



City of East Moline Committee of the Whole

City Council Chambers
915 16th Avenue
East Moline, IL 61244

DATE: MONDAY, December 5th, 2016

TIME: Immediately Following the Regular Council Meeting

1	Maritime Port Security Grant/Inflatable Boat Purchase	DeFrance
2	The Bend Final Plat	Kammler
3	7 th Street STP Project	Kammler
4	North Hill TIF Surplus	Peterson
5	Capital Improvement Plan	Peterson
6	Squad Car Disposal	Reynolds
7	Hunting in City Limits Discussion	Girdler
8	Chicken Regulations Discussion	Girdler



COMMITTEE OF THE WHOLE

Title Maritime Port Security Grant / Inflatable Boat Purchase

Date: December 5, 2016

Agenda Item #1 Presented By: Robert DeFrance, Fire Chief

Description:

The City of East Moline Fire Department has been selected for a 2017 Port Security Grant for the purposes of replacing the fire department boat to meet criteria needed for emergency responses on the Mississippi River. As part of this grant the department will use the grant funds to purchase a 14' inflatable boat with a 25HP outboard motor and trailer. This is intended for shallow water or urban flood rescue situations. This is an overall \$198,000 grant project previously approved by resolution. \$148,500 funded by FEMA and \$50,000 by the City of East Moline (75/25).

Quotes were received for the inflatable vessel, motor and trailer package as follows;

- 1. Mercury 430 HD, Merc 25 HP Four Stroke, Karavan Trailer - Tempo Marine, East Moline - \$8,889.
- 2. Mercury 430 HD, Merc 25 HP Four Stroke, GenisisTailer- Ted's Boatarama, Rock Island - \$10,155.
- 3. ERB 400, Merc 25 Hp Four Stroke, Trailex Trailer - Zodiac, Stevensville, MD - \$20,087.

FINANCIAL

Is this a budgeted item? Yes ___ No X

Line Item # _____ Title: Department Projects/Equipment Reserve

Amount Budgeted: \$ 9,680 Grant Budget Detail

Actual Cost: \$8,889.

Under/(Over): \$791.

Funding Sources:

General Fund _____ Grant Revenue _____

Departments:

Fire Department Special Projects _____

Vehicle and Equipment Reserves _____

Is this item in the CIP? Yes ___ No X CIP Project Number: _____



COMMITTEE OF THE WHOLE

Any previous Council actions:

Action	Date
<u>Approved Grant Agreement</u>	<u>9 /19/ 2016</u>
_____	_____
_____	_____

Recommendation:
 Approve the lowest responsive quote from Tempo Marine of East Moline in the amount of \$ 8,889.
 Authorize the Fire Chief to execute purchase order to complete sales transaction.

Required Action:

ORDINANCE _____ RESOLUTION X NO ACTION REQUIRED _____

Regular Meeting Date for Action December 19, 2016

Additional Comments:
 Specs and quote information attached.

MOTION BY _____ SECONDED BY _____
 TO _____

CITY COUNCIL VOTES

VOTES	HELEN HELAND	GARY ALMRLADE	NANCY MULCAHEY	ED DEJAYNES	HUMBERTO AGUILAR	ROBERT CHEFFER	GARY WESTBROOK
YES							
NO							
SENT							
ABSTAIN							

Robert DeFrance

From: Sales Department <sales@tempomarine.com>
Sent: Wednesday, November 16, 2016 11:25 AM
To: Robert DeFrance
Subject: Inflatable for EM Fire
Attachments: EMFD1116.pdf

Rob,

Here is a quote for the inflatable boat, motor and trailer from Tempo Marine. The equipment is as follows:

- (1) Mercury 430 Heavy Duty HP Red (see attached spec sheet) \$4245.00
- (2) Mercury 25 H.P. manual start, manual tilt, 4 stroke outboard \$2864.00
- (3) Propeller to be determined on set-up \$120.00
- (4) Karavan single axle, painted trailer \$1380.00
- (5) Set-up charge \$280.00

Total Bid: \$8,889.00

Quote valid until 12/31/2016

Please call me with any questions.

Thank You

Steve Rogenski
Tempo Marine & Sport
309-752-0868
sales@tempomarine.com



SPECIFICATIONS

Heavy Duty



Fabric	Achilles HP Haku PVC
Color	Red
Overall length	13' 9" / 419 cm
Overall beam	6' 2" / 188 cm
Inside length	10' 2" / 309 cm
Tube diameter	19" / 483 mm
Load capacity	2094 lbs / 950 kg
Maximum engine weight	187 lbs / 85 kg
Maximum horsepower	30
Shaft length	15" / 381 mm
Passenger capacity (HP)	8
Passenger capacity (PVC)	8
Number of air chambers	3 + keel
Weight (HP)	279 lbs / 127 kg
Weight (PVC)	261 lbs / 118 kg
Inflatable keel	Yes
Fabric thickness (PVC)	0.05" / 1.15 mm
Fabric thickness (HP)	0.04" / 1.1 mm
Tube pressure (psi / bar)	3.6 / 1.63
Seat	Yes
Carrying bag	Yes
Two oars or paddles	Yes

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*ATT
ROBERT*

TED'S BOATARAMA, INC.

102 - 31st Avenue
Rock Island, IL 61201

Ph. (309) 788-1175 • Fax. (309) 788-9972

MERCURY 25HP M EFI 4S \$2,845.00

ALUMINUM PROP \$ 135.00

QUICKSILVER 430HD HP RED
\$5,031.00

GENISIS GT 12 TRAILER \$1,775.00

DOCUMENTATION \$70.00

SET UP BOAT MOTOR & TRAILER
\$299.00

TOTAL COST \$10,155.00

EAST MOLINE FIRE DEPT,

*T HAMES
JOHN*





ZODIAC ERB 400
HPP Floor

P/N Z85019
Rev 1 – June 1st 10
TECHNICAL DATA SHEET



Rapid Deployment crafts made for Search & Rescue applications

The ZODIAC ERB range has been specifically designed to meet the demanding requirements of Search & Rescue Organisations throughout the World. Our ERB craft are highly portable, compact packed size and can be rapidly deployed by means of high pressure inflation systems, within minutes.

These specific features, together with the expertise of Zodiac, make the ZODIAC ERB range the ideal partner when quality of design and manufacture count.

Craft are also available with a slatted aluminium deck or rigid deck.

The ERB 400 with HPP Floor is available from stock.

Important Note: Boats available in North America may have different specifications.

THIS MATERIAL CONTAINS PROPRIETARY DATA BELONGING TO ZODIAC INTERNATIONAL. UNAUTHORIZED DISCLOSURE, USE OR REPRODUCTION WILL RESULT IN LIABILITY. ZODIAC RESERVES THE RIGHT TO CHANGE THE SPECIFICATIONS OF THIS TECHNICAL DATA SHEET WITHOUT NOTICE.

Dimensions and weight + or - 3 % (5% on prototype)

page 1 / 4



ZODIAC INTERNATIONAL
DIVISION MARINE

ERB 400 – BOAT DEFINITION

CAPACITY

. maximum number of persons :	8	
. maximum load (persons, motor & gear) :	920 kg	2028 lb
. floorboard usable area :	2,38 m ²	25.6 ft ²
. buoyancy tube volume :	1.35 m ³	47.6 ft ³

DIMENSIONS

. overall length :	4.1 m	13' 5"
. inside length :	2.8 m	9' 2"
. overall width :	1.9 m	6' 3"
. inside width :	0.88 m	2' 7"
. weight empty :	65 kg	145 lb
. buoyancy tube diameter :	51 cm	20"
. folded dimensions :	1,4x0,65x0,4m ³	55"x26"x16"

SAFETY / INFLATION

. airtight compartments (main buoyancy tube) :	4
. intercommunication valves :	2
. inflatable keel :	1

ENGINE POWER

. engine shaft length :	L (20")	
. useful HP range :	25 – 30 HP	
. maximum HP :	40HP (HPP and Rigid floor)	
	30HP (Roll-up Floor)	
. maximum weight of engine :	98kg (HPP and Rigid floor)	216 lb
	75kg (Roll-up Floor)	163 lb

FABRIC

. main buoyancy tubes :	red, 1110 dtx , polyester, Hypalon/neoprene
. keel buoyancy tube :	black, 1100 dtx , polyester, Hypalon/neoprene
. bottom :	black, 1100 dtx , polyester, Hypalon/neoprene
. baffles :	black, 940 dtx , polyester, Hypalon/neoprene

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Dimensions and weight + or - 3 % (5% on prototype)

page 2 / 4



STANDARD EQUIPMENT

TRANSOM BLACK

. self bailers : 1 Large flow + 1 Small :	2
. aluminum engine mounting plate, for single engine :	1
. transom sacrificial plate (marine plywood) :	1

FLOORBOARD SYSTEM

. Inflated HPP floor :	1
. bow skirt :	1

INFLATION - VALVES

. intercommunication valves, plated brass, on main buoyancy tubes :	2
. plated brass valve, on main buoyancy tubes for keel inflation :	1
. inflation valve on keel :	1
. fast inflation point :	2
. overpressure valves at fast inflation point, anodized aluminum :	2
. fast inflation kit for scuba bottle :	1
. keel fast inflation kit :	1

REINFORCEMENTS

. peripheral rubbing strake :	1
. flat rubbing strip underneath keel :	1
. flat rubbing strip underneath tube :	4
. transom bottom stainless steel protection shoe :	1

HANDLING

. lateral carrying soft handles :	6
. bow carrying handle :	1
. lifelines on lateral lacing cuffs :	2

TOWING & LIFTING

. front towing D-ring patches :	2
. rear towing U-bolts on transom :	2
. front lifting D-ring patches :	2
. rear lifting U bolts fitted in transom :	2

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Dimensions and weight + or - 3 % (5% on prototype)

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OTHER EQUIPMENT

. boat carrying valise :	1
. foot pump :	1
. repair kit :	1
including pressure gauge :	1
. telescopic paddles :	2
. stowage pocket (removable) :	1
. handbook :	1

OPTIONAL EQUIPMENT:

. lifting sling, 4 leg :	1
. flexible fuel bag :	1
. optional Roll-up floor :	1
. optional Rigid floor (3 aluminum panels + 2 Marine plywood bow boards) :	1

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Dimensions and weight + or - 3 % (5% on prototype)

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COMMITTEE OF THE WHOLE

Title Final Plat of The Bend First Addition

Date: December 5, 2016

Agenda Item #2 Presented By: Kammler - Director of Engineering

Description:

This item is for review and discussion only. Pending a favorable Plan Commission recommendation at a meeting scheduled for December 14, the Final Plat will be brought to City Council for final approval.

