of the specified category of good or activity. By way of illustration, businesses who derive fifty (50) percent or more of their gross revenues from the sale of food and who are otherwise defined as a "restaurant" in this Chapter may be eligible for a Class A or AA Restaurant liquor license.~~

(4517) Private Function. A prearranged private party, function or event, for a specific social or business occasion, either by invitation or reservation or paid admittance, and not open to the general public, where the guests and attendants are served in a room, rooms, or area designated and used exclusively for the private party, function, or event.

(18) Producer. Any brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package, whether for himself or for another, and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquors as above defined.

(4619) Rental Hall Business. A business that provides a place available for rental by members of the general public for a private function by invitation, reservation or paid admittance of attendees only, such as a wedding celebration, open house, banquet, performance or similar event. The building housing the business must be designed to accommodate a minimum of two hundred fifty (250) persons safely and may include kitchen facilities for the preparation of food and areas for dancing, dining and other

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entertainment activities that customarily occur in association with such functions. The liquor licensee/lessor is paid a fee by the lessee for the use of the rental hall and for providing alcoholic liquor for the private function as an incidental part of food service. Prepared meals and alcoholic liquors are sold at a package price agreed upon under contract, which may include a cash bar.

~~(4720)~~ Restaurant. Any public place kept, used, maintained, advertised and held out to the public as a place where the sale of food is the principal business purpose and where meals are actually prepared and regularly served, and without sleeping accommodations, the space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. ~~A restaurant for purposes of this chapter shall also be considered a Category I facility pursuant to the Illinois Food Service Sanitation Code.~~

~~(4821)~~ Retail sale. The sale for use or consumption and not for resale in any form.

~~(4922)~~ Salon. Any public place kept, used, maintained, advertised and held out to the public as a -business that offers and provides services including hair care, nail care, esthetics and/or barber services per the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985, 225 ILCS 410/1-1 et. seq.

(23) Special Event. An event conducted by an educational, fraternal, political, civic, religious or non-profit organization.

(24) Special use permit. A license for use by a retailer to allow for the transfer of alcoholic beverages from an existing licensed retail premises to a designated site for a specific event.

~~(2025)~~ Spirits. Any beverage that contains alcohol obtained by distillation, mixed with water or other substance in solution and includes brandy, rum, whiskey, gin or other spirituous liquors and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

~~(2426)~~ Tavern. Any public place kept, used, maintained or advertised and held out to the public as a place where sale of alcoholic liquors is the principal business carried on, primarily for consumption on the premises.

~~(2227)~~ Video Gaming Establishment. Any public place kept, used, maintained, advertised and held out to the public as a "licensed establishment" per the Illinois Video Gaming Act, 235 ILCS 40/1 et. seq., where alcoholic liquor is sold for consumption on the premises and whose principal purpose is the operation of video gaming terminals as defined under the Act and Chapter 5 of this Code. The sale of alcoholic liquor and/or food at a video gaming establishment shall be incidental to the operation of video gaming terminals.

~~(2328)~~ Wine. Any alcoholic beverage obtained by the fermentation of the natural contents of fruits, ~~or~~ vegetables, or honey, containing sugar, including mead and such beverages when fortified by the addition of alcohol or spirits, as defined in this section. (Ord. No. 3026-2017; Sec. 4-1100(11) repealed; new Sec. 4-1100(11) enacted; 10/10/17; Ord. No. 3019-2021; Sec. 4-1100(14) enacted; 7/27/21; Ord. No. 3039-2021; Sec. 4-1100(9.5) and (14.5) enacted; 1/11/22)

SEC. 4-1101. MISBRANDING.

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No person shall knowingly possess, sell or in any way dispose of any alcoholic liquor under any name other than the proper name or brand known to the trade as designating the kind and quality of the contents of the package or other container of alcoholic liquor. All misbranded packages and containers are contraband and may be removed and destroyed by the City.

SEC. 4-1102. POSSESSION OF ALCOHOLIC LIQUOR ON PUBLIC RIGHT-OF-WAY; IN MOTOR VEHICLE.

(a) No person shall carry, transport, possess or have any open alcoholic liquor in or upon or about such person on a street, alley or public right-of-way, with the following exceptions:

(1) When in attendance at a special event approved by the City for which a special event liquor license has issued to the event sponsor.

(2) It shall not be a violation for any owner of a residence or such owner's lawful guest(s) to possess any alcoholic liquor on a public right-of-way immediately adjacent to said residence; provided, however, that such owner or guest(s), and each of them, are twenty-one (21) years old or older. For purposes of this Sec. 4-1102, the term "owner of a residence" shall include tenants in control of the premises.

(b) No person shall carry, transport, possess or have any alcoholic liquor in or upon or about any motor vehicle in the City, except:

(1) in the original package with the seal unbroken;

(2) in accordance with Illinois state law regarding the removal of open wine bottles from a restaurant pursuant to 235 ILCS 5/6-33;

(3) in accordance with Illinois state law regarding the to-go mixed drinks, cocktails, and single-servings of wine pursuant to 235 ILCS 5/6-28.8; or

(4) in compliance with Section 11-502 of the Illinois Vehicle Code, 625 ILCS 5/11-502.

(Ord. No. 3019-2021; Sec. 4-1102 amended; 7/27/21)

SEC. 4-1103. REMEDIES FOR VIOLATION OF THE CHAPTER.

(a) The local liquor control commissioner or a law enforcement officer shall issue or cause to be issued to any person in violation of the specified sections of this chapter a notice of ordinance violation. A person receiving a notice of ordinance violation will be adjudicated through the City's administrative adjudication system, MUNICES, or through circuit court.

(b) Any violation of the provisions of this chapter shall be punishable by a fine of not less than two hundred fifty dollars (~~\$200~~250.00) nor more than ~~seven hundred fifty one thousand~~ dollars (~~\$750~~1,000.00), ~~except for Section 4-5104, which shall be punishable by a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty (\$750.00).~~ A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(c) The above violation fees are directed at the person who committed the ordinance violation and are separate and apart from the administrative proceedings against the licensee for such a violation. The administrative proceedings may include administrative fees and provisions for the suspension, revocation or forfeiture of a license issued pursuant to this chapter, and payment of said violation fee shall not

constitute an admission of guilt or innocence for purposes of such administrative proceedings for administrative fees, and/or suspension, revocation, or forfeiture of license.

ARTICLE II. LOCAL LIQUOR CONTROL COMMISSIONER

SEC. 4-2100. MAYOR TO BE LOCAL LIQUOR CONTROL COMMISSIONER; ENFORCEMENT RESPONSIBILITIES.

The mayor shall be the local liquor control commissioner for the City and shall be charged with the administration within the City of the laws of the state as they relate to liquor licenses within the City, and with the provisions of this Code and other ordinances of the City relating to liquor. The mayor shall serve in such position ex officio and without any additional compensation.

SEC. 4-2101. APPOINTMENT OF ASSISTANTS.

The local liquor control commissioner may appoint a qualified person or persons to assist in the exercise of the powers and performance of the duties imposed on the local liquor control commissioner by law and the provisions of this Code or other City ordinances.

SEC. 4-2102. COMPENSATION.

The City Council may fix the compensation of the assistants and deputies of the local liquor control commissioner as may be deemed necessary for the proper performance of the duties vested in them by law.

SEC. 4-2103. POWERS.

The local liquor control commissioner shall have the following powers, functions and duties with respect to licenses, other than licenses of manufacturers, importing distributors, non-beverage users, railroads, airplanes and boats:

(1) To issue or refuse to issue licenses or options connected therewith in accordance with the provisions of this chapter.

(2) To renew or refuse to renew licenses or options connected therewith in accordance with the provisions of this chapter.

(3) To suspend not more than thirty (30) days or revoke for cause all local licenses issued to persons for premises within the City.

(4) To enter or to authorize any law enforcing officer to enter at any time upon any premises licensed pursuant to this chapter to determine whether any of the provisions of this chapter or state law or any rules or regulations adopted by the local liquor control commissioner or by the state commission have been or are being violated and at such time to examine said premises of the licensee in connection therewith.

a. That upon determination that provisions identified in subparagraph (4) have been or are being violated, powers are hereby granted to the local liquor control commissioner, any designee, and/or any authorized law enforcing officer, to order the licensed premises to cease and automatically suspend any and all sales of alcohol, and is automatically subject to a hearing on revocation or suspension of liquor license.

b. Violations of subsection (4) above include, but are not limited to, operating with an invalid State of Illinois liquor license, and failure to provide dram shop insurance or other proof of financial responsibility on file to the local liquor control commissioner's office.

(5) To receive complaints from any resident within the City that any of the provisions of the state law or this chapter or any rules or regulations adopted pursuant hereto have been or are being violated and to act upon such complaints in the manner prescribed in this chapter.

(6) To reduce or rescind the privilege for cause and after a local liquor control commission hearing, any local option issued to persons for premises within the City. Any reduction or rescission shall be effective upon the annual renewal period of the license.

(7) To grant a variance to Class E licensees or holders of an Option 3 Caterer's Retailer to extend their hours of business to 1:00 a.m. for certain events, but no more than three (3) times per year per licensee. Such a request must be made in writing no less than ten (10) days prior to the event.

(8) To grant a variance to Class A and Class AA licensees to allow up to three (3) private events per calendar year at the licensed premises during which time the entire premises may be closed to the general public. Such a request must be made in writing no less than ten (10) days prior to the event.

SEC. 4-2104. AUTHORITY TO EXAMINE APPLICANTS FOR LIQUOR LICENSES AND LICENSEES.

The local liquor control commissioner shall have the right to examine or cause to be examined under oath any applicant for a license required by this chapter or for renewal thereof or any licensee upon whom notice of revocation or suspension has been served in the manner provided in this chapter and to examine and cause to be examined the books and records of any such applicant or licensee and to hear testimony and take proof for said commissioner's information in the performance of the commissioner's duties and, for such purpose, to issue subpoenas which shall be effective in any part of the state. For the purpose of obtaining any of the information desired by the local liquor control commissioner under this section, said commissioner may authorize said commissioner's deputies or designees to act on the commissioner's behalf.

SEC. 4-2105. RECORDS.

(a) The local liquor control commissioner shall keep a separate file for each license issued pursuant to this chapter, which file shall contain the following material:

- (1) A duplicate original of the license certificate;
- (2) Certificate of dram shop insurance or other proof of financial responsibility;
- (3) The application and attached documents;
- (4) A receipt or verification of payment of the application fee, annual license fee and any options fees;
- (5) Property consents, if required;
- (6) A duplicate City of Moline certificate of occupancy showing zoning, occupancy load, use, and compliance with building and related Codes, if applicable;

(7) A duplicate City of Moline food license and, for Class A and Class AA liquor licensees, a duplicate of a current Illinois Food Service Sanitation Manager Certification or a duplicate of a current ANSI accredited Certified Food Protection Manager certification for each applicable employee as required for a Category I facility under Illinois state law;

(8) If licensee is an Illinois corporation, a duplicate original of its articles of incorporation, documentation showing the percentage of ownership, and subsequent certificates of good standing issued by Secretary of State of Illinois; if licensee is a foreign corporation, the file shall also contain a duplicate original of the corporation's Authority to Transact Business in Illinois or similar documentation;

(9) If licensee is a limited liability company, a duplicate original of its articles of organization and fully executed operating agreement listing ownership by percentage or by membership units;

(10) If licensee is a partnership, a duplicate original of the partnership agreement and Illinois Certificate of Assumed Name, if applicable;

(11) If licensee is a sole proprietorship, a duplicate original of its Illinois Certificate of Assumed Name, if applicable;

(12) A copy of any charges, transcripts of administrative hearings, and disposition of charges, if any, against the licensee or applicant;

(13) A duplicate copy of the State of Illinois liquor license within ten (10) days of issuance.

(b) The records of the local liquor control commissioner shall be public unless otherwise exempt pursuant to the Illinois Freedom of Information Act. All proceedings of the local liquor control commissioner shall be open to the public.

ARTICLE III. RETAIL LICENSES

DIVISION 1. IN GENERAL

SEC. 4-3100. WHEN REQUIRED.

(a) It shall be unlawful for any person to sell alcoholic liquor at retail or to make any sale of liquor at retail within the City without first having obtained a liquor license as provided by this article.

(1) A "sale at retail" or "to sell at retail" means sales for use or consumption ~~compensation~~, and not for resale, in any form.

(2) A "sale" means any transfer, exchange or barter, in any manner or by any means whatsoever for a consideration, and includes and means all sales made by any person, whether as principal, proprietor, agent, servant, or employee, and includes, but is not limited to, all of the following acts when done for consideration:

- a. The selling of liquor;
- b. The "giving away" of liquor;
- c. The dispensing of liquor;
- d. The providing of mix, ice, water or glasses for the purposes of mixing drinks containing alcoholic liquor for consumption on the same premises;
- e. The pouring of liquor;

- f. The providing of "set-ups" containing alcoholic liquor;
- g. The maintaining of a private or public club which serves liquor on its premises to its patrons or members;
- h. The maintaining of a restaurant, which serves liquor on its premises to its patrons;
- i. The possessing in any business or commercial establishment alcoholic liquor to be served to patrons on the premises.

(3) Artistic or Personal Service Establishment Exception: A license is not required for artistic and personal service establishments to allow customers to bring and consume their own alcoholic liquor on the premises ("BYOB"). The consumption of alcoholic liquor shall be limited to beer and wine only. The consumption of beer and wine shall be limited to the time the customer is receiving services during the hours of operation of the artistic or personal service establishment. For purposes of this exception, "artistic and personal service establishments" are art galleries, art studios, barber shops, beauty shops, cosmetic facilities, craft studios, salons, spas, and other similar uses as determined by the local liquor control commissioner.

(b) It is the intent of this section to require a license for the sale of liquor at retail within the City for any consideration, whether direct or indirect, regardless of the form that the sale takes. If an establishment allows patrons to bring their own alcoholic liquors or "BYOB," such allowance shall be presumed to be valid consideration for purposes of this section and thus subjects the establishment to the requirements of this ordinance.

(Ord. No. 3026-2021; Sec. 4-3100 amended; 9/21/21)

SEC. 4-3101. THE CLASSES OF LICENSES ESTABLISHED.

There shall be the following classes of liquor licenses available to qualified applicants in the City of Moline, Illinois.

Class	Description
Class	Description
Class A	Restaurant <u>Consumption on Premises – Incidental Activity (COPIA)</u>
Class AA	Restaurant Beer & Wine Only
Class B	Tavern
Class BB	Liquor Producer & Reseller
Class C	Packaged Sales Only-Primary
Class CC	Packaged Sales Only-Secondary
Class CCC	Packaged Sales of Wine and Beer Only-Secondary
Class D	Non-for-Profit Organization; Clubs/Fraternal or Veterans; Church Organization
Class E	Rental Hall Caterer's License
Class EE	Caterer's Registration (Out-of-City)
Class F	Hotel/Motel
Class FF	Hotel/Motel Limited
Class G	Entertainment/Recreational/Service Facility Specialty Retailer – Limited
Class H	Civic Center
Class I	Special Event Not-for-Profit
Class II	Special Event Hosted Bar
Class III	Special Event Homebrewer

Class J	Park Concession	Formatted Table
Class K*	Video Gaming Establishment	

* License classification terminating on January 31, 2027.
(Ord. No. 3039-2021; Sec. 4-3101 amended; 1/11/22)

SEC. 4-3102. FEES TO BE PAID TO THE ACCOUNTS AND FINANCE OFFICE.

All fees to be paid under the provisions of this article shall be paid to the accounts and finance office, unless otherwise provided by law, and shall be forthwith deposited in the City treasury.

SEC. 4-3103. LICENSES TO BE USED ONLY FOR PREMISES FOR WHICH ISSUED; NON-TRANSFERRABLE.

(a) No licensee under this article shall use said licensee's license to engage in the alcoholic liquor business at any location other than the one named in the license.

(b) The use or attempted use of a license issued pursuant to this article at any premises other than the one- for which the license was issued shall be cause for revocation of the license.

~~(c) That the above subsections do not apply to a Caterer's Retail or a Retailer's Off-Site Special Use (Public Property) license option.~~

SEC. 4-3104. NUMBER OF LICENSES.

(a) The total number of liquor licenses and options to be issued at any time is limited to:

License Class_ or Option or Permit	Number	
License Class or Option	Number	Formatted Table
Class A: Restaurant Consumption on Premises – Incidental Activity (COPIA)	No limit	
Class AA: Restaurant – Beer & Wine Only	No limit	Formatted Table
Class B: Tavern; and Class BB: Liquor Producer & Reseller	3020	Formatted: Highlight
Class C: Packaged Sales Only—Primary	437	
Class CC: Packaged Sales Only—Secondary	35	Formatted Table
Class CCC: Packaged Sales Beer & Wine Only—Secondary	4	
Class D: Clubs/Fraternal or Veterans, Churches or Not-for-Profit Organization	No limit	
Class E: Rental Hall Caterer's License	No limit	
Class EE: Caterer's Registration (Out-of-City)	No limit	
Class F: Hotel/Motel	No limit	
Class FF: Hotel/Motel Limited	No limit	Formatted Table
Class G: Entertainment/Recreational/Service Facility Specialty Retailer – Limited Hours	No limit	
Class H: Civic Center	No limit	
Class I: Special Event Not for Profit	No limit	

Class II: Special Event Hosted Bar	No limit
Class III: Special Event Homebrewer	No limit
Class J: Park Concession	No limit ← Formatted Table
Class K: Video Gaming Establishment	0
Option 1: Outdoor Use	No limit
Option 2: Additional Bar Station	No limit ← Formatted Table
Option 3: Caterer's Retail	No limit
Option 4: Restaurant Alternative	15
Option 5: Extended Hours 3 A.M.	15
Option 6: Self Pour	1 ← Formatted Table
Option 6 Permit: Retailer's Off-Site Special Use (Public Property)	No limit
Option 7 Permit: Retailer's On-Site Outdoor Special Use	No limit
Option 8: Retailer's On-Site Pouring	No limit ← Formatted Table
Option 9: Cocktails and Single Serve Wine To-Go	No limit
Option 10: Self Pour	1

(b) In the event any one of the ~~Class C, Class CC, Class CCC, or Option 4~~ limited/capped licenses provided for herein shall lapse, be revoked or terminated in any manner, or the ~~Class C, Class CC, Class CCC, or Option 4~~ licensed establishment has closed or relocated, the maximum number of licenses or options in that classification shall be automatically reduced until the number of licenses is at the maximum allowed by City ordinance, without further action by the Mayor and City Council.

(c) Amortization of Class K Liquor Licenses. No new Class K Liquor Licenses shall be issued following the effective date of Ord. No. 3039-2021, but existing Class K Licenses holding a valid Class K video gaming establishment license and operating as of January 11, 2022 may continue to be licensed and apply for renewal thereof through the term ending January 31, 2027 (the "Amortization Period"), unless sooner terminated or revoked due to noncompliance with the requirements of state and local law, including, but not limited to, Chapters 4 and 5 of the Moline Code of Ordinances or a lapse in the validity of their licenses. Immediately following the conclusion of the Amortization Period, all Class K liquor licenses shall be deemed null and void and ineligible for renewal under said classification.

(d) Early Termination. From the effective date of Ord. No. 3039-2021 through the conclusion of the Amortization Period, any existing Class K licenses shall be deemed to have terminated immediately (prior to the end of the Amortization Period) without further action by the Local Liquor Control Commissioner, Mayor or City Council upon:

(1) A change in liquor license classification following application and qualification for an available liquor license classification, at which time the former Class K liquor licensee must physically surrender the Class K liquor license and the accompanying Video Gaming Terminal licenses to the City in exchange for new City of Moline Video Gaming Terminal licenses if eligible under the new liquor license classification; or

- (2) A change in the business or corporate name of the licensee; or
 - (3) A lapse of Class K_License by failure to timely apply for, pay for or demonstrate eligibility for renewal; or
 - (4) The closure or relocation of a Class K_licensed establishment; or
 - (5) The death or bankruptcy of the licensee; provided, however, that executors or administrators of the estate of any deceased licensee and the trustee of any insolvent or bankrupt licensee, when the estate consists in part of an alcoholic beverage license, may continue the business of the sale of alcoholic liquor under order of an appropriate court, and may exercise the privileges of the deceased or insolvent or bankrupt licensee after said licensee's death or declaration of insolvency or bankruptcy by a court, but not longer than six (6) months after the death, bankruptcy or insolvency of the licensee, at which time the license shall be deemed null and void without further action by the Local Liquor Control Commissioner, Mayor or City Council.
- (Ord. No. 3016-2021; Sec. 4-3104 enacted; 7/27/21; Ord. No. 3019-2021; Sec. 4-3104 amended; 7/27/21; Ord. No. 3025-2021; Sec. 4-3104 amended; 9/21/21; Ord. No. 3038-2021; Sec. 4-3104 amended; 12/14/21; Ord. No. 3039-2021; Sec. 4-3104 amended; 1/11/22)

DIVISION 2. LICENSING PROCEDURE

SEC. 4-3200. PREREQUISITES TO OBTAINING INITIAL LICENSE.

