

# THE CITY COUNCIL

## OFFICIAL PROCEEDINGS

### REGULAR MEETING

Quincy, Illinois, March 15, 2010

The regular meeting of the City Council was held this day at 7:30 p.m. with Mayor John A. Spring presiding.

The following members were physically present:

Ald. Bumbry, Goehl, Duesterhaus, Bauer, Moore, Havermale, Farha, Sassen, Rein, Lepper, Vahlkamp, Brink, Holtschlag, Reis. 14.

The minutes of the regular meeting of the City Council held March 8, 2010 were approved as printed on a motion of Ald. Duesterhaus. Motion carried.

The City Clerk presented and read the following:

#### PETITIONS

By Brain Trauma Awareness Organization requesting permission to conduct a raffle and have the bond requirement waived from 3/30/10 through 5/30/10. The City Clerk recommends approval of the permit.

Ald. Reis moved the prayer of the petition be granted. Motion carried.

A revocable permit application for encroachment of city right-of-way by M & M Masonry, 1620 Jackson, to close the sidewalk and parking stalls north and east of the building on the southwest corner of 9th and State while maintenance is being done to the exterior of the building starting the project in late March and finishing by April 30th. The City Engineer presents this request subject to four conditions.

Ald. Holtschlag moved the prayer of the petition be granted. Motion carried.

By Quincy Catholic Charities, Quincy Medical Group and Blessing Hospital requesting the following streets be closed for the "Bridge the Gap to Health Race" May 8th from 7:00 a.m. – 12:00 noon: Front Street, Maine to Vermont; Hampshire, Front Street to 2nd; 2nd, Hampshire to Maine; north lane of the Memorial Bridge; south lane of the Bayview Bridge; west lane of N. 3rd at Broadway Street intersection; Broadway, 3rd to Bonansinga Dr; west two lanes of Bonansinga Dr. from Broadway to All America Park; Bonansinga Dr from All America Park north to the city limits, Cedar, Bonansinga Dr. to 3rd; and west lane of 2nd, Cherry to Broadway.

Ald. Bumbry moved the prayer of the petition be granted and the proper authorities notified. Motion carried.

#### REPORTS OF THE QUINCY PLAN COMMISSION

Recommending approval to vacate the west 221.06' of the public alley that runs east and west, and the 194.49' public alley that runs north and south; both alleys located in the block bounded by Broadway, Spring St., North 12th St., and North 13th St. subject to reservation of all existing permanent utility easements.

Ald. Reis moved the report be received and concurred in and an ordinance drafted. Ald. Brink abstained. Motion carried.

Recommending approval of a special permit for a planned development to use the rear of the property for vehicle sales located at 1000 Broadway, subject to: 1) There shall be no outdoor storage of materials, equipment, or inoperable vehicles on the property; 2) Vehicles stored in association with the use shall be parked on the property and not on public right-of-way; 3) The south 55' of the property shall be paved with a hard surface.

Ald. Reis moved the report be received and concurred in and an ordinance drafted. Motion carried.

Recommending approval of a one-lot subdivision located at 2121 S. 8th to be known as Beswick Addition.

Ald. Brink moved the report be received and concurred in. Motion carried.

Recommending approval of a special permit for a planned development at 812 Hampshire to allow a day care and overnight boarding facility for domestic dogs only, subject to: 1) Use of day care facility shall be limited to 12 dogs; 2) No more than nine dogs shall be boarded overnight; 3) The property shall be kept free of animal waste; 4) A 25' by 40' area enclosed by sight-proof fence and partially surfaced with gravel shall be installed on the east side of the building; 5) Any dogs outside shall be attended at all times.

#### Requests to Speak

Written requests to speak under suspended rules by Norbert Pohlman, 1004 Eastate Dr., Attorney Ryan C. Schnack, 510

Vermont, on behalf of Q-Meats Inc., Mark LeGrand, 126 N. 8th, Keith Kaufmann, 815 Maine, Gary Musholt, 437 N. 9th, in opposition of the Lucky Dog Day Care, Shayne Appel, 1256 Hampshire, petitioner for Lucky Dog Day Care and Sue Allen, 336 S. 24th, on behalf of Lucky Dog Day Care.