Please refer to attached documents as prepared for East Moline Plan Commission meeting:

- (1) Staff Report - PC-2016-04 Final Plat of the Bend First Addition
- (2) Final Plat - The Bend First Addition
- (3) Aerial Exhibit - Final Plat Area on Case/New-Holland Property

Additional comments and presentation will be made at the COW meeting by staff.

FINANCIAL

Is this a budgeted item? Yes ___ No ___

Line Item # _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/(Over): _____

Funding Sources:

N/A

Departments:

Planning & Zoning

Is this item in the CIP? Yes ___ No ___ CIP Project Number: _____



COMMITTEE OF THE WHOLE

Any previous Council actions:

Action

Date

Approved Re-Development Agreement

Recommendation:

No action required this meeting.

Required Action:

ORDINANCE _____ RESOLUTION _____ NO ACTION REQUIRED X

Regular Meeting Date for Action _____

Additional Comments:

MOTION BY _____

SECONDED BY _____

TO _____

CITY COUNCIL VOTES

VOTES	HELEN HELAND	GARY ALMRLADE	NANCY MULCAHEY	ID DEJAYNES	HUMBERTO AGUILAR	ROBERT CHEFFER	GARY WESTBROOK
YES							
NO							
SENT							
ABSTAIN							

PRELIMINARY PLAT FOR
FOUNTAINHEAD DEVELOPMENT
City of East Moline, IL
(133 Acre boundary shown in blue)
Formerly Case-New Holland Plant

FINAL PLAT AREA = 55.88 Ac
THE BEND SUBDIVISION
(Shown in yellow)



Parcel Lines





STAFF REPORT

PLAN COMMISSION CASE NUMBER: PC-2016-04

SUBJECT SITE: Rock Island County Parcel 07-518 encompasses approximately 133 acres within the corporate limits of the City of East Moline, Illinois. The property is the site of a former Case-New Holland Manufacturing Plant and is generally located north of 12th Avenue and west of 7th Street; its northern side is bounded by the Mississippi River. The parcel abuts a portion of the Cottage Grove residential subdivision on the east and a portion of the McLaughlin industrial facility on the south. The entirety of the subject property is currently undeveloped with the former CNH facilities having been demolished and removed many years ago. The City owns and maintains a FEMA-certified levee along the site's river frontage; a permanent easement encompasses the levee, gatewells, pump houses and appurtenant infrastructure which the city maintains and the US Army Corps of Engineers inspects on an annual basis. The Great River Bicycle Trail sits atop the levee, which serves a significant number of pedestrians and bicyclists in good weather. *The proposed Final Plat of "The Bend First Addition" subdivides the western 56 +/- acres of this property for the purpose of mixed-use commercial and residential development including lots designated for a multi-story hotel and three (3) apartment buildings. The site's location directly on the riverfront with ready access to 12th Avenue makes it unique and well-suited to the type of development proposed.*

CURRENT ZONING DISTRICT: B-3 (General Business District)

SURROUNDING ZONING DISTRICTS:

North: N/A – Mississippi River

South: I-2 (General Industrial District); 12th Avenue

East: B-3, (General Business District)

West: City of Moline (ORT – Office Research Park & Technology District)

REQUESTED ACTION: The petitioner is requesting the East Moline Plan Commission approve the Final Plat of "The Bend First Addition" and provide a favorable recommendation to the City Council.

STAFF ANALYSIS: The Plan Commission and City Council have previously approved a zoning amendment and Preliminary Plat for this property. This land has been considered focal point of East Moline's economic development potential since the closure of the former Case-New Holland Plant that was previously located on-site. In accordance with the previously-approved Preliminary Plat and presentations from the Developer, a Hyatt Regency hotel and three (3) market-rate apartment buildings are under final design and have received bank funding. In addition to these keystone structures, other mixed-use development is anticipated to include restaurant(s), gas station/convenient store, retail, offices, and more. This development would be the first of its kind in East Moline and one of the most significant to the Quad City Riverfront in its history; it stands to substantially improve the landscape and livelihood of East Moline's riverfront corridor. The Final Plat has been reviewed by an outside consultant as well as by in-house staff; much coordination has taken place in getting this Plat into its finished condition as presented.

RECOMMENDATION: The Final Plat has been prepared in accordance with the requirements of city's subdivision ordinance and the Illinois Plat Act. It has been through substantial review by third party consultant and city staff. As such, staff recommends Plan Commission approval of the Final Plat, subject to requirements of the city's subdivision ordinance which includes staff approval of infrastructure plans and a performance bond guaranteeing construction of the same.

ATTACHMENTS:

- Exhibit 1 – Final Plat – The Bend First Addition (2 pages)
- Exhibit 2 – Location map of the subject site – aerial photo (1 page)
- Exhibit 3 – "Temporary" Plat for building permit as approved by staff in May 2015 - wasn't needed (1 page)
- Exhibit 4 – Preliminary Plat of "Fountainhead" Subdivision



COMMITTEE OF THE WHOLE

Title 7th Street STP Project (26th Av - Ave-of-the-Cities) - Engineering Contract

Date: December 5, 2016

Agenda Item #3 Presented By: Kammler - Director of Engineering

Description:

7th Street between 26th Avenue and Avenue of the Cities is in poor condition and rapidly deteriorating. As this project was in the city's 5-year CIP and was a qualifying project, staff applied for and was awarded Federal STP funding for this project. The funding is 80%-20% money with a federal share of \$640,677 having been obtained. As with the Kennedy Drive STP project and the 13th Street STP project, the 7th Street STP job will require complete adherence to IDOT's lengthy list of required submittals and reviews for a federally-funded project. This includes a project development report (PDR), environmental-historical-biological coordination, ADA geometrics, preliminary plans, etc. As such, a contract proposal has been obtained from Missman, Inc. to perform the professional surveying and engineering services required to get the project through an IDOT Phase 1 design approval. This contract is attached for review and consideration. It is recommended that local (MFT) funds be used to pay for engineering services, and reserve the Federal STP funds to pay for construction work. Once Phase 1 engineering of this project is complete, a contract for Phase 2 engineering (final design and bid documents) will be brought to Council for review and consideration in 2017.

FINANCIAL

Is this a budgeted item? Yes No

Line Item # 2017 Budget Title: MFT - Professional Services

Amount Budgeted: \$105,000 (for engineering)

Actual Cost: \$78,140 (Phase 1 Engineering)

Under/(Over): \$26,860

Funding Sources:

Motor Fuel Tax Funds

Departments:

Engineering

Is this item in the CIP? Yes No CIP Project Number: ENGR-18-07



COMMITTEE OF THE WHOLE

Any previous Council actions:

Action	Date
N/A	

Recommendation:

Approve consultant contract for professional engineering services as proposed.

Required Action:

ORDINANCE _____ RESOLUTION X NO ACTION REQUIRED _____

Regular Meeting Date for Action _____

Additional Comments:

MOTION BY _____ SECONDED BY _____
TO _____

CITY COUNCIL VOTES

VOTES	HELEN HELAND	GARY ALMRLADE	NANCY MULCAHEY	ID DEJAYNES	HUMBERTO AGUILAR	ROBERT CHEFFER	GARY WESTBROOK
YES							
NO							
SENT							
ABSTAIN							

Municipality EAST MOLINE	L O C A L A G E N C Y	Preliminary Engineering Services Agreement For Motor Fuel Tax Funds	C O N S U L T A N T	Name MISSMAN, INC.
Township SOUTH MOLINE				Address PO BOX 6040
County ROCK ISLAND				City ROCK ISLAND
Section				State ILLINOIS

THIS AGREEMENT is made and entered into this _____ day of _____, _____ between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTION. Motor Fuel Tax Funds, allotted to the LA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT", will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

Section Description

Name 7th Street Resurfacing Project: 26th Avenue to Avenue of the Cities

Route N/A Length 1.023 Mi. 5,400 FT (Structure No. N/A)

Termini 7th Street (26th Avenue to North Frontage Road at Avenue of the Cities)

Description:

Complete milling, pavement removal and patching, bituminous overlays, ADA curb ramps, storm sewer intakes, paint pavement markings, and associated roadway work.

Agreement Provisions

The Engineer Agrees,

1. To perform or be responsible for the performance of the following engineering services for the LA, in connection with the proposed improvements herein before described, and checked below:
 - a. Make such detailed surveys as are necessary for the preparation of detailed roadway plans
 - b. Make stream and flood plain hydraulic surveys and gather high water data, and flood histories for the preparation of detailed bridge plans.
 - c. Make or cause to be made such soil surveys or subsurface investigations including borings and soil profiles and analyses thereof as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations are to be made in accordance with the current requirements of the DEPARTMENT.
 - d. Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
 - e. Prepare Army Corps of Engineers Permit, Department of Natural Resources-Office of Water Resources Permit, Bridge waterway sketch, and/or Channel Change sketch, Utility plan and locations, and Railroad Crossing work agreements.
 - f. Prepare Preliminary Bridge design and Hydraulic Report, (including economic analysis of bridge or culvert types) and high water effects on roadway overflows and bridge approaches.
 - g. Make complete general and detailed plans, special provisions, proposals and estimates of cost and furnish the LA with five (5) copies of the plans, special provisions, proposals and estimates. Additional copies of any or all documents, if required, shall be furnished to the LA by the ENGINEER at his actual cost for reproduction.
 - h. Furnish the LA with survey and drafts in quadruplicate of all necessary right-of-way dedications, construction easement and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.

Note: Four copies to be submitted to the Regional Engineer

- i. Assist the LA in the tabulation and interpretation of the contractors' proposals
 - j. Prepare the necessary environmental documents in accordance with the procedures adopted by the DEPARTMENT's Bureau of Local Roads & Streets.
 - k. Prepare the Project Development Report when required by the DEPARTMENT.
- (2) That all reports, plans, plats and special provisions to be furnished by the ENGINEER pursuant to the AGREEMENT, will be in accordance with current standard specifications and policies of the DEPARTMENT. It is being understood that all such reports, plats, plans and drafts shall, before being finally accepted, be subject to approval by the LA and the DEPARTMENT.
- (3) To attend conferences at any reasonable time when requested to do so by representatives of the LA or the Department.
- (4) In the event plans or surveys are found to be in error during construction of the SECTION and revisions of the plans or survey corrections are necessary, the ENGINEER agrees that he will perform such work without expense to the LA, even though final payment has been received by him. He shall give immediate attention to these changes so there will be a minimum delay to the Contractor.
- (5) That basic survey notes and sketches, charts, computations and other data prepared or obtained by the Engineer pursuant to this AGREEMENT will be made available, upon request, to the LA or the DEPARTMENT without cost and without restriction or limitations as to their use.
- (6) That all plans and other documents furnished by the ENGINEER pursuant to this AGREEMENT will be endorsed by him and will show his professional seal where such is required by law.

