

**MINUTES OF THE MEETING OF THE MAYOR  
AND THE COMMITTEE-OF-THE-WHOLE OF  
THE CITY OF EAST MOLINE, ILLINOIS  
TUESDAY, SEPTEMBER 4, 2018**

**ROLL CALL**

Mayor Freeman called the meeting to order and directed City Clerk Arletta D. Holmes to call the roll. The following Aldermen were present: Gary Almlade, Nancy Mulcahey, Ed DeJaynes, Gary Miller, Maria Tapia, and Jose Rico. **Absent:** Alissa Sallows. **6:54 p.m.**

**ADDITIONS/CORRECTIONS TO AGENDA**

None.

**BURNING OF LEAVES - DISCUSSION (Mr. Girdler, City Administrator)**

- (A) It shall be lawful to burn dry leaves in the city of East Moline on Mondays, Wednesdays and Saturdays between the hours of eight o'clock (8:00) A.M. through five o'clock (5:00) P.M.
- (B) Burning of leaves shall not be conducted within twenty-five feet (25') of any structure or other combustible material.
- (C) A garden hose or a bucket of water shall be readily available for use at the burning site.
- (D) Burning of leaves shall be constantly attended by a competent person until the fire is completely extinguished. (Ord. 91 – 30, 10-7-1991)
- (E) NO person shall kindle, maintain or cause to be kindled or maintained, any fire on city Right of way, street, avenue, alley, drainage, ditch, easement or park. (Ord. 05-32, 11-7-2005).
- (F) The fire chief or his agent may prohibit burning of leaves when atmospheric conditions or local circumstances make such fires hazardous.
- (G) Burning of rubbish or trash is strictly prohibited in the city of East Moline. Rubbish shall include paper products, garbage, or waste material from construction, demolition, or renovation of buildings. (Ord. 91-30, 10-7-1991).
- (H) Any person, business or municipality may burn landscape waste, or conduct other open Burning, only upon obtaining, after application, a permit, as required, from the Illinois Environmental protection agency, and in accordance with the international fire code, 2000 edition, and upon issuance of a permit, as required, by the appropriate city code enforcement official. The lawful burning of leaves. In accordance with the provisions of this section, shall not be prohibited by this subsection. (Ord. 05-32, 11-7-2005).
- (I) Permits are not required for small fires kindled in or upon the ground, or in a barbecue pit, exterior fireplace or cookout device. (Ord. 91-30, 10-7-1991)

Mr. Girdler informed the City Council that he contacted the City of Moline to inquire about cost to vacuum leaves. The City of Moline's stated that the cost was \$360,000.00 per year as well as manpower and equipment. Mr. Girdler recommended no action be taken to change the current ordinance or procedures.

Mr. Gridler noted that there will be free leaf pick up from October 1 to December 1, 2018.

**TOBACCO FREE PARKS – (Alderman Almblade)**

East Moline Park Board has been approached by RICO Health Dept. to create a smoke free park Ordinance. Their purpose is to create an area wide policy to insure all providers of park, recreation, and leisure services maintain healthy, safe and clean environments that are free of tobacco consumption and minimize negative behaviors that may worsen public health. The RICO program can provide all signs needed for parks and even customize if needed - at no charge to EM.

Smoke free parks in EM have been a policy for several years with signs posted at all entrances but this is a self-policed program with no means of enforcement through citations by police. East Moline Park Board has reviewed area policies and is presenting to the council a tobacco free Ordinance that includes all forms of tobacco use including smoking, chewing, vaping, e-cigarettes and as noted in Ordinance. The ordinance restricts the use of tobacco products to parking lots. (See Attached)

**RECOMMENDATION:**

Discussion for Ordinance.

**DISCUSSION:**

Brian Stombaugh from the President of the Park Board introduced Mariah Benson and Jennifer DiBuono from Rock Island County Health Department they addressed the Council urging the Council to enact an Ordinance establishing all City park as smoke free. They already indicated that the City of Moline has already taken this step.

Ms. Benson presented informational packets to City Council. They included that the City would be seen as a leader and role model in the community and most importantly, children are often unable to step away from situations where second-hand smoke is present.

Ms. DiBuono addressed the issue of enforcement of such ordinance, stating that the best route is to create a culture of compliance by publicizing the ordinance via the City's web site and local media and by signage at the parks. Signage would provide support for park users to request smokers to step outside the park when smoking. Non-compliance would allow complainants to then call police, who could issue a citation.

A Motion was made by Alderman Almblade, seconded by Alderman Rico to concur with the recommendation as presented. Upon roll call the following voted in favor Miller, Tapia, Rico, Almblade, Mulcahey and DeJaynes. Motion carried.

## **ORDINANCE AND CODE UPDATES FOR INSPECTIONS – (Ms. Grandinetti, Health Inspector.)**

We are presenting updates to our Inspection Department's codes and related ordinances.

Reason: As part of our ISO audit we lost points for not having the most current version of available codes adopted, as well as, not having the codes match up correctly with our local Ordinances, titles and operations. As such we need to update our codes and amend our ordinances to properly compliment the codes we have, and will be adopting, for an improved rating and classification before it is finalized by ISO.

We are presenting amendments to titles and authorizations provided to us in Title 1 of the City Ordinances. Amendments to title 2 Chapter (Board of Standards and Appeals). Our Proposal to adopt the current 2018 ICC Code set (with amendments) instead of the 2012 ICC Code set we currently have; as well as, adopting, by reference, the current state plumbing code, and the 2017 National Electrical Code.

Note – Fees are still being evaluated and compared to other jurisdictions – we will bring back later if changes are required.

### **RECOMMENDATION:**

To pass ordinance amendments so the city's ISO rating does not drop from a 4 to a 6.

### **DISCUSSION:**

Alderman Mulcahey asked if all the terms connect to the job descriptions? Ms. Grandinetti replied yes. Alderman Almblade asked if we are currently updating code now? Ms. Grandinetti replied yes, we are. Ms. Grandinetti explained the process of changing codes from 2012 to the new 2018. Alderman Rico made additional comments about this issue.

Chief DeFrance reminded City Council that the Fire code would need to be adopted to marry up to building codes just for the continuity. It is beneficial to the builders that all the Cities are on the same code.

A Motion was made by Alderman Rico, seconded by Alderman Tapia to concur with the recommendation as presented. Upon roll call the following voted in favor Miller, Tapia, Rico, Almblade, Mulcahey and DeJaynes. Motion carried.

### **ADJOURNMENT:**

A motion was made by Alderman DeJaynes, seconded by Alderman Tapia, to adjourn the Committee-of-the-Whole meeting. Upon roll call the following voted in favor: Miller, Tapia, Rico, Almblade, Mulcahey, and DeJaynes. Motion carried. **7:15 p.m.**

**Minutes taken and submitted**

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**Arletta D. Holmes, City Clerk**