

# THE CITY COUNCIL

## OFFICIAL PROCEEDINGS

### REGULAR MEETING

Quincy, Illinois, April 5, 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 29, 2010 were approved as printed on a motion of Ald. Duesterhaus. Motion carried.

#### **The City Clerk presented and read the following:**

#### **PETITIONS**

A revocable permit for encroachment of city right-of-way by Blick's Construction requesting permission to block the sidewalk and parking lane in front of 514 Jersey Street during demolition of the old Royal Printing Building. The City Engineer presents this request subject to six conditions.

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

#### **MONTHLY REPORTS**

The monthly reports of the City Clerk, the City Treasurer, the Comptroller, the Inspection Department, the City Forester and the Street Cleaning Dept., for the month of March, 2010 and the monthly report of the Police Department for the month of February, 2010 were ordered received and filed on a motion of Ald. Reis. Motion carried.

#### **PUBLIC FORUM**

Jeff Kerkhoff, 1221 Spruce, regarding Grover Cleveland, 22nd and 24th president stating the key to Cleveland's presidency was his intense dislike of paternalism in government presenting the Council with a printout supporting this and other facts.

Vince Shaw, 3431 College, regarding Oak Street Sewer, asphalt overlay project stated the time line of this project and some of the problems his neighborhood has dealt with. He suggested the Council not always give the bid to the lowest bidder but consider accepting the bid from the lowest responsible bidder in the future.

#### **RESOLUTION**

WHEREAS, the Department of Utilities had requested written proposals to perform remedial work on a deteriorated section of an exterior parapet wall located at the water treatment plant main building; and,

WHEREAS, the following written quotations were received:

Bill Vonder Haar, Inc.                      \$5,800.00

Quincy, Illinois

Quincy Masonry Construction              \$5,340.00

Quincy, Illinois

Rupp Masonry Company                      \$3,500.00

Quincy, Illinois

WHEREAS, the quote from Rupp Masonry Company has been reviewed by the Departments of Utilities and Purchasing and found to be acceptable; now,

THEREFORE BE IT RESOLVED, that the Directors of Purchasing and Utilities recommend to the Mayor and the Quincy City Council that the low quote of Rupp Masonry Company in the amount of \$3,500.00 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, the City of Quincy contracts for janitorial supplies for all city departments; and  
WHEREAS, the City of Quincy Purchasing Department did advertise for sealed bids; and  
WHEREAS, the following sealed bids were received:

Ridders Business Supply Quincy, Illinois	\$21,206.85	38% Off Catalog Pricing (5 items not quoted)
Area Distributors Quincy, Illinois	\$15,162.40	30% Off Catalog Pricing
Heartland Solutions Canton, Missouri	\$15,038.41	0% Off Catalog Pricing (8 items not quoted)
Thunderbolt Polish Pevely, Missouri	\$ 3,276.54	1% Off Catalog Pricing (47 items not quoted)

WHEREAS, all bids have been reviewed and the low bid of Area Distributors has been found to be acceptable; and  
WHEREAS, Area Distributors has agreed to guarantee pricing for a one-year contract; now

THEREFORE BE IT RESOLVED, the Director of Purchasing and the City Hall Committee recommend to the Mayor and City Council that the low bid of Area Distributors of Quincy, Illinois be accepted for a one-year contract.

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 Quincy Police Department processes hundreds of items of evidence for fingerprints and analyzes many suspected cannabis samples each year; and

WHEREAS, many items processed for fingerprints require cyanoacrylate fuming (“Super Glue” fuming); and

WHEREAS, identifying cannabis also requires the use of dangerous chemicals, such as petroleum ether, hydrochloric acid, chloroform, and Duquenois reagent; and

WHEREAS, using these chemicals to process evidence requires proper ventilation; the use of a “fume hood” that is designed with filters and venting for forensic chemicals is necessary for safe lab operation; and

WHEREAS, the current cabinet is over 20 years old and proper filters are not longer available for it; and

WHEREAS, the Quincy Police Department has funds available for this purchase in its Crime Lab Fund; these funds are a result of convicted drug offenders paying a fee to support their prosecution, and the funds are restricted for use; and

WHEREAS, the purchase of a fume hood with Crime Lab Funds fits the mandatory requirements for use; and

WHEREAS, the Quincy Police Department researched forensic fume hoods and determined that the Purair 10XL fume hood was sufficient for this use, and received quotes as follows:

Air Science USA LLC, Ft. Myers, FL, \$3,292.00

Forensics Source, Jacksonville, FL, \$3,995.00

Ray O’Herron Company, Danville, IL, \$4,250.00; and

WHEREAS, the fume hood requires a special filter that will cost no more than \$495; and

WHEREAS, funding has been appropriated in the current fiscal year budget for the Quincy Police Department’s Crime Lab Fund; now

THEREFORE, BE IT RESOLVED, the Chief of Police, Police Aldermanic Committee, Director of Administrative Services, and Director of Purchasing recommend to the Mayor and City Council that the quote from Air Science USA LLC for the Purair 10XL fume hood in the amount of \$3,787.00 be accepted.

Robert 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 Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and,

WHEREAS, the "*Intergovernmental Cooperation Act*", 5 ILCS 220/1 et seq., provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government; and,

WHEREAS, Section 5 of the "*Intergovernmental Cooperation Act*", 5 ILCS 220/5, provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and,

WHEREAS, the Mayor and the City Council have determined that it is in the best interests of the City of Quincy and its residents to enter into an intergovernmental agreement to secure to each the benefits of mutual aid in public works and the protection of life and property from an emergency or disaster and to provide for public works assistance, training and other necessary functions to further the response and recovery from said emergency or disaster. The principal objective of the public works mutual aid assistance being the response to and recovery from any emergency or disaster and the return of the community to as near normal as quickly as possible.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council members of the City of Quincy, Illinois as follows:

SECTION ONE: That the Mayor be hereby authorized to execute an Agreement for participation in the Illinois Public Works Mutual Aid Network (IPWMAN), a copy of said Agreement being attached hereto and being made a part hereof.

APPROVED this 6th day of April, 2010.

John A. Spring, Mayor  
Virginia Hayden, City Clerk

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

## RESOLUTION

WHEREAS, South 24th Street from Harrison Street to Payson Road is in need of repair, reconstruction and resurfacing; and,

WHEREAS, the City of Quincy desires to provide improvements to South 24th Street; and,

WHEREAS, Adams County has jurisdiction and maintenance responsibilities for the driving lanes of this section of roadway; and,

WHEREAS, the City of Quincy has jurisdiction and maintenance responsibilities for the parking lanes, curbs, gutters, storm sewer inlets and driveway aprons of this section of roadway within the City Limits; and,

WHEREAS, Adams County and the City of Quincy did jointly apply for Illinois Department of Transportation (IDOT) Emergency Repair Funds to resurface this section of roadway; and,

WHEREAS, Adams County and the City of Quincy were successful in being awarded \$306,000 of Illinois Department of Transportation (IDOT) Emergency Repair Funds to resurface this section of roadway; and,

WHEREAS, the Illinois Department of Transportation (IDOT) Emergency Repair Funds are limited to covering the cost of resurfacing only; and,

WHEREAS, the curbs, gutters, storm sewers and driveway aprons of this section of roadway need to be repaired and reconstructed at the estimated cost of \$80,000; and,

WHEREAS, the Alderlady and Alderman of the Fifth Ward are supportive of this improvement project that is within their Ward; and,

WHEREAS, the Alderlady and Alderman of the Fifth Ward are in agreement to fund this additional \$80,000 improvement from existing Fifth Ward Funds.

NOW, THEREFORE BE IT RESOLVED, that the City Engineer, the Central Services Committee and the Fifth Ward Alderlady and Alderman recommend to the Mayor and City Council that \$80,000 of Fifth Ward Funds be authorized to be used for the improvement of South 24th Street.

Jeff Steinkamp, P.E.  
City Engineer

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

## ORDINANCE

Adoption of an ordinance entitled: An Ordinance Granting A Special Use Permit For A Planned Development. (812 Hampshire)

### Requests to Speak

Written requests to speak under suspended rules by Travis Brown, Historic Quincy Business District Executive Director, 128 N. 5th, Bret Austin, 1226 Cadbury Ridge, Gary Musholt, 806 Hampshire, Dan Veihl, 819 Maine, Attorney Charles W. Scholz, representing the American Legion Post 37 of 116 N. 8th, Sally Westerhoff, 9716 Columbus Road, Fowler, Janet Canavan, 1232 Summer Lane, Richard Lohmeyer, 732 N. 2353rd, Ursa, Glenn Swick, 3325 Maine, Shayne Appel, 1256 Hampshire, Attorney Gerald L. Timmerwilke, 226 N. 6th, Mark LeGrand, 126 N. 8th, Keith Kaufmann, 815 Maine, and Norbert Pohlman, 1004 Eastate Dr., in reference to the Lucky Dog Day Care.