The local liquor control commissioner shall issue an original license required by this article where the applicant therefor is eligible for the license under this article, and has completed all of the following acts:

- (1) Fully completed the application prescribed in this division and submitted all required documents as set forth in Section [4-2105](#).
- (2) Filed a certificate of insurance protecting dram shop operators or other proof of financial responsibility satisfactory to the local liquor control commissioner.
- (3) Paid the fees required by this division.

SEC. 4-3201. APPLICATION.

(a) No license of any class required by this article shall be issued prior to the time that an application is wholly completed and verified by the person desiring the license. A license issued in violation of this section shall be void. The application form shall contain, at a minimum, the following information:

- (1) Full legal name (including alias, maiden name, nickname, etc.) of applicant(s) and birth date(s);
- (2) Address and telephone numbers of applicant(s);
- (3) Address and telephone number (~~must be a land line~~) of premises to be used by applicant(s);
- (4) Name of business under which premises will be operated;
- (5) Name of owner or landlord of premises to be used by applicant(s);
- (6) Address of owner or landlord of premises to be used by applicant(s);
- (7) Class of license applied for, additional option(s) applied for and application fee, annual license fee and any option fees;
- (8) If a restaurant, the hours of kitchen operation;
- (9) Date on which the business is to commence;

(10) Whether the applicant owns the premises or has the consent of the owner to use the premises for the purpose allowed in the license;

(11) Whether the premises is leased;

(12) Whether the applicant is a citizen of the United States;

(13) Whether the applicant is a resident of the City of Moline, Illinois, and/or County of Rock Island, Illinois;

(14) Whether the applicant has ever been convicted of a felony under the laws of the State of Illinois or any of the United States or under federal law; if so, when, and what crime(s);

(15) Whether the applicant has ever been arrested for a felony under the laws of the State of Illinois or any of the United States or under federal law and posted bail and then forfeited said bail;

(16) Whether the applicant has ever been convicted of any crime or misdemeanor involving moral turpitude;

(17) Whether the applicant has ever had a liquor license issued under the laws of the State of Illinois or any of its political subdivisions revoked for cause;

(18) Whether the applicant has ever had a liquor license issued under the laws of any other state or any of its political subdivisions revoked for cause; if so, in what state or political subdivision;

(19) Whether applicant is a co-partnership or limited partnership and the partners' full legal names (including alias, maiden name, nickname) and birth dates;

(20) Whether the applicant is a limited liability company and the members' full names (including alias, maiden name, nickname) and birth dates;

(21) Whether the applicant is a corporation or is the general partner of a limited partnership or corporation, and all stockholders including full legal name (including alias, maiden name, nickname) and birth date(s) of those who own more than five percent (5%) of the stock of the corporation;

(22) A signed statement from all stockholders owning more than five percent (5%) of the corporation's stock, all partners in a partnership, or all members of a limited liability company acknowledging their ownership and assuming financial responsibility for all City fees, taxes or other monies owing;

(23) Whether the applicant plans to actively manage the business and, if not, who will be named the liquor manager;

(24) Eligibility of the individual to be named liquor manager;

(25) Whether any of the following persons is in any way connected with the applicant in connection with the business for which this license is sought:

Mayor of Moline, Illinois

A council member of the City of Moline, Illinois

Any city attorney of the City of Moline, Illinois

Any police officer of the City of Moline, Illinois

Any building official of the City of Moline, Illinois

Any zoning administrator of the City of Moline, Illinois;

(26) The length of current residence of each owner, partner, or stockholder owning more than five percent (5%) of the business, and manager listed;

(27) Proof of adequate dram shop insurance as required by the Illinois Liquor Control Act of 1934, as it is now or may hereafter be amended, prior to being issued such license, including issuing company, policy number, and a certificate of insurance;

(28) ~~For Class COPIA Restaurant and Class AA Restaurant Beer & Wine Only License:~~ a -duplicate of a current Illinois Food Service Sanitation Manager Certification(s) or a duplicate of a current ANSI accredited Certified Food Protection Manager certification for each applicable employee as required for a Category I facility under Illinois state law;

(29) A statement signed by owner of the premises acknowledging and certifying that if license is revoked for cause, no new license will be issued at the premises for a period of one (1) year from the date of revocation.

(b) The liquor manager shall also submit an application containing the information set forth in subsection (a)(1-2 and 12-18) above and an affidavit as set forth in subsection (c) below.

(c) All applicants shall sign an affidavit stating that the statements made in the application form are true and are material to the question of whether the applicants are entitled to a liquor license in the City of Moline and State of Illinois. The applicants shall further state under oath that they understand that making a false affidavit constitutes perjury where a false answer is made knowingly to a material question, that they have personally prepared the answers to the above questions, and that they have re-read them, and find them to be wholly true, and they wholly understand them. Said affidavit shall include a statement that the applicants agree to observe all laws of the United States, State of Illinois and the City of Moline in the conduct of their business.

SEC. 4-3202. PROPERTY CONSENTS REQUIRED FOR A LICENSE; EXCEPTION.

(a) No license of any class sought to be issued pursuant to this division, except a special event license, shall be issued unless the application therefor shall be accompanied by a consent to the granting of the license sought, signed by a majority of the property owners within one hundred fifty (150) feet in radius from the center of the front of the premises for which the license is sought are located. If any portion of any property falls within the one hundred fifty (150) foot radius, that property owner shall be included in obtaining the consent required herein.

(b) If the property for which a license is requested abuts a residentially zoned parcel, or parcels, and the distance from the building housing that requested use is less than five hundred (500) feet from the residentially zoned parcel, the owner or owners of record of those residential parcels shall be included in the consent survey as required by subsection (a) above.

(c) Property owners' consents are not required for renewals of licenses or for any original license if the premises for which the license is sought has been licensed within one hundred eighty (180) days prior to the application being made as long as the license being renewed or sought is of the same classification as the license that existed at the premises within the prior one hundred eighty (180) days. The local liquor control commissioner may extend said one hundred eighty (180) day period for purposes of remodeling or rehabilitation under the following conditions:

(1) Application for license is made prior to the expiration of the one hundred eighty (180) days from the last valid license for said premises;

(2) Building permits are issued prior to the expiration of the one hundred eighty (180) days from the last valid license for said premises;

(3) The value of construction authorized by the building permits exceeds ten thousand dollars (\$10,000.00); and

The extension shall not exceed one hundred eighty (180) days.

(d) A property owner's consent is valid for one (1) year from the date of signature unless the property owner submits a request to withdraw the consent to the office of the local liquor control commissioner, in writing, within ninety (90) days of the signed consent or upon issuance of the license, whichever occurs first. Said request to withdraw shall include the reason(s) for the request.

SEC. 4-3203. PHOTOGRAPHING AND FINGERPRINTING OF CERTAIN PERSONS PREREQUISITE TO FILING APPLICATION.

(a) Prior to filing an application for a license required by this article, the applicant, all partners of the applicant partnership, all members of the applicant limited liability company, or all persons of the applicant corporation who own more than five percent (5%) of its stock, and the person to be named as liquor manager, shall be photographed and fingerprinted by the Moline police department.

(b) No application for license required by this article shall be considered, and no license issued until such time as the photographing and fingerprinting has been completed. The fee for such background checks is covered by the license application fee if an application is submitted and the application fee is paid. In the event that no license is issued, the fee for each background check performed shall be paid by the applicant within 30 (thirty) days of the date of the invoice for said payment.

(c) If at any time after the issuance of a license pursuant to this division, or during the course of the consideration by the local liquor control commissioner of an application filed pursuant to this division, the composition of a partnership, limited liability company, or corporation changes, or if a new liquor manager is employed, the applicant or licensee shall submit a signed and notarized affidavit stating the change in the composition of the partnership, limited liability company or corporation, if applicable, and cause the new persons to be photographed and fingerprinted by the Moline police department within fourteen (14) days, and such fingerprints and photographs submitted to the local liquor control commissioner.

(d) Notice of any change contemplated by subsection (c), after the issuance of a license shall be given in writing to the local liquor control commissioner within fourteen (14) days of the change. Failure to give the notice shall be grounds for revoking or suspending the license.

SEC. 4-3204. PERSONS INELIGIBLE FOR LICENSE.

No license of any kind shall be issued pursuant to this article to:

(1) A person who has not met the residency requirements as set forth in the Illinois Liquor Control Act of 1934, specifically 235 ILCS 5/6-2;

(2) A person who is not of good character and reputation in the community in which such person resides;

(3) A person who is not a citizen of the United States;

(4) A person who has been convicted of a felony under any federal or state law, unless the local liquor control commissioner determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the commissioner's investigation; the burden of proof of sufficient rehabilitation shall be on the applicant;

(5) A person who has been convicted of any crime or misdemeanor involving moral turpitude;

(6) A person whose license issued under this article has been revoked for cause;

(7) A person who at the time of application for renewal of any license issued pursuant to this article would not be eligible for the license upon a first application;

(8) A sole proprietor applicant unless said applicant is a resident of Rock Island County and is otherwise qualified to obtain a license;

(9) A co-partnership unless one of the partners of the co-partnership is a resident of Rock Island County and each of the partners of the co-partnership is otherwise qualified to obtain a license;

(10) A limited liability company if any member of the company would not be eligible to receive a license under this article for any reason other than citizenship and residence within Rock Island County; or a corporation, if any officer, manager or director thereof, or any stockholder or stockholders, owning in the aggregate more than five percent (5%) of the stock of such corporation, would not be eligible to receive a license under this article for any reason other than citizenship and residence within Rock Island County;

(11) A limited liability company unless it is formed in Illinois and is in good standing or unless it is a foreign limited liability company that is qualified under Illinois law to transact business in the state; or a corporation unless it is incorporated in Illinois and is in good standing or unless it is a foreign corporation which is qualified under Illinois law to transact business in the state;

(12) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required of the licensee, including the residency requirements as set forth in the Illinois Liquor Control Act of 1934, specifically 235 ILCS 5/6-2, and this article;

(13) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, or has forfeited a bond to appear in court to answer charges for any such violation;

(14) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued;

(15) Any law-enforcing City official, any mayor, alderman or other member of the City Council, any building official of the City of Moline, or zoning administrator of the City of Moline; and no such official shall be directly interested in the manufacture, sale or distribution of alcoholic liquor;

(16) A person who is not a beneficial owner of the business to be operated by the licensee;

(17) A person who has been convicted by a gambling offense as prescribed by 720 ILCS 5/28-1 through 720 ILCS 5/28-9, as heretofore or hereafter amended or as

prescribed by statute replaced by any of the aforesaid statutory provisions, or any ordinance provisions similar in nature to said provisions;

(18) A person or other entity recognized under Illinois law to whom a federal gaming device stamp or a federal wagering stamp has been issued by the federal government for the current tax period, unless person or other entity is eligible to be issued a license under the Illinois Raffles and Poker Runs Act or the Illinois Pull Tabs and Jar Games Act or has obtained stamp pursuant to the Illinois Video Gaming Act, 230 ILCS 40/1 *et. seq.*, and local ordinance allowing same;

(19) Any premises for which a federal gaming device stamp or a federal wagering stamp has been issued by the federal government for the current tax period unless stamp was issued pursuant to the Illinois Video Gaming Act, 230 ILCS 40/1 *et. seq.*, and local ordinance allowing same;

(20) A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section 6-21 of the Illinois Liquor Control Act.

Field Code Changed

SEC. 4-3205. PREMISES INELIGIBLE FOR LICENSE.

Except in the case of hotels, motels and clubs, no alcoholic liquor shall be sold at retail upon any premises which has any access which leads from such premises to any other portion of the same building or structure used for dwelling or lodging purposes and which is permitted to be used or kept accessible for use by the public. This section shall not prevent any connection between such premises and such other portion of the building or structure which is used only by the licensee, such licensee's family and personal guests.

SEC. 4-3206. LOCATIONS INELIGIBLE FOR LICENSE.

No license required by this article shall be issued for use in any of the following locations:

(1) In any district under an ordinance entitled "Moline Zoning Ordinance," where the sale of liquor is not permitted by that ordinance;

(2) In any area that is restricted geographically as set forth for specific license types in this ordinance.

SEC. 4-3207. CHANGE IN LICENSE CLASSIFICATION OR NAME CHANGE.

(a) Any licensee issued a license pursuant to this chapter may request to change the type of license issued to it as long as the licensee obtains property consents as set forth in Sec. 4-3202, meets all of the requirements of the requested license and there is a license of the requested classification available.

(1) To change licenses, a licensee must complete the application form and pay the application fee as if it were a new license. No additional annual fee need be paid for the change in classification until the next renewal date.

(2) A licensee may only change classification of license once during the year following issuance of the license.

(b) If at any time after the issuance of a license pursuant to this division, or during the course of the consideration by the local liquor control commissioner of an

application filed pursuant to this division, the business name or corporate name of a partnership or corporation changes, the applicant or licensee shall submit a change of business name form and a signed and notarized affidavit stating the change along with a thirty dollar (\$30.00) fee. Notice of any such name change shall be given in writing to the local liquor control commissioner within fourteen (14) days of the change. Failure to give the notice shall be grounds for revoking or suspending the license or application.

SEC. 4-3208. LICENSE FEES.

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

(b) **Application Fee.** For all licenses other than Class I, II, III and J, the application fee shall be paid in full at the time of filing. Upon a determination of eligibility for a license, all other fees shall be paid. Upon a determination that an applicant is not eligible for a license and the application is withdrawn, then all but \$250 of the paid application fee shall be refunded. Two hundred fifty dollars of the application fee is not refundable and is intended to cover the costs of preparing and reviewing property consents, when applicable, pursuant to Section 4-3202, and reviewing the applicant and application, including but not limited to criminal background checks, as well as serving other regulatory purposes.

(c) **License Fee and Option Fees.** The annual license fee and option fees are in addition to the application fee and are not refundable. The option fees are available only for those licenses as listed under "Class Eligible" in the table set forth below in this section. The annual license fee and any selected option fee may be pro-rated based upon the month of issuance.

(d) All annual licenses and their options expire on September 30 of each year. All annual license and option fees must be paid in full on or before September 30 at 5:00 p.m. or on or before a date and time determined by the local liquor control commissioner and set forth in the annual renewal notice to licensees.

(e) The fees for the various classes of licenses to be issued pursuant to this division shall be as follows:

Class	Description	Application Fee	Annual Fee
Class	Description	Application Fee	Annual Fee
Class A	Restaurant Consumption on Premises Incidental Activity (COPIA)	\$3,000.00	\$1,400.00
Class AA	Restaurant Beer & Wine Only	\$3,000.00	\$1,400.00
Class B	Tavern	\$3,000.00	\$1,400.00
Class BB	Liquor Producer & Reseller	\$3,000.00	\$1,400.00
Class C	Packaged Sales Only Primary	\$3,000.00	\$1,400.00
Class CC**	Packaged Sales Only Secondary	\$3,000.00	\$1,400.00
Class CCC	Packaged Sales Beer and Wine Only Secondary	\$3,000.00	\$1,400.00

Class D	Not-For-Profit Organization including Church or Clubs/Fraternal or Veterans Organization	\$1,000.00	\$1,400.00
Class E	Rental Hall/Caterer's License	\$3,000.00	N/A
Class EE	Caterer's Registration (Out-of-City)	\$1,000.00	\$700.00
Class F	Hotel/Motel	\$3,000.00	\$1,400.00
Class FF	Hotel/Motel Limited	\$3,000.00	\$1,400.00
Class G	Entertainment/Recreational/ Service Facility Specialty Retailer – Limited Hours	\$3,000.00	\$1,400.00
Class H	Civic Center	\$3,000.00	\$6,800.00
Class I	Special Event Not for Profit *	\$25.00/Event	N/A
Class II	Special Event Hosted Bar *	\$25.00/Event	N/A
Class III	Special Event Homebrewer *	\$25.00/Event	N/A
Class J	Park Concession	N/A	N/A
Class K	Video Gaming Establishment	\$8,000.00	\$5,000.00

Options	Description	Application Fee	Annual Fee	Class Eligible
Options	Description	Application Fee	Annual Fee	Class Eligible
Option 1	Outdoor Use	N/A	N/A	A, AA, B, BB, D, E, F, FF, and G, H
Option 2	Additional Bar Station	N/A	\$400.00	A, AA, B, E, G
Option 3	Caterer's Retail ***Self Pour	N/A	\$400.00	A, AA, CC, E
Option 4	Restaurant Alternate	N/A	\$400.00	A, AA
Option 5	Extended Hours-3 a.m. ***	N/A	\$1,000.00	A, AA, B, BB
Option 3	Self Pour	N/A	N/A	B, BB
Option 6	Retailer's Off-Site Special Use (Public Property) *	\$25.00/Event	\$100.00	N/A
Option 7	Retailer's On-Site Outdoor Special Use *	\$25.00/Event	N/A	A, AA, B, D, E, F, FF, G, H
Option 8	Retailer's On-Site Pouring	N/A	\$400	CC, CCC
Option 9	Cocktails and Single Serve Wine To-Go	N/A	N/A	A, AA, B
Option 10	Self Pour	N/A	N/A	B

* Special Event / Special Use – for purposes of this fee, an event may cover multiple days as long as it is at the same location and for the same purpose and is submitted under one special event license application.

*** Class A or Class AA license must include an Option 4 Restaurant Alternate to qualify for this Option 5.

(f) In the case of renewal of a license issued pursuant to this article, the licensee shall pay a penalty of one percent (1%) for each day payment is late.

(Ord. No. 3043-2019, Sec. 4-3208(e) amended; 12/10/19; Ord. No. 3034-2020; Sec. 4-3208(g) deleted; 11/17/20; Ord. No. 3002-2021, Sec. 4-3208(e) amended: 02/23/21; Ord. No. 3007-2021, Sec. 4-3208(b) amended; 04/20/21; Ord. No. 3019-2021; Sec. 4-3208 amended; 7/27/21; Ord. No. 3038-2021; Sec. 4-3208 amended; 12/14/21)

SEC. 4-3209. TERM AND CONTENTS OF LICENSE.

A license issued pursuant to this division shall exist for a term of one (1) year from the first day of October. At the end of the license term, the license shall expire and cease to be a license. The license certificate issued by the local liquor control commissioner pursuant to this division shall show the following:

- (1) The name of licensee and the name under which the licensee does business, if applicable;
- (2) The class of the license and any options attached thereto;
- (3) The address of the licensed premises;
- (4) The signature of the local liquor control commissioner, attestation by the city clerk and the City seal;
- (5) The term of the license.

SEC. 4-3210. RENEWAL OF LICENSE; PROCEDURES.

(a) A license of a licensee under this chapter may be renewed at the expiration thereof, if said licensee is then qualified to receive a license and if the premises for which the renewal license is sought are suitable for the purpose. The renewal privilege provided for in this section shall not be construed as a vested right.

(b) The holder of a license issued pursuant to this article, who is eligible for an initial license pursuant to this chapter and who desires to procure renewal of such license, shall perform the following acts as part of the renewal process:

- (1) Pay the annual fees required by this chapter as well as any outstanding fines, fees, taxes, bills, or invoices due and owing the City by the licensee, by its partners if the licensee is a partnership, by its members if licensee is a limited liability company or by its stockholders if the licensee is a corporation.
- (2) File a copy of licensee's current certificate of dram shop insurance.
 - a. Seven (7) days advance notice shall be required of the expiration of a licensee's dram shop insurance. Failure to provide said notification is in violation of this chapter and is subject to a hearing on revocation or suspension of liquor license, and costs associated thereto.
- (3) File a copy of licensee's certificate of good standing or printed documentation from the Secretary of State of Illinois if licensee is a corporation or limited liability company.
- (4) File a copy of licensee's current State of Illinois liquor license and a copy of licensee's City of Moline food license.
- (5) Amend application of licensee to show any change in any of the matters stated in the first application.
- (6) For licensees of a ~~Class COPIA Restaurant and Class AA Restaurant Beer & Wine Only~~ license: Provide a copy of -a current Illinois Food Service Sanitation Manager Certification(s) or a copy of a current ANSI accredited Certified Food

Protection Manager certification for each applicable employee as required for a Category I facility under Illinois state law.

