

TO: City Manger
SUBJECT: Special Assessment Project 2661, 22-1/2 Avenue Reconstruction,
East of 29th Street
DATE: May 5, 2015
NUMBER: 2015-088

Enclosed are the following documents related to the special assessment project 2661:

1. Resolution of Acceptance.
2. First Resolution of the Board of Local Improvements.
3. Transcript of the Public Hearing held April 22, 2015.
4. Second Resolution of the Board of Local Improvements.
5. Proposed Assessment Roll.
6. A Special Assessment Ordinance for action by the City Council.

The estimated construction cost of Project 2661 is \$123,680.55 and the total estimated project cost is \$153,176.09.

The proposed assessment roll shows an amount of \$22,091.00 (14%) as the amount to be assessed to the property owners.

RECOMMENDATION:

It is recommended by the Board of Local Improvements that the project proceed and that the Special Assessment Ordinance be passed by the City Council.

Submitted By:	Jeffery Eder President Board of Local Improvements	Michael Kane Secretary Board of Local Improvements
	Cynthia Parchert Board Member	Randall Tweet Board Member
	David G. Morrison Board Member	

Approved By: Thomas Thomas, City Manager

RESOLUTION by Board of Local Improvements for review and approval of the plans, specifications and engineer's estimate for the improvement:

22-1/2 Avenue Reconstruction: East of 29th Street

Nature, Character and Description of Improvement: The improvement shall consist of reconstruction.

A general description of said improvement being:

The proposed work is located within the City of Rock Island and is to reconstruct 22-1/2 Avenue, East of 29th Street. The work consists of removing the existing roadway and replacing with new PCC driving surface. There may be some sidewalk, sewer, stormwater and watermain work.

**BE IT RESOLVED BY THE BOARD OF LOCAL IMPROVEMENTS
OF THE CITY OF ROCK ISLAND, ILLINOIS THAT:**

1. A local improvement shall be made in the City of Rock Island, Illinois, the location, nature, character and description of said improvement being as follows:

Location: 22-1/2 Avenue Reconstruction: East of 29th Street

All references to station points, etc., in the above location description can be located on the right-of-way as shown on plans for Job 2661, which is herein made a part of this resolution as if copied word for word and line for line by specific reference.

2. An itemized list showing the estimated cost of this improvement has been submitted by the City Engineer. That said estimate is hereby made part of the record of this Board, and further that said estimate is hereby incorporated into this resolution by specific reference as if copied word for word herein, and further that said estimate is hereby approved by this Board.

3. The plans and specifications have been presented by the City Engineer. The plans and specifications clearly explain in further detail the nature, character and description of this project and are made a part hereof by specific

reference. That the plans, profiles, detailed drawings and project specifications governing the construction of this project are those adopted by resolution of the Board of Local Improvements on this date, together with "The Standard Specifications for Road and Bridge Construction" adopted by the Department of Transportation of the State of Illinois, on January 1, 2012, which are made a part of the project specifications by specific reference and said project specifications are hereby made part of the record of this Board. That all parts of said plans, profiles, detailed drawings and project specifications as well as "The Standard Specifications" relating to the construction of this improvement as aforementioned in this resolution are hereby incorporated into this resolution as if copied word for word and line for line by specific reference.

4. That the cost of said improvement estimated to be \$153,176.09 shall be paid in part by Special Assessment. The exact amount to be paid by the City of Rock Island and the exact amount to be specially assessed against the properties benefited shall be determined as provided by law.

5. That the aforementioned plans, profiles and detailed drawing project specifications, known in the City Engineer's office as Job 2661, are hereby approved and adopted by this Board.

Passed this 24th day of March, 2015.

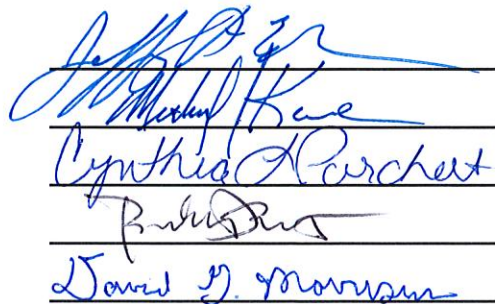
Jeffery Eder, President

Michael J. Kane, Secretary

Cynthia Parchert

Randall Tweet

David G. Morrison

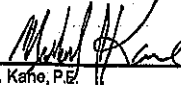


Handwritten signatures of the five board members over horizontal lines. The signatures are: Jeffery Eder, Michael J. Kane, Cynthia Parchert, Randall Tweet, and David G. Morrison.

