

**MINUTES OF THE MEETING OF THE MAYOR
AND THE COMMITTEE-OF-THE-WHOLE OF
THE CITY OF EAST MOLINE, ILLINOIS
MONDAY, FEBRUARY 6, 2023**

ROLL CALL

Mayor Freeman called the meeting to order and directed Acting City Clerk Kathryn Motzer to call the roll. The following Alderpersons were present: Kenneth Porter, Gary Almlade, Nancy Mulcahey, Jayne O'Brien and Rhea Oakes. Absent: Maria Tapia and Jose Rico. **6:48 p.m.**

ADDITIONS/CORRECTIONS TO AGENDA

None.

SHORT TERM RENTAL ORDINANCE (Mr. Doug Maxeiner, City Administrator)

Alderperson Almlade has asked that staff look at ways to address short term housing rentals after his ward experienced issues with an Airbnb used for a large party. The party created noise, parking, and other related nuisances for the neighborhood. Short term housing rentals being used in this fashion are quite prevalent in the larger metro areas and has the potential to become an issue in the Quad Cities as well.

Home rule entities can implement a license process for short term rentals with conditions on the use of the property to effectively regulate these businesses. As a non-home rule entity, East Moline does not have the authority to license short term rentals. Without taking other action, short term rentals would need to be addressed through law enforcement of nuisance activity.

However, as an alternative, regulations can be added prohibiting short term housing rentals in some (not all) zoning districts in the zoning ordinance for non-home rule entities. The courts have upheld regulating short term housing rentals in this manner (see legal brief from the Illinois Municipal League included with this agenda item). If the City Council is interested in regulating short term housing rentals, staff would suggest that we carefully work through this issue with the City Attorney to define short term housing rentals and prohibit this use within residential districts.

FINANCIAL:

This is not a budgeted item.

RECOMMENDATION:

To discuss regulation of short-term housing rentals with the City Council and to reach a consensus on a strategy moving forward.

After much discussion regarding ins and out of short-term housing rentals. Alderperson Almlade asked if the City could restrict number of minimal days to be rented? Mr. Maxeiner stated that because we are not a non-home rule community, we cannot require short-term housing rentals to register with the City.

No Action required for information only.

LATERAL TRANSFER POLICY – POLICE DEPARTMENT (Chief Ramsey, EMPD)

Last year I began looking at implementing a Police Lateral Transfer Program to have an option to hire qualified law enforcement officers who are already certified and can bring valuable experience to our department. This is also another valuable option to help with the increasingly diminishing pool of police applicants.

The first step was to add the Police Lateral Transfer Program into the Fire and Police Commission Rules. This was accomplished and approved by the commission last year with the new rules being adopted on November 6th, 2022.

The next step was to meet with the FOP Lodge 96 Union to discuss a Memorandum of Understanding (MOU) to add to the current contract defining what benefits and pay the lateral transfers would have. We have come to an agreement on these terms, and I am looking for council approval of the MOU to the current FOP contract to be able to open this program up.

I have attached the section added to the Fire and Police Commission rules, a copy of the contractual MOU, and the state law that allows such a program.

FINANCIAL:

This is not a budgeted item.

RECOMMENDATION:

Approve and give authority to sign and execute the FOP contractual MOU for the Police Lateral Transfer Program.

A motion was made by Alderperson Almblade, seconded by Alderperson Oakes to concur with the recommendation as presented. Upon roll call the following voted in favor: Porter, Almblade, Mulcahey, O’Brien and Oakes. Motion carried.

WATER PLANT BOOSTER PUMP – AUTHORIZATION TO BID (Ms. Brianna Huber, Water Plant Director)

Booster pump 1 has been having issues for several years and is currently out of service in need of repair. Should a second booster pump go out of service, we will not be able to supply East Moline.

Further, we are currently still supplying Silvis. The replacement of booster pump 1 was approved in the 2022 budget through ARPA funds. The first phase in this project was to evaluate pump needs, develop replacement pump specs and bid documents. CMT Engineering was hired to complete this phase and the specs and bid docs are ready for bidding.

We would now like to go out for bid for this project and would like CMT Engineering to handle bidding services, as they are most knowledgeable and familiar with the project specs and needs since they developed them. Staff recommends moving forward with CMT Engineering for bidding services.

FINANCIAL:

This is a budgeted item.

Line Item# 200-4522-743-0 **Title:** Capital Purchases

Amount Budgeted: \$130,000.00

Actual Cost: \$3,500.00

Under/(Over): \$109,500.00

Funding Sources:

Departments: Water Treatment Plant

This is not a CIP.

RECOMMENDATION:

Approve to move forward with CMT Engineering for bidding services of the booster pump 1 replacement project.

A motion was made by Alderperson Mulcahey, seconded by Alderperson Almblade to concur with the recommendation as presented. Upon roll call the following voted in favor: Porter, Almblade, Mulcahey, O'Brien and Oakes. Motion carried.

2023 PAVEMENT MARKING PROGRAM (Mr. Tim Kammler, Director of Engineering)

In order to maintain safe traffic movement on City streets, pavement markings must be refreshed on a regular basis. It is desirable for the pavement marking program refresh markings on major streets and intersections on a two-year rotation; some areas need to be refreshed more often. East Moline's pavement marking program has been a routine and necessary project for many years. Design and inspection is performed by staff.

The City of Moline conducted a public bid letting for their city-wide pavement marking program January 24 with the low bidder being Ostrom, Inc. (Rock Island, IL); the bid tabulation from this letting is attached. Ostrom is willing to accommodate East Moline's pavement marking program at the same unit pricing as bid for the City of Moline (letter with pricing attached). As bid prices are unlikely to go down as the year progresses, staff recommends East Moline take advantage of this opportunity as we often have in years past. Illinois statute (65 ILCS 5/8-9-1) provides that a municipality may award a public improvement project without bid letting by approval of two-thirds of council members holding office. Standard bonds and insurance would be required.

Based upon staff's estimated quantities at Moline's unit pricing, our cost is currently estimated at approximately \$52k, however final cost will be dependent upon field-measured quantities. A not-to-exceed cap using our budget number is recommended.

FINANCIAL:

This is a budgeted item.

Line Item# 025-4000-24-312.3

Title: Street Markings (Non-Home-Rule Sales Tax)

Amount Budgeted: \$55,000.00

Actual Cost: <\$55,000.00

Under/(Over):

Funding Sources: Non-Home-Rule Sales Tax

Departments: Engineering

This is a CIP.

RECOMMENDATION:

Approve unit price contract with Ostrum for the 2023 Pavement Marking Program.

A motion was made by Alderperson Mulcahey, seconded by Alderperson Oakes to concur with the recommendation as presented. Upon roll call the following voted in favor: Porter, Almblade, Mulcahey, O'Brien and Oakes. Motion carried.

ADJOURMENT:

A motion was made by Alderperson Almblade, seconded by Alderperson Oakes to adjourn the Committee-of-the-Whole meeting. Upon roll call the following voted in favor: Porter, Almblade, Mulcahey, O'Brien and Oakes. Motion carried. **7:16 p.m.**

Minutes taken and submitted.

**Kathryn Motzer
Acting City Clerk**