(c) Licenses issued pursuant to this ordinance shall be renewed annually in September to be effective October 1.

(d) Upon granting the renewal of a license issued pursuant to this chapter, the local liquor control commissioner shall issue a new license.

(e) Upon renewal of a license hereunder, the local liquor control commissioner or deputy shall notify the Moline police department, which shall review and update all background checks performed at the time of the first application.

(f) Any current licensee who fails to meet the definitions of "principal" and "incidental" as defined herein based on gross revenue, may, at the discretion of the Liquor Commissioner, be issued a six (6) month conditional license in order to allow said licensee to conform with the requirements of the liquor license classification issued to them.

SEC. 4-3211. NATURE OF PRIVILEGE GRANTED BY LICENSE.

A license issued pursuant to this chapter shall be purely a personal privilege, extending for its stated term only unless sooner revoked for cause, and shall not constitute property; and it shall not be subject to attachment, garnishment, or execution. The license shall not be alienable or transferable, voluntarily or involuntarily, or be subject to being encumbered or hypothecated. The license shall not descend by the laws of testate or intestate devolution, but it shall cease upon the death of the licensee; provided, that executors or administrators of the estate of any deceased licensee and the trustee of any insolvent or bankrupt licensee, when the estate consists in part of an alcoholic beverage license, may continue the business of the sale of alcoholic liquor under order of an appropriate court, and may exercise the privileges of the deceased or insolvent or bankrupt licensee after said licensee's death or declaration of insolvency or bankruptcy by a court, but not longer than six (6) months after the death, bankruptcy or insolvency of the licensee.

DIVISION 3. PRIVILEGES CONFERRED BY VARIOUS CLASSES OF LICENSES

SEC. 4-3300. IN GENERAL.

The privileges authorized by the issuance of one of the various classes of licenses or the options connected therewith shall be as prescribed in this division.

SEC. 4-3301. COMPLIANCE REQUIRED.

No licensee under this chapter shall engage in any conduct allowable under any license except as specifically allowed by said licensee's own license or engage in any conduct otherwise prescribed by law or this chapter except as specifically allowed by said licensee's license.

SEC. 4-3302. CLASS A RESTAURANT LICENSE AND CLASS AA RESTAURANT-BEER & WINE ONLY LICENSE-CONSUMPTION ON PREMISES – INCIDENTAL ACTIVITY (COPIA).

(a) The COPIA license is required for the retail sale of alcohol to be consumed on the premises at a place of business where the sale of alcoholic liquor is incidental or secondary to the primary activity. Restaurants, banquet halls, theaters, bowling alleys and recreational facilities that would like to sell liquor are required to have a Consumption on Premises-Incidental Activity (COPIA) license. Businesses with a COPIA license require a retail food license if food is prepared or served. A Class A Restaurant license or a Class AA Restaurant-Beer & Wine Only license may be issued only to those restaurants as defined in Section 4-1100. The sale of alcoholic liquor and revenues derived from the sale of alcoholic liquor and/or offering of video gaming activity at a restaurant shall be incidental to the principal purpose of the sale of food business. Class A and Class AA Restaurant COPIA licensees shall not include grocery stores, supermarkets, drugstores, or other retail stores.

(b) A Class A ~~or a Class AA~~ license issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor ~~from one (1) bar room only~~:

(1) Sales for consumption on the premises, with allowance for the removal of open wine bottles from a restaurant pursuant to 235 ILCS 5/6-33;

(2) ~~Package sales of alcoholic liquor in original packages~~ Sales and delivery of alcoholic liquor, including cocktails, mixed drinks, or single servings of wine placed in a retailer's sealed container or a manufacturer's original container, for off-premises consumption, subject to the conditions provided by ordinance and 235 ILCS 5/6-28.8. ~~for off-premises consumption.~~

(c) A Class A ~~or a Class AA~~ licensee may sell and serve alcoholic liquor during the following hours of business:

<u>Day</u>	<u>Hours</u>
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Sunday	10:00 a.m. until 1:00 a.m. the next day
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Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
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Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.
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(d) A Class A ~~or a Class AA~~ licensee may provide live entertainment.

~~(e) A Class AA license permits the sale of beer and wine only. No other alcoholic liquors may be sold at a Class AA licensed establishment.~~

~~(f)~~ Pursuant to Section 4-2103(8), a Class A ~~or a Class AA~~ licensee may make a variance request to the local liquor control commissioner to allow a private event at the licensed premises during which time the entire premises may be closed to the general public. Such a request must be made in writing to the local liquor control commissioner no less than ten (10) days prior to the event and is limited to three (3) events in a calendar year.

~~(g)~~ A "minor" is as defined in Section 4-1100. Minors may be allowed on premises licensed as a Class A ~~or Class AA~~ licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar. No minor may be allowed to use or operate a video gaming terminal located on licensee's premises, and video gaming terminals shall be placed in an area restricted to individuals aged twenty-one (21) and over.

~~(h)~~ A Class A ~~or Class AA~~ COPIA Restaurant or Bowling Alley licensee may have a maximum of six (6) video gaming terminals on its premises if it meets all rules and regulations for video gaming licensing through the State of Illinois and the City and remains compliant with said rules and regulations.

(Ord. No. 3002-2020; Sec. 4-3302(b)(2) amended; 1/21/20; Ord. No. 3034-2020; Sec. 4-3302(b)(2) amended; 11/17/20; Ord. No. 3016-2021; Sec. 4-3302(i) repealed; 7/27/21; Ord. No. 3019-2021; Sec. 4-3302 amended; 7/27/21; Ord. No. 3039-2021; Sec. 4-3302(h) amended; 1/11/22)

SEC. 4-3303. CLASS B TAVERN; CLASS BB LIQUOR PRODUCER & RESELLER LICENSE.

- (a) ~~(a)~~ A Class B Tavern license may be issued only to those taverns as defined in Section 4-1100. Taverns, nightclubs, pubs and lounges are required to obtain a tavern license to sell and serve alcoholic beverages as the primary source of business. In other words, if the establishment's business is to sell alcohol, to be consumed on the premises, a Tavern license is required. The sale of alcoholic liquor shall be the principal purpose of a tavern and ~~the revenues derived from the sale of food and/or offering of video gaming activity, if applicable, shall be incidental.~~
- (b) A Class BB Producer & Reseller license may be issued only to those liquor producers as defined in Section 4-1100. The sale of alcoholic liquor shall be the principal purpose of a producer and ~~the revenues derived from the sale of food and/or offering of video gaming activity, if applicable, shall be incidental.~~
- (c) Patrons entering a Class B or BB licensed establishment must be 21 or older; unless accompanied by a parent or legal guardian.

~~(d)~~ A Class B or BB license issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor ~~from one (1) bar room only:~~

- (1) Sales for consumption on the premises;
- (2) ~~Package s~~ Sales and delivery of alcoholic liquor, including cocktails, mixed drinks, or single servings of wine placed in a retailer's sealed container or a manufacturer's original container, for off-premises consumption, subject to the conditions provided by ordinance and 235 ILCS 5/6-28.8.

~~in original packages for off-premises consumption.~~

(~~e~~) A Class B or BB licensee may sell and serve alcoholic liquor during the following hours of business:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 a.m. until 1:00 a.m. the next day
Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.

- (~~f~~) A Class B/BB licensee may provide live entertainment.
- (~~g~~) A "minor" is as defined in Section 4-1100. No minor shall be on any premises licensed as a Class B or ~~BB~~ licensee, and a Class B licensee must post a sign provided by the City and visible at the entrance to its premises stating that no minors are permitted on said premises per City ordinance.
- (~~h~~) A Class B or BB licensed premises may not be located within three hundred (300) feet of any church, school, other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, any military or naval station. The distance of three hundred (300) feet shall be measured from the nearest part of the licensee's building to the nearest part of a church, school,

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other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, or any military or naval station.

(1) **Exception:** If a proposed premises for a Class B or BB license is located within one hundred (100) to three hundred (300) feet of any establishment listed in Sec. 4-3303(f), the property owner shall be included in the property consents required for a license per Sec. 4-3202 of the Code, and the license applicant may seek the consent(s) as part of the majority of property owners necessary to proceed with the license application.

(g) A Class B or BB licensee may have a maximum of six (6) video gaming terminals on its premises if it meets all rules and regulations for video gaming licensing through the State of Illinois and the City and remains compliant with said rules and regulations. (Ord. No. 3002-2020; Sec. 4-3303(b)(2) amended; 1/21/20; Ord. No. 3034-2020; Sec. 4-3303(b)(2) amended; 11/17/20; Ord. No. 3016-2021; Sec. 4-3303(h) repealed; 7/27/21; Ord. No. 3019-2021; Sec. 4-3303 amended; 7/27/21; Ord. No. 3039-2021; Sec. 4-3303(g) amended; 1/11/22)

SEC. 4-3304. CLASS C PACKAGED SALES ONLY-PRIMARY LICENSE; CLASS CC PACKAGED SALES ONLY-SECONDARY LICENSE AND CLASS CCC PACKAGED SALES BEER AND WINE ONLY-SECONDARY.

(a) A Class C Packaged Sales Only ~~Primary~~ license, a Class CC Packaged Sales Only ~~Secondary~~ license, and a Class CCC Packaged Sales Beer and Wine Only ~~Secondary~~ license issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor only:

(1) Package sales of alcoholic liquor in original packages for off-premises consumption.

(b) A Class C, ~~Class CC~~ and ~~Class CCC~~ licensee may sell alcoholic liquor during the following hours of business:

Day	Hours
Sunday	6:00 a.m. until 1:00 a.m. the next day
Monday Sunday	through Thursday For each day: 6:00 a.m. until 1:00 a.m. the next day
Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.

(c) A Class C, ~~Class CC~~ or ~~Class CCC~~ license may not be located within one hundred (100) feet of any church, school, other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, any military or naval station. After October 1, 2021, a new initial Class C, ~~Class CC~~, or ~~Class CCC~~ license may not be located within one hundred (100) feet of a renewed Class C, ~~Class CC~~, or ~~Class CCC~~ license. The distance of one hundred (100) feet shall be measured from the nearest part of the licensee's building to the nearest part of a church, school, other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, any military or naval station, or building for a renewed Class C, ~~Class CC~~ or ~~Class CCC~~ license.

~~(d) A Class C Packaged Sales Only Primary license shall be issued when the sale of alcoholic liquors is the primary business of the licensee. "Primary business" shall mean that twenty five percent (25%) or more of the square footage of the store available for sales is dedicated to the displays or promotion of alcoholic liquors.~~

~~—(e) A Class CC Packaged Sales Only Secondary license shall be issued when less than twenty five percent (25%) of the square footage of the store available for sales is dedicated to the displays or promotion of alcoholic liquors.~~

~~—(f) A Class CCC Packaged Sales Beer and Wine Only Secondary license shall be issued when less than twenty five percent (25%) of the square footage of the store available for sales is dedicated to the displays or promotion of alcoholic liquors and the licensee sells only beer and wine.~~

(gd) **Minors.** A “minor” is as defined in Sec. 4-1100.

~~—(1) No minor shall be on any premises licensed as a Class C licensee, and a Class C licensee must post a sign provided by the City and visible at the entrance to its premises stating that no minors are permitted on said premises per City ordinance.~~

(2) Minors are allowed in a Class ~~CC~~ or Class ~~CCC~~ licensed premises except where a Class ~~CC~~ or Class ~~CCC~~ licensee has a specific section or department dedicated to the sale of alcoholic liquor; no minor shall be permitted in said section or department unless accompanied by an individual twenty-one (21) years or older. (Ord. No. 3035-2013; Sec. 4-3304(c) repealed; new Sec. 4-3304(c) enacted; 10/15/13) (Ord. No. 3017-2012; Sec. 4-3304(d)(2), (e)(2), (f)(2) repealed in entirety; 07/17/12) (Ord. No. 3002-2020; Sec. 4-3304(a)(1) amended; 1/21/20; Ord. No. 3034-2020; Sec. 4-3304(a)(1) amended; 11/17/20; Ord. No. 3016-2021; Sec. 4-3304(c) amended; 7/27/21; Ord. No. 3019-2021; Sec. 4-3304 amended; 7/27/21)

SEC. 4-3305. CLASS D NOT-FOR-PROFIT ORGANIZATION; CLUBS/FRATERNAL OR VETERANS'; CHURCH ORGANIZATION LICENSE.

(a) A Class D Club/Fraternal or Veterans Organization license may be issued only to a club as defined in Section 4-1100. The principal purpose of a club is as a fraternal or veterans' organization and the revenues derived from the sale of alcoholic liquor or food and/or video gaming activity, if applicable, shall be incidental.

(b) A Class D license issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor ~~from one (1) bar room only:~~

(1) Sales for consumption on the premises;

(2) Package sales of alcoholic liquor in original packages for off-premises consumption.

(c) A Class D licensee may sell and serve alcoholic liquor during the following hours of business:

<u>Day</u>	<u>Hours</u>
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Sunday	10:00 a.m. until 1:00 a.m. the next day
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Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
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Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.
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(d) A Class D licensee may provide live entertainment.

(e) A “minor” is as defined in Section 4-1100. Minors may be allowed on premises licensed as a Class D licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar. No minor may be allowed to use or operate a video gaming terminal located on licensee's premises, and video gaming terminals shall be placed in an area restricted to individuals aged twenty-one (21) and over.

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(f) ~~A A-Class-DClub/Fraternal or Veterans'-licensee~~ may have a maximum of six (6) video gaming terminals on its premises if it meets all rules and regulations for video gaming licensing through the State of Illinois and the City and remains in compliance with said rules and regulations.
(Ord. No. 3002-2020; Sec. 4-3305(b)(2) amended; 1/21/20; Ord. No. 3034-2020; Sec. 4-3305(b)(2) amended; 11/17/20; Ord. No. 3019-2021; Sec. 4-3305 amended; 7/27/21; Ord. No. 3039-2021; Sec. 4-3305(f) amended; 1/11/22)

SEC. 4-3306. CLASS E CATERER'S LICENSE; CLASS EE CATERER'S REGISTRATION.

(a) A Class E Caterer's License allows catering companies or restaurants located within the city limits to cater food and alcoholic beverages off site and within the City of Moline. "Off Site" catering means the preparation of food at one location for service at another. Holders of this license are required to have a valid City of Moline food license as well.

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(b) A Class EE Caterer's Registration permits caterers or restaurants that are located outside the City of Moline to cater events with food and alcoholic beverages within the city limits. "Outside Caterer" means a person who performs off-site catering by preparing food at a location outside the City of Moline for service at a location within the city limits. Holder of this registration are required to have a valid food license from the municipality in which it is located.

(c) A Class E or EE licensee issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor ~~from one (1) bar room only:~~

(1) Sales for consumption on the premises

(d) A Class E or EE licensee may sell and serve alcoholic liquor during the following hours of business:

<u>Day</u>	<u>Hours</u>
<u>Sunday</u>	<u>6:00 a.m. until 1:00 a.m. the next day</u>
<u>Monday through Thursday</u>	<u>For each day: 6:00 a.m. until 1:00 a.m. the next day</u>
<u>Friday and Saturday</u>	<u>For each day: 6:00 a.m. until 2:00 a.m. the next day.</u>

(e) A "minor" is as defined in Section 4-1100. Minors may be allowed on premises of an event catered by a Class E or EE licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.

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SEC. 4-3307. CLASS F HOTEL/MOTEL LICENSE.

(a) A Class F Hotel/Motel license issued pursuant to this chapter shall entitle the licensee, a hotel or motel as defined in Section 4-1100, to make the following sales of alcoholic liquor:

(1) Sales for consumption on the premises, whether for private events or public consumption in tavern, lounge area or banquet rooms;

(2) Package sales of alcoholic liquor in original packages for off-premises consumption.

(b) A Class F licensee may sell and serve alcoholic liquor during the following hours of business:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 a.m. until 1:00 a.m. the next day
Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.

(c) A Class F licensee may provide live entertainment.
(d) A "minor" is as defined in Sec. 4-1100. Minors may be allowed on premises licensed as a Class F licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.
(Ord. No. 3002-2020; Sec. 4-3307(a)(2) amended: 1/21/20; Ord. No. 3034-2020; Sec. 4-3307(a)(2) amended: 11/17/20; Ord. No. 3016-2021; Sec. 4-3307(e) repealed: 7/27/21; Ord. No. 3019-2021; Sec. 4-3307 amended: 7/27/21)

SEC. 4-3307. CLASS G SPECIALTY RETAIL – LIMITED HOURS

(a) A Class G license issued pursuant to this chapter shall entitle the licensee, a specialty retailer as defined in Section 4-1100, (e.g. stationery, wine, create-your-own art and candles) to allow the sale or service of alcoholic liquor for on premises consumption from one (1) bar room only and during limited hours daily, unless a variance is otherwise granted by the local liquor control commissioner:

<u>Day</u>	<u>Hours</u>
Sunday through Saturday	Up to 8 hours between 10:00 a.m. and 10:00 p.m.

(b) A Class G licensee may provide live entertainment.
(c) Minors may be allowed on premises licensed as a Class G Licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.

SEC. 4-33108. CLASS H CIVIC CENTER LICENSE.

(a) A Class H Civic Center license issued pursuant to this chapter shall entitle the licensee, a civic center as defined in Section 4-1100, to make the following sales of alcoholic liquor:

- (1) Sales for consumption on the premises, whether for private events or public consumption in bar or lounge area, banquet rooms, or event area;
- (2) Package sales of alcoholic liquor in original packages for off-premises consumption.

(b) A Class H licensee may sell and serve alcoholic liquor during the following hours of business:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 a.m. until 1:00 a.m. the next day
Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.

(c) A Class H-licensee may provide live entertainment.
(d) Minors may be allowed on premises licensed as a Class H-Licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.

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(Ord. No. 3002-2020; Sec. 4-3310(a)(2) amended; 1/21/20; Ord. No. 3034-2020; Sec. 4-3310(a)(2) amended; 11/17/20; Ord. No. 3016-2021; Sec. 4-3310(e) repealed; 7/27/21; Ord. No. 3019-2021; Sec. 4-3310 amended; 7/27/21)

~~SEC. 4-3306. CLASS E RENTAL HALL.~~

- ~~—(a) A Class E Rental Hall license may be issued only to a rental hall business as defined in Section 4-1100.~~
- ~~—(b) A Class E licensee issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor from one (1) bar room only:
 - ~~—(1) Sales for consumption on the premises used exclusively for private functions. Hors d'oeuvres, meals or other food from the licensee or a licensed food establishment must be served continually at every private function.~~
 - ~~—(2) Package sales of alcoholic liquor in original packages for off-premises consumption.~~~~
- ~~—(c) A Class E licensee may sell and serve alcoholic liquor during the following hours of business unless a variance is otherwise granted by the local liquor control commissioner:

Day	Hours
Sunday	10:00 a.m. until 12:00 a.m. the next day.
Monday through Saturday	For each day: 6:00 a.m. until 12:00 a.m. the next day.
- ~~—Pursuant to Section 4-2103(7), a Class E licensee may request a variance to extend its hours of business to 1:00 a.m. for certain events, but no more than three (3) times per year per licensee. Such a request must be made in writing to the local liquor control commissioner no less than ten (10) days prior to the event.~~
- ~~—(d) A Class E licensee may provide live entertainment.~~
- ~~—(e) A "minor" is as defined in Section 4-1100. Minors may be allowed on premises licensed as a Class E licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.~~

~~(Ord. No. 3002-2020; Sec. 4-3306(b)(2) amended; 1/21/20; Ord. No. 3034-2020; Sec. 4-3306(b)(2) amended; 11/17/20; Ord. No. 3016-2021; Sec. 4-3306(f) repealed; 7/27/21; Ord. No. 3019-2021; Sec. 4-3306 amended; 7/27/21)~~

~~SEC. 4-3307. CLASS F HOTEL/MOTEL LICENSE.~~

- ~~—(a) A Class F Hotel/Motel license issued pursuant to this chapter shall entitle the licensee, a hotel or motel as defined in Section 4-1100, to make the following sales of alcoholic liquor:
 - ~~—(1) Sales for consumption on the premises, whether for private events or public consumption in tavern, lounge area or banquet rooms;~~
 - ~~—(2) Package sales of alcoholic liquor in original packages for off-premises consumption.~~~~
- ~~—(b) A Class F licensee may sell and serve alcoholic liquor during the following hours of business:

Day	Hours
Sunday	10:00 a.m. until 1:00 a.m. the next day
Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day

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~~— Friday and Saturday — For each day: 6:00 a.m. until 2:00 a.m. the next day.~~

~~— (c) A Class F licensee may provide live entertainment.~~

~~— (d) A “minor” is as defined in Sec. 4-1100. Minors may be allowed on premises licensed as a Class F licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.~~

~~(Ord. No. 3002-2020; Sec. 4-3307(a)(2) amended; 1/21/20; Ord. No. 3034-2020; Sec. 4-3307(a)(2) amended; 11/17/20; Ord. No. 3016-2021; Sec. 4-3307(c) repealed; 7/27/21; Ord. No. 3019-2021; Sec. 4-3307 amended; 7/27/21)~~

SEC. 4-3308. CLASS FF HOTEL/MOTEL LIMITED.