### Rules Suspended

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

Mayor John A. Spring noted there was a letter of support for the Lucky Dog Day Care in front of the Aldermen sent by Barry L. Pennypacker, CEO of Gardner Denver, Inc.

Travis Brown, Historic Quincy Business District Executive Director, 128 N. 5th, stated the HQBD has worked with many potential businesses trying to work out what is best for the downtown area. He stated he had spoken with the petitioner and current business owners in the area. After collecting valuable information from all, he stated the HQBD is asking the council to vote no on this special use permit for a planned development sighting reasons of health issues, noise and zoning concerns.

Bret Austin, 1226 Cadbury Ridge, representing his business at 824 Hampshire, stated two examples of past special uses permitted in the area and those places not following the recommendations put on their special use permits. He asked the council not to support this special use permit.

Gary Musholt, 806 Hampshire, a concerned property owner, asked the council to vote no on this special use permit. He believes the council hears their concerns.

Dan Veihl, 819 Maine, passed a poster around showing residents 300' in the area not for this because of noise and health hazards. He asked that this permit be defeated.

Attorney Charles W. Scholz representing 454 members of the American Legion Post 37 at 116 N. 8th, stated members of the American Legion Post 37 are supportive of small businesses. The issue is the land usage planning. This special use permit does not promote our plan revitalization and should not be allowed in this D2 zoning. The American Legion is depending on the council to protect their property and vote no on this special use permit.

Sally Westerhoff, 9716 Columbus Road, Fowler, IL, stated she was a personal pet owner and had visited Miss Appel's facility and urges the council to support this special use permit.

Janet Canavan, 1232 Summer Lane, a dog owner, has made repeated visits to the Lucky Dog Day Care and found it to be clean, neat, and taken care of. She stated dogs bark if provoked. At the day care they are with a human who keeps them in line. She stated she had been in several other cities with doggie day cares in their downtown area. It is not a typical kennel but more like a day care for children. She asked the council to support this special use permit.

Richard Lohmeyer, 732 N. 2353rd, Ursa, IL, stated he was the father of the petitioner. Noise pollutions would be handled by a 6' fence. He and his wife help with the cleaning of the doggie day care using the same sanitation to keep it as clean as a licensed camp they run and are visited without notice by the Illinois Department of Health and have never failed an inspection. He asked the council to vote yes and support this special use permit.

Glenn Swick, 3325 Maine, stated he was contacted by Miss Appel to help find a place for the doggie day care. He visited her place on Broadway and saw how it was run. He also talked with zoning. He suggested a free standing building. There were less than 20 properties available. After ruling out others for various reasons, he felt this property at 812 Hampshire would meet her needs. He felt it seemed like a good fit then and still does.

Shayne Appel, 1256 Hampshire, opened her Lucky Dog Day Care on Broadway building her business to 100 dogs. She felt the need to move as she was meeting her obligations there but not having any extra money to put back into her business. She also visited several residents in the downtown area that support her business but were afraid to get involved. She felt she has taken all the right steps and this permit should be allowed. She contacted "Bow Wow", one of the biggest doggie day care facilities throughout the United States, regarding the sanitation stating they use the same type of cleaning, the pea gravel etc. She asked the council to vote yes to provide a new concept for Downtown Quincy.

Attorney Gerald L. Timmerwilke, 226 N. 6th, representing Petitioner Shayne Appel, suggested she walk through 5th to 9th on Hampshire counting the vacant buildings. There are 33. Attorney Timmerwilke also provided the Aldermen with a

packet showing this is not a kennel. He stated the sanitation and noise was not a problem here and asked the council to move forward and join other cities and vote yes for this special use permit.

Mark LeGrand, 126 N. 8th, stated there has been a group come before the council these last four Mondays against this special use permit. He stated what Webster’s definition of a kennel is. He asked the council to uphold the zoning for this area for the businesses, landowners and residents here. He stated they have provided facts, not emotions, and to vote no for the special use permit.