### **Rules Suspended**

Ald. Reis moved the rules be suspended at this time to hear from the above individuals. Motion carried.

Norbert Pohlman, 1004 Eastate Dr., Adjutant of the American Legion Post 37 located at 116 N. 8th Street, stated the American Legion Post 37 is just across the alley from Unit D of the proposed Doggie Day Care Facility; the kitchen door is within 25' of the alley. The area is zoned D-2 for downtown zoning for general business district including service uses listing 36 types excluding kennels. He felt parking, noise and animal waste could be a problem here. He referred to the letter from the Health Department that had an issue from a public health perspective as the city considers its decision on the petition for this special use permit. He urged the City Council to disapprove the recommendation of the Plan Commission.

Attorney Ryan C. Schnack, 510 Vermont, on behalf of Q City-Meats Inc., stated he is opposed to the City Council allowing a Doggie Day Care at 812 Hampshire. Q City-Meats Inc. is the operator of the Butcher Block facility at 819 Maine. They are concerned with the smell and run-off that will flow directly to the Butcher Block Facility. The Butcher Block Facility has a retaining system that does not run into the City sewer. They also hold cookouts during the summer and feel the smell of the doggie day care would spoil that part of their business. Attorney Schnack is concerned about spot zoning. He again asked the council to oppose the Plan Commission's recommendation.

Mark LeGrand, 126 N. 8th, stated his property is located directly behind 812 Hampshire. He does not feel this business is proper for this area. He gave some points on why he is opposed to this business being located at 812 Hampshire. He did ask, if the council decides to have this business located at 812 Hampshire, to refer the report back to the Plan Commission and require the Plan Commission to have the petitioner submit a comprehensive engineer's drawing and specifications on how this structure will be built and how it will address the issue of drainage and control of the excrement from the draining from this enclosure and into the alley or the other businesses. He also asked the council not to pass this recommendation.

Keith Kaufmann, 815 Maine, has the business of the Equal Water System. He felt there are not adequate waste control plans in place for the outside facilities. He felt there was a real potential for contamination and odor as other parties have stated. His other concern is the noise pollution that 12 dogs will create even from indoors. Several businesses back up to this site and they all meet the zoning requirements and feel if the council passes this they are doing a disservice to the businesses who have made long-term investments in Downtown Quincy.

Gary Musholt, 437 N. 9th, who owns property at 806 Hampshire, stated he was just here to follow his fellow supporters not really approving the approach the City is taking here. He stated he supports the prior speakers and is concerned about spot zoning.

Shayne Appel, 1256 Hampshire, is the owner of Lucky Dog. She stated it is not the average kennel. She has brought a big city concept to Quincy. She has been open on Broadway since September 2009. They only take dogs less than 40 pounds for day care keeping some larger ones overnight from time to time. She is very strict on her standards of sanitation and noise. They are asking to install a 40' x 25' outdoor play area for the dogs. Grass will be dug out and lined with pea gravel. This helps to enclose the urination and make it easier to clean and sanitize it. She said the USDA was out today and gave her a license to operate there. She asked the council to support the recommendation of the Plan Commission.

Sue Allen, 336 S. 24th, was an early customer of Shayne Appel. She stated the operation is clean and normal. She also stated Shayne bakes doggie biscuits and there is never a bad smell in the facility. She stated it was a great place to board dogs and asks the council to support it.

Ald. Reis moved the rules be resumed. Motion carried.

### **Rules Suspended**

Ald. Reis moved to suspend the rules to hear from Shayne Appel again. Motion carried.

Shayne Appel answered more questions from the Aldermen stating that the USDA requires her to have an outside area for the dogs to defecate.