~~— (a) A Class FF Hotel/Motel Limited license issued pursuant to this chapter shall entitle the licensee, a hotel or motel as defined in Section 4-1100, to make the following sales of beer and wine only as part of a hotel package:~~

~~— (1) Sales for consumption on the premises in the area specifically designated in the license application for the hours of 4:00 p.m. through 8:00 p.m. each day.~~

~~— (2) The licensee need not have a manager on the premises, but a person of the minimum age of twenty-one (21) years must be present in the designated area at all times while the beer and wine is available to the public.~~

~~— (3) Hors d’oeuvres or other food must be served continually between 4:00 p.m. and 8:00 p.m. while beer and wine is being sold.~~

~~— (b) A Class FF licensee may provide live entertainment.~~

~~— (c) A Class FF license permits the sale of beer and wine only. No other alcoholic liquors may be sold as part of a hotel package at a Class FF licensed establishment.~~

~~— (d) A “minor” is as defined in Sec. 4-1100. Minors may be allowed on premises licensed as a Class FF licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.~~

~~(Ord. No. 3016-2021; Sec. 4-3308(e) repealed; 7/27/21)~~

SEC. 4-3309. CLASS G ENTERTAINMENT/RECREATIONAL/SERVICE FACILITY LICENSE.

~~— (a) A Class G Entertainment/Recreational/Service Facility license may be issued only to entertainment/recreational/service facilities as defined in Sec. 4-1100. The principal purpose of a Class G licensee is as an entertainment venue for live performances or for recreational activities or as a service establishment, and the revenue derived from the sale of alcoholic liquor or food shall be incidental. A business whose principal purpose is not the entertainment or recreational activity or the provision of a service or services but rather the sale of alcoholic liquor shall obtain a Class B Tavern liquor license and follow the requirements of the Class B license.~~

~~— (b) A Class G license issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor from one (1) bar room only and only during times when the premises is being used for the entertainment or recreational activities or services:~~

~~— (1) Sales for consumption on the premises;~~

~~—(2) Package sales of alcoholic liquor in original packages for off-premises consumption.~~

~~—(c) A Class G licensee may sell and serve alcoholic liquor during the following hours of business:~~

~~—~~

<u>Day</u>	<u>Hours</u>
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~~—~~

Sunday	10:00 a.m. until 1:00 a.m. the next day
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~~—~~

Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
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Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.
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~~—(d) A "minor" is as defined in Section 4-1100. Minors may be allowed on premises licensed as a Class G licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.~~

~~(Ord. No. 3002-2020; Sec. 4-3309(b)(2) amended; 1/21/20; Ord. No. 3034-2020; Sec. 4-3309(b)(2) amended; 11/17/20; Ord. No. 3016-2021; Sec. 4-3309(e) repealed; 7/27/21; Ord. No. 3019-2021; Sec. 4-3309 amended; 7/27/21)~~

SEC. 4-33143309. CLASS I-SPECIAL EVENT NOT FOR PROFIT LICENSE.

(a) A Class I-Special Event Not for Profit license shall be issued only to organized clubs, societies, associations, fraternal organizations, duly constituted churches, municipal governmental entities, or benevolent organizations organized not for pecuniary profits. An applicant shall provide proof of its not-for-profit status as part of the license application.

(b) A Class I license fee is twenty-five dollars (\$25.00) for each event. For purposes of this section, an event may cover multiple days as long as it is at the same location and for the same purpose and is submitted under one special event license application.

(c) A Class I license issued pursuant to this chapter shall entitle the licensee to sell alcoholic liquor for consumption on the premises at any banquet, picnic, bazaar, fair, or similar special event.

(d) A Class I licensee may sell and serve alcoholic liquor for a special event during the following hours:

<u>Day</u>	<u>Hours</u>
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Sunday	10:00 a.m. until 1:00 a.m. the next day
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Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
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Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.
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Exception: Any Class I-special event -that takes place outside of an enclosed building shall cease the sale of alcoholic liquor at 11:00 p.m. of the same day upon which sales commenced.

(e) A Class I-license shall require proof of dram shop (liquor liability) insurance on behalf of the City in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section 6-21 of the Illinois Liquor Control Act or one million dollars (\$1,000,000.00) if the event is to be located on City property or public right-of-way.

(f) If the special event will be on City property or public right-of-way, the Class I license also requires an approved licensing agreement executed by the licensee, which agreement shall require proof of insurance on behalf of the City insuring for use of the City property or public right-of-way in one of the following amounts per Section 6-

[2104](#) of the Code: one million dollars (\$1,000,000.00) if less than five thousand (5,000) persons are expected to be in attendance or five million dollars (\$5,000,000.00) if more than five thousand (5,000) persons are expected to be in attendance.

(g) If the sale of alcoholic liquor is to be conducted outside of an enclosed building, the following requirements must be met:

(1) Adequate lighting must be maintained at all times such that law enforcement personnel may visually identify patrons.

(2) Sound amplification is allowed only if the event location is more than five hundred (500) feet from any residentially zoned parcel, which shall be measured from the nearest part of the event location premises to the nearest part of any residentially zoned parcel. If sound amplification is allowed based on this distance, such sound may not cause alarm or disturb the public peace and quiet as set forth in Sec. [21-1100\(7\)](#), "Noises," of the Code of Ordinances, which references noise measurement limits in Sec. [35-5409\(d\)](#) of the Code. If the amplified sound exceeds the noise measurements of Sec. [35-5409\(d\)](#) from any point at or within the property line of the residentially zoned parcel, it will be considered a nuisance violation of Sec. [21-1100\(7\)](#) and the sound amplification must cease immediately.

(3) Security provided by Moline police department and paid for by licensee if the city administrator or designee deems it necessary.

(4) Only non-glass containers may be used.

(h) A Class I licensee may provide live entertainment.

(i) A "minor" is as defined in Section [4-1100](#). Minors may be allowed on premises licensed as a Class I licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.

(j) A Class I license application shall be received in the office of the local liquor control commissioner not fewer than ten (10) business days prior to the event and include the following information:

(1) Full legal name of authorized representative of organized club, society, association, fraternal organization, duly constituted church, municipal governmental entity, or benevolent organization organized not for pecuniary profit;

(2) Copy of the articles of organization or other proof indicating the not for profit status of the organization referenced in (j)(1) above;

(3) Mailing address, email address and telephone number to be reached during the hours of event;

(4) Copy of government issued photo identification of authorized representative of the organization referenced in (j)(1) above;

(5) Type of event, location, date, and beginning and ending times.

(k) Following issuance of a Class I Special Event Not for Profit liquor license by the City, a licensee shall submit an Application for State of Illinois Special Event Retailer's Liquor License (Not-for-Profit) to the Illinois Liquor Control Commission and obtain a state liquor license for the event.

SEC. 4-33123310. CLASS II SPECIAL EVENT HOSTED BAR LICENSE.

A Class II Special Event Hosted Bar license shall be issued only for a private event to be held at City property known as Bass Street Landing Plaza or the Historic Block

Courtyard, by invitation to attendees and not open to the general public, including but not limited to wedding ceremonies, wedding receptions, graduation celebrations, or similar events. As the host of a special event, the licensee may be an individual, corporation, limited liability company or partnership who will be providing alcoholic liquor free of charge to attendees of the event.

(b) A Class II license fee is twenty-five dollars (\$25.00) for each event. For purposes of this section, an event may cover multiple days as long as it is at the same location and for the same purpose and is submitted under one special event license application.

(c) A Class II licensee may serve alcoholic liquor at a special event during the following hours:

<u>Day</u>	<u>Hours</u>
Monday through Thursday	For each day: 5:00 p.m. until 10:00 p.m.
Friday and Saturday	For each day: 10:00 a.m. until 11:00 p.m.

(d) A Class II licensee may provide live or recorded entertainment including amplified sound during the same hours listed in 4-3312(c) above.

(e) A Class II license shall require proof of dram shop (liquor liability) insurance on behalf of the City in the amount of one million dollars (\$1,000,000.00).

(f) The Class II license also requires an approved licensing agreement executed by the licensee, which agreement shall require proof of insurance on behalf of the City, insuring for the use of public property known as Bass Street Landing Plaza or the Historic Block Courtyard, in the amount of one million dollars (\$1,000,000.00).

(g) A Class II licensee shall only serve alcoholic liquor in non-glass containers.

(h) A "minor" is as defined in Section [4-1100](#). Minors may be allowed on premises licensed as a Class II licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.

(i) A Class II license application shall be received in the office of the local liquor control commissioner not fewer than ten (10) business days prior to the event and include the following information:

(1) Full legal name of individual or authorized representative of corporation, limited liability company or partnership;

(2) Mailing address, email address and telephone number to be reached during the hours of event;

(3) Copy of government issued photo identification of individual, authorized representative of corporation, limited liability company or partnership members applying for the license;

(4) Type of event, location, date, beginning and ending times.

(j) A State of Illinois liquor license is not required following issuance of a Class II Special Event Hosted Bar liquor license by the City if the applicant will only be providing alcoholic liquor free of charge to attendees of the event. If the applicant wishes to also provide a cash bar where alcoholic liquor will be sold to the attendees, the applicant must select either a City liquor licensee that holds a licensing agreement with the City for the sale of alcoholic liquor at Bass Street Landing Plaza or the Historic Block Courtyard, or a City liquor licensee that is licensed for retailer's off-site special use (Class 6 license option). Information on these liquor licensees may be obtained from the office of the local liquor control commissioner.

SEC. 4-33133311. CLASS III SPECIAL EVENT HOMEBREWER LICENSE.

A Class III Special Event Homebrewer license issued pursuant to this chapter shall entitle the licensee, a homebrewer as defined by 235 ILCS 5/6-36, to provide homebrew product samples as defined by 235 ILCS 5/2-1 for consumption at a special event open to the public to persons over the age of twenty-one (21) as outlined by 235 ILCS 5/6-36. A Class III licensee shall only serve homebrewed samples free of charge.

(b) A Class III license fee is twenty-five dollars (\$25.00) for each event. For purposes of this section, an event may cover multiple days as long as it is at the same location and for the same purpose and is submitted under one special event license application.

(c) A Class III licensee may serve homebrewed samples at a special event during the following hours:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 a.m. until 1:00 a.m. the next day
Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.

Exception: Any Class III event that takes place outside of an enclosed building shall cease the service of homebrewed samples at 11:00 p.m. of the same day of the event.

(d) A Class III license shall require proof of dram shop (liquor liability) insurance on behalf of the City in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section [6-21](#) of the Illinois Liquor Control Act or one million dollars (\$1,000,000.00) if the event is to be located on City property or public right-of-way.

(e) If the special event will be on City property or public right-of-way, the Class III license also requires an approved licensing agreement executed by the licensee, which agreement shall require proof of insurance on behalf of the City insuring for use of the City property or public right-of-way in one of the following amounts per Section [6-2104](#) of the Code: one million dollars (\$1,000,000.00) if less than five thousand (5,000) persons are expected to be in attendance or five million dollars (\$5,000,000.00) if more than five thousand (5,000) persons are expected to be in attendance.

(f) If the service and/or sampling of homebrewed samples is to be conducted outside of an enclosed building, the following requirements must be met:

(1) Adequate lighting must be maintained at all times such that law enforcement personnel may visually identify patrons.

(2) Sound amplification is allowed only if the event location is more than five hundred (500) feet from any residentially zoned parcel, which shall be measured from the nearest part of the event location premises to the nearest part of any residentially zoned parcel. If sound amplification is allowed based on this distance, such sound may not cause alarm or disturb the public peace and quiet as set forth in Sec. [21-1100\(7\)](#), "Noises," of the Code of Ordinances, which references noise measurement limits in Sec. [35-5409\(d\)](#) of the Code. If the amplified sound exceeds the noise measurements of Sec. [35-5409\(d\)](#) from any point at or within the property line of the residentially zoned parcel, it will be considered a nuisance violation of Sec. [21-1100\(7\)](#) and the sound amplification must cease immediately.

(3) Security provided by Moline police department and paid for by licensee if the city administrator or designee deems it necessary.

(4) Only non-glass containers may be used.

(g) A "minor" is as defined in Section 4-1100. Minors may be allowed on premises licensed as a Class III licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.

(h) A Class III license application shall be received in the office of the local liquor control commissioner not fewer than ten (10) business days prior to the event and include the following information:

(1) Full legal name of individual or authorized representative of corporation, limited liability company or partnership;

(2) Mailing address, email address and telephone number to be reached during the hours of event;

(3) Copy of government issued photo identification of individual, authorized representative of corporation, limited liability company or partnership applying for license;

(4) Type of event, location, date, and beginning and ending times.

(i) ~~(i)~~ Following issuance of a Class III Special Event Homebrewer liquor license by the City, a licensee shall submit an Application for a State of Illinois Homebrewer Special Event Liquor License to the Illinois Liquor Control Commission and obtain a State liquor license for the event.

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SEC. 4-3314. CLASS J PARK CONCESSION LICENSE.

~~—(a) A Class J Park Concession license issued pursuant to this chapter shall entitle the licensee, the City of Moline, to make the following sales of alcoholic liquor:~~

~~—(1) Sales for consumption on the premises at Green Valley Sports Complex excluding parking areas.~~

~~—(b) A Class J licensee may sell and serve alcoholic liquor during the following hours of business:~~

~~— Day Hours~~

~~— Sunday 10:00 a.m. until 1:00 a.m. the next day~~

~~— Monday through Thursday For each day: 6:00 a.m. until 1:00 a.m. the next day~~

~~— Friday and Saturday For each day: 6:00 a.m. until 2:00 a.m. the next day.~~

~~—(c) A Class J licensee may provide live entertainment.~~

~~—(d) Minors may be allowed on premises licensed as a Class J licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.~~

~~—(e) Certain requirements for the sale of alcoholic liquor at Green Valley Sports Complex must be met as set forth below:~~

~~—(1) Adequate lighting must be maintained at all times such that law enforcement and park personnel may visually identify patrons;~~

~~—(2) A Class J licensee may provide live or recorded entertainment including amplified sound during the same hours listed in Section 4-3314(b) above;~~

~~—(3) Security provided by Moline police department and paid for by licensee if the city administrator or designee deems it necessary; and~~

~~(4) Only non-glass containers may be used.~~

~~(f) To ensure compliance with all requirements of the ordinance, at least one (1) employee of the premises must physically frequent such premises where park patrons are present at least once every thirty (30) minutes to monitor and require such compliance; provided, however, that such requirement is only effective when park patrons or other individuals are present on the premises.~~

SEC. 4-33153312. CLASS K VIDEO GAMING ESTABLISHMENT LICENSE.

(a) A Class K Video Gaming Establishment license may be issued only to those video gaming establishments as defined in Section 4-1100, whose principal business is the operation of video gaming terminals. The sale of alcoholic liquor and the revenue derived from the sale of alcoholic liquor and/or food at a video gaming establishment shall be incidental to the principal purpose and activity of video gaming.

(b) A Class K licensee must comply with all requirements of this Section 4-3315 as well as the rules and regulations adopted by the Illinois Gaming Board pursuant to the Illinois Video Gaming Act, 230 ILCS 40/1 et. seq.

(c) A Class K license issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor from one (1) bar room only:

- (1) Sales for consumption on the premises;
- (2) Package sales of alcoholic liquor in original packages for off-premises consumption.

(d) All operations must be conducted indoors.

(e) A Class K licensee may sell and serve alcoholic liquor during the following hours of business:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 a.m. until 1:00 a.m. the next day
Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.

No video gaming terminal may be used, operated, or played except during the licensee's hours of business.

(f) A Class K licensed premises may not be located within three hundred (300) feet of any church, school, other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, any military or naval station. This restriction does not apply if one of the listed organizations moves within the restricted distance following the issuance of a Class K license.

The distance of three hundred (300) feet shall be measured from the nearest part of the licensee's building to the nearest part of any church, school, other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, any military or naval station. When a proposed Class K licensee will be located within a subsection of a property by virtue of a lease, deed, or other arrangement (e.g., a tenant in a shopping center or commercial condominium), the distance of three hundred (300) feet shall be measured from the subsection of the property (i.e., boundaries of the establishment's leased building premises).

(g) A Class K license must have at least one (1) employee age twenty-one (21) or over on the licensed premises at all times and the entrance to the establishment must be within view of said employee.

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(h) A "minor" is as defined in Section [4-1100](#). No minor shall be on any premises licensed as a Class K licensee, and a Class K licensee must post a sign provided by the City and visible at the entrance to its premises stating that no minors are permitted on said premises per City ordinance.

(i) Following issuance of a Class K license, in order to operate video gaming on its premises, the licensee must apply for and maintain a current State of Illinois liquor license from the Illinois Liquor Control Commission, a video gaming location license from the Illinois Gaming Board and a video gaming license from the City of Moline.

(j) No video gaming terminal may be used, operated, or played at a licensed establishment where alcoholic liquor is sold when the liquor license for that establishment has been suspended or revoked. A licensee's video gaming license shall be suspended for the same period of time as the suspension or revocation of the liquor license.

(k) A Class K licensee may have a maximum of six (6) video gaming terminals on its premises if it meets all rules and regulations for video gaming licensing through the State of Illinois and the City and remains compliant with said rules and regulations. (Ord. No. 3002-2020; Sec. 4-3315(c)(2) amended; 1/21/20; Ord. No. 3034-2020; Sec. 4-3315(c)(2) amended; 11/17/20; Ord. No. 3016-2021; Sec. 4-3315(k) repealed; 7/27/21; Ord. No. 3019-2021; Sec. 4-3315 amended; 7/27/21; Ord. No. 3039-2021; Sec. 4-3315(k) enacted; 1/11/22)

SEC. 4-~~3316~~3313. OPTIONS GENERALLY.

(a) All of the options permitted by this ordinance are granted in conjunction with a license and are not granted unless the specific class of license held by the licensee is eligible for such an option.

(b) An option may be granted only if the licensee meets all requirements for the option requested and said request is approved by the local liquor control commissioner and the fees set forth for each option are paid.

(c) The purchase of an option shall not enlarge the licensee's privileges and limitations under the license except as specified by the option purchased. (Ord. No. 3020-2015; prior Sec. 4-3316 "Option II Additional Bar Station" consecutively renumbered to Sec. 4-3318; 05/12/15)

SEC. 4-~~3317~~3314. OPTION 1 - OUTDOOR USE.

(a) The following classes of licenses are eligible for the outdoor use option: Class A, AA, B, ~~BB, D, E, F, FF, and G, and H, and Class CC and CCC license holders that also possess Option 8.~~

(b) The outdoor use option allows a licensed premises to conduct activities licensed under the provisions of this chapter outside of an enclosed building for the purpose of serving patrons when no residential neighborhood will be adversely affected; provided, however, that all activities take place on the licensed premises or, if the outdoor use is to operate on public right-of-way or public property, the outdoor use option may be granted only with a City Council approved licensing agreement executed by the licensee which licensing agreement shall require proof of insurance on behalf of the City in appropriate amounts, insuring for the use of right-of-way or public property. In addition,

no outdoor use option shall be granted by the liquor control commissioner unless all of the following terms are included within the permitted option:

(1) Adequate lighting must be maintained at all times such that law enforcement personnel may visually identify patrons from the public right-of-way;

(2) The maximum hours of operation for outdoor use shall be the exact hours of operation of the licensee if the outdoor use is on private property; if the outdoor use is to operate on public right-of-way or public property, the hours of operation shall be daily from 10:00 a.m. to 11:00 p.m.;

(3) All parking requirements of City ordinances must be satisfied;

(4) No sound amplification equipment will be used outside; provided, however, that ambient background music is permissible; for purposes of this subsection, "ambient background music" shall mean quiet music played at a minimal volume such that it is not audible from adjoining property or public rights-of-way;

(5) That appropriate demarcation elements shall be required herein to identify the outside premises licensed hereunder and the proposed demarcation elements shall be approved as set forth in Section 6-2106, "Use of Public Right-of-Way for Sidewalk Food and Beverage Service," of the Moline Code of Ordinances;

(6) Only non-glass containers may be used if the outdoor premises are located on public property or public right-of-way;

(7) Except as provided herein and in Paragraph (8) below, live animals shall be excluded from all areas under the control of the licensed establishment both inside and outside of an enclosed building for the purpose of serving patrons on private property, public right-of-way or public property. This exclusion does not apply to edible fish, crustacean, shellfish, or to fish in aquariums, nor to patrol dogs accompanying security or police officers. Service dogs and service miniature horses recognized under the Americans with Disabilities Act as trained to assist persons with disabilities that are accompanying such persons shall be permitted in all areas open to the public.