The LA Agrees,

1. To pay the ENGINEER as compensation for all services performed as stipulated in paragraphs 1a, 1g, 2, 4, 5 and 6 in accordance with our Hourly Rates stipulated below for an Hourly Not to Exceed price of \$ 78,140.00. See Attachment A for breakdown.

Classification	Rate
Principal	\$185.00
Senior Project Manager	\$151.00
Project Manager	\$134.00
Project Engineer	\$118.00
Senior Design Engineer	\$90.00
Design Engineer	\$82.00
Land Survey Manager	\$142.00
Land Surveyor	\$122.00
Survey Party Chief	\$80.00
Survey Technician	\$51.00
Senior Engineering Technician	\$103.00
Engineering Technician	\$73.00
CAD Operator	\$57.00
Construction Services Manager	\$120.00
Construction Services Senior Technician	\$98.00
Construction Services Technician	\$77.00
Project Coordinator II	\$82.00
Project Coordinator I	\$62.00
Environmental Scientist	\$72.00
Clerical & Administration	\$52.00
Engineering Intern	\$31.00
Survey – Robotic	\$95.00
Survey – RTK	\$110.00

January 1, 2016
Missman, Inc.

2. To pay the ENGINEER as compensation for all services performed as stipulated in paragraphs 1a, 1b, 1c, 1d, 1e, 1h, 1i, 1j, 1k, and 3 under the ENGINEER AGREES at the hourly rates stipulated in Paragraph 1, The LA Agrees, for personnel assigned to this SECTION as payment in full to the ENGINEER for the actual time spent in providing these services. The hourly rates to include profit, overhead, readiness to serve, insurance, social security and retirement deductions. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost. Subject to the approval of the LA, the ENGINEER may sublet all or part of the services provided under the paragraphs above. If the ENGINEER sublets all or a part of this work, the LA will pay the cost to the ENGINEER plus five (5) percent service charge.

"Cost to Engineer" to be verified by furnishing the LA and the DEPARTMENT copies of invoices from the party doing the work. The classifications of the employees used in the work should be consistent with the employee classifications for the services performed. If the personnel of the firm, including the Principal Engineer, perform routine services that should normally be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the work performed.

3. That payments due the ENGINEER for services rendered in accordance with this AGREEMENT will be made as soon as practicable after the services have been performed in accordance with the following schedule:
 - a. Partial payments will be made to the ENGINEER on a monthly basis as the work progresses. Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to 100% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
 - b. Upon completion of detailed plans, special provisions, proposals and estimate of cost - being the work required by paragraphs 1a through 1k under THE ENGINEER AGREES - to the satisfaction of the LA and their approval by the DEPARTMENT, 100 percent of the total fee due under this AGREEMENT, less any amounts paid under "a".
4. That, should the improvement be abandoned at any time after the ENGINEER has performed any part of the services provided for in paragraphs 1a through 1k, and prior to the completion of such services, the LA shall reimburse the ENGINEER as compensation for all services performed up to the time he is notified in writing of such abandonment at the hourly rates stipulated for personnel assigned to this SECTION. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost.

It is Mutually Agreed,

1. That any difference between the ENGINEER and the LA concerning their interpretation of the provisions of this Agreement shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
2. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at his last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA all surveys, permits, agreements, preliminary bridge design & hydraulic report, drawings, specifications, partial and completed estimates and data, if any from traffic studies and soil survey and subsurface investigations with the understanding that all such material becomes the property of the LA. The ENGINEER shall be paid for any services completed and any services partially completed in accordance with Section 4 of THE LA AGREES.
3. That if the contract for construction has not been awarded one year after the acceptance of the plans by the LA and their approval by the DEPARTMENT, the LA will pay the ENGINEER the balance of the engineering fee due to make 100 percent of the total fees due under this AGREEMENT, based on the estimate of cost as prepared by the ENGINEER and approved by the LA and the DEPARTMENT.
4. That the ENGINEER warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the ENGINEER, to solicit or secure this contract, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the ENGINEER, any fee, commission, percentage, brokerage fee, gifts or any other consideration, contingent upon or resulting from the award or making of this contract. For Breach or violation of this warranty the LA shall have the right to annul this contract without liability.

IN WITNESS WHEREOF, the parties have caused the AGREEMENT to be executed in quadruplicate counterparts, each of which shall be considered as an original by their duly authorized officers.

Executed by the LA:

City of East Moline of the
(Municipality/Township/County)

ATTEST:

State of Illinois, acting by and through its

By _____

By _____

Clerk

Title _____

(Seal)

Executed by the ENGINEER:

Missman, Inc.

4500 Black Hawk Commons Drive, P.O. Box 6040

ATTEST:

Rock Island, IL 61204-6040

By Morgan A. Mays
Morgan A. Mays, P.E.

By Greg A. Ryckaert
Greg A. Ryckaert, P.E.

Title Project Manager

Title Executive Vice President

Approved

Date
Department of Transportation

Regional Engineer

PHASE I: DESIGN ENGINEERING
 SECTION: _____
 EAST MOLINE, ILLINOIS

ATTACHMENT A
ENGINEERING SERVICES ESTIMATE
 [I.D.O.T. LAFO Design Policy]
7th Street: 26th to 41st Avenue

CLASSIFICATION	MISSMAN STAFF										MISSMAN REIMBURSABLES		TOTAL COSTS		
	Sr Project Manager	Project Manager	Project Engineer	Sr Engr. Tech.	Engineering Tech.	Land Survey Manager	Land Surveyor	Survey Crew (2-man)	Survey Party Chief	Project Coord	Environ. Scientist	Civil & Admin		LABOR	ITEM
2016 STANDARD HOURLY RATE	\$151	\$134	\$118	\$103	\$73	\$142	\$122	\$131	\$80	\$92	\$72	\$52			
PHASE I: Preliminary Design and Development															
1 Coordination - Meetings															
Initial Kickoff Meeting	2	2													\$ 570
Progress Meetings (2 Each)		4													\$ 536
2 Data Collection															
Site Reconnaissance	4														\$ 604
Base Maps/Location Map			1												\$ 118
Publish/Future ADTs			1												\$ 118
Road Classification Map			1												\$ 118
Flood Insurance Rate Map (FIRM)										1					\$ 72
USDA Soils Map										1					\$ 72
Existing Design Criteria and Construction History	1		2												\$ 387
Pavement Drainage Review	1		2												\$ 387
Crash/History Review	2		2												\$ 536
3 Survey Services							2	8							\$ 1,364
Horizontal and Vertical Control & Ties				4				16	8						\$ 3,148
Topographic Survey (includes Utility Research/Coordination)				20				24	8						\$ 7,452
Property Search/Traverse (Boundary)				12				8	40						\$ 7,452
Manhole/Inlet Investigation				16				8	24						\$ 6,408
4 Pavement Assessment (Field Visit)	4														\$ 604
Pavement Repairs	2														\$ 302
Crown and Cross-Slope Adjustments	2														\$ 302
5 Preliminary Design and Plans															
Typical Sections (Existing and Proposed)	1			4	8										\$ 1,147
Plan and Profile Sheets (10 Each)	2			20	80										\$ 8,202
ADA Geometry Sheets (5 Each, 41 Ramps)			17	78	87										\$ 18,693
Geometrics Review for permit vehicles (Assume no IDS)	2														\$ 302
ROW/ TCE Sheets (5 Each)	1			5	10										\$ 1,396
6 Environmental Documentation															
Environmental Survey Request (ESR)										4					\$ 288
Historic Conservation Compliance (IHCA and SHPO)				16						6					\$ 2,080
Biological and Cultural Review (EcoCAT)										4					\$ 288
Preliminary Environmental Site Assessment (PESA)	1		1	4						72					\$ 5,981
Special Waste Investigation (T.B.D. per PESAI/DOT Review)															\$ 1,100
ESR Submittal	1		2							20					\$ 1,963
7 Project Development Report (PDR) (BLR-46300 Form) for LAFO	2		4												\$ 878
PDR Attachment Packaging			4												\$ 472
Cost Estimate	4														\$ 1,140
8 Project Management															
Project Administration															
OC/QA	22						4								\$ 2,948
SUBTOTAL HOURS	58	35	34	179	185	2	42	104	24	0	108	6	77.5		\$ 3,810
SUBTOTAL COSTS	\$8,456	\$4,680	\$4,012	\$18,437	\$13,505	\$284	\$5,124	\$13,624	\$1,920	\$0	\$7,776	\$312	\$	\$	\$ 78,140

TOTAL ESTIMATED FEE	\$ 78,140.00
Estimated Cost of Construction	\$ 1,094,500.00
Engineering Fee as % of Construction	7.1%

Prepared by:
 Missman, Inc.





COMMITTEE OF THE WHOLE

Title North Hill TIF surplus

Date: December 5, 2016

Agenda Item #4 Presented By: Megan Petersen

Description:

As in 2015, the North Hill TIF is projected to end 2016 with a surplus. By declaring a surplus, the money can be redistributed to the taxing bodies for their use. The City of East Moline's share of the surplus is projected to be approximately \$111,800 that will come back to the General Fund to be used for the 2017 budget. Attached is the surplus calculation and distribution breakdown to each taxing body.

FINANCIAL

Is this a budgeted item? Yes ___ No X

Line Item # _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/(Over): _____

Funding Sources:

Departments:

Is this item in the CIP? Yes ___ No X CIP Project Number: _____



COMMITTEE OF THE WHOLE

Any previous Council actions:

Action	Date
_____	_____
_____	_____

Recommendation:

Declare a surplus in the amount of \$550,000 in the North Hill TIF district.