Ald. Holtschlag moved the report be received and concurred in and an ordinance drafted. Motion carried.

### **SALES TAX REPORT**

The report of the Illinois Department of Revenue showing sales tax collected for the month of December, 2009 in the amount of \$882,323.94 was ordered received and filed on a motion of Ald. Duesterhaus. Motion carried.

### **HOME RULE SALES TAX REPORT**

The report of the city's 1-1/2% home rule sales tax collected for the month of December, 2009 in the amount of \$980,068.54 was ordered received and filed on a motion of Ald. Duesterhaus. Motion carried.

### RESOLUTION

WHEREAS, the Quincy Police Department has the need to replace one patrol car and has budgeted for that replacement; and

WHEREAS, the City of Quincy is authorized to purchase police patrol vehicles on the State of Illinois contract; and

WHEREAS, based on the State contract, the City of Quincy can purchase one 2009 Chevrolet Impala for \$19,700.00 from Bill Jacobs Joliet LLC, Joliet, IL; now

THEREFORE BE IT RESOLVED, the Chief of Police, Police Aldermanic Committee, and Director of Purchasing recommend to the Mayor and City Council the purchase of one 2009 Chevrolet Impala from Bill Jacobs Joliet LLC, Joliet, IL for \$19,700.00.

Robert A. Copley  
Chief of Police  
Ann Scott  
Director of Purchasing

Ald. Reis moved for the adoption of the resolution, seconded by Ald. Holtschlag, and on the roll call each of the 14 Aldermen voted yea. Motion carried.

### RESOLUTION

WHEREAS, the Department of Utilities currently uses a 460 volt 10 horsepower submersible pump to remove calcium carbonate and magnesium hydroxide sludges that are generated in the solids contact basin during the lime softening process; and,

WHEREAS, the current pump has failed and is in need of replacement in order to allow plant personnel the ability to clean this structure and maintain efficient operation of this unit treatment process; and,

WHEREAS, the following quotes have been received:

VanDevanter Engineering	Flygt Model H	\$17,943.00
Fenton, Missouri	5530 Abrasion Resistant Submersible Pump	
Heartland Pump Inc.	B J M	\$10,449.00
Carterville, Illinois	Model KZM75R	
Hydro Kinetics Corp.	K S B	\$ 9,675.00
St. Louis, Missouri	KRT D-100 Submersible Pump	

WHEREAS, the quote from Hydro Kinetics Corporation has been reviewed by the Directors of Purchasing and Utilities and the low quote has been found to be acceptable; and,

WHEREAS, funding for this expenditure has been incorporated within the Department of Utilities current fiscal year operating budget.

THEREFORE BE IT RESOLVED, the Director of Purchasing and Director of Utilities recommend to the Mayor and Quincy City Council that the normal bidding requirement be waived and the low quote of Hydro Kinetics Corporation of St. Louis, Missouri in the amount of \$9,675.00 be accepted.

Ann Scott  
Director of Purchasing  
David M. Kent  
Director of Utilities

Ald. Reis moved for the adoption of the resolution, seconded by Ald. Holtschlag, and on the roll call each of the 14 Aldermen voted yea. Motion carried.

### RESOLUTION

WHEREAS, Quincy Catholic Charities, Quincy Medical Group and Blessing Hospital are sponsoring the 2010 Bridge the Gap to Health Race in the City of Quincy which event constitutes a public purpose; and,

WHEREAS, this run will require the temporary closure of the left lane of eastbound U.S. Route 24, a State Highway in City of Quincy from 2nd and Maine Street to the Missouri State Line; and,

WHEREAS, this run will require the temporary closure of the left lane of westbound U.S. Route 24, a State Highway

in City of Quincy from the west terminus of State Route 104 to the Missouri State Line and the right line and the right lane of North 3rd Street (U.S. Route 24/State Route 57) in the intersection of State Route 104; and,

WHEREAS, Section 4-408 of the Illinois Highway Code authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Quincy that permission to close the left lane of eastbound U.S. Route 24, a State Highway in City of Quincy from 2nd and Maine Street to the Missouri State Line and the left lane of westbound U.S. Route 24 in the City of Quincy from the west terminus of State Route 104 to the Missouri State Line and the right lane of North 3rd Street (U.S. Route 24/State Route 57) in the intersection of State Route 104 as above designated, be requested of the Illinois Department of Transportation by the City Engineer.