(8) Other than Licensees holding a COPIA Restaurant License (~~Class A and Class AA~~), a Licensee with this Option may permit Companion Dogs in the outdoor area licensed hereunder. Companion Dogs are not permitted in an indoor licensed area for any Licensee. A Licensee choosing to allow Companion Dogs must ensure compliance with the Illinois Food, Drug, and Cosmetic Act, the Food Handling Regulation Enforcement Act, the Sanitary Food Preparation Act, and all other applicable statutes and ordinances of the City of Moline. A Licensee shall refuse to serve the owner of a Companion Dog if the person in control of the Companion Dog fails to exercise reasonable control over the Companion Dog, or if the Companion Dog is otherwise behaving in a manner that compromises or threatens to compromise the health or safety of any person present, including, but not limited to, violations and potential violations of any applicable health code or other statute or ordinance.

(c) To ensure compliance with all requirements of the ordinance, at least one (1) employee of the premises must physically frequent such outside portion at least once every five (5) minutes to monitor and require such compliance; provided, however, that such requirement is only effective when patrons or other individuals are present at the outdoor portion of the licensee.

(Ord. No. 3020-2015; prior Sec. 4-3317 "Option III Caterer's Retail" renumbered to Sec. 4-3319; 05/12/15; Ord. No. 3021-2019; 08/27/19; Ord. No. 3002-2021; 02/23/21)

SEC. 4-3318. OPTION 2 ADDITIONAL BAR STATION.

- (a) The following classes of licenses are eligible for the additional bar station option: Class A, AA, B, D, E, and G.
- (b) The additional bar station option permits the licensee to maintain two (2) or more bar rooms or dispensing points.
- (c) For purposes of this section, a licensee maintains separate bar rooms when two (2) or more bars are separated by walls, ceilings, or floors so that access from one bar to another can only be had by going through a door or doorway or by going up or down a flight of stairs.
- (d) Any applicant desiring to purchase an additional bar station option shall supply the local liquor control commissioner with the number of bar rooms and the specific location of the bar rooms in the building or on the premises in addition to any other information required by this ordinance. The fee of one half of the license amount for this option is assessed for each additional bar station requested.
(Ord. No. 3028-2011; Sec. 4-3318(a) repealed; new Sec. 4-3318(a) enacted; 07/19/11)
(Ord. No. 3020-2015; prior Sec. 4-3318 "Option IV Restaurant Alternate" consecutively renumbered to Sec. 4-3320; 05/12/15)

SEC. 4-3319. OPTION 3 CATERER'S RETAIL.

- (a) The following classes of licenses are eligible for the caterer's retail option if licensee meets the definition of a caterer-retailer as set forth in Section 4-1100: Class A, AA, CC, and E.
- (b) A licensee may select the caterer's retail option to authorize the licensee to provide catering services at an off-site catering location during the following hours of business, unless a variance is otherwise granted by the local liquor control commissioner pursuant to Section 4-2103(7):
— Day ——— Hours
— Sunday ——— 10:00 a.m. until 12:00 a.m. the next day
— Monday through Saturday — For each day: 6:00 a.m. until 12:00 a.m. the next day.
- (c) Catering location is defined as a location that is used for a private party or function by invitation or reservation or paid admittance of attendees only and is not open to the general public, such as a wedding celebration, open house, live performance or similar event where, pursuant to an agreement with the event sponsor, the licensee is providing prepared food for serving to attendees in a room, rooms, or areas designated and used exclusively for the private party or function.
- (d) To exercise this option, a licensee must provide verification to the local liquor control commissioner that its dram shop (liquor liability) insurance covers catering events and locations.
(Ord. No. 3002-2021, Sec. 4-3319(a) amended; 02/23/21)

SEC. 4-3320. OPTION 4 RESTAURANT ALTERNATE.

- (a) If a Class A or AA licensee elects to close its kitchen or otherwise ceases to serve the same menu served prior to the times identified in Section 4-3302, but remains open to serve beverages, including alcoholic liquor, said licensee must select the restaurant alternate option and comply with the following regulations concerning minors and hours of operation:
— Day ——— Hours

~~— Sunday — 10:00 a.m. until 1:00 a.m. the next day~~
~~— Monday through Thursday — For each day: 6:00 a.m. until 1:00 a.m. the next day~~
~~— Friday and Saturday — For each day: 6:00 a.m. until 2:00 a.m. the next day.~~
~~— (b) — A “minor” is as defined in Sec. 4-1100. Minors must be dismissed or otherwise barred from the premises of an Option 4 licensee no later than 11:00 p.m. daily. (Ord. No. 3020-2015; prior Sec. 4-3320 “Option VI Off-Site Retailer’s Special Use” consecutively renumbered to Sec. 4-3322; 05/12/15; Ord. No. 3016-2021; Sec. 4-3320(c) repealed; 7/27/21)~~

SEC. 4-33213315. OPTION 52- EXTENDED HOURS 3 A.M.

(a) The following classes of licenses are eligible for the extended hours option: Class A ~~Restaurant and Class AA Restaurant Beer & Wine Only Consumption on Premises – Incidental Activity (COPIA)~~, if said license includes an Option 4, and Class B Tavern and BB Producer & Reseller.

(b) The extended hours option permits Class A and Class AA licensees with an Option 4 and Class B and BB licensees to remain open to 3:00 a.m. daily to serve alcoholic liquor for consumption on the premises only.

(c) The following shall be considered in determining whether to grant an application for Option 5:

- (1) The number of off-street parking places available to the licensee;
 - (2) The distance from the licensed premises and any off-street parking to residentially zoned property;
 - (3) The hours live entertainment will be provided;
 - (4) Whether any other licensed premises exists within the vicinity of the licensee;
 - (5) Whether conditions exist that are conducive to disturbing the quiet of residential neighborhoods or to producing blight in commercial neighborhoods.
- (Ord. No. 3020-2015; this section was previously 4-3319; consecutively renumbered to Sec. 4-3321; 05/12/15; Ord. No. 3016-2021; Sec. 4-3321(d) repealed; 7/27/21)

SEC. 4-33223316. ~~OPTION 6~~ RETAILER’S OFF-SITE SPECIAL USE PERMIT (PUBLIC PROPERTY).

(a) The following classes of licenses are eligible for ~~the a~~ retailer’s off-site special use ~~option~~ permit: Class A, AA, B, ~~BB, D, E, F, FF, G~~ and H.

(b) The retailer’s off-site special use ~~option~~ permit shall allow an eligible licensee to sell alcoholic liquor for an off-site special event on any approved City property or right-of-way in accordance with the requirements of an Illinois Special Use Permit Liquor License. Off-site means a premises other than the establishment premises covered by the existing license.

(c) ~~An Option 6~~ Under this permit, a licensee may sell and serve alcoholic liquor for an off-site special event during the following hours:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 a.m. until 12:00 a.m. the next day

Monday through Saturday For each day: 6:00 a.m. until 12:00 a.m. the next day.

Exception: Any such special event that takes place outside of an enclosed building shall cease the sale of alcoholic liquor at 11:00 p.m. of the same day upon which sales commenced.

(d) If the sale of alcoholic liquor is to be conducted outside of an enclosed building, the following requirements must be met:

(1) Adequate lighting must be maintained at all times such that law enforcement personnel may visually identify patrons.

(2) Sound amplification is allowed only if the event location is more than five hundred (500) feet from any residentially zoned parcel, which shall be measured from the nearest part of the event location premises to the nearest part of any residentially zoned parcel. If sound amplification is allowed based on this distance, such sound may not cause alarm or disturb the public peace and quiet as set forth in Sec. [21-1100\(7\)](#), "Noises," of the Code of Ordinances, which references noise measurement limits in Sec. [35-5409\(d\)](#) of the Code. If the amplified sound exceeds the noise measurements of Sec. [35-5409\(d\)](#) from any point at or within the property line of the residentially zoned parcel, it will be considered a nuisance violation of Sec. [21-1100\(7\)](#) and the sound amplification must cease immediately.

(3) Security provided by Moline police department and paid for by licensee if the city administrator or designee deems it necessary.

(4) Only non-glass containers may be used.

(e) —Application for the retailer's off-site special use ~~option permit along with the annual option fee of one hundred dollars (\$100.00)~~ may be made to the local liquor control commissioner no less than ten (10) business days prior to the special event. To ~~exercise-obtain this option permit~~, a licensee must provide verification to the local liquor control commissioner that its dram shop (liquor liability) insurance covers the special event. The licensee must also pay the special event license fee of twenty-five dollars (\$25.00) for each event. For purposes of this section, an event may cover multiple days as long as it is at the same location and for the same purpose and is submitted under one special event application.

(f) This ~~option permit~~ also requires an approved licensing agreement executed by the licensee, which agreement shall require proof of insurance on behalf of the City insuring for use of the City property or public right-of-way in one of the following amounts per Section [6-2104](#) of the Code: one million dollars (\$1,000,000.00) if less than five thousand (5,000) persons are expected to be in attendance or five million dollars (\$5,000,000.00) if more than five thousand (5,000) persons are expected to be in attendance.

(g) The licensee shall immediately cease the sale and serving of alcoholic liquor at a special event if the City of Moline police department informs the licensee that a violation of any of the City ordinances or state law has occurred at the event.

(h) Following issuance of a special event liquor license by the City under the Retailer's Off-Site Special Use ~~option permit~~, a licensee shall submit an Application for State of Illinois Special Use Permit Liquor License to the Illinois Liquor Control Commission and obtain a State liquor license for the event.

SEC. 4-33243317. OPTION 7- RETAILER'S ON-SITE OUTDOOR SPECIAL USE PERMIT.

(a) The following classes of licenses are eligible for a retailer's on-site outdoor special use: Class A, AA, B, BB, D, E, F, FF and G and H, ~~and Class CC and CCC license holders that also possess Option 8.~~

(b) ~~The This Option 7 permit~~ shall allow an eligible licensee to sell alcoholic liquor for an outdoor special event on the licensee's premises. Such events may include a car show, a holiday celebration, a music fest, or similar event and are typically identified as being held in the parking lot of the licensee.

(c) An ~~Option 7 on-site outdoor special use permit~~ issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor ~~from one (1) bar room only:~~

(1) Sales for consumption on the premises.

(d) ~~The Option 7 license~~The permit fee is twenty-five dollars (\$25.00) for each event. For purposes of this section, an event may cover multiple days as long as it is at the same location and for the same purpose and is submitted under one special use application.

(e) ~~An Option 7A permitted~~ licensee may serve alcoholic liquor for an outdoor special use during the following hours:

<u>Day</u>	<u>Hours</u>
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Sunday	10:00 a.m. until 11:00 p.m. the same day
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Monday through Saturday	For each day: 6:00 a.m. until 11:00 p.m. the same day.
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(f) Other requirements for outdoor special events must be followed:

(1) Adequate lighting must be maintained at all times such that law enforcement personnel may visually identify patrons.

(2) Sound amplification is allowed only if the event location is more than five hundred (500) feet from any residentially zoned parcel, which shall be measured from the nearest part of the event location premises to the nearest part of any residentially zoned parcel. If sound amplification is allowed based on this distance, such sound may not cause alarm or disturb the public peace and quiet as set forth in Sec. [21-1100\(7\)](#), "Noises," of the Code of Ordinances, which references noise measurement limits in Sec. [35-5409\(d\)](#) of the Code. If the amplified sound exceeds the noise measurements of Sec. [35-5409\(d\)](#) from any point at or within the property line of the residentially zoned parcel, it will be considered a nuisance violation of Sec. [21-1100\(7\)](#) and the sound amplification must cease immediately.

(3) Security provided by Moline police department and paid for by licensee if the city administrator or designee deems it necessary.

(4) Only non-glass containers may be used.

(g) Minors. A "minor" is as defined in Section [4-1100](#).

(1) Minors may be allowed on the premises of a Class A, ~~AA, B, BB, D, E, F, FF, G~~ or H liquor licensee during ~~an Option 7a~~ special use event for purposes other than purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.

(2) ~~Only M~~minors accompanied by a parent or guardian shall not be allowed on the premises of a Class B ~~tavern or BB~~ licensee during ~~an Option 7a~~ special use event pursuant to Sec. [4-3303](#) of this chapter ~~which prohibits minors from being on any premises licensed as a Class B tavern.~~

(h) A request for ~~an Option 7a special use permit~~ may be made to the local liquor control commissioner no less than ten (10) business days prior to the special use event. To exercise this option, a licensee must provide a site plan and verification to the

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local liquor control commissioner that its dram shop (liquor liability) insurance covers the event; the proof of insurance should include the event name, location, date and hours. A licensee will be provided a letter of permission for the event upon the local liquor control commissioner's review and approval of the event.

(i) The licensee shall immediately cease the sale and serving of alcoholic liquor and shut down the special use event if the City of Moline police department informs the licensee that a violation of any of the City ordinances or Illinois state law has occurred at the event.

(j) Except as provided herein and in Paragraph (k) below, live animals shall be excluded from all areas under the control of the licensed establishment both inside and outside of an enclosed building for the purpose of serving patrons on private property, public right-of-way or public property. This exclusion does not apply to edible fish, crustacean, shellfish, or to fish in aquariums, nor to patrol dogs accompanying security or police officers. Service dogs and service miniature horses recognized under the Americans with Disabilities Act as trained to assist persons with disabilities that are accompanying such persons shall be permitted in all areas open to the public.

(k) Other than those Licensees serving food, holding a Restaurant License (Class A and Class AA), a Licensee with this Option permit may permit allow Companion Dogs in the outdoor areas licensed hereunder. Companion Dogs are not permitted in an indoor licensed area for any Licensee. A Licensee choosing to allow Companion Dogs must ensure compliance with the Illinois Food, Drug, and Cosmetic Act, the Food Handling Regulation Enforcement Act, the Sanitary Food Preparation Act, and all other applicable statutes and ordinances of the City of Moline. A Licensee shall refuse to serve the owner of a Companion Dog if the person in control of the Companion Dog fails to exercise reasonable control over the Companion Dog, or if the Companion Dog is otherwise behaving in a manner that compromises or threatens to compromise the health or safety of any person present, including, but not limited to, violations and potential violations of any applicable health code or other statute or ordinance.

(Ord. No. 3021-2019; 8/27/19; Ord. No. 3002-2021; Sec. 4-3324(a) amended; 02/23/21)

SEC. 4-3325. OPTION 8: RETAILER'S ON-SITE POURING.

(a) The following classes of licenses are eligible for the retailer's on-site pouring option: Class CC, CCC.

(b) Option 8 shall allow an eligible licensee to pour alcohol for service on the Premises within a defined and controlled area during limited days and hours.

(c) An Option 8 issued pursuant to this chapter shall entitle the licensee to make sales of alcoholic liquor from one (1) defined and controlled service (bar) area only for consumption solely on the Premises as defined in the application and license. (Note that with Option 1, the Licensee may also be authorized for Outdoor Service.)

(d) The license fee for Option 8 is \$400.00 per year in addition to the license fee for the Class CC or CCC license.

(e) An Option 8 licensee may serve alcoholic liquor during the following hours:

Day	Hours
Sunday	10:00 a.m. until 11:00 p.m. the same day
Monday through Saturday	9:00 a.m. until 11:00 p.m. the same day

~~(f) No licensee shall give or offer to give away alcoholic liquors as a gift, gratuity, or tie-in with the sale of nonalcoholic products.~~

~~(g) Poured liquor sale under this Option shall be limited to the liquors permitted to be sold by the underlying Class CC or Class CCG license and shall be limited to the approved liquor display area.~~

~~(h) This Option shall not make a licensee eligible for any video gaming license. (Ord. No. 3002-2021; Sec. 4-3325 enacted; 02/23/21)~~

SEC. 4-3326. OPTION 9 COCKTAILS AND SINGLE-SERVE WINE TO-GO

~~(a) The following classes of licenses are eligible for the cocktails, mixed drinks, and single-serve wine to-go option: Class A, AA, and B.~~

~~(b) Option 9 shall allow an eligible licensee to sell and deliver cocktails, mixed drinks, or single servings of wine placed in a retailer's sealed container or a manufacturer's original container subject to the conditions provided by ordinance and 235 ILCS 5/6-28.8.~~

~~(c) In the event that 235 ILCS 5/6-28.8 is repealed, this section shall be repealed and any options granted hereunder will no longer be valid.~~

~~(Ord. No. 3019-2021; Sec. 4-3326 enacted; 7/27/21)~~

SEC. 4-3327. OPTION 103. SELF-POUR.

(a) The following classes of licenses are eligible for the self-pour option: Class B and BB.

(b) Option ~~40-3~~ shall allow an eligible licensee to offer customers beer or mead through a customer-operated self-pour device.

(c) An Option ~~40-3~~ licensee must comply with the following requirements:

(1) Customers must purchase their alcohol from a customer-operated self-pour device via a programmable, pre-authorized access card.

(i) The licensee must require valid proof of identification and verify the age and identity of the customer before issuing an access card.

(ii) The access card must restrict the total number of ounces the customer may purchase without a manager's permission.

(iii) The licensee must be able to deactivate the access card to prevent violations of the City Code.

(iv) The licensee must deactivate the access card at checkout or the end of the business day.

(2) A BASSET trained employee must actively and passively monitor customer-operated self-pour devices and the consumption of customer-operated self-pour beer and mead at all times. The employee must remain stationed within a reasonable distance and within the sightline of the customer-operated self-pour devices and monitor the service of alcohol guarding against over-service and underage service, as well as any other applicable regulations.

(3) A customer using a self-pour device may pour no more than 16 ounces of beer or four ounces of mead per pour. Only customers 21 years of age or older may operate a self-pour device.

(4) The licensee must provide constant video monitoring of the customer-operated self-pour devices at all times during which the licensed establishment is open to the

public. The licensee must keep recorded footage from the video monitoring for at least 90 days and must provide the footage to any authorized law enforcement agent upon request.

(Ord. No. 3038-2021; new Sec. 4-3227 enacted; 12/14/21)

DIVISION 4. ADMINISTRATIVE PROCEEDINGS

SEC. 4-3400. INITIAL APPLICATIONS.

The local liquor control commissioner may refuse to grant any initial application for a license or options connected thereto without hearing; however, said commissioner shall state in writing any reasons for such refusal and mail same to the applicant at the address on the application. The applicant may request in writing a hearing before the local liquor control commissioner within ten (10) days from the date of refusal and at such hearing be entitled to present evidence on said applicant's behalf as to why said applicant should be entitled to a license and to be represented by counsel at such hearing. The local liquor control commissioner shall make a decision in writing within fifteen (15) days from the close of the hearing which decision shall be appealable to the State of Illinois liquor control commission. If the local liquor control commissioner fails to make a decision within fifteen (15) days from the date an application is completed and all required submissions have been filed or within fifteen (15) days from the close of the hearing, the application shall be considered ~~approved~~denied.

SEC. 4-3401. RENEWALS.

The local liquor control commissioner may refuse to renew a license or options connected thereto for cause; however, an applicant for renewal shall first be provided notice in writing of the cause or causes for non-renewal mailed to said applicant at the address of the applicant and be afforded a hearing where said applicant may confront witnesses against said applicant, be represented by counsel, and present evidence on said applicant's own behalf. Said hearing shall be held within ten (10) days of the notice, and the local liquor control commissioner shall render a decision in writing within five (5) days after the close of the hearing. Said decision shall be appealable to the State of Illinois liquor control commission. Except for nonpayment of fees, no applicant for renewal shall be denied the right to continue operation of the business as provided in the expired license until the local liquor control commissioner has rendered a decision in writing and the time for appeal has expired and no appeal has been taken.

SEC. 4-3402. ADMINISTRATIVE FEES, REVOCATION AND SUSPENSION.

(a) If a licensee or its agents, officers, or employees commit any violation of the provisions of this Chapter of the Moline Code of Ordinances, Chapter 235 of the Illinois Compiled Statutes, as it is now or may hereafter be amended, or any provision of the Moline Code of Ordinances relating to the business of the licensee, including but not limited to any payments due and owing the City for services or taxes, or any rule or regulation established by the State of Illinois liquor control commission which is not inconsistent with law, or any criminal offense on the licensee's premises, the local liquor control commissioner ~~may issue a warning or shall~~ impose an administrative fee and may suspend or revoke the licensee's license. The amount of the fee to be imposed

and whether a license is suspended or revoked is based upon the previous violations committed by the licensee.