Required Action:

ORDINANCE RESOLUTION _____ NO ACTION REQUIRED _____

Regular Meeting Date for Action December 19, 2016

Additional Comments:

MOTION BY _____ SECONDED BY _____
TO _____

CITY COUNCIL VOTES

VOTES	HELEN HELAND	GARY ALMRLADE	NANCY MULCAHEY	ID DEJAYNES	HUMBERTO AGUILAR	ROBERT CHEFFER	GARY WESTBROOK
YES							
NO							
SENT							
ABSTAIN							

Projected North Hill TIF surplus 12/31/16

Cash balance 11/30/16		\$	506,926.70	
Add:				
Property tax	\$	124,000.00		
Revenue			\$	124,000.00
Less:				
Utility	\$	280.00		
Bond Principal pmt	\$	-		
Bond Interest pmt	\$	-		
Expense			\$	<u>280.00</u>
Projected Surplus			\$	<u>630,646.70</u>
			\$	550,000.00

RI County	11.6226%	\$	63,924.30
Hampton Twp	1.5031%	\$	8,267.05
R&B - Hampton Twp	0.6035%	\$	3,319.25
R&B - EM	0.6035%	\$	3,319.25
East Moline City	20.3267%	\$	111,796.85
UTHS	18.0096%	\$	99,052.80
EM School #37	38.6958%	\$	212,826.90
Metro Air Auth	0.6985%	\$	3,841.75
Blackhawk College	5.2135%	\$	28,674.25
Illini Hospital	0.6985%	\$	3,841.75
Cemetery - Hampton	0.0820%	\$	451.00
Metro - Transit	1.9427%	\$	10,684.85
	100%	\$	550,000.00



COMMITTEE OF THE WHOLE

Title 2017-2021 Capital Improvement Plan

Date: December 5, 2016

Agenda Item #5 Presented By: Megan Petersen

Description:
Continued discussion of the 2017-2021 Capital Improvement Plan.

FINANCIAL

Is this a budgeted item? Yes ___ No ___

Line Item # _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/(Over): _____

Funding Sources:

Departments:

Is this item in the CIP? Yes ___ No ___ CIP Project Number: _____



COMMITTEE OF THE WHOLE

Any previous Council actions:

Action	Date
_____	_____
_____	_____

Recommendation:

Give preliminary approval to the 2017-2021 CIP with final approval at the next regular meeting.

Required Action:

ORDINANCE _____ RESOLUTION X NO ACTION REQUIRED _____

Regular Meeting Date for Action December 19, 2016

Additional Comments:

MOTION BY _____ SECONDED BY _____
TO _____

CITY COUNCIL VOTES

VOTES	HELEN HELAND	GARY ALMRLADE	NANCY MULCAHEY	ID DEJAYNES	HUMBERTO AGUILAR	ROBERT CHEFFER	GARY WESTBROOK
YES							
NO							
SENT							
ABSTAIN							



COMMITTEE OF THE WHOLE

Title Squad Car Disposal

Date: December 5, 2016

Agenda Item #6 Presented By: Chief Reynolds

Description:

On November 17, 2016, squad #520 (a re-purposed squad currently assigned to the Glenview officer) caught fire while parked in the Glenview parking lot. The fire was extinguished but the squad suffered severe damage.

[2008 Ford Crown Victoria (VIN 2FAFP71V58X178045) with 95,961 miles]

The police department will dispose of this vehicle through one of the following methods: "sealed bid, live auction, trade or sell for scrap". The proceeds will be deposited into the "department projects" line item.

FINANCIAL

Is this a budgeted item? Yes ___ No X

Line Item# _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/(Over): _____

Funding Sources: _____

Departments: _____

Is this item in the CIP? Yes ___ No X CIP Project Number: _____



COMMITTEE OF THE WHOLE

Any previous Council actions:

Action

Date

_____	_____
_____	_____

Recommendation:

Authorize the disposal of the vehicle.

Required Action:

ORDINANCE _____ RESOLUTION X NO ACTION REQUIRED _____

Regular Meeting Date for Action December 19, 2016

Additional Comments:

MOTION BY _____ SECONDED BY _____
TO _____

CITY COUNCIL VOTES

VOTES	HELEN HEILAND	GARY ALMBLADE	NANCY MULCAHEY	ED DEJAYNES	HUMBERTO AGUILAR	ROBERT CHEFFER	GARY WESTBROOK
YES							
NO							
SENT							
ABSTAIN							



COMMITTEE OF THE WHOLE

Title Discussion on Hunting in East Moline

Date: December 5, 2016

Agenda Item #7 Presented By: Darin Girdler, City Administrator

Description:

The City has been approached regarding the regulations for hunting within the City Limits. It is suggested that we have a general discussion about this. Basic information below.

Current Code:

6-3-9: DISCHARGE OF WEAPONS; POSSESSION OF EXPLOSIVE MATERIALS:

(A) Discharge Of Weapons: It shall be unlawful to discharge any firearm or air gun, BB gun, or any toy gun projecting lead or metal missiles, paintballs, or any other dangerous projectile within the city limits, except in a regularly established shooting gallery or at a city sanctioned event. This section shall not be construed to prohibit any officer of the law from discharging a firearm in the performance of his duty or for any citizen from using a firearm to lawfully defend him self, or another. It shall also be unlawful to shoot any bow or to discharge any arrow within the city limits. (Ord. 04-05, 2-17-2004)

Neighboring communities have examples of allowing hunting within the City Limits which are normally limited to archery deer hunting along with many other regulations and requirements. Hunting of deer in these areas was primarily for population control.

The attached map (showing approximately 65 acres) is an example of where hunting could be requested. Also attached is the City of Rock Island's regulations.

FINANCIAL

Is this a budgeted item? Yes ___ No X

Line Item # _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/(Over): _____

Funding Sources: _____

Departments: _____

Is this item in the CIP? Yes ___ No X CIP Project Number: _____



COMMITTEE OF THE WHOLE

Any previous Council actions:

Action	Date
_____	_____
_____	_____

Recommendation:

Staff will defer to the City Council as this is a policy matter.

Required Action:

ORDINANCE _____ RESOLUTION _____ NO ACTION REQUIRED _____

Regular Meeting Date for Action _____

Additional Comments:

MOTION BY _____ SECONDED BY _____
TO _____

CITY COUNCIL VOTES

VOTES	HELEN HELAND	GARY ALMRLADE	NANCY MULCAHEY	ID DEJAYNES	HUMBERTO AGUILAR	ROBERT CHEFFER	GARY WESTBROOK
YES							
NO							
SENT							
ABSTAIN							

Rock Island

Sec. 10-9. Firearms; Explosives; Slingshot; Fireworks; Bow And Arrow; Air Gun:

- (a) *Prohibited:* No person shall, in any part of the city, fire or discharge any cannon, gun, pistol or other firearm, or set off, fire or explode any torpedo, firecracker, fireball, rocket or other fireworks whatsoever ¹. However, the discharge of firearms by the members of any military organization when on parade and in accordance with the command of the commanding officer, or by any city officer or other person in the discharge of any legal duty or necessary and lawful act done in a proper and careful manner, shall not be deemed a violation hereof ². No person shall in any part of the city possess any torpedo, firecracker, fireball, rocket or other fireworks whatsoever. Fireworks as defined in the fireworks regulation act, 425 Illinois Compiled Statutes 30/2.
- (b) *Air Guns And Toy Guns:* It shall be unlawful for any person to discharge on the streets, avenues, alleys or other public grounds any air gun or toy gun from which is sent a lead or metal missile.
- (c) *Slingshots; Bow And Arrow; Exception:* It shall be unlawful for any person to shoot a slingshot or bow and arrow within the corporate limits of the city. However, archery may be practiced if done in a safe place and under the competent supervision of an adult. The prohibition against shooting a bow and arrow within the city limits shall not apply to the hunting of deer with a bow and arrow in accordance with subsection (d) of this section.
- (d) *Archery Deer Hunting:* A person may discharge a long, recurve, compound bow, or crossbow as permitted by the Illinois department of natural resources regulations and the laws of the state of Illinois, within the corporate limits of the city during the course of harvesting deer if the following requirements are met:
- (1) The person must possess a valid deer archery permit issued by the state of Illinois and must comply with all of the conditions of the permit and all applicable laws and regulations of the Illinois department of natural resources relating to archery deer hunting.
 - (2) The person must possess a deer hunting permit issued by the city. The cost for this permit shall be fifty dollars (\$50.00). The application procedure necessary for obtaining a permit shall be according to the city of Rock Island deer management rules and restrictions for deer hunting in subsection (f) of this section.
 - (3) The number of locations or "sites" for deer hunting to be permitted shall be set by the city council on an annual basis. There shall be fourteen (14) permitted "sites" with no more than eight (8) "sites" located on private property. The size of each "site" whether on public or private property, must have a minimum of three (3) contiguous acres. City staff shall identify and approve all "sites".
 - (4) Each hunter shall be authorized to hunt from an approved "stand" located on the permitted hunting "sites". Each "stand" located on an approved "site" shall have a minimum platform height of six feet (6'). No person shall knowingly direct an arrow across the boundary of or off the designated "site". Only one hunter per "stand" at any one time

will be allowed. If multiple "stands" are to be located on a "site", each "stand" shall have a density of no less than five (5) acres.

(5) Locating appropriate hunting "sites" will be the responsibility of the hunter. The hunter shall provide "site" information to the chief of police who will forward it to the community and economic development department who will determine if the "site" information complies with this section and the rules and procedures for deer hunting in subsection (f) of this section. The "site" information submitted by the hunter shall include a description and address of the proposed hunting "site".

(6) Hunting will only be allowed on those specific days designated as deer bow season by the Illinois department of natural resources and the city of Rock Island, Illinois.

(7) The total number of deer to be harvested as well as the number of male and female deer allowed to be harvested per hunter shall be set by rule in subsection (f) of this section.

(8) The manner for removal of a harvested deer shall be set by rule in subsection (f)(1)b of this section.

This subsection (d) shall only be in force for the bow and arrow deer hunting seasons as approved by city council.

(e) *Penalty:* The minimum fine for a violation of the provisions of this section shall be fifty dollars (\$50.00). In the event a person is accused of a violation of this section and does not wish to contest said allegation prior to the time a complaint is issued for the violation, then the person so accused may pay to the city at police headquarters a penalty in the sum of fifty dollars (\$50.00) for and in full satisfaction of the violation.

(f) *Deer Management Rules And Restrictions:* The city of Rock Island permits an archery hunting program for deer in an effort to better control the deer population within the boundaries of the city, contingent, however, upon annual council review. The intent is to give control of hunting to the property owners, yet enable archery hunters to harvest the deer for their use or to provide meat for social agencies.

