

**MINUTES OF THE MEETING OF THE MAYOR
AND THE COMMITTEE-OF-THE-WHOLE OF
THE CITY OF EAST MOLINE, ILLINOIS
MONDAY, NOVEMBER 05, 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. **7:00 p.m.**

ADDITIONS/CORRECTIONS TO AGENDA

None.

TITLE 6 CHAPTERS 13 AND 14 ORDINANCE CHANGES (Mr. John Reynolds, Police Chief EMPD)

The City of East Moline has recognized that a motor vehicle involved in an unlawful attempt to flee and elude a peace officer is a public nuisance under the current Car Owner Responsibility Assignment (CORA) City ordinance 6-13-2 enacted in 2009. The City also has an ordinance 6-14-1 granting authority to impound fleeing vehicles. However, the present CORA ordinance requires a driver to be identified and cited for this section to apply. This leaves a gap on a vehicle that flees and is not immediately impounded but is located before a notice of intent to tow is filed. From 2010 -2017. EMPD averaged about 5 vehicles per year that fled. So far this year, we have had 18 vehicles flee from the police.

EMPD proposed that under the CORA ordinance, the word driver should be deleted and replaced by “the motor vehicle unlawfully flees or attempts to flee and elude a peace officer” under 6-13-2(A)(8). State law has also changed so that possession of cannabis up to 10 grams is not a criminal offense but a civil one that can be addressed by a citation. This change would need to be reflected under 6-13-2(A)(9) so the vehicle would not be eligible to be impounded. Additionally, wording would need to be added to Chapter 14 Impounding of Fleeing Vehicles under 6-14-1(A) as follows:

- 1) Whenever a police officer has observed a vehicle engaged in an unlawful attempt to flee and elude and believes that there exists probable cause to tow said vehicle, and locates said vehicle on a public thoroughfare or within a parking lot under City ordinance control or a parking lot open to the general public within the City of East Moline, Illinois within 8 hours of the initial incident then said vehicles may be seized and impounded by the City of East Moline Police Department.
- 2) Notice shall be given to the person in control of the vehicle and/or owner as described in 6-13-6.
- 3) If the said vehicle is not located within the 8 hours, the police department may file a notice of intent to impound with the administrative clerk of MUNICIPALITIES as outlined in section C.

FINANCIAL:

This is not a budgeted item. This item is not in the **CIP**.

RECOMMENDATION:

Revise Title 6 Chapter 13 CORA and Chapter 14 Impoundment of Vehicles to allow for the impoundment of vehicles that flee from the police where a driver is not known, cited or arrested. Additionally, possession of cannabis up to 10 grams would not be an eligible offense to impound a vehicle under CORA.

A lengthy discussion was held regarding various scenarios, circumstances and outcomes.

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

FY 2019 PRELIMINARY TAX LEVY- (Ms. Annaka Whiting, Finance Director)

See attached for the proposed 2019 Tax Levy Appropriations. Increase of 4.99% at a tentative rate of \$2.32.

RECOMMENDATION:

Approval the preliminary tax levy for 2019 to be in compliance with State Statute for final approval at the for final approval at the December 3, 2018 Council Meeting and direct staff not to hold a public hearing since the proposed levy does not exceed a 5% increase.

A motion was made by Alderman Almblade, seconded by Alderman Tapia, to concur with the recommendation as presented. Upon roll call the following voted in favor: Almblade, Mulcahey, Miller, Tapia, and Rico. **Opposed:** DeJaynes Motion carried. 5-1

ASSISTANCE TO FIREFIGHTERS GRANT AGREEMENT – (Chief Rob DeFrance, EMFD)

The East Moline Fire Department has applied and received approval for a grant to add a positive capture type -diesel exhaust removal system in all Fire Stations. This equipment is designed to remove harmful fire truck fumes from the stations by direct capture. The Fire Department intends advertise and a request proposal for specified equipment similar to what is depicted in the attached photos. This project will be for installations in all three (3) of the City's Fire Stations.

A proposal will be brought before the City Council before any work is completed. Before we can proceed with RFP's we need to execute the grant agreement with FEMA. I have attached the grant agreement for your review and approval. This is a 90/10 grant. The City will need to pay 10% of the cost of this project.

FINANCIAL:

This is not a budgeted item.

Amount Budgeted: \$129,267.00 **Actual Cost:** \$129,267.00

Funding Sources: Federal Grant 90% \$117,516.00 Department Project 10% \$11,751.00

This item is not in the **CIP**.

RECOMMENDATION:

Approve the grant agreement between the City of East Moline and FEMA for the Assistance to Firefighter Grant.

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

VEHICLE REPLACEMENT – (Mr. Kammler, Director of Engineering)

The Engineering Department obtained cost from Reynolds Ford (East Moline, IL.) for a 2019 F-150 4X4 crew cab pick-up truck using State of Illinois Bid Pricing. This truck will replace a 2008 F-150 4X4 pick-up truck in poor condition. New truck will have electric windows and hand-free phone capabilities. Vehicle order spec sheet is attached for review and information.

Price is **\$32,838.68** less trade **\$2,500.00 = \$30,338.68**

\$36,000 in Engineering Departmental Projects was budgeted in CIP for this purchase.

FINANCIAL:

This is a budgeted item. **Title:** Engineering Department Projects

Amount Budgeted: \$36,000.00 **Actual Cost:** \$30,338.68 **Under/Over:** \$5,661.32

Funding Sources: Departmental Projects \$30,338.68 **Departments:** Engineering

This is a **CIP** CIP Project #: **ENGR-** 18-20

RECOMMENDATION:

Purchase truck from Reynolds Ford at the State Bid price of \$32,838.68, less trade-in of old vehicle (\$2,500.) for a net cost of \$30,338.68.

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

AFFIRMATIVE ACTION PLANS – (Mr. Girdler, City Administrator/ Mr. Showalter, Personnel)

Need Council Approval of Affirmative Action Plans Part 1 & 11 per federal requirements. Please see the attached for any questions or concerns – Please call Early with any specific questions.

RECOMMENDATION:

Recommend approval for final City Council action.

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: Almlade, Mulcahey, DeJaynes, Miller, Tapia, and Rico. Motion carried.

ADMINISTRATIVE HEARINGS FOR PSEBA – (Mr. Girdler, City Administrator)

Council action is needed to establish the Administrative Hearing Process in order to determine eligibility under the Public Safety Employee Benefits Act. Additional information is attached.

RECOMMENDATION:

Recommend approval for final City Council action.

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

ENTERPRISE ZONE – ORDINANCES – (Mr. Girdler, City Administrator)

Ordinance approving additions and deletions to the Enterprise Zone prior to final approval and effective date of January 1, 2019. Attached is additional information.

RECOMMENDATION:

Recommend approval for final City Council approval.

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

ADJOURNMENT:

A motion was made by Alderman DeJaynes, seconded by Alderman Almlade, to adjourn the Committee-of-the-Whole meeting. Upon roll call the following voted in favor: Almlade, Mulcahey, DeJaynes, Miller, Tapia, and Rico. Motion carried. **7:30 p.m.**

Minutes taken and submitted

Arletta D. Holmes, City Clerk