CITY OF ROCK ISLAND

Public Works Department - Engineering Division
22-1/2 Avenue Reconstruction
East of 29th Street
Job No. 2661

Item No.	Description	Quantity	Units	Unit Price	Total
1	Pavement Removal	514.0	S.Y.	\$17.00	\$8,738.00
2	Portland Cement Concrete Pavement, (Jointed), 7" (With Integral Curb	514.0	S.Y.	\$75.00	\$38,550.00
3	Geotechnical Fabric For Ground Stabilization	514.0	S.Y.	\$2.00	\$1,028.00
4	Aggregate Base Course, Type A	180.0	Ton	\$30.00	\$5,400.00
5	Earth Excavation	86.0	C.Y.	\$25.00	\$2,150.00
6	Driveway Removal	140.0	S.Y.	\$15.00	\$2,100.00
7	Portland Cement Concrete Residential Driveway, 6"	140.0	S.Y.	\$60.00	\$8,400.00
8	Portland Cement Concrete, Pedestrian Curb Ramp, 6"	30.0	S.F.	\$15.00	\$450.00
9	Sidewalk Removal	640.0	S.F.	\$2.00	\$1,280.00
10	Portland Cement Concrete Sidewalk, 4"	640.0	S.F.	\$5.00	\$3,200.00
11	Manholes To Be Adjusted With New Frame and Lid	1	Each	\$1,000.00	\$1,000.00
12	Sodding	120.0	S.Y.	\$13.00	\$1,560.00
13	Project Signs	2	Each	\$350.00	\$700.00
14	Traffic Control And Protection	1.0	L.S.	\$7,500.00	\$7,500.00
15	Water Main, PVC, DR-14, 8"	208.0	Ft.	\$50.00	\$10,400.00
16	Water Main, PVC, DR-14, 6"	25.0	Ft.	\$45.00	\$1,125.00
17	Gate Valve And Box, 8"	1.0	Each	\$1,250.00	\$1,250.00
18	Gate Valve And Box, 6"	1.0	Each	\$1,000.00	\$1,000.00
19	Gate Valve And Box To Be Removed	2.0	Each	\$700.00	\$1,400.00
20	Water Service Connection, With Saddle, 1"	7.0	Each	\$425.00	\$2,975.00
21	Water Service Line, 1"	90.0	Ft.	\$40.00	\$3,600.00
22	Domestic Water Valve and Box	7.0	Each	\$350.00	\$2,450.00
23	Fire Hydrant To Be Removed	1.0	Each	\$555.00	\$555.00
24	Fire Hydrant	1.0	Each	\$3,250.00	\$3,250.00
25	Tee, Class 350, DIP, MJ, 8" X 8" X 6"	1.0	Each	\$450.00	\$450.00
26	Tee, Class 350, DIP, MJ, 6" X 6" X 8"	1.0	Each	\$450.00	\$450.00
27	Storm Sewer, Pressure Class, 15"	20.0	Ft.	\$65.00	\$1,300.00
28	Sanitary Sewer, PVC, 8"	40.0	Ft.	\$55.00	\$2,200.00
29	Sanitary Service Connection	2.0	Each	\$465.00	\$930.00
30	Trench Backfill	200.0	C.Y.	\$12.00	\$2,400.00
31	Subtotal of Bid Items:				\$117,791.00
32	Construction Contingencies (5% of #31):				\$5,889.55
33	Construction Subtotal=				\$123,680.55
34	Estimated Total Contract Amount=				\$123,680.55
35	Engineering and Administration (17% of #34):				\$21,025.69
36	Advertising:				\$470.00
37	Special Assessment Commissioner:				\$4,200.00
38	Collection Costs (2% of #34):				\$2,473.61
39	4 Months Interest (2.80% of #34):				\$1,154.35
40	15 Days Interest (2.80% of #34 thru #37):				\$171.88
41	Total Estimated Project Cost =				\$153,176.09


 Michael J. Kaffie, P.E.
 City Engineer

FIRST RESOLUTION by Board of Local Improvements for making one improvement by improving:

22-1/2 Avenue: East of 29th Street

**BE IT RESOLVED BY THE BOARD OF LOCAL IMPROVEMENTS
OF THE CITY OF ROCK ISLAND, ILLINOIS THAT:**

1. A local improvements shall be made in the City of Rock Island, Illinois, the location, nature, character and description of said improvement being as follows:

Location: 22-1/2 Avenue: East of 29th Street

Nature: Reconstruction

All references to station points, etc., in the above location description can be located on right-of-way as shown on plans for Job 2661, which is herein made a part of this resolution as if copied word for word and line for line by specific reference.

Nature, Character and Description of Improvement: The improvement shall consist of reconstruction.