Hunting sites will be selected based on criteria including deer concentration, safety, and overall impact. There are stipulations required of hunters in an effort to make the program as safe as possible, yet achieve the goal of thinning the number of deer within the city limits.

(1) *Hunters:*

a. *Obtaining A Permit:* Hunters must obtain a permit in order to participate in the Rock Island deer management program. In order to obtain a permit, hunters will need to provide the following:

1. Written permission from the property owner of the site they desire to hunt.
2. Hunters are encouraged to obtain permission from adjacent and abutting property owners, these properties will be considered part of the hunting site.

3. Proficiency certification from an approved provider.
4. Copy of Illinois hunting license.
5. Completed Rock Island deer management application form.

b. Hunting Rules And Regulations:

1. Hunters must adhere to all state of Illinois and department of natural resources guidelines, rules, and restrictions.
2. Hunters must obtain appropriate state permits and tags.
3. Hunters must have a valid city of Rock Island permit.
4. Hunters will harvest at least two (2) does before harvesting a buck.
5. All deer harvested as part of the deer management program must be checked in at the two (2) identified fire stations (entire deer).
6. All remains must be removed from the hunting site.
7. Hunters will obtain permission from property owners before tracking or retrieving a deer that travels out of the approved hunting area. Illinois is not a right to retrieve state.

(2) *Hunting Sites:* Sites will be approved by the city based upon criteria including deer concentration, safety, and overall impact.

a. Restrictions And Requirements:

1. Consist of no less than three (3) contiguous acres.
2. One hundred (100) yards from a school, park, or church, unless approved.
3. Situated in a manner that all shots are taken at a downward angle.
4. Shots must not be taken in a way they may carry into an open or occupied area.
5. Only one hunter active per site at any time.
6. Certain sites may have a time restriction when hunting is allowed.
7. All sites will be signed with signage obtained from the Rock Island police department. This signage will be placed in a manner that is visible to neighboring and abutting property owners when hunters are active.
8. Hunters cannot use nails, screws or other hardware to affix stands. Only straps or other noninjuring attachment may be used in trees.

b. Multiple Hunters:

1. Additional hunters may be allowed when using a separate stand at a density of no less than one hunter per five (5) acres.
2. Property owners may coordinate with multiple hunters to utilize a site, but only one hunter may actively use a stand at any one time.

(3) *Property Owners:*

- a. Property owners reserve the right to deny hunting on their property.
- b. Property owners wishing to hunt or allow hunting on their property must submit their site for approval to the deer management program manager.
- c. The city will notify property owners that are adjacent and abutting an approved hunting site in advance via letter.
- d. Property owners with objections or concerns regarding hunting in their vicinity should state their concern in writing or contact the deer management program manager.

(4) *Public Lands:* Hunters who are unable to locate a suitable site within Rock Island are eligible to hunt on selected public lands such as golf courses or other specifically identified areas. The hunters will follow all of the requirements identified for hunting on private land. In addition, the following procedures will be used to determine who will hunt on those lands. Larger private properties such as cemeteries may follow a similar process.

- a. Hunting stand areas will be identified by the "controlling agency", a department, board, or designated individual.
- b. Hunter will enter their name into a lottery for a chance of being awarded permission to place a hunting stand on designated areas.
- c. Names will be selected through a drawing with each of the names noted in order.
- d. Hunters who are awarded an area, must obtain their city of Rock Island permit before any hunting takes place.
- e. If a hunter exhausts their supply of deer tags and the season is still open, they are to notify the controlling agency. The controlling agency is then responsible for contacting the next eligible hunter.
- f. The hunter will notify the controlling agency in advance when they plan to be active. This may be done in person or through a mutually agreed upon process.

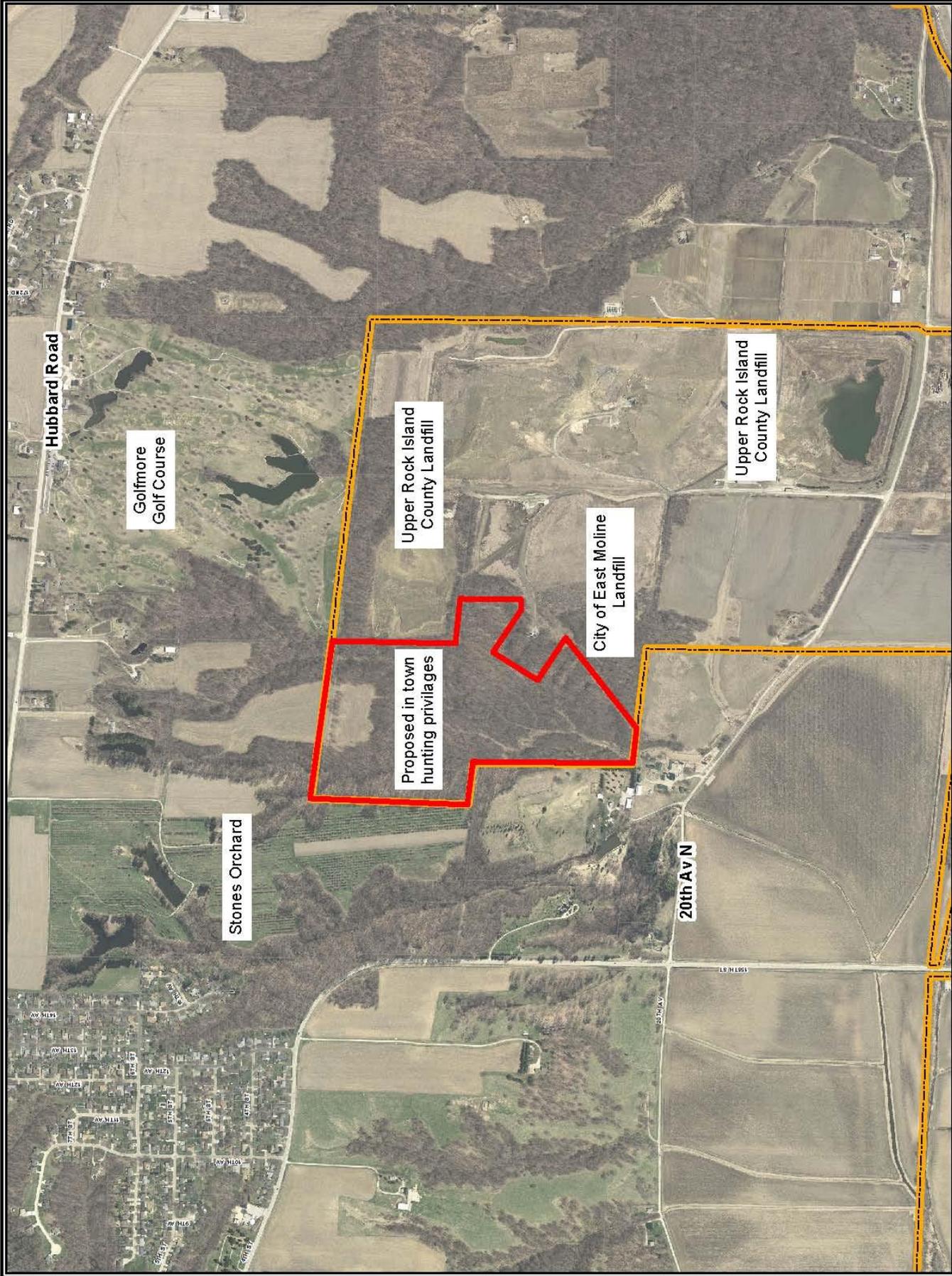
(5) *Unpermitted Hunting:*

- a. Any hunting which takes place without appropriate permits will be considered poaching and treated as such.

b. Any hunting on property which is not approved by the city will be considered poaching and treated as such.

c. Hunting on property without the property owners explicit permission is impermissible.

d. Any violation of the deer management program rules and guidelines will result in the permanent revocation of city hunting privileges and subject the hunter to a possible fine for violating the enabling ordinance. (1963 Code, ch. XII, art. I; Ord., 12-21-1970; Ord., 1-12-1981; Ord., 1-11-1982; Ord. 83-57, 2-6-1984; Ord. 91-136, 12-9-1991; Ord. 94-106, 12-12-1994; Ord. 062-2013, 11-18-2013; Ord. 016-2014, 3-17-2014; Ord. 022-2015, 4-20-2015)



Hubbard Road

Golfmore
Golf Course

Stones Orchard

Upper Rock Island
County Landfill

City of East Moline
Landfill

Upper Rock Island
County Landfill

Proposed in town
hunting privileges

20th Av N

Water / Sanitary Sewer / Storm Sewer
Infrastructure

Property Lines

City Boundary



City of East Moline Public Works



COMMITTEE OF THE WHOLE

Title Discussion on Housing Chickens in East Moline

Date: December 5, 2016

Agenda Item #8 Presented By: Darin Girdler, City Administrator

Description:

The City has been approached regarding the regulations for housing chickens within the City Limits. It is suggested that we have a general discussion about this. Basic information below.

Current Code:

6-4-7: HOUSING:

No person shall cause or allow any stable or place where any animal is or may be kept to become unclean, or unwholesome, and it shall be unlawful to keep any live swine or pigs in the city.

It shall be unlawful to keep or raise any chickens, horses, cows, goats, sheep, rabbits or other fowl within fifty feet (50') of any premises in the city. (Ord. 04-15, 5-3-2004)

Definition of Premises (Oxford Dictionary): A house or building, together with its land and outbuildings, occupied by a business or considered in an official context.

FINANCIAL

Is this a budgeted item? Yes ___ No X

Line Item # _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/(Over): _____

Funding Sources: _____

Departments: _____

Is this item in the CIP? Yes ___ No X CIP Project Number: _____



COMMITTEE OF THE WHOLE

Any previous Council actions:

Action

Date

_____	_____
_____	_____

Recommendation:

Staff will defer to the City Council as this is a policy matter.

Required Action:

ORDINANCE _____ RESOLUTION _____ NO ACTION REQUIRED _____

Regular Meeting Date for Action _____

Additional Comments:

Empty box for additional comments.

MOTION BY _____ SECONDED BY _____

TO _____

CITY COUNCIL VOTES

VOTES	HELEN HELAND	GARY ALMRLADE	NANCY MULCAHEY	ID DEJAYNES	HUMBERTO AGUILAR	ROBERT CHEFFER	GARY WESTBROOK
YES							
NO							
SENT							
ABSTAIN							

**ORDINANCE NO. 043-2016
CHICKENS**

A SPECIAL ORDINANCE AMENDING CHAPTER 7

OF THE CODE OF ORDINANCES OF THE CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS
Section One. Chapter 7, Article VI, Division IV of the Code of Ordinances of the City of

Rock Island, Illinois, is hereby established as outlined in **Exhibit A**.