BE IT FURTHER RESOLVED, that this closure shall occur during the approximate time period between 7:00 a.m. and 12:00 noon on Saturday, May 8, 2010.

BE IT FURTHER RESOLVED, that this closure is for the public purpose of the Bridge the Gap to Health Race.

BE IT FURTHER RESOLVED, that traffic from that closed portion of highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway.

BE IT FURTHER RESOLVED, that the run sponsors, Quincy Catholic Charities, Quincy Medical Group, and Blessing Hospital assume full responsibility for the direction, protection, and regulation of vehicular traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED, that police officers or authorized flaggers shall, at the expense of the sponsors, be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour.

BE IT FURTHER RESOLVED, that police officers, flaggers, and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as it is safe for all concerned.

BE IT FURTHER RESOLVED, that all debris shall be removed by the sponsors prior to reopening the State Highway.

BE IT FURTHER RESOLVED, that such signs, flags, barricades, etc., shall be used by the sponsors may be approved by the Illinois Department of Transportation.

BE IT FURTHER RESOLVED, that the closure and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED, that Quincy Catholic Charities hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above.

BE IT FURTHER RESOLVED, that Quincy Catholic Charities shall provide a comprehensive general liability insurance policy or an additional insured endorsement in the amount of \$100,000 per person and \$2,000,000 aggregate which has the Illinois Department of Transportation and its officials, employees and agents as named insureds and which protects them from all claims arising from the requested road closing.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Illinois Department of Transportation to serve as a formal request for the permission sought in this Resolution and to operate as part of the conditions of said permission.

Passed this 15th day of March, 2010.

John A. Spring, Mayor

Virginia Hayden, City Clerk

Ald. Bumbry moved for the adoption of the resolution, seconded by Ald. Goehl, and on the roll call each of the 14 Aldermen voted yea. Motion carried.

## **RESOLUTION**

WHEREAS, on the 8th day of May, 2010 the Quincy Catholic Charities, Quincy Medical Group, and Blessing Hospital are sponsoring the Bridge the Gap to Health Race to promote the health and welfare of the citizens of Quincy, Illinois; and,

WHEREAS, this run will require the temporary closure of the left lane of eastbound U.S. Route 24, a State Highway in Marion County from the west end of the Memorial Bridge to the Illinois State Line.

WHEREAS, this run will require the temporary closure of the left lane of westbound U.S. Route 24, a State Highway in Marion County from the west end of the Bayview Bridge to the Illinois State Line.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Quincy that permission to close the left lane of eastbound U.S. Route 24, a State Highway in Marion County, from the west end of the Memorial Bridge to the Illinois

State Line and the left lane of westbound U.S. Route 24, a State Highway in Marion County, from the west end of the Bayview Bridge to the Illinois State Line as above designated, be requested of the Missouri Department of Transportation.

BE IT FURTHER RESOLVED, that this closure shall occur during the approximate time period between 7:00 a.m. and 12:00 noon on May 8, 2010.

BE IT FURTHER RESOLVED, that this closure is for the public purpose of the Bridge the Gap to Health Race.

BE IT FURTHER RESOLVED, that the traffic from that closed portion of highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic.

BE IT FURTHER RESOLVED, that all debris shall be removed by the sponsors prior to reopening the State Highway.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Missouri Department of Transportation to serve as a formal request for the permission sought in this Resolution and to operate as part of the conditions of said permission.

Passed this 15th day of March, 2010.