A general description of said improvement being:

The proposed work is located within the City of Rock Island and is to remove the existing roadway and replace with a new PCC driving surface. There may be some sidewalk, sewer, stormsewer and watermain work.

The plans and specifications clearly explain in further detail the nature, character and description of this project, and are made a part hereof by specific reference.

2. An itemized list showing the estimated cost of this improvement has been submitted by the City Engineer. That said estimate is hereby made part of the record of this Board, and further that said estimate is hereby incorporated into this resolution by specific reference as if copied word for word herein, and further that said estimate is hereby approved by this Board.
3. That the cost said improvement estimated to be \$153,176.09 shall be paid for by Special Assessment. The exact amount to be assessed against the City of Rock Island and the exact amount to be assessed against the properties benefited shall be determined as

provided by law.

4. That the plans, profiles, detailed drawings and project specifications governing the construction of this project are those as approved by the Board of Local Improvements on this date, together with "The Standard Specifications for Road and Bridge Construction" adopted by the Department of Transportation of the State of Illinois, on January 1, 2012, which are made a part of the project specifications by specific reference and said project specifications are hereby made part of the record of this Board. That all parts of said plans, profiles, detailed drawings and project specifications as well as "The Standard Specifications" relating to the construction of this improvement as aforementioned in this resolution are hereby incorporated into this resolution as if copied word for word and line for line by specific reference.
5. This resolution, plans, profiles, detailed drawing, project specifications, "Standard Specification" and estimate is available for public inspection during business hours in the Office of the City Engineer of the City of Rock Island located at 1309 Mill Street, City of Rock Island, Illinois. The aforementioned plans, profiles, detailed drawing project specifications are known in the City Engineer's office as **Job 2661**.
6. And further resolved that there shall be public hearing on the question of making this improvement on the **22nd day of April, 2015** at the hour of **5:30 p.m.**, in **Rock Island City Hall Council Chambers** and notice of this hearing which shall be not less than ten (10) days after the adoption of this resolution shall be sent by mail to the person who paid the general taxes for the year preceding on land fronting said improvement at least five (5) days before said meeting as required by law.

Passed this **24th day of March, 2015**.

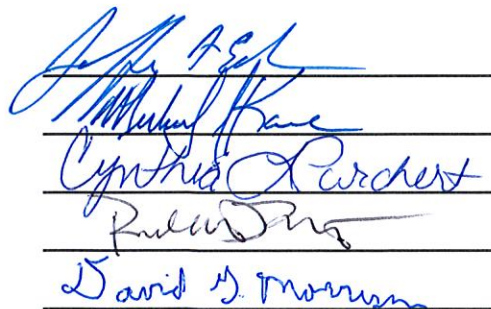
Jeffery Eder, President

Michael J. Kane, Secretary

Cynthia Parchert

Randall Tweet

David G. Morrison



Handwritten signatures of the five board members over horizontal lines. The signatures are: Jeffery Eder, Michael J. Kane, Cynthia Parchert, Randall Tweet, and David G. Morrison.