Section Two. All ordinances and parts of ordinances in conflict herewith are hereby repealed
insofar as they do so conflict.

Section Three. This ordinance shall be in full force and effect 10 days after its passage and
approval, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

PASSED: October 24, 2016

AYES: Aldermen Austin
Clark

APPROVED: October 25, 2016

Foley
Hotle
Schip

ATTEST: _____
CITY CLERK

NAYS: Mayberry
Tollenaer
ABSENT: None

**EXHIBIT A
URBAN CHICKENS**

Proposed Placement within the City Code: Chapter 7, Article VI, Division IV

Section 7-181. Definitions:

Chicken: A member of the subspecies Gallus gallus domesticus, a domesticated fowl.

Chicken Tractor: A lightweight portable chicken coop without a floor that allows the chickens
to forage for weeds and insects.

Henhouse: A hen house or chicken coop is a structure where female chickens are kept.

Permitting Officer: The City Manager or designee.

Permittee: An applicant who has been granted a permit to raise, harbor, or keep chickens pursuant to this Division.

Permitted Tract of Land: The tract of land as identified on the application upon which a permit is granted for keeping chickens pursuant to this Division.

Single Family Dwelling: Any building that contains only one dwelling unit that is used, intended, rented, leased, let or hired to be occupied for living purposes.

Tract of Land: A lot that has one single family dwelling located on that property or zoned lot.

Urban Chicken: A chicken kept on a permitted tract of land pursuant to a permit issued under this

Chapter.

Section 7-182. Permit Required:

(a) Annual Permit Required. No person shall raise, harbor or keep chickens within the City of Rock Island without a valid permit obtained from the Permitting Officer under the provisions of this Division.

(b) Application. In order to obtain a permit, an applicant shall submit a completed application on forms

provided by the Permitting Officer, either on-line or in paper form, and pay all fees required by this

Division.

(c) Requirements. The requirements to receive of a permit include:

- 1) All requirements of this Division are met.
- 2) All fees, as may be provided for from time to time by city council resolution, for the permit are paid in full.
- 3) All judgments in the City's favor and against the applicant have been paid in full.
- 4) The tract of land to be permitted shall contain only one single family dwelling occupied and used as such by the permittee. Owner permission shall be required if the single family dwelling is occupied by a renter.
- 5) The applicant has provided notice to the residents of all immediately adjacent dwellings , including those across the street and/ or alley) of the applicant's intent to obtain a permit.
- 6) The applicant has successfully completed an approved class in raising chickens in an urban setting. A certificate, or other documentation, of completion shall be provided to the

(a) The maximum number of chickens allowed shall be six (6) hens.

(b) Only female chickens (hens) are allowed.

Section 7-184. Zoning Districts Allowed:

Permits will be granted only for tracts of land located in the following residential districts R-1, R-2, SE-1 and SE-2.

Section 7-185. Non-Commercial Use Only:

A permit shall not allow the permittee to engage in chicken breeding or fertilizer production for commercial purposes.

Section 7-186. Enclosures:

(a) Chickens shall be kept in an enclosure or fenced area at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.

(b) Enclosures shall be kept in a clean, dry, odor-free, neat and sanitary condition at all times. (c) Henhouses shall provide adequate ventilation and adequate sun and shade and shall be

impermeable to rodents, wild birds and predators, including dogs and cats. (d) Henhouses and chicken tractors.

1) Henhouses shall be designed to provide safe and healthy living conditions for the chickens with

a minimum of four (4) square feet per bird while minimizing adverse impacts to other residents in the neighborhood.

2) A henhouse shall be enclosed on all sides and shall have a roof and doors. Access doors shall

be able to be shut and locked at night. Opening windows and vents shall be covered with predator and bird proof wire of one (1) inch or smaller openings.

3) The materials used in making a henhouse shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. Henhouses

and chicken tractors shall be well maintained.

4) Henhouses shall only be located in the rear yard unless the setback requirements cannot be met in which case they may be kept in a side yard but within the required setbacks.

5) Henhouses and chicken tractors shall be located at least ten (10) feet from the property line and

*Milan***6-4-12: POULTRY AND ANIMAL YARDS:**  

- A. Locations: It shall be unlawful to maintain in the village any poultry or animal yard within one hundred fifty feet (150') of any building used for residence purposes or within one hundred fifty feet (150') of any building used for church or school purposes or within twenty five feet (25') of any public highway. (1983 Code § 8-4-21)
- B. Clean And Sanitary Condition: Every person, firm or corporation maintaining a poultry or animal yard shall keep the same clean and sanitary and free from all refuse. Such yards shall be thoroughly cleaned at least once every twenty four (24) hours, and it shall be unlawful to permit any decaying food or any refuse of any kind to remain in such yards. Refuse from such yards shall, when swept up or collected, be kept in airtight containers until disposed of in accordance with the ordinances of the village, and it shall be unlawful to permit any such refuse to remain uncovered. (1983 Code § 8-4-22)
- C. Enclosed Premises: Every poultry or animal yard shall be adequately enclosed so as to be impenetrable against rats or other rodents. The presence of any rats in any poultry or animal yard shall be prima facie evidence that such yard is maintained in violation of the provisions of this subsection. (1983 Code § 8-4-23)
- D. Fines: See section 1-4B-1 of this code for fines for violation of this section. (2011 Code)

6-4-13: EXEMPTIONS:  

The provisions of sections 6-4-2, 6-4-10 and 6-4-12 of this chapter shall not apply to any person, firm or corporation who is now, or who may be hereafter, engaged in the business of slaughtering and butchering animals for commercial purposes. (1983 Code § 8-4-24)

MOLINE CODE OF ORDINANCES

No person shall permit any of the above enumerated animals to run at large in the City. Any animals found within the City in violation of this section may be subject to impound by the department and disposal as provided in Article III of this chapter.

(b) In addition to any and all other legal or equitable remedies, the animals and fowl prohibited from being kept in the City or running at large in the City by subsection (a) are hereby declared to be nuisances and may be abated pursuant to the provisions of Chapter 21 of the City Code and amendments thereto.

(c) The provisions of this section shall not apply to the business premises of any duly licensed animal control facility, animal shelter or licensed veterinarian.

(d) The provisions of this section shall not apply to the premises of any duly-licensed business engaged in the sale of fowl as long as the following conditions are met:

- (1) Such fowl is not kept on the sales floor or retail area of the premises;
- (2) The purchaser of such fowl, excluding hens, must sign a form verifying that he does not reside within the city limits of the City of Moline and that he will keep the fowl outside the City's limits and use the fowl for agricultural purposes only.

(Ord. No. 2003-05-06; new Sec. 7-1104(d) enacted; 05/20/03; Ord. No. 3021-2016; Sec. 7-1104(d) repealed; new Sec. 7-1104(d) enacted; 07/12/16)

SEC. 7-1104A. URBAN HENS.

(a) **License required.**

(1) No person shall own, raise, harbor or keep any hens within the City without having first obtained a valid urban hen license from the City's accounts and finance officer or his designee pursuant to the provisions of this section. The license shall be subject to the terms and conditions of this section and any additional conditions deemed necessary by the City Council to protect the public health, safety and welfare.

(2) **License Application.** Any person desiring to own, raise, harbor or keep hens within the City shall submit a written license application on a form provided by the City's accounts and finance officer or his designee. Such application shall include the applicant's name, address, telephone number and email address (if applicable), the number of hens to be kept on the premises address, and the applicant's signature certifying the validity of the information provided therein and agreement to keep the hens in compliance with the provisions of this section and all related City ordinances.

(3) **Licensing Requirements.** The requirements for issuance of a license include the following.

- a. **Fee:** the fee to obtain a license is twenty-five dollars (\$25.00). The license shall expire July 31 of each year and shall be renewed before August 1 of each year.
- b. Any and all judgments in the City's favor and against the property owner of the premises have been paid in full, and in the event the applicant is a tenant or leaseholder of the premises, any and all judgments in the City's favor and against said applicant have been paid in full.
- c. The premises to be licensed shall be zoned as and contain only a one-family detached dwelling, occupied and used as such by the licensee.

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- d. The applicant has successfully completed an approved class in raising hens in an urban setting. The accounts and finance officer or his designee shall maintain a current list of such approved classes.

If the accounts and finance officer or his designee finds that all licensing requirements have been met, the officer shall issue the license to the applicant.

- (4) Licensing Regulations. The following licensing regulations shall be additional requirements of the licensee.

- a. Renewal. The annual renewal fee for a license is twenty-five dollars (\$25.00). If the license is not renewed before August 1 of the expiration year, the owner or occupant of the premises for which the license was issued shall remove the hens from the City within thirty (30) days of the license expiration.
- b. Non-commercial use only. Issuance of a license shall not allow the licensee to engage in hen breeding, egg production, fertilizer production, sales, display, or other related activity for commercial purposes.
- c. Non-transferable. No license issued pursuant to this section shall be transferable from one person to another or from one premises to another.
- d. The licensee shall keep the license on the licensed premises and provide proof of same upon request by any officer of the City.

- (5) Denial, suspension, revocation, non-renewal. The accounts and finance officer or his designee may deny, suspend, revoke or decline to renew any issued license for any of the following reasons.

- a. False statements on any application or in response to requests for information by the City.
- b. Failure to pay any application, penalty, re-inspection or renewal fee required by this section.
- c. Failure to comply with any notice of violation issued by the City pursuant to this section within the time specified therein.
- d. Failure to comply with any provisions of this section.

Notice of denial, suspension, revocation or non-renewal of a license shall be in writing, be delivered by certified mail, return receipt requested, or by personal service on the license holder or other resident at the address provided on the application, and state the reason or reasons for said action.

- (6) Effect of denial or revocation.

- a. If a license is either denied or revoked, the applicant may not re-apply for a new license for a period of one (1) year from the date of the denial or revocation.
- b. If the license is revoked, the owner or occupant of the premises for which the license was issued shall remove the hens from the City within thirty (30) days of the license revocation.