John A. Spring, Mayor

Virginia Hayden, City Clerk

Ald. Bumbry moved for the adoption of the resolution, seconded by Ald. Goehl, and on the roll call each of the 14 Aldermen voted yea. Motion carried.

### **RESOLUTION**

The resolution authorizing execution of the Illinois Public Works Mutual Aid Network Agreement was referred to the Personnel Committee by Ald. Sassen, seconded by Ald. Rein. Motion carried.

### **ORDINANCE**

Second presentation of an ordinance entitled: An Ordinance Amending Article VII (Snow Removal) Of Chapter 14 (Streets And Sidewalks) Of The Municipal Code Of The City Of Quincy Of 1980. (adds: Harrison, 12th to 48th)

### **ORDINANCE**

Second presentation of an ordinance entitled: An Ordinance Amending Article II (Rules Of Order) Of Chapter 2 (The City Council) Of The Municipal Code Of The City Of Quincy, 1980. (adds: public forum)

Ald. Lepper moved to amend the ordinance with holding the Public Forum on the first Monday of the month and in order to sign up, you will have to declare the subject matter which you wish to speak on, seconded by Ald. Vahlkamp.

Ald. Rein made a substitute motion to amend the ordinance presented by Ald. Lepper to move the Public Forum from the eighth position to the third position on the agenda, seconded by Ald. Lepper. Motion carried.

### **ORDINANCE**

First presentation of an ordinance entitled: An Ordinance Of The City Of Quincy, Adams County, Illinois Approving A Tax Increment Redevelopment Plan And Redevelopment Project (Quincy Downtown II).

Ald. Havermale moved the ordinance be read by its title, seconded by Ald. Duesterhaus. Ald. Holtschlag and Moore abstained. Motion carried.

The City Clerk read the ordinance by its title.

### **ORDINANCE**

First presentation of an ordinance entitled: An Ordinance Designating The City of Quincy Downtown Quincy II Tax Increment Redevelopment Project Area.

Ald. Havermale moved the ordinance be read by its title, seconded by Ald. Duesterhaus. Ald. Holtschlag and Moore abstained. Motion carried.

The City Clerk read the ordinance by its title.

### **ORDINANCE**

First presentation of an ordinance entitled: An Ordinance Adopting Tax Increment Financing (Quincy Downtown II Tax Increment Redevelopment Project Area).

Ald. Havermale moved the ordinance be read by its title, seconded by Ald. Duesterhaus. Ald. Holtschlag and Moore abstained. Motion carried.

The City Clerk read the ordinance by its title.

**ORDINANCE**

First presentation of an ordinance entitled: An Ordinance To Utilize Revenues From The Central Business District West Redevelopment Project Area For Eligible Costs In The Downtown Quincy II Redevelopment Project Area.

Ald. Havermale moved the ordinance be read by its title, seconded by Ald. Sassen. Ald. Holtschlag and Moore abstained. Motion carried.

The City Clerk read the ordinance by its title.