(1) If a licensee commits a first violation, the local liquor control commissioner may issue a warning to correct or prevent further violative actions or shall impose an administrative fee of not less than two hundred fifty dollars (\$250.00) up to ~~seven hundred fiftyone thousand~~ seven hundred fiftyone thousand dollars (\$~~7501,000.00~~ 7501,000.00).

(2) If a licensee commits a second violation, the local liquor control commissioner shall impose an administrative fee of not less than five hundred dollars (\$500.00) up to ~~seven hundred fiftyone thousand~~ seven hundred fiftyone thousand dollars (\$~~7501,000.00~~ 7501,000.00) and may suspend the licensee's license for one (1) business day or longer to be imposed on the same day of the week upon which the violation occurred.

(3) If a licensee commits a third violation, the local liquor control commissioner shall impose an administrative fee of not less than ~~seven hundred fiftyone thousand~~ seven hundred fiftyone thousand dollars (\$~~7501,000.00~~ 7501,000.00) and may suspend the licensee's license for three (3) consecutive business days or longer, the suspension to begin on the same day of the week upon which the violation occurred.

(4) If a licensee commits a fourth or subsequent violation, the local liquor control commissioner shall impose an administrative fee of not less than ~~seven hundred fiftyone thousand~~ seven hundred fiftyone thousand dollars (\$~~7501,000.00~~ 7501,000.00) and may suspend the licensee's license for seven (7) consecutive business days or longer, the suspension to begin on the same day of the week upon which the violation occurred.

(f) ~~(b)~~ Notwithstanding subsection (a) above, the local liquor control commissioner may revoke or suspend any license issued if said commissioner determines that the licensee or its agents, officers or employees has violated any of the provisions of this chapter, Chapter 235 of the Illinois Compiled Statutes as it is now or may hereafter be amended, any provision of the Moline Code of Ordinances relating to the business of the licensee, or any rule or regulation established by the State of Illinois liquor control commission which is not inconsistent with law, or any criminal offense on the licensee's premises, and if said commissioner determines that circumstances warrant a greater penalty than those outlined in subsection (a).

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SEC. 4-3403. NOTICE AND HEARING.

No license shall be so revoked or suspended except after a public hearing by the local liquor control commissioner upon at least three (3) days' notice in writing to the licensee mailed to the address on file in the local liquor control commissioner's office. Said licensee shall have the opportunity to appear and defend against the violation either personally or through legal counsel and to confront those bringing charges against said licensee.

SEC. 4-3404. WITNESSES.

(a) No natural person may be required at said hearing to present testimony against oneself or against another if such testimony would tend to incriminate the witness unless such person is awarded use immunity from such statements or has already been tried for such conduct or the statute of limitations has run out for such offense. Nothing herein is intended to prevent the local liquor control commissioner from gaining access

to business records of a licensee or from drawing an adverse inference from the refusal to testify.

~~(g) —(b)—~~The city attorney only can grant such immunity from municipal prosecution and shall also obtain in writing from the State's Attorney of Rock Island County such immunity if the offense also violates state law.

SEC. 4-3405. FINAL ORDER OF REVOCATION OR SUSPENSION.

The local liquor control commissioner shall, within five (5) days after the close of a revocation or suspension hearing, render in writing a decision upon the charges stated in the notice stating the facts relied upon and the conclusions drawn therefrom and enter an order of either ~~liable or not liable for a violation of the provisions of this chapter or State law above as described in Section 4-3402~~ ~~acquittal or guilt~~ and, if ~~guilty liable~~, assess the administrative ~~punishment penalty~~ therefor. A copy of said order shall be mailed to the licensee at the address on file with the local liquor control commissioner within five (5) days of its entry.

(a) It shall be within the authority of the liquor control commissioner to order costs of any hearing which can include, but are not limited to, those associated with reporter costs, administration costs, attorney costs, departmental overtime costs, administrative fines, and any other costs that are deemed appropriate.

~~(c) —(b)—~~That upon receipt of dram shop insurance or other proof of financial responsibility at any hearing for failure to provide same, costs and fines as identified in subsection (a) above shall not be automatically waived.

SEC. 4-3406. ADMINISTRATIVE APPEALS.

(a) All proceedings provided for in this division shall be recorded by a certified court reporter; however, no transcription of such record shall be made unless requested in writing by an interested party who shall also order a copy of said transcription for all other interested parties and one (1) official transcript for filing with the state commission.

(b) Appeals from the decision of the local liquor control commissioner shall be as provided in Chapter 235 of the Illinois Compiled Statutes, or as amended; however, appeals shall not be heard de novo but shall be made upon the record provided for in subsection (a) above all as authorized by said Chapter 235 for appeals originating from home rule units of local government.

~~(d) —(e)—~~An appeal properly and timely taken shall stay the imposition of any administrative punishment.

SEC. 4-3407. REQUIRED TRAINING FOR LICENSEE.

(a) **City Mandatory Training.** The City shall offer mandatory periodic training sessions regarding the rules and regulations of the sale of alcoholic liquor within the City with the following requirements:

(1) liquor licensees shall be notified of the date of the training sessions via first class mail and electronic mail, if applicable, at least five (5) business days prior to the session dates;

(2) a designated representative from every business licensed to sell alcoholic liquor within the City shall attend the training sessions per the City's notice of same;

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(3) failure- to attend a training session by an alcoholic liquor licensee will- be considered a violation of this ordinance and administrative proceedings shall be enforced.

(b) **BASSET Training.** BASSET is the acronym for Beverage Alcohol Sellers and Servers Education Training. Pursuant to the Illinois Liquor Control Act of 1934, specifically, 235 ILCS 5/6-27 and 27.1, any individual who sells or serves alcoholic liquor in an open container at retail in Illinois, defined herein as a “server,” must successfully complete a BASSET training program certified by the Illinois Liquor Control Commission (“ILCC”). A list of training providers may be obtained from the ILCC. This training is only required for servers employed by liquor licensees with on-premises consumption.

(1) **Server.** For purposes of this section, a server shall mean:

- a. an individual who sells or serves open containers of alcoholic liquor at retail; and
- b. an individual who is employed to check the identification of others to determine if they are of lawful age to enter a licensed premises where alcoholic liquor is sold or served for consumption on the premises and/or of lawful age to purchase alcoholic liquor for consumption on the premises.

Exception- For purposes of this section, the definition of server does not include the following:

- a. a volunteer serving alcoholic beverages at a not for profit special event or charitable function;
- b. a distributor or importing distributor conducting product samples as authorized by 235 ILCS 6-31 or a registered tasting representative conducting a tasting; or
- c. an instructor engaged in training or educating on the proper technique for using a system that dispenses alcoholic liquor.

(2) **BASSET Certificate.** A BASSET certificate shall mean a certificate, card or other written evidence issued by a BASSET training provider who is licensed or certified by the ILCC to provide the training program. Upon a participant’s successful completion of the training program, the training provider will issue a BASSET certificate to the participant and the ILCC will issue a certification letter and BASSET card to the participant. The BASSET certificate issued by the training provider shall be accepted as meeting the training requirements for all server license requirements of the State of Illinois and of the City.

a. ~~The mandatory training date for Rock Island County is July 1, 2017.~~ Any server, as defined above, who is employed in Rock Island County must possess a BASSET certificate ~~as of July 1, 2017, or~~ within one hundred twenty (120) days of the server’s employment date.

b. A BASSET certificate is valid for three (3) consecutive years from the date of issue, and a server must maintain the BASSET certification in good standing at all times that he/she is employed as a server by a City liquor licensee.

c. A BASSET certificate is the property of the server and the server may provide a duplicate to a City liquor licensee upon employment in lieu of the original certificate.

d. A server may transfer a BASSET certificate to another liquor licensee upon employment, but a server shall not sell, assign or otherwise transfer his/her BASSET certificate to another person.

e. A server must produce the BASSET certificate upon request of the Illinois liquor control commission or the local liquor control commissioner or designee or any law enforcement officer.

(3) Liquor Licensees. It shall be the responsibility of liquor licensees with on-premises consumption to ensure that all servers employed by licensee have valid BASSET certification. The licensee shall retain a copy of each server's certificate on licensee's establishment premises or at such location where licensee sells or serves alcoholic liquor in open containers at retail. The copies must be made available for inspection upon the request of the Illinois liquor control commissioner or the local liquor control commissioner or designee or any law enforcement officer.

ARTICLE IV. OPERATION

SEC. 4-4100. POSTING.

(a) Every holder of a license issued pursuant to this chapter shall at all times keep the license posted in a conspicuous location on a wall of the business premises.

(1) A copy of valid dram shop insurance or other proof of financial responsibility shall at all times be posted in a conspicuous location on a wall of the business premises.

(b) No person shall post any license issued under this chapter in any premises other than the premises named in the license as issued.

~~(h) (e)~~ It shall be the duty of any peace officer to seize any license issued pursuant to this chapter which has been posted in any premises other than the premises for which it was issued.

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SEC. 4-4101. PERSONS NOT TO REMAIN ON PREMISES AFTER CLOSING HOUR.

(a) Except as otherwise provided in this section, no licensee shall permit other persons to remain on the licensed premises after the closing hours applicable to the class of license held by the licensee. However, the licensee may remain on the premises and a person on the licensee's payroll may remain on the premises solely for the purpose of tallying the day's sales and for cleanup.

(b) All lights must be turned off at the premises licensed pursuant to this chapter at or before the closing hour prescribed for the class of license held, except:

- (1) Outside lights;
- (2) Inside lights for police protection;
- (3) Lighting as necessary for cleanup until said cleanup is complete.

(c) A Class A ~~or Class AA~~ licensee shall cease the sale of alcoholic liquor at the closing hour prescribed in its application or subsequent amendment thereto, but may remain open with persons on the premises for its primary purpose of the sale of food.

~~(d) A Class CC or Class CCC licensee shall cease the sale of alcoholic liquor at the closing hour prescribed in its application or subsequent amendment thereto, but may remain open with persons on the premises for the sale of the primary goods sold at the premises.~~

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SEC. 4-4102. LICENSED PREMISES SHALL BE PUBLIC ACCOMMODATION.

No person licensed under the provisions of this chapter shall deny or permit said licensee's agents and employees to deny any person the full and equal enjoyment of

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the accommodations, advantages, facilities, and privileges of any premises in which alcoholic liquor is authorized to be sold subject only to the conditions and limitations established by law and applicable alike to all citizens. All licensed premises under this chapter are required to be open to the public unless provided otherwise in this chapter. Private functions are allowed only in rental halls or other licensed premises that have private party rooms or facilities separate and apart from its public rooms or facilities.

SEC. 4-4103. CREDIT SALES.

No person shall sell or furnish alcoholic liquor at retail to any person on credit or on a passbook, or order on a store, or in exchange for any goods, wares, or merchandise, or in payment for any services rendered; and, if any person shall extend credit for such a purpose, the debt thereby attempted to be created shall not be recoverable at law. However, nothing in this section shall be construed to prevent any club from permitting checks or statements for alcoholic liquor to be signed by members or bona fide guests of members, or guests according to the bylaws of the club. Nothing contained in this section shall be construed as preventing any hotel from permitting checks or statements for alcoholic liquor to be signed by regular guests residing at said hotel and charged to the accounts of the guests, and nothing contained in this section shall be construed to prevent payment by credit card or other credit device for the purchase of alcoholic liquor for on-premises consumption or in the original package for consumption off the premises.

SEC. 4-4104. RESTRAINT OF TRADE.

No person licensed pursuant to this chapter shall enter into any contract with any manufacturer, distributor, or importing distributor of alcoholic liquor whereby the licensee agrees not to sell any alcoholic liquor manufactured or distributed by any other manufacturer, distributor, or importing distributor.

SEC. 4-4105. PANDERING BY LICENSEE.

No licensee shall in any advertisement state or imply that obscene conduct or immoral conduct, or obscene entertainment or immoral entertainment, as defined in Section 22-7200 et. seq. of the Moline Code of Ordinances can be found or seen at the licensed premises. ~~For the purposes of this section, "obscene conduct or immoral conduct, or obscene or immoral entertainment" shall mean the same as the definition of obscenity as contained in Section 22-7200 of the Moline Code of Ordinances.~~

SEC. 4-4106. SELF SERVICE.

(a) No licensee or agent or employee thereof shall allow any person to serve themselves alcoholic liquor for purposes of consumption on the premises of the licensee except as otherwise provided herein.

(b) The restrictions imposed pursuant to Section [4-4106\(a\)](#) above concerning the disallowance of self-service of alcoholic liquor shall not apply to licensees or agents or employees thereof as follows:

(1) Upon proper identification and verification of an individual (as required elsewhere in this Code or by Illinois state law), any person who is twenty-one (21) years

of age or older who is occupying a separately compartmentalized and separately accessed suite at a sporting or entertainment event where such suites are used, which event takes place in a facility of any sort where the gross seating capacity of such facility is eight thousand (8,000) persons or more, may be furnished with a key to a locked container (such as a refrigerator or a cabinet) located entirely within the suite, for the purposes of serving alcoholic liquor to himself or other suite guests who are twenty-one (21) years of age or older for consumption in the suite only.

(2) To ensure compliance with the age requirements of this section, at least one (1) employee of the licensee must physically frequent such suite not less than once each hour to monitor and require such compliance; provided, however, that such monitoring requirement is only effective when suite holders or other individuals are present at the suite portion of the licensee.

(3) Customers on the premises of an Option 10 licensed establishment pursuant to Section [4-3327](#).

(c) The exemptions specified in Section [4-4106](#)(b) shall be strictly construed.

(d) All other licensing requirements of this Code shall still apply and shall remain in full force and effect.

(e) Under no circumstances shall a suite described in this Section [4-4106](#) be construed to constitute a "home" pursuant to Section [4-5100](#), and in no circumstances shall any minor be served or otherwise provided or possess alcoholic liquor in such respective suite during any period of service or consumption.

(Ord. No. 3038-2021; Sec. 4-4106 amended; 12/14/21)

SEC. 4-4107. DRIVE-IN OR WALK-IN SERVICE WINDOWS.

No licensee or agent or employee thereof shall allow any person to purchase alcoholic liquor through a "drive-in service window" or "walk-in service window." No licensee or agent or employee thereof shall sell at retail any alcoholic liquor through a "drive-in service window" or "walk-in service window."

For the purposes of this section, a "drive-in service window" or "walk-in service window" shall mean any opening on the premises of the licensee whereby a person may purchase, obtain, or in any other way get alcoholic liquor without physically entering the premises or building of the licensee.

SEC. 4-4108. OPERATION WITHIN ENCLOSED BUILDING.

No licensee or agent or employee thereof shall operate or permit the operation of licensed activities under the terms of this chapter, except within enclosed buildings on licensed premises unless otherwise permitted by this chapter.

SEC. 4-4109. CONDUCT ON PREMISES.

(a) No licensee shall allow or permit any drunken or intoxicated person to be or remain upon the licensed premises. No loud, obscene or boisterous talking, or lewd touching or disorderly conduct shall be permitted upon the licensed premises.

(b) No licensee shall allow or permit any loitering, gathering of unruly individuals or crowds or any unlawful or dangerous or disorderly behavior whether in the premises or in any parking lot or other adjacent area serving the premises; and the licensee shall

have primary responsibility for hiring such security personnel and taking other appropriate measures to observe compliance with this subsection.

(c) No licensee under this article, nor any agent or employee of the licensee, shall appear, be present, or perform while nude upon the licensed premises, nor shall any such licensee, or any agent or employee of the licensee, allow or permit any other person on the licensed premises to appear, be present, or perform while nude upon the licensed premises. For the purposes of this subsection, the term "nudity" shall mean the showing of the human male or female genitals, pubic area or buttocks or the human female breast including the nipple or any portion below the nipple with less than a full opaque covering.

(d) No licensee under this article, nor any agent or employee of the licensee, shall conduct or perform any specified sexual activity upon the licensed premises, nor shall any such licensee, or any agent or employee of the licensee, allow or permit any other person to conduct or perform any specified sexual activity upon the licensed premises. For purposes of this subsection, the term "sexual activity" shall mean acts of intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sex act prohibited by law.

(i) ~~(e)~~ In the event a violation of law has occurred on the premises or in any adjacent areas serving the premises, the licensee or its agents shall immediately notify the Moline police department.

SEC. 4-4110. SALES OF SINGLE SERVING OF ALCOHOLIC LIQUORS.

It is unlawful for a holder of a Class A, ~~AA, B, BB, C, CC, CCC, D, E, F~~, G, H, or K liquor license to offer for sale or to sell any of the following in its original packaging:

(a) A single container of beer or malt beverage if the volume of the container is less than forty-eight (48) ounces (or approximately 1.42 liters) unless said container is either part of a purchase of multiple containers of beer or malt beverage for which the aggregate total volume purchased is no less than forty-eight (48) ounces (approximately 1.42 liters) or, alternatively, part of a purchase of multiple containers for which the aggregate cost of the containers of beer, malt beverage, wine or other alcoholic liquor purchased at that time is no less than five dollars (\$5) exclusive of taxes and after the application of all coupons, discounts and rebates.

~~(b) A single container of wine if the volume of the container is less than twenty (20) fluid ounces (or approximately .62 liters) unless said container is part of a purchase of multiple containers of wine for which the aggregate total volume purchased is no less than twenty four (24) ounces (or .748 liters) or, alternatively, part of a purchase of multiple containers for which the aggregate cost of the containers of wine, beer, malt beverage, or other alcoholic liquor purchased at that time is no less than five dollars (\$5) exclusive of taxes and after the application of all coupons, discounts and rebates.~~

~~(cB)~~ A single container of alcoholic liquor, other than beer, or malt beverage, or wine, if the volume of the container is less than six and eight-tenths (6.8) ounces (or .200 liters) unless said container is either part of a purchase of multiple containers of alcoholic liquor (other than beer, malt beverage or wine) for which the aggregate total volume purchased is no less than six and eight-tenths (6.8) ounces (approximately .200 liters) or, alternatively, part of a purchase of multiple containers for which the aggregate cost of the containers of alcoholic liquor, beer, malt beverage, or wine purchased at that

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time is no less than five dollars (\$5) exclusive of taxes and after the application of all coupons, discounts and rebates.
(Ord. No. 3028-2019, new Sec. 4-4110 enacted; 11/19/19; Ord. No. 3013-2020, Sec. 4-4110 amended; 4/14/20; Ord. No. 3034-2020, Sec. 4-4110 amended; 11/17/20)

ARTICLE V. MINORS

SEC. 4-5100. ACTIVITIES EXEMPT FROM THIS ARTICLE.

The possession and dispensing or consumption of alcoholic liquor by a person under the age of twenty-one (21) years during the performance of a religious ceremony or service, or the consumption of alcoholic liquor by a person under the age of twenty-one (21) years while under the direct supervision and direct approval of the parents or parent or guardian of such person in the privacy of a home is not prohibited by this Article V.

SEC. 4-5101. PREPARATION OF ALCOHOLIC LIQUOR.

No person under eighteen (18) years of age may tend any bar or pour, draw, mix, sell or serve any alcoholic liquor in or at a premises licensed by the City.
(Ord. No. 3026-2017; Sec. 4-5101 repealed; new Sec. 4-5101 enacted; 10/10/17)

SEC. 4-5102. POSSESSION.

No minor shall have on or about said minor's person, or in said minor's custody, or in said minor's possession, or in said minor's control, any alcoholic liquor, whether the seal is or is not broken.

SEC. 4-5103. PURCHASE.

Any person to whom the sale, gift or delivery of alcoholic liquor is prohibited because of age, shall not purchase or accept a gift of alcoholic liquor or have alcoholic liquor in said person's possession.

SEC. 4-5104. CONSUMPTION.

(a) It shall be unlawful for any person to whom the sale, gift, delivery or service of any alcoholic liquor is prohibited because of age to consume or to possess in any manner, including by consumption, any such alcoholic liquor, except as otherwise provided by law. The violation referred to in this section which relates to the possession of alcohol after it has been consumed may be identified as the "Illegal Possession of Alcohol by Consumption" or by the number of this chapter and section of this article. This violation may be proven by evidence which indicates that the breath of the person charged with such offense had a smell associated generally or specifically with any alcoholic beverage and no additional evidence relating thereto shall be necessary to find the defendant to be in violation of this article. It shall not be necessary to show that the person charged with an offense hereunder was at the time in question under the influence of any alcoholic beverage in any manner, but such evidence shall be admissible to prove a violation of this section.