Keith Kaufmann, 815 Maine, is concerned for the broad usage and to vote this special use permit down and leave D2 zoning and its contents.

Norbert Pohlman, 1004 Eastate Dr., Adjutant of the American Legion Post 37 located at 116 N. 8th, stated the primary source of the organization is to create profit to serve veterans. He stated staff made recommendation to Plan Commission and should adhere to it. D2 is general businesses. He asked some “What If” questions for the petitioner. He asked the council to vote no on the special use permit.

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

Ald. Farha moved to recess for five minutes at 8:50 p.m. Motion carried.

The Council reconvened at 8:58 p.m.

Ald. Holtschlag moved for the adoption of the ordinance, seconded by Ald. Duesterhaus, and on the roll call the following vote resulted: Yeas: Ald. Duesterhaus, Farha, Sassen, Lepper, Holtschlag. 5. Nays: Ald. Bumbry, Goehl, Bauer, Moore, Havermale, Rein, Vahlkamp, Brink, Reis. 9

The Chair, Mayor John A. Spring, declared the motion carried and the ordinance failed.

### REPORT OF FINANCE COMMITTEE

Quincy, Illinois, April 5, 2010

	Transfers	Expenditures	Payroll 4/9/10
City Hall .....		2,619.24	748.33
Planning & Dev .....	15,750.00		
9-1-1.....	31,000.00		
Central Services.....	54,000.00		
Airport .....	6,500.00		
Building Maintenance.....		11,169.65	
Legal Department .....		455.00	
Fire and Police Comm. ....		250.00	
Liquor Commission .....		20.12	
Tree Commission .....		119.36	
MIS Department .....		6,150.27	
Police Department.....		9,037.44	
Fire Department .....		7,224.16	
Engineering.....		1,951.01	
Eng-Amtrak Station .....		1,585.00	
Eng-Street Lights & Signs .....		234.72	
Subsidies .....		20,689.25	
<b>GENERAL FUND SUBTOTAL .....</b>	<b>107,250.00</b>	<b>61,505.22</b>	<b>748.33</b>
Planning and Devel .....		348.00	
911 System .....		2,058.48	
Housing Resource Fund .....		49.24	
State Forfeiture Fund .....		700.00	
Crime Lab Fund .....		209.23	
Transit Fund .....		1,338.56	25,688.91
Capital Projects Fund .....		63,598.44	
2006 G/O Note Fund.....		21,224.84	
Water Fund .....			
Utilities Dept .....		11,650.35	16,212.89
Central Services.....		1,259.00	15,736.58
Sewer Fund .....			
Central Services.....		226.32	9,944.68
Utilities Dept .....			6,371.61
Quincy Regional Airport Fund .....		1,905.85	2,541.29
Titan Hangar Fund .....		2,977.24	

Municipal Dock .....		39,900.00	1,023.46
Regional Training Facility .....		36.45	
Central Garage .....		10,266.27	9,518.87
Central Services Fund .....		696.40	24,577.38
Self Insurance .....		939.28	
Econ Dev Revolv Loan Fund .....		2,500.00	
<b>BANK 01 TOTALS .....</b>	<b>107,250.00</b>	<b>223,389.17</b>	<b>112,364.00</b>
IHDA Grant Fund .....		2,800.00	
<b>ALL FUND TOTALS .....</b>	<b>107,250.00</b>	<b>226,189.17</b>	<b>112,364.00</b>

Steve Duesterhaus  
Michael Farha  
Raymond Vahlkamp  
Ben Bumbry, Jr.  
Anthony E. Sassen  
**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 14 Aldermen voted yea. Motion carried.

**MOTIONS**

Ald. Havermale referred to the Planning & Development Department the possibility of adding doggie day care to the downtown district. Motion carried.

Ald. Rein referred signed petitions to the Corporation Counsel to see about the possibility of annexing these residents from another township into the Quincy Township and to report back. Motion carried.

Ald. Holtschlag moved to allow a dumpster on city right-of-way at 832 Washington on the 9th Street side starting April 9th for two weeks. Motion carried.

Ald. Reis moved to allow scaffolding at 702 Maine starting April 6th until the end of the month to repair the building. Motion carried.

The City Council adjourned at 9:30 p.m. on a motion of Ald. Havermale. Motion carried.

**JENNY HAYDEN, CMC**  
City Clerk