- (7) Appeals. The license shall stand denied or revoked unless within five (5) working days after denial or receipt of the notice of revocation from the accounts and finance officer or his designee, the license applicant or holder files a written request for a public hearing on the accounts and finance officer's or designee's action. Public hearing shall be conducted before the city administrator or his designee on whether a license should be denied, reinstated or revoked, as the case may be. The city

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administrator or his designee may order the license issued or reinstated either conditionally or unconditionally, or revoke the license. Ten (10) days notice of the time and place of the public hearing shall be given to the license holder, who shall have an opportunity to appear before the city administrator or his designee and present any evidence or arguments the license holder may have as to why the action taken by the accounts and finance officer or his designee should not be approved by the city administrator or his designee.

- (b) **Number and type of hens allowed.** No more than six (6) hens shall be allowed on any licensed premises. Roosters (male chickens) are prohibited.
- (c) **Zoning: One-Family Detached Dwellings.**
 - (1) The keeping of hens shall be restricted to properties zoned as one-family detached dwellings (single family residences) as defined by Chapter 35 of the City Code, Sec. 35-3405(a), which states, in part: "a dwelling designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit; this dwelling unit type consists of a fully detached single-family residence which is located on an individual lot or within a group development; this dwelling unit may not be split into two or more residences."
 - (2) The provisions of this Sec. 7-1104A shall supersede any conflicting provisions of Chapter 35, "Zoning and Land Development," of the City Code, including Sec. 35-3406(f), "Husbandry."
 - (d) **Enclosures; confinement.** Chicken enclosures and chicken pens shall be designed, constructed and well maintained to provide safe and healthy living conditions for the hens while minimizing adverse impacts to other residents in the neighborhood.
 - (1) Hens must be kept in a chicken enclosure, chicken pen, or fenced area at all times. Hens shall be secured within a chicken enclosure during non-daylight hours.
 - (2) Chicken enclosures and chickens pens shall be located in the rear yard of a premises only, as defined by Chapter 35 of the City Code, Sec. 35-1203(385), "yard, rear." Or, if no rear yard meets the setback requirements of subsection (d)(3) below, then chicken enclosures and chicken pens may be located in a side yard, as defined by Chapter 35 of the City Code, Sec. 35-1203(387), "yard, side," as long as the setbacks in subsection (d)(3) below are met.
 - (3) The minimum setback for placement shall be five (5) feet from the premises property lines and twenty-five (25) feet from any residential dwelling, church, school or place of business.
 - (4) Chicken enclosures shall meet the following standards:
 - a. a minimum of four (4) square feet per hen;
 - b. be constructed of wood or other similar materials and enclosed on all sides with a roof, door(s) and secure latching mechanisms for any doors or windows;
 - c. include predator/bird proof wire of less than one (1) inch openings for any doors or windows;
 - d. provide adequate ventilation and protection from the elements;
 - e. contain an independent electric/heat source without the use of extension cords;
 - f. be resistant to rodents and predators, including dogs and cats.
 - (5) Chicken pens shall meet the following guidelines:
 - a. be fully enclosed with a roof and be covered with predator/bird proof wire or aviary netting;
 - b. be resistant to rodents and predators, including dogs and cats.

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- (6) The materials used in making chicken enclosures and chicken pens shall be uniform for each element of the structure such that the walls are made of the same material, the roof(s) has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited.
- (7) A City building permit is not required unless the total size of the chicken enclosure will exceed 120 square feet, thereby meeting the definition of a major accessory structure as defined in Sec. 35-3201(b) of the City Code.
- (e) **Odor and noise impacts.**
 - (1) Odors from hens, hen manure or other hen related substances shall not be perceptible beyond the boundaries of the licensed premises. Chicken enclosures and chicken pens shall be kept in a clean, neat and sanitary condition. Any accumulation of waste, uneaten or discarded feed, and fallen feathers shall be collected and discarded in a sanitary manner and with such frequency as is necessary to ensure that related odors are not detectable from adjacent properties and that any such accumulation does not constitute a nuisance as defined in Sec. 7-1112(b), "Animal Waste on Private Property," and/or Sec. 21-1100, "Nuisances in General; Definitions," of the City Code. Cleaning of chicken enclosures and chicken pens shall be done in such a manner which prevents any animal waste runoff onto public right-of-way and which complies with the provisions set forth in the City's Stormwater Utility Ordinance, Chapter 34 of the City Code.
 - (2) Noise from hens shall not be loud enough beyond the property lines of the licensed premises on which hens are kept so as to disturb the public peace and quiet.
 - (f) **Feed and water.** Hens shall be provided with access to feed and clean water at all times. Feed must be stored in secure containers and in a secure location until it is placed for consumption by the hens. Feed must be stored in a manner so that it is not available to rodents, wild birds, predators or other pests.
 - (g) **Waste storage and removal.**
 - (1) Any manure that is kept on the licensed premises for compost and fertilizer use must be stored in a secure enclosed container or area to ensure that it is not visible from adjacent properties, that related odors are not detectable from adjacent properties, and that any such accumulation does not constitute a nuisance as defined in Sec. 7-1112(b) and/or Sec. 21-1100 of the City Code. All other manure not used for composting or fertilizing shall be removed.
 - (2) No more than three (3) cubic feet of manure shall be stored on the licensed premises.
 - (3) See also subsection (e)(1) above.
 - (h) **Hens at large.** The licensee shall not allow the licensee's hens to roam off the licensed premises.
 - (i) **Unlawful acts.**
 - (1) It shall be unlawful for any person to own, raise, harbor or keep hens in violation of any provision of this chapter or any other provision of the City Code.
 - (2) No person shall keep hens inside a one-family detached dwelling unit, multi-family dwelling unit(s) or rental unit.
 - (3) No person shall keep hens on a vacant or uninhabited property within the City of Moline.

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- (4) No person shall keep a rooster within the City of Moline.
- (5) No person shall slaughter any hen or rooster within the City of Moline.
- (6) Should a dog or cat or other domesticated animal kill a hen on or off the licensed premises, said animal shall not be considered a dangerous or aggressive animal for that reason alone, and said action will not be cause for the City to enforce its animal control provisions.

(j) **Nuisance violation.**

- (1) Any violation of the terms of this chapter that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property shall constitute a nuisance and may be abated under the general nuisance abatement provisions of the City Code. Penalty for violation of any part of this section shall be as provided in Sec. 1-1107 of the Code.

(2) Should the City order abatement of the hens from the licensed premises as a result of a nuisance violation, neither the City of Moline nor the County of Rock Island shall be responsible for removal, temporary keeping or relocating of the hens.

(Ord. No. 3021-2016; new Sec. 7-1104A "URBAN HENS" enacted; 07/12/16)

SEC. 7-1105. BEEKEEPING WITHIN THE CITY PROHIBITED.

- (a) No person shall keep or maintain any bees, beehives, or apiaries within the City.

(b) In addition to any and all other legal or equitable remedies, keeping or maintaining bees, beehives or apiaries within the City is hereby declared to be a nuisance and may be abated pursuant to the provisions of Chapter 21 of the City Code and amendments thereto.

SEC. 7-1106. DANGEROUS ANIMALS, IN GENERAL.

(a) Except for purposes of a public exhibition upon seven (7) days prior written notice to and prior written authorization from the chief of police, no person shall possess any dangerous animal in the City, and no person shall permit any dangerous animal within the City for such public exhibition to run at large nor shall any person lead such an animal with a leash, whether the animal is muzzled or unmuzzled, on any street or in any public place within the City

(b) Any person violating Section 7-1106 shall be subject to a mandatory fine of not less than seventy-five dollars (\$75.00) plus court costs, nor more than seven hundred fifty dollars (\$750.00) plus court costs.

(Ord. No. 2002-08-11; Sec. 7-1106 (b) repealed; new Sec. 7-1106 enacted; 09/10/02)

SEC. 7-1107. IMPOUNDMENT AND DISPOSITION OF DANGEROUS ANIMALS.

(a) Dangerous animals not in compliance with this chapter are subject to impound by the department and disposal as provided in Article III of this chapter. If such animal cannot be safely taken up and impounded, the animal may be slain or dispatched by any peace officer.

(b) In all cases where an animal slain or dispatched pursuant to this section has bitten any person or animal, it shall be the duty of the community service officer or peace officer to treat the carcass and head as it would any animal displaying symptoms of rabies. No peace officer shall shoot an animal in the head if said animal is displaying symptoms of rabies.

URBAN CHICKENS - BACKGROUND

Nationally and regionally, interest in raising backyard chickens is growing.

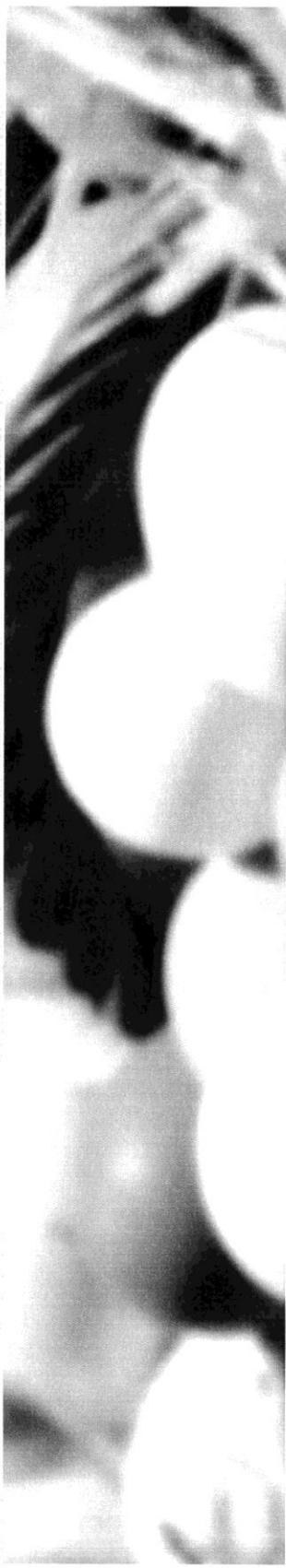
Trend is to have as pets and for egg production.

In Iowa, cities like Des Moines, Cedar Rapids, Waterloo, Iowa City, Dubuque, and Ames allow urban chickens.

In September, Council asked staff to prepare an ordinance for consideration.