(b) The defendant in a case brought under subsection (a) above has the duty of producing as affirmative defenses the lawful consumption of alcoholic liquor in a religious ceremony or in the privacy of a home under the direct supervision of the

parents or parent or guardian or at a location where consumption by said person under the age of twenty-one (21) years is otherwise permitted by law and once said defendant has met said duty, it shall be the duty of the prosecutor to persuade the trier of fact that said person under the age of twenty-one (21) years consumed or possessed by consumption alcoholic liquor in violation of subsection (a) above by a preponderance of the evidence.

(Ord. No. 3026-2017; Sec. 4-5104(b) repealed; new Sec. 4-5104(b) enacted; 10/10/17)

SEC. 4-5105. GIVING ALCOHOLIC LIQUOR TO MINORS.

No person shall have, sell, or deliver any alcoholic liquor to any minor within the City, including alcoholic liquor in a container with the seal unbroken.

SEC. 4-5106. AUTHORITY AND DUTY OF LICENSEE UNDER THIS CHAPTER TO REQUIRE PROOF OF AGE.

If a person licensed pursuant to this chapter or agent or employee thereof believes or has reason to believe that a sale or delivery of alcoholic liquor is prohibited because of the age of a prospective recipient, the licensee, agent or employee thereof, shall require valid proof of identification and verify the age and identity of the recipient before making the sale or delivery. No attempt at proof of identification shall be considered valid unless said identification contains a picture of the holder thereof.

SEC. 4-5107. FRAUDULENT IDENTIFICATION CARDS.

(a) No person shall transfer, alter, or deface an identification card issued by a federal, state, county or municipal government or subdivision or agency thereof; use the identification card of another; carry or use any false or forged identification card; or obtain an identification card by means of false identification.

~~(b) Any person under the age of twenty-one (21) years who presents or offers to any licensee or agent or employee thereof, any written, printed or photostatic evidence of age and identity which is false, fraudulent, or not actually said person's own for the purpose of ordering, purchasing, attempting to purchase, or otherwise procuring or attempting to procure the serving of any alcoholic beverage, or who has in his possession any false or fraudulent written, printed, or photostatic evidence of age and identity, shall be subject to a fine of not less than two hundred fifty dollars (\$250.00).~~

SEC. 4-5108. PROOF OF AGE NOT A DEFENSE.

No licensee or agent or employee thereof shall raise as a defense to this article the fact that compliance has been had with Section [4-5107](#) hereof. However, such fact shall be considered by the local liquor control commissioner in way of aggravation or mitigation of the finding of guilt for violation of this article.

SEC. 4-5109. PARENTAL RESPONSIBILITY.

It shall be unlawful for the parents or parent or guardian to suffer or permit a child or ward under their custody and control and under the age of eighteen (18) years to violate any provision of this Article V, except as expressly permitted by Section [4-5100](#).

SEC. 4-5110. RESPONSIBILITY OF OWNER OR OCCUPANT OF PREMISES.

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It shall be unlawful for any owner or occupant of any premises located within the City to knowingly allow any minor to remain on such premises while in possession of alcoholic liquor or while consuming alcoholic liquor in violation of this Article V. (Ord. No. 3026-2017; Sec. 4-5110 repealed; new Sec. 4-5110 enacted; 10/10/17)

SEC. 4-5111. RESTRICTION ON PREMISES AND VIOLATION THEREOF.

It shall be unlawful for any person under the age of twenty-one (21) years to be on any premises located within the City while in possession of alcoholic liquor or while consuming alcoholic liquor in violation of this Article V. Said action shall be subject to the remedies set forth in Sec. [4-1103](#). (Ord., No. 3028-2011; Sec. 4-5111 enacted; 07/19/11)

ARTICLE VI. VICARIOUS LIABILITY

SEC. 4-6100. LICENSEE'S LIABILITY FOR VIOLATIONS OF STATE OR LOCAL LAW.

Every act or omission constituting a violation of Chapter 235 of the Illinois Compiled Statutes, or any of the provisions of this chapter, by any officer, director, manager, agent or employee of any licensee under this chapter shall be deemed and held to be the act or omission of the licensee, even though such act may be done without the knowledge, authorization, or consent of the licensee.

COW/COUNCIL ACTION REPORT

September 20, 2022

An Ordinance amending CHAPTER 8, “BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, Section 8-7202, “REGISTRATION OF RESIDENTIAL RENTAL PROPERTY,” by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review effective January 1, 2023.

SUGGESTED ACTION:

ATTACHMENTS: [3026-2022 FIRE ORD1 Pam-Steve-Fee Review SEC 8-7202-CBx-C2.pdf](#)

Council Bill/General Ordinance No. 3026-2022
Sponsor: _____

AN ORDINANCE

AMENDING Chapter 8, “BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, Section 8-7202, “REGISTRATION OF RESIDENTIAL RENTAL PROPERTY,” by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review effective January 1, 2023.

WHEREAS, the City of Moline (“*City*”) is a home rule municipal corporation organized and operating in accordance with the Constitution and laws of the State of Illinois; and

WHEREAS, Moline Code of Ordinances’ Chapter 8 contains the City’s registration of residential rental property policies and procedures; and

WHEREAS, the Fire Chief and the Finance Director have reviewed Chapter 8 and have recommended changes related to the fee structure effective January 1, 2023; and

WHEREAS, City Council approved the 2022 Fee Review on August 16, 2022, and voted to amend the City of Moline Code of Ordinances to reflect the new fee structure.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Moline, Illinois, as follows:

Section 1. The forgoing recitals are hereby incorporated into this Ordinance as though fully set forth in this Section 1.

Section 2. That Chapter 8, “BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES,” of the Moline Code of Ordinances, Section 8-7202, “REGISTRATION OF RESIDENTIAL RENTAL PROPERTY,” is hereby amended by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review, effective January 1, 2023, which shall read as follows (additions in **bold and underlined** and deletions in **~~bold and strikethrough~~**):

“SEC. 8-7202. REGISTRATION OF RESIDENTIAL RENTAL PROPERTY.

[. . .]

(b) **Program application and fee.** Application for the Rental Housing Inspection Program must be made on a form provided by the City. The original application must be accompanied by an application fee based on the following:

~~\$ 50.00~~ **\$100.00** for properties with less than five (5) units;

~~\$ 75.00~~ **\$150.00** for properties with five (5) to ten (10) units;

~~\$150.00~~ \$200.00 for properties with eleven (11) to fifty (50) units; or

~~\$200.00~~ \$250.00 for properties with fifty-one (51) units or more.

[. . .]

(e) **Renewal.** The registration must be renewed annually by submitting the renewal application and renewal fee to the City no less than fifteen (15) days prior to the license expiration. The renewal fee shall be based upon the following:

~~\$ 50.00~~ \$100.00 for properties with less than five (5) units;

~~\$ 75.00~~ \$150.00 for properties with five (5) to ten (10) units;

~~\$15.00~~ \$200.00 for properties with eleven (11) to fifty (50) units; or

~~\$200.00~~ \$250.00 for properties with fifty-one (51) units or more.

[. . .]”

Section 3. All ordinances, resolutions, and parts thereof in conflict with this Ordinance are hereby repealed to the extent necessary to give effect to the provisions of this Ordinance.

Section 4. This Ordinance and every provision thereof shall be considered severable. If any word, phrase, clause, sentence, paragraph, provision, section, or part of this Ordinance is found to be void, unconstitutional, or otherwise unenforceable, all remaining portions of this Ordinance not so declared void, unconstitutional, or unenforceable shall remain in full force and effect.

Section 5. 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

September 13, 2022

Date

Passed: September 13, 2022

Approved: September 20, 2022

Attest: _____

City Clerk

COW/COUNCIL ACTION REPORT

September 20, 2022

An Ordinance amending Chapter 11, “FIRE PREVENTION AND PROTECTION,” of the Moline Code of Ordinances, Section 11-1101, “LOCAL AMENDMENTS TO FIRE CODE,” Section 11-1101.1, “FEES,” and Section 11-2116, “SAME-FEES,” by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review, effective January 1, 2023.

SUGGESTED ACTION:

ATTACHMENTS: [3027-2022 FIRE ORD2 Pam-Steve-Fee Review Chapter 11-CBx.pdf](#)
[3027-2022 FIRE ORD2 Pam-Steve-Fee Review Chapter 11-
EXP.docx](#)

Council Bill/General Ordinance No. 3027-2022
Sponsor: _____

AN ORDINANCE

AMENDING Chapter 11, "FIRE PREVENTION AND PROTECTION," of the Moline Code of Ordinances, Section 11-1101, "LOCAL AMENDMENTS TO FIRE CODE," Section 11-1101.1, "FEES," and Section 11-2116, "SAME – FEES," by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review effective January 1, 2023.

WHEREAS, the City of Moline ("**City**") is a home rule municipal corporation organized and operating in accordance with the Constitution and laws of the State of Illinois; and

WHEREAS, Moline Code of Ordinances' Chapter 11 contains the City's fire prevention and protection policies and procedures; and

WHEREAS, the Fire Chief and the Finance Director have reviewed Chapter 11 and have recommended changes related to the fee structure effective January 1, 2023; and

WHEREAS, City Council approved the 2022 Fee Review on August 16, 2022, and voted to amend the City of Moline Code of Ordinances to reflect the new fee structure.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Moline, Illinois, as follows:

Section 1. The forgoing recitals are hereby incorporated into this Ordinance as though fully set forth in this Section 1.

Section 2. That Chapter 11, "FIRE PREVENTION AND PROTECTION," of the Moline Code of Ordinances, Section 11-1101, "LOCAL AMENDMENTS TO FIRE CODE," is hereby amended by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review, effective January 1, 2023, which shall read as follows (additions in **bold and underlined** and deletions in **~~bold and strikethrough~~**):

"SEC. 11-1101. LOCAL AMENDMENTS TO FIRE CODE.

[. . .]

(f) **107 Maintenance.**

[. . .]

2. Add one new subsection 107.2.2.1 Reinspection ~~and testing~~ fee:

107.2.2.1 Reinspection fee. If the work or installation requires reinspection and

testing by the fire code official, the system owner shall pay the City a flat reinspection fee of ~~fifty dollars (\$50.00)~~ seventy-five dollars (\$75.00) for each subsequent reinspection.

[...]

(p) **403.1.2 Fees**

Add new subsection:

403.1.2 Fees. When required by the fire code official under the provisions of Sections 403, 3304.5, 107.2, 901.7, or any other section of the Code, to provide ~~fire fighters~~ firefighters as qualified fire watch personnel or standby personnel, the hourly rate shall be ~~forty-five dollars (\$45.00)~~ seventy-five dollars (\$75.00) per ~~fire fighter~~ firefighter per hour. The number of hours required shall be calculated by the fire code official and will reflect, as accurately as can be reasonably foreseen, the number of personnel hours incurred by the City.”

[...]

Section 3. That Chapter 11, “FIRE PREVENTION AND PROTECTION,” of the Moline Code of Ordinances, Section 11-1101.1, “FEES,” is hereby amended by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review, effective January 1, 2023, which shall read as follows (additions in bold and underlined and deletions in ~~bold and strikethrough~~):

“**SEC. 11-1101.1. FEES.**

[...]

(d) Pyrotechnic permit fee of \$100 (indoor and outdoor) plus on-site personnel costs of ~~\$55.00~~ seventy-five dollars (\$75.00) per hour.

[...]

(e) The annual permit fee for department-approved multiple in-house events shall be five hundred dollars (\$500.00), or fifty dollars (\$50.00) per event, ~~whichever is less; and a fee of two hundred fifty dollars (\$250.00) per day for on-site storage of explosives prior to all events which includes fireworks.~~

(f) ~~The annual fee for an explosives permit, as provided for in Sec. 7701.3.1 of the 1997 Uniform Fire Code, shall be five hundred dollars (\$500.00).~~

(gf) The following table lists the hazardous material with the quantity ranges and corresponding annual permit fees:

[...]

Quantity Ranges:	
Range #1 = permit fee of \$50.00 <u>\$100.00</u>	Up to and including 500 pounds for solids, 55 gallons for liquids and 200 cubic feet at NTP for compressive gasses.
Range #2 = permit fee of \$100.00 <u>\$150.00</u>	Between 500 and 5,000 pounds for solids, 55 and 550 gallons for liquids and 200 to 2,000 cubic feet at NTP for compressed gasses.
Range #3 = permit fee of \$150.00 <u>\$200.00</u>	Between 5,000 and 25,000 pounds for solids, 550 and 2,750 gallons for liquids and 2,000 to 10,000 cubic feet at NTP for compressed gasses.
Range #4 = permit fee of \$150.00 <u>\$250.00</u>	Between 25,000 and 50,000 pounds for solids, 2,750 and 5,500 gallons for liquids and 10,000 to 20,000 cubic feet at NTP for compressed gasses.
Range #5 = permit fee of \$150.00 <u>\$250.00</u>	More than 50,000 pounds for solids, 5,500 gallons for liquids and 20,000 cubic feet at NTP for compressed gasses

[. . .]”

Section 4. That Chapter 11, “FIRE PREVENTION AND PROTECTION,” of the Moline Code of Ordinances, Section 11-2116, “SAME - FEES,” is hereby amended by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review, effective January 1, 2023, which shall read as follows (additions in **bold and underlined** and deletions in ~~**bold and strikethrough**~~):

“SEC. 11-2116. SAME-FEES.

(a) The fee schedule for said emergency service shall be as follows:

(1) Base Rate for Basic Life Support fee is ~~six hundred ninety dollars (\$690.00)~~ **seven hundred sixty dollars (\$760.00)** for Moline residents and ~~nine hundred forty dollars (\$940.00)~~ **one thousand thirty-five dollars (\$1,035.00)** for non-residents for calls that are not life threatening.

Base Rate for Advanced Life Support-1 fee is ~~eight hundred seventy-five dollars (\$875.00)~~ **nine hundred sixty-three dollars (\$963.00)** for Moline residents and ~~one thousand one hundred twenty-five dollars (\$1,125.00)~~ **one thousand two hundred thirty-eight (\$1,238.00)** for non-residents for calls that are life threatening.

Base Rate for Advanced Life Support-2 fee is ~~one thousand one hundred sixty-five dollars (\$1,165.00)~~ **one thousand two hundred eighty-two dollars (\$1,282.00)** for Moline residents and ~~one thousand four hundred fifteen dollars (\$1,415.00)~~ **one thousand five hundred fifty-seven dollars (\$1,557.00)** for non-residents for calls that are life threatening.

(2) Mileage fee of ~~seventeen dollars and 50/100 cents (\$17.50)~~ **twenty dollars (\$20.00)** per mile ~~plus actual cost of supplies and a ten percent (10%) restocking fee as well as a flat fee of twenty dollars (\$20.00) will be also assessed.~~

(3) Fees for medical assessment and treatment without transport.

Users shall be assessed ~~two hundred ninety dollars (\$290.00)~~ **three hundred nineteen dollars (\$319.00)** for Moline residents and ~~five hundred forty dollars (\$540.00)~~ **five hundred ninety-four dollars (\$594.00)** for non-residents for base fee for basic life support and advanced life support services. ~~An additional actual cost for supplies and a 10% restocking fee as well as a flat fee of twenty dollars (\$20.00) will also be assessed.~~

[. . .]

(6) Fees for hourly rental of ambulance and personnel. Events employing on-site Moline Fire Department emergency medical personnel and equipment shall be charged by the City of Moline for those dedicated services according to the following:

- a. Cost per paramedic duty hour shall be ~~the prevailing time and one half (1/2) rate of a top paid paramedic~~ **a set fee of \$60.00 per hour.**

[. . .]”

Section 5. All ordinances, resolutions, and parts thereof in conflict with this Ordinance are hereby repealed to the extent necessary to give effect to the provisions of this Ordinance.

Section 6. This Ordinance and every provision thereof shall be considered severable. If any word, phrase, clause, sentence, paragraph, provision, section, or part of this Ordinance is found to be void, unconstitutional, or otherwise unenforceable, all remaining portions of this Ordinance not so declared void, unconstitutional, or unenforceable shall remain in full force and effect.

Section 7. 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

September 20, 2022

Date

Passed: September 20, 2022

Approved: September 27, 2022

Attest: _____
City Clerk

An Ordinance amending Chapter 11, “FIRE PREVENTION AND PROTECTION” of the Moline Code of Ordinances, Sec 11-1101, “LOCAL AMENDMENTS TO FIRE CODE”, Sec. 11-1101.1, “FEES” and Sec. 11-2116, “SAME-FEES” by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review effective January 1, 2023.

EXPLANATION: In the 2022 Fee Review, it was determined that the current fee structure does not capture 100% of the costs associated with providing fire watch, reinspections, pyrotechnic inspections, hazmat inspections and ambulance service in the City of Moline. It is recommended to increase the fees to accommodate the increase in staff wages as well as the increased time commitment.

FISCAL IMPACT: None

PUBLIC NOTICE/RECORDING REQUIRED: N/A

COW/COUNCIL ACTION REPORT

September 20, 2022

A Resolution authorizing the Mayor and City Clerk to execute and attest to Task Order No. 22-03 with Strand Associates, Inc. for engineering services related to design, implementation oversight and integration of SCADA and cybersecurity improvements at the Water Treatment Plant in the amount of \$317,000.

SUGGESTED ACTION:

ATTACHMENTS:

[1163-2022 UTL RES 1 Kodatt - Loete -Strand Associates Task Order WTP Controls - CBx.pdf](#)
[1163-2022 UTL RES 1 Kodatt - Loete -Strand Associates Task Order WTP Controls - ATT.pdf](#)

Council Bill/Resolution No.

Sponsor: _____

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to execute and attest to Task Order No. 22-03 with Strand Associates, Inc., for engineering services related to design, implementation oversight and integration of SCADA and cybersecurity improvements at the Water Treatment Plant in the amount of \$317,000.

WHEREAS, the supervisory control and data acquisition system (SCADA) at the Water Treatment Plant is twenty years old and components are becoming increasingly difficult to replace and repair; and

WHEREAS, age of the equipment and operating systems also increases vulnerability to cyber intrusion and a recent regulatory requirement resulted in the water utility completing a risk and resilience assessment in which cyber security was identified as a particular vulnerability for Moline; and

WHEREAS, Strand Associates, Inc., will design technical specifications and plans to ensure improvements are made in accordance with industry standards; prepare bidding documents; and secure an integrator to install the controls and will develop SCADA interface screens to be used by the operators; and

WHEREAS, automation allows for control of pumping, chemical feeds, storage tanks, etc. that the operators use on a 24/7 basis and allows operators to monitor aspects of the treatment plant to maintain appropriate security of the physical plant; and

WHEREAS, funds are budgeted in #310-1720-434.03-22 and approximately \$100,000 of this task order will be completed in 2022, with the remaining portion expended in 2023 and possibly extended into 2024.

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 execute and attest to Task Order No. 22-03 with Strand Associates, Inc., for engineering services related to design, implementation oversight and integration of SCADA and cybersecurity improvements at the Water Treatment Plant in the amount of \$317,000; provided, however, that said contract is in substantially similar form and content to that attached hereto and incorporated herein by this reference thereto as Exhibit A.

CITY OF MOLINE, ILLINOIS

Mayor

September 27, 2022

Date

Passed: September 27, 2022

Approved: October 4, 2022

Attest: _____

City Clerk

Task Order No. 22-03
City of Moline, Illinois (OWNER)
and Strand Associates, Inc.® (ENGINEER)
Pursuant to Agreement for Technical Services dated December 18, 2018

Project Information

Project Name: Moline Water Treatment Plant (WTP) Supervisory Control and Data Acquisition (SCADA) System and Cybersecurity Improvements

Services Description: Design additions and modifications to the existing SCADA system at the WTP including programmable logic controller (PLC) and computer replacements, software upgrades, and network modifications. Provide bidding- and construction-related services for OWNER-selected upgrades.

Scope of Services

ENGINEER will provide the following services to OWNER.

Design Services

1. Evaluate the following and summarize findings in a preliminary design memorandum:
 - a. Existing SCADA system PLCs. Provide considerations for replacing existing Allen-Bradley SLC 5/05 controllers with CompactLogix controllers and remote input/output (I/O) adapters. Evaluate using control programming generated from a migration tool as opposed to new PLC programming generated from written control descriptions.
 - b. PLC upgrades in control panels furnished by equipment suppliers including the lime feed system, permanganate feed system, and UV system control panels. Communicate with equipment suppliers as necessary.
 - c. Existing SCADA system and network security. Prepare an existing network riser diagram defining existing network equipment connections, addressing, and security features. Provide a proposed network diagram, including security and connectivity.
 - d. Existing GE Proficy iFIX SCADA system human machine interface (HMI) and historian software. Evaluate changing from iFIX software to Wonderware InTouch and Historian software. Evaluate the potential benefits of merging the water and wastewater HMI applications into a common application for both systems.
 - e. Add plant process reporting features to the existing Operator10 software, as well as options for automatically importing data from the plant SCADA system.
 - f. Existing HMI locations. Provide considerations for improving operator access to HMI throughout the plant and in the control room. Alternatives include additional computer workstations, operator interface panels, panel-mounted industrial computers, tablets, and/or wall-mounted monitors. Evaluate feasibility of implementing SCADA system access through wireless access points in process areas.