**REPORT OF FINANCE COMMITTEE**

Quincy, Illinois, March 15, 2010

	Transfers	Expenditures	Payroll 3/19/10
City Hall .....		383.86	41,279.76
Central Services .....	22,500.00		
Airport .....	13,500.00		
Building Maintenance .....		7,200.42	
Legal Department .....			7,890.95
Fire and Police Comm. ....		340.36	563.59
Tree Commission .....		140.00	
MIS Department .....		748.37	11,984.52
Police Department.....		14,134.44	237,416.53
Fire Department .....		27,192.35	142,494.92
Engineering .....		515.31	19,227.78
Eng-Landfill .....		1,341.21	
Eng-Pkg Lot Maint. ....		623.98	
Eng-Street Lights & Signs .....		1,351.24	
Tax Distribution .....		30,920.24	
<b>GENERAL FUND SUBTOTAL .....</b>	<b>36,000.00</b>	<b>84,891.78</b>	<b>460,858.05</b>
Planning and Devel .....		244.74	21,651.81
911 System .....		384.00	33,797.02
Housing Resource Fund .....		150.00	
Transit Fund .....		1,384.98	27,992.38
Capital Projects Fund .....			
to Baldwin Bus Park .....	16,000.00		
Special Capital Funds .....		17.89	
Special Tax Alloc - TIF #2 .....		2,803.00	
Water Fund .....			
Utilities Dept .....		2,148.66	25,220.30
Central Services .....		645.66	15,416.72
Sewer Fund .....			
Central Services .....		992.58	9,943.67
Utilities Dept .....			9,429.17
Quincy Regional Airport Fund .....		11,499.79	7,538.51
Municipal Dock .....		502.18	1,023.46
Baldwin B. Park Invest. Fund.....		16,000.00	
Central Garage .....		54,086.48	9,296.08
Central Services Fund.....		397.09	23,972.53
Self Insurance .....		2,537.92	6,988.06
Health Insurance Fund .....		42,691.03	
Econ Dev Revolv Loan Fund .....		4,882.00	
Tourism Tax Fund .....		43,477.48	
<b>BANK 01 TOTALS .....</b>	<b>52,000.00</b>	<b>269,737.26</b>	<b>653,127.76</b>
Motor Fuel Tax .....		5,000.00	
IHDA Grant Fund .....		959.00	
2009 G/O Hydro Proj Fund .....		109,982.00	
<b>ALL FUND TOTALS .....</b>	<b>52,000.00</b>	<b>385,678.26</b>	<b>653,127.76</b>

Steve Duesterhaus  
Raymond Vahlkamp  
Anthony E. Sassen  
Ben Bumbry, Jr.

Michael Farha  
**Finance Committee**

Ald. Duesterhaus, seconded by Ald. Vahlkamp, moved the reports be received and vouchers be issued for the various amounts and on the roll call each of the 14 Aldermen voted yea. Motion carried.

### **REQUESTS TO SPEAK**

Written requests to speak under suspended rules by Albert T. Viar, 836 Maine, on clarification of issues – Regan-Russian 1985 merger agreement, Bill Hrudicka, 918 Lind, to set up an agenda to impeach Steve Duesterhaus, and Parker Lee Gerdes, 2223 Vermont, on anything.

### **Rules Suspended**

Ald. Reis moved the rules be suspended at this time to hear from the above individuals. Motion carried.

Albert T. Viar, Owner of Viar Electronics, 836 Maine, believes TIF II District and Quincy History Quincy Business District represents a displayed desire to increase power, control and taxation that is not our interest as citizens. He also gave some clarification on the Regan-Russian 1985 merger agreement.

Bill Hrudicka, 918 Lind Street, stood before the council and played a dedication to the flag. He stated he would like to see the Pledge of Allegiance at the City Council Meetings.

Parker Lee Gerdes, 2223 Vermont, stated he supported the Pledge of Allegiance as Chicago does. He asked if we could remove ourselves from the Mayors Against Illegal Guns Group. He didn't feel it matched, at all, the citizens of Quincy or Adams County. He gave the number of NRA memberships that are active today. He felt by leaving the Mayors Against Illegal Guns Group, it could alleviate Quincy should any lawsuits ever come up that are Class Action Suits against that group. He asked the council to consider that.

Ald. Reis moved the rules be resumed. Motion carried.

### **MOTIONS**

Ald. Duesterhaus moved to allow a dumpster on city right-of-way at 1306 Locust starting today for two weeks. Motion carried.

Ald. Holtschlag moved to allow a dumpster on city right-of-way at 832 Payson on March 22nd for two weeks. Motion carried.

Ald. Reis moved to allow a block party at Sunset Home blocking 5th, Washington to Payson, from 2:00 p.m. to 8:00 p.m. on April 30th with barricades. Motion carried.

The City Council adjourned on a motion of Ald. Havermale. Motion carried.

**JENNY HAYDEN, CMC**  
City Clerk