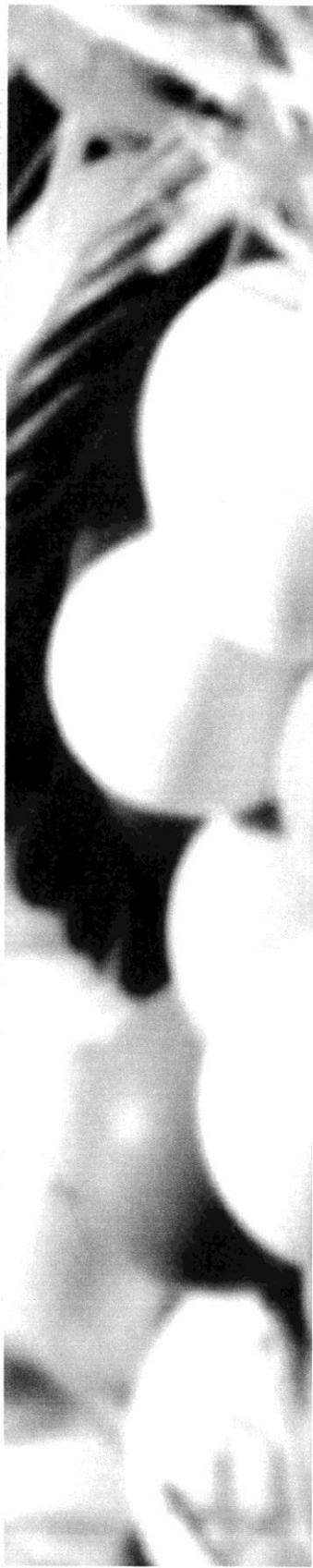
HIGHLIGHTS OF THE DRAFT ORDINANCE

- Up to six hens
- Only in residentially zoned areas
- Permit and fee will be required
- Applicant must successfully complete approved class & show documentation
- Must be a single-family dwelling, occupied by the applicant (owner permission required if rental/non-owner)
- Land for permit shall be free of liens/judgments

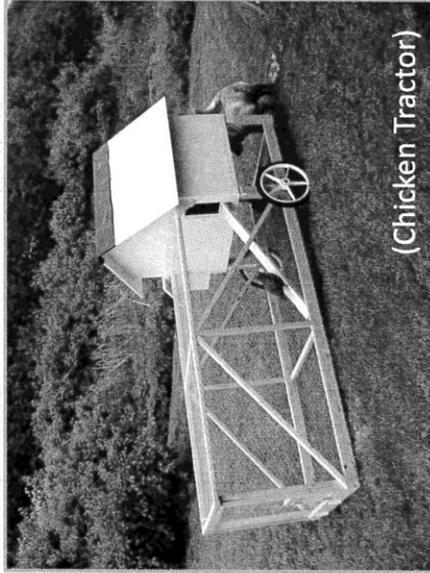
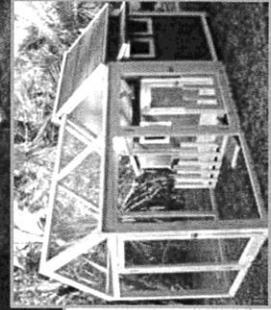
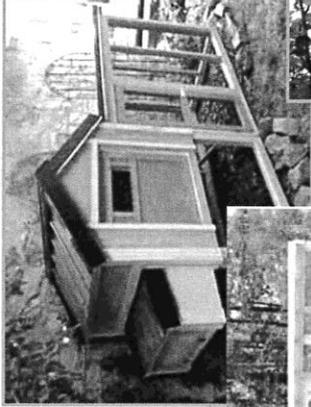
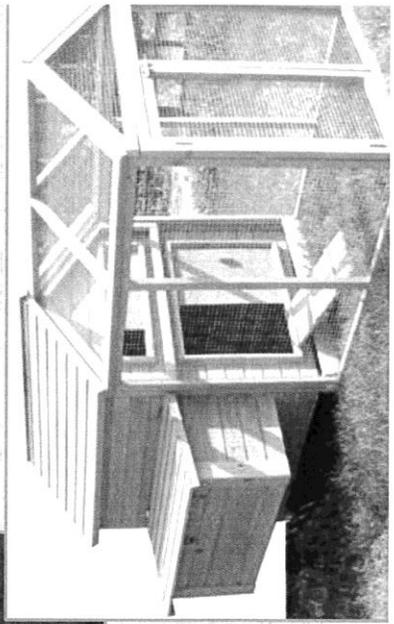
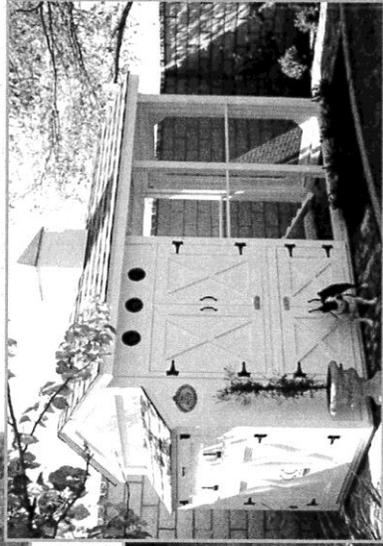
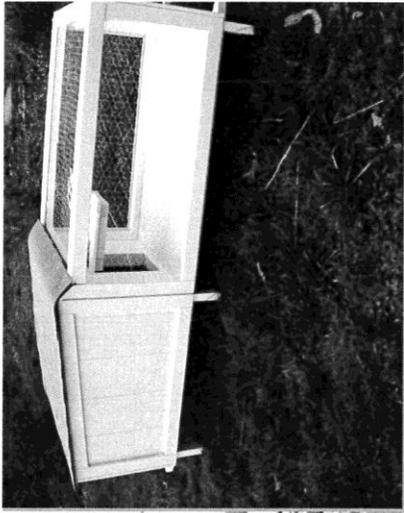


HIGHLIGHTS OF THE DRAFT ORDINANCE

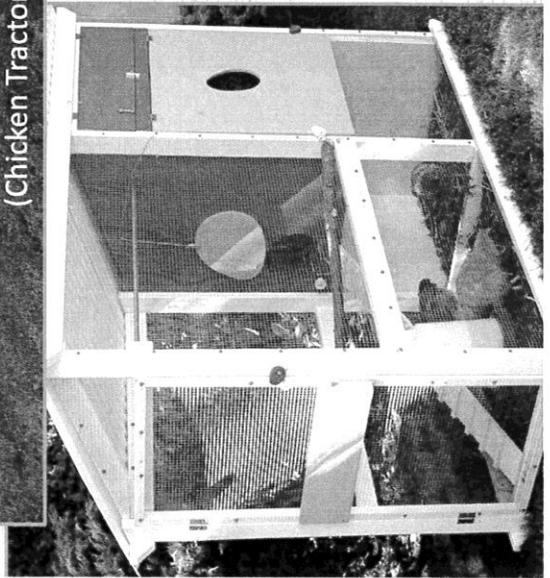
- Chickens not allowed in the front yard
- Shall be kept in an enclosure or fenced
- During non-daylight hours, chickens must be secured within henhouse or chicken tractor
- Henhouse must be minimum of 4 sq. ft. per bird
- Henhouse/tractors shall be 10+ feet from property line and 25+ feet from any principal structure



THE CREATIVE WORLD OF BACKYARD CHICKEN COOPS

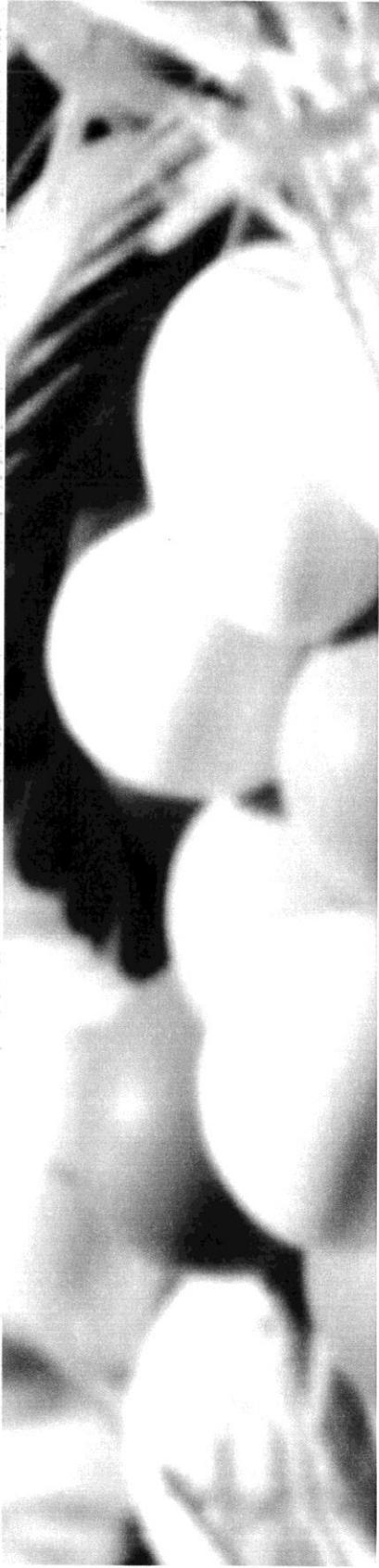


(Chicken Tractor)



HIGHLIGHTS OF THE DRAFT ORDINANCE

- Enforcement would be “by complaint” and follow nuisance abatement protocol.
- Permitting Officer (designated by City Administrator).
- If permit is denied/revoked/suspended, applicant may submit appeal to Council w/in 10 days.



URBAN CHICKEN ORDINANCE COMPARISON

	Dubuque	Cedar Rapids	Rock Island	Davenport (Proposed)
Permit Required?	No	Yes	Yes	Yes
Fee	None	\$25.00	\$25.00	\$25.00
Maximum Hens Allowed	No limit	6	6	6
Setbacks	Accessory building setbacks apply, typically 5'; must be in rear yard.	Must be in rear yard; 10' setback from property lines, at least 25' from any principal structure	Must be in rear yard; 10' setback from property lines, at least 25' from any principal structure	Must be in rear yard; 10' setback from property lines, at least 25' from any principal structure
Misc.	Performance standards apply	Performance standards apply; applicant must take class	Performance standards apply	Performance standards apply
Approx. number of households with chickens currently	Unknown	80-100	No response	
Comments	Relies on public education and enforcement of nuisance regulations. Complaints are infrequent but they do occur.	Biggest challenge is the administration/and tracking annual permits. Few complaints from neighbors.	No response	

ORDINANCE APPROVAL PROCESS

- Adoption requires three readings
- If start in December, could be adopted in January
- Staff would prepare guidelines/steps for applicants
- Coordinate with volunteer advocates
- Applicants could have spring chickens