City of Moline
Task Order No. 22-03
Page 3
September 2, 2022

Construction-Related Services

1. Provide contract administration services including attendance at a preconstruction conference, review of contractor’s shop drawing submittals and payment applications, and responses to up to ten requests for information from the contractor and OWNER.
2. Prepare up to three change orders and review up to five cost proposals, as needed.
3. Participate in factory acceptance testing to review system operation before shipment to the site and installation. It is anticipated that factory acceptance testing will require approximately eight days.
4. Provide four days of on-site construction observation. It is anticipated that system review and development of a list of items to be completed or corrected by the contractor will include an additional five days on-site. The system review service consists of reviewing with the contractor the status conditions and control algorithms of each control panel. The final site visit will take place at 100 percent completion to review that items to be completed or corrected have been addressed. It is anticipated that the construction phase duration will be 18 months.
5. Review and transmit contractor-prepared operation and maintenance manuals to OWNER.

SCADA Services

Provide SCADA services including HMI graphics development, computer software and hardware setup, software alarm dialer configuration, and two trips to the site for computer setup and training. All hardware and software licensing costs will be paid for by the contractor through the construction contract.

Compensation

OWNER shall compensate ENGINEER for Services under this Task Order a total of \$317,000, allocated as shown below:

<u>Scope of Services</u>	<u>Fee</u>	<u>Type of Fee</u>
Design Services	\$161,000	Lump Sum
Bidding- and Construction-Related Services	\$ 81,000	Hourly Rate Plus Expenses
SCADA Services	\$ 75,000	Lump Sum
Total	\$317,000	

Schedule

Services will begin upon execution of this Task Order, which is anticipated the week of September 19, 2022. Services are scheduled for completion on December 31, 2024.

TASK ORDER AUTHORIZATION AND ACCEPTANCE:

ENGINEER:
STRAND ASSOCIATES, INC.®

OWNER:
CITY OF MOLINE

Joseph M. Bunker
Corporate Secretary

Date

Sangeetha Rayapan
Mayor

Date

NOT FOR
SIGNATURE



AGREEMENT FOR TECHNICAL SERVICES

**CITY OF MOLINE, ILLINOIS
AND
STRAND ASSOCIATES, INC.®**

This Agreement is made and entered into this 18th day of December, 2018, between the City of Moline, Illinois, hereinafter referred to as OWNER, located at 30 18th Street, Moline, Illinois 61265, and Strand Associates, Inc.®, hereinafter referred to as ENGINEER. This Agreement shall be in accordance with the following elements.

Scope of Services

Services to be provided under this Agreement can be described as engineering, scientific, computer-aided design drafting, clerical, and administrative activities performed in accordance with the terms and conditions of this Agreement and subsequently issued Task Orders. Prior to ENGINEER’s engagement by OWNER, a mutually agreeable Task Order document shall be developed and executed by both parties. The Task Order will include **Project Information**, a detailed **Scope of Services, Compensation, and Schedule**. The general form of the Task Order shall be in accordance with the enclosed Task Order No. 19-01.

Service Elements Not Included

The following services are not included under this Agreement. If such services are required, they will be provided as noted in each subsequently issued task order.

1. Additional and Extended Services: Any services during construction made necessary by:
 - a. Work damaged by fire or other cause during construction.
 - b. A significant amount of defective or neglected work of any contractor.
 - c. Prolongation of the time of the construction contract.
 - d. Default by contractor under the construction contract.
2. Additional OWNER-required Site Visits and/or Meetings: Additional OWNER-required site visits or meetings.
3. Archaeological or Botanical Investigations: ENGINEER will assist OWNER in engaging the services of an archaeologist or botanist, if required, to perform the field investigations necessary for agency review.
4. Bidding- and Construction-Related Services: Any services involved in performing bidding- and construction-related services.
5. Drawings and Specifications: Final design services including drawings and specifications.
6. Flood Studies: Any services involved in performing flood and floodway studies.
7. Geotechnical Engineering: Geotechnical engineering information, if required, shall be provided through OWNER and OWNER’s geotechnical consultant. ENGINEER will assist OWNER with defining initial scope of geotechnical information that is required to allow OWNER to procure geotechnical engineering services.
8. Land and Easement Surveys/Procurement: Any services of this type including, but not limited to, a record search, field work, preparation of legal descriptions, or assistance to OWNER for securing land rights necessary for siting sanitary sewer, tanks, and appurtenances.
9. Preparation for and/or Appearance in Litigation on Behalf of OWNER: Any services related to litigation.

City of Moline
Page 2
December 3, 2018

10. Review of Product Substitutions or Means, Method, Technique, Sequence, or Procedure Substitutions Proposed by Contractor: The terms of the construction Contract call for the construction contractor to reimburse OWNER for ENGINEER's cost for evaluating substitute products, means, method, technique, sequence, or procedure of construction. ENGINEER's cost for such evaluations is not included.
11. Revising Designs, Drawings, Specifications, and Documents: Any services required after these items have been previously approved by state or federal regulatory agencies, because of a change in the project scope or where such revisions are necessary to comply with changed state and federal regulations that are put in force after Services have been partially completed.
12. Services Furnished During Readvertisement for Bids, if Ordered by OWNER: Any services of this type if a contract is not awarded pursuant to the original bids.
13. Services Related to Buried Wastes and Contamination: Should buried solid, liquid, or potentially hazardous wastes or subsurface or soil contamination be uncovered at the site, follow-up investigations may be required to identify the nature and extent of such wastes or subsurface soil or groundwater contamination and to determine appropriate methods for managing of such wastes or contamination and for follow-up monitoring.

Compensation

OWNER shall compensate ENGINEER for Services indicated in each subsequently issued Task Order for a lump sum or for an estimated fee on an hourly rate basis plus expenses.

Expenses incurred such as those for travel, meals, printing, postage, copies, computer, electronic communication, and long distance telephone calls will be billed at actual cost plus ten percent.

Only sales taxes or other taxes on Services that are in effect at the time this Agreement is executed are included in the Compensation. If the tax laws are subsequently changed by legislation during the life of this Agreement, this Agreement will be adjusted to reflect the net change.

The lump sum or estimated fee for the Services is based on wage scale/hourly billing rates, adjusted annually on July 1, that anticipates the Services will be completed as indicated. Should the completion time be extended, it may be cause for an adjustment in the lump sum or estimated fee that reflects any wage scale adjustments made.

The lump sum or estimated fee will not be exceeded without prior notice to and agreement by OWNER but may be adjusted for time delays, time extensions, amendments, or changes in the **Scope of Services**. Any adjustments will be negotiated based on ENGINEER's increase or decrease in costs caused by delays, extensions, amendments, or changes.

Schedule

Services will begin upon execution of this Agreement, which is anticipated the week of December 17, 2018. This Agreement will terminate two years following its execution. The schedule for individual tasks will be included on each subsequently issued Task Order.

Standard of Care

The Standard of Care for all Services performed or furnished by ENGINEER under this Agreement will be the care and skill ordinarily used by members of ENGINEER's profession practicing under similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's Services.

City of Moline
Page 3
December 3, 2018

OWNER's Responsibilities

1. Assist ENGINEER by placing at ENGINEER's disposal all available information pertinent to the Task Order-specified project including previous reports, previous drawings and specifications, and any other data relative to the scope of the Task Order-specified project.
2. Furnish to ENGINEER, as required by ENGINEER for performance of Services as part of this Agreement, data prepared by or services of others obtained or prepared by OWNER relative to the scope of the Task Order-specified project, such as soil borings, probings and subsurface explorations, and laboratory tests and inspections of samples, all of which ENGINEER may rely upon in performing Services under this Agreement.
3. Provide access to the site as required for ENGINEER to perform Task Order-specified project Services under this Agreement.
4. Guarantee access to and make all provisions for ENGINEER to enter upon public and private lands as required for ENGINEER to perform Task Order-specified project Services under this Agreement.
5. Examine all reports, sketches, estimates, special provisions, drawings, and other documents presented by ENGINEER and render, in writing, decisions pertaining thereto within a reasonable time so as not to delay the performance of ENGINEER.
6. Provide all legal services as may be required for the development of the Task Order-specified project.
7. Retain the services of a soils consultant to provide any necessary geotechnical evaluation and recommendations.
8. Provide the front end documents that require the contractor to name ENGINEER as an additional insured on contractor's General Liability and Automobile Liability insurance policies and to indemnify ENGINEER to the same extent that the contractor insures and indemnifies OWNER.
9. Pay all permit and plan review fees payable to regulatory agencies.

Opinion of Probable Cost

Any opinions of probable cost prepared by ENGINEER are supplied for general guidance of OWNER only. ENGINEER has no control over competitive bidding or market conditions and cannot guarantee the accuracy of such opinions as compared to contract bids or actual costs to OWNER.

Observation Services

In furnishing observation services, ENGINEER's efforts will be directed toward determining for OWNER that the completed project will, in general, conform to the Contract Documents; but ENGINEER will not supervise, direct, or have control over the contractor's work and will not be responsible for the contractor's construction means, methods, techniques, sequences, procedures, or health and safety precautions or programs, or for the contractor's failure to perform the construction work in accordance with the Contract Documents.

Payment Requests

ENGINEER's review of Payment Requests from contractor(s) will not impose responsibility to determine that title to any of the work has passed to OWNER free and clear of any liens, claims, or other encumbrances. Any such service by ENGINEER will be provided through an amendment to this Agreement.

City of Moline
Page 4
December 3, 2018

Changes

1. OWNER may make changes within the general scope of this Agreement in the Services to be performed. If such changes cause an increase or decrease in ENGINEER's cost or time required for performance of any Services under this Agreement, an equitable adjustment will be made and this Agreement will be modified in writing accordingly.
2. No services for which additional compensation will be charged by ENGINEER will be furnished without the written authorization of OWNER. The fee established herein will not be exceeded without agreement by OWNER but may be adjusted for time delays, time extensions, amendments, or changes in the **Scope of Services**.
3. If there is a modification of the Illinois Environmental Protection Agency requirements relating to the Services to be performed under this Agreement subsequent to the date of execution of this Agreement, the increased or decreased cost of performance of the Services provided for in this Agreement will be reflected in an appropriate modification of this Agreement.

Extension of Services

This Agreement may be extended for additional Services upon OWNER's authorization. Extension of Services will be provided for a lump sum or an hourly rate plus expenses.

Payment

OWNER shall make monthly payments to ENGINEER for Services performed in the preceding month based upon monthly invoices. Nonpayment 30 days after the date of receipt of invoice may, at ENGINEER's option, result in assessment of a 1 percent per month carrying charge on the unpaid balance.

Nonpayment 45 days after the date of receipt of invoice may, at ENGINEER's option, result in suspension of Services upon five calendar days' notice to OWNER. ENGINEER will have no liability to OWNER, and OWNER agrees to make no claim for any delay or damage as a result of such suspension caused by any breach of this Agreement by OWNER. Upon receipt of payment in full of all outstanding sums due from OWNER, or curing of such other breach which caused ENGINEER to suspend Services, ENGINEER will resume Services and there will be an equitable adjustment to the remaining project schedule and compensation as a result of the suspension.

Data Provided by Others

ENGINEER is not responsible for the quality or accuracy of data nor for the methods used in the acquisition or development of any such data where such data is provided by or through OWNER, contractor, or others to ENGINEER and where ENGINEER's Services are to be based upon such data. Such data includes, but is not limited to, soil borings, groundwater data, chemical analyses, geotechnical testing, reports, calculations, designs, drawings, specifications, record drawings, contractor's marked-up drawings, and topographical surveys.

Termination

This Agreement may be terminated with cause in whole or in part in writing by either party subject to a two-week notice and the right of the party being terminated to meet and discuss the termination before the termination takes place. ENGINEER will be paid for all completed or obligated Services up to the date of termination.

City of Moline
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December 3, 2018

Third-Party Beneficiaries

Nothing contained in this Agreement creates a contractual relationship with or a cause of action in favor of a third party against either OWNER or ENGINEER. ENGINEER's Services under this Agreement are being performed solely for OWNER's benefit, and no other party or entity shall have any claim against ENGINEER because of this Agreement or the performance or nonperformance of Services hereunder. OWNER and ENGINEER agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors, and other entities involved in the Task Order-specified project to carry out the intent of this provision.

Dispute Resolution

Except as may be otherwise provided in this Agreement, all claims, counterclaims, disputes, and other matters in question between OWNER and ENGINEER arising out of or relating to this Agreement or the breach thereof will be decided first by mediation, if the parties mutually agree, or with a bench trial in a court of competent jurisdiction within the State of Illinois.

Terms and Conditions

The terms and conditions of this Agreement and subsequently issued Task Orders will apply to the Services defined in the **Scope of Services**. OWNER-supplied purchase order is for processing payment only; terms and conditions on the purchase order shall not apply to these Services.

IN WITNESS WHEREOF the parties hereto have made and executed this Agreement.

ENGINEER:

OWNER:

STRAND ASSOCIATES, INC.®

CITY OF MOLINE

Matthew S. Richards 12/18/18
Matthew S. Richards Date
Corporate Secretary

Tony Loets 12/12/18
Tony Loets Date
Utilities General Manager

COW/COUNCIL ACTION REPORT

September 20, 2022

A Resolution approving the Honorary Street Designation in honor of David B. Sears; and authorizing the Director of Public Works to effectuate the fabrication and installation of approved signs.

SUGGESTED ACTION:

ATTACHMENTS: [1164-2022 PW RES1 Humphrey - Doi - Honorary Street Designation - David B. Sears - CBx.pdf](#)
[1164-2022 PW RES1 Humphrey - Doi - Honorary Street Designation - David B. Sears - ATT.pdf](#)

Council Bill/Resolution No.
Sponsor: _____

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to execute and attest to an Honorary Street Designation in honor of David B. Sears; and

AUTHORIZING the Director of Public Works to effectuate the fabrication and installation of said sign.

WHEREAS, the Complete Streets Committee received a request to approve an Honorary Street Designation in honor of David B. Sears; and

WHEREAS, the Complete Streets Committee reviewed the request at the September 2, 2022, meeting and recommends approval.

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

That the Mayor and City Clerk are authorized to execute and attest to an Honorary Street Designation in honor of David B. Sears; and authorizing the Director of Public Works to effectuate the fabrication and installation according to the approved application; provided, however, that said application is in substantially similar form and content to that attached hereto and incorporated herein by this reference thereto as Exhibit A.

CITY OF MOLINE, ILLINOIS

Mayor

September 27, 2022
Date

Passed: September 27, 2022

Approved: October 4, 2022

Attest: _____
City Clerk

**APPLICATION
HONORARY STREET DESIGNATION**

Applicant's Name:

Street Address:

Telephone: E-mail:

Name of Honoree (as it would appear on sign):

Location (Name of existing street):

Name of intersecting streets at each end of one block area:

Please check all that apply and include a brief explanation of each of the applicable criteria.

Cultural Impact to the City:

Historical Impact to the City (ties to the City):

Born 1804, came to Moline in 1836, first to use the Mississippi River for power generation. Constructed dams, mills for lumber, flour and wool carding (separating fibers for spinning). First postmaster of Moline, extended a shaft for use by plow maker John Deere, served in the Army, helped establish the first Rock Island County Agricultural Society. David Sears named the City of Moline (meaning Mill).

Humanitarian Efforts:

My application consists of the following items necessary for a complete application.

Completed application form, a non-refundable \$25.00 application fee and fee of \$300 to cover the City of Moline's cost for sign fabrication and installation. If the application is not approved, the \$300 fabrication and installation fee will be refunded. (Make Checks Payable to "City of Moline")

Signature of Applicant: Date:

The earliest known picture of Moline dated 1843, shows some of the first structures and their locations

1. The Moline House, the cities first hotel
2. D.B. Sears flour, saw, and carding mill.
Built in 1838.

3. The Sears brick stove of 1840

4. Sears second flour mill, erected in 1841

5. Residence of Huntington Wells
and proprietor of the towns first hotel.

6. Residence of Joel Wells

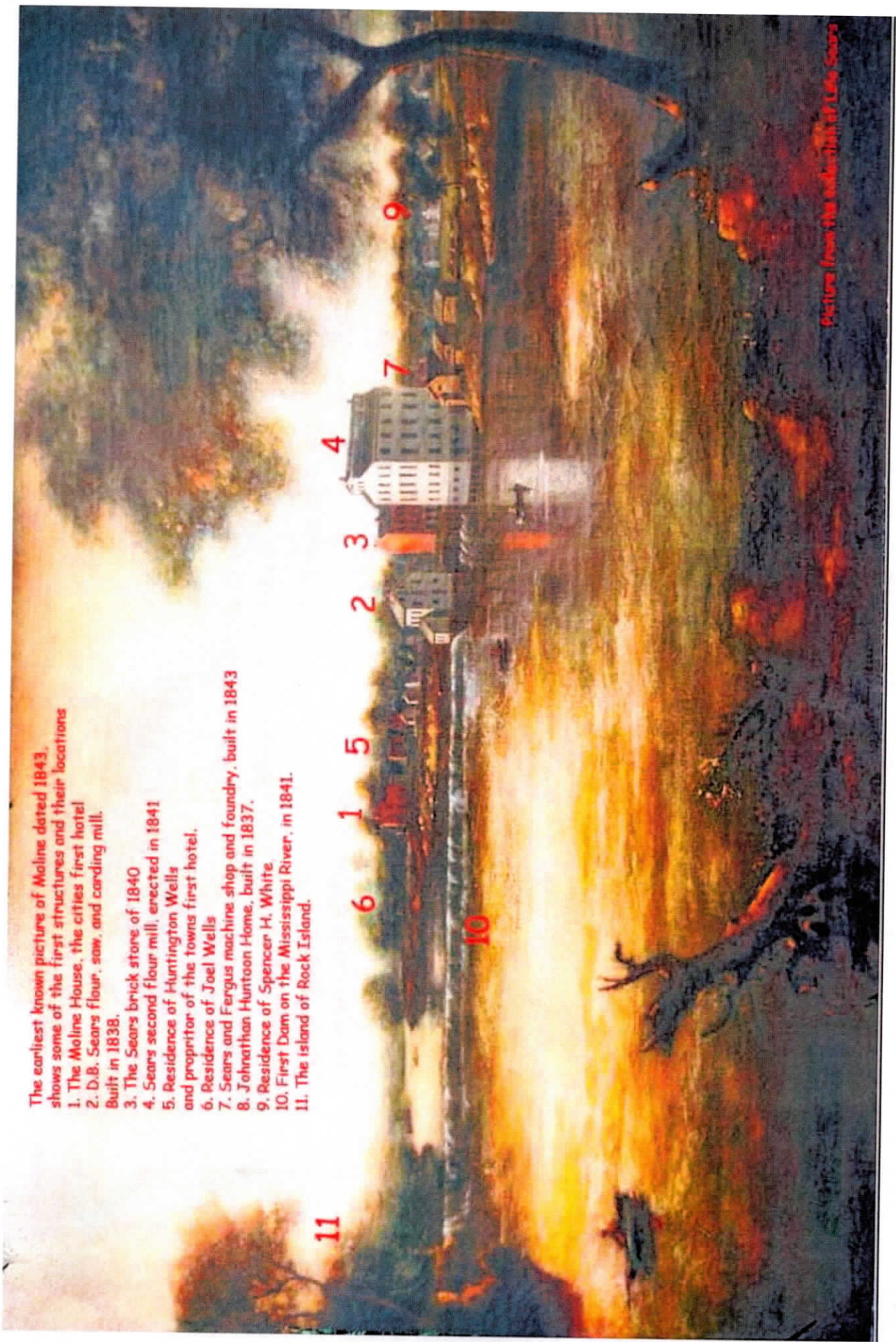
7. Sears and Fergus machine shop and foundry, built in 1843

8. Johnathan Huntoon Home, built in 1837.

9. Residence of Spencer H. White.

10. First Dam on the Mississippi River, in 1841.

11. The island of Rock Island.



Picture from the collection of Ledy Sears