1 BOARD OF LOCAL IMPROVEMENTS
2 CITY OF ROCK ISLAND, ILLINOIS
3

4 IN THE MATTER OF)
5 SPECIAL ASSESSMENT:)
6 JOB NO. 2360)
7 JOB NO. 2661)
8 JOB NO. 2730)
9 JOB NO. 2746)

10 City Council Chambers
11 1528 Third Avenue
12 Rock Island, Illinois

13 The hearing commenced at 5:30 PM,
14 April 22, 2015

15 BEFORE: Jeffrey Eder
16 Michael Kane
17 Cindy Parchert
18 Randy Tweet

19 APPEARANCES: David Morrison, City Attorney,
20 1515 Fourth Avenue
21 Rock Island, Illinois

22 ALSO APPEARING: Mary Baecke-Spranger

23 REPORTER: Donna M. Kelly, CSR
24
25

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1 MR. EDER: Good evening. I will go 2 ahead and call the meeting of the Board of 3 Local Improvements of the City of Rock Island 4 to order. If I could have a roll call, please. 5 MS. WYKOFF: Jeff Eder? 6 MR. EDER: Present. 7 MS. WYKOFF: Cindy Parchert? 8 MS. PARCHERT: Yes. 9 MS. WYKOFF: Randy Tweet? 10 MR. TWEET: Here. 11 MS. WYKOFF: Mike Kane? 12 MR. KANE: Here. 13 MS. WYKOFF: Dave Morrison? 14 MR. MORRISON: Here. 15 MR. EDER: Motion for approval of 16 minutes from March 24? 17 MS. PARCHERT: I will make a motion. 18 MR. TWEET: I will second. 19 MR. EDER: All in favor? 20 BOARD: Aye. 21 MR. EDER: At this time I'm going to 22 close the -- before I go in and close the 23 meeting, what we are going to do tonight, we 24 will close up the public meeting and open up 25 the public comments.	1 three different ways. First, they can be 2 requested by petition of the residents who 3 reside on that street. The second method would 4 be if they are requested by the City Council, 5 and the third method would be requested by the 6 Board of Local Improvements. 7 The 22 1/2 Avenue project was 8 requested by petition of the residents. The 9 other projects that we will be discussing 10 tonight were as a result of a request by 11 the Board of Local Improvements, based upon 12 recommendations of the city staff. 13 In 2014 the city's pavement condition 14 survey was performed on all streets in the 15 city. On a scale of 0 to 100, with zero being 16 the worst and 100 being the best, the condition 17 of these projects are as follows: 18 26th Street north of 13th Avenue had a 19 rating of 11. 20 22 1/2 Avenue east of 29th Street was 21 rated at 43. 22 20th Avenue between 27th and 23 30th Streets had an average rating of 52.25. 24 The Shadybrook Phase II, 9th Street 25 West, 10th Street West, and 80th Avenue West
Page 3	Page 5
1 We are going to start off Dave's got a 2 couple things to say. As soon as we do that, 3 then we will take this project by project 4 tonight. We have got four separate projects. 5 So we will introduce the project, take the 6 public comments on that project, and then move 7 on to the next project. 8 So then at this time I am going to 9 close the regular meeting and open the public 10 hearing on the following special assessment 11 projects. 12 MR. MORRISON: Good evening, ladies 13 and gentlemen. My name is David Morrison. I'm 14 the city attorney for Rock Island, and what I 15 want to do first is go through an explanation 16 of the procedures for special assessments. 17 You will see on both of the big 18 screens here to my left and to my right what I 19 will be reading for you. It might be easier 20 for you to follow along on those pages as 21 you're listening to the explanation of the 22 procedures. 23 So where the process begins is with 24 projection selection. Residential streets are 25 selected for the special assessment program in	1 had an average rating of 55.2. 2 Your projects were recommended by the 3 Public Works Department staff based upon the 4 Critical Pavement Condition Index Concept. 5 This concept is based upon a rating of 40 or 6 less on a scale of 0 to 100 being the critical 7 value for reconstruction and 60 being the 8 critical value for resurfacing. 9 The Board of Local Improvements 10 evaluates the requests and makes a 11 recommendation to the City Council for projects 12 to be included in the five-year Capital 13 Improvement Program. 14 The next phase is preliminary 15 engineering. After the City Council approves 16 the Capital Improvement Program, the 17 Engineering Division prepares preliminary 18 plans, specifications, and cost estimates for 19 the project and presents this information to 20 the Board of Local Improvements. 21 After the Board has approved the 22 preliminary work, the Superintendent of Special 23 Assessments is directed to determine 24 assessments for adjacent properties. Once the 25 assessments are received, a public hearing is

Page 6 1 scheduled, and notices are sent to the adjacent 2 property owners, and that's the stage of the 3 process what we are in this evening. 4 The public hearing phase: The Board 5 of Local Improvements conducts all public 6 hearings for special assessment projects in 7 accordance with Illinois State law and reports 8 the results to the City Council. Minutes of 9 the public hearing are prepared and submitted 10 to the City Council, along with the Board's 11 recommendation, the cost estimate and the 12 amounts to be assessed. 13 After the public hearing the Board has 14 three options. They can recommend that the 15 City Council pass the Special Assessment 16 Ordinance to continue the project, modify the 17 scope of the project, or drop the proposed 18 project. 19 The next phase is the Special 20 Assessment Ordinance. The Board's 21 recommendation and public hearing minutes will 22 be considered at the regular City Council 23 meeting on Monday, May 11, 2015, and I want to 24 make sure that we have the correct date. Yes, 25 it does say May 11th on our handout there.	Page 8 1 confirmed the assessment roll, the Engineering 2 Division finalizes the construction plans and 3 specifications. Bids are received and the 4 contract is awarded to the lowest qualified 5 bidder. Most special assessment projects are 6 completed in one construction season, and the 7 Engineering Division provides on-site 8 construction inspection. 9 After the construction work is 10 completed, the final costs, including 11 engineering and legal costs, are tabulated, 12 and the assessment roll is amended by the 13 Superintendent of Special Assessment to reflect 14 the final costs. 15 Individual assessments almost always 16 remain the same, and any difference between the 17 estimated cost and the final cost is applied to 18 the amount paid by the city. The Circuit Court 19 then sets another hearing for comments on the 20 final assessments. Individual notices are not 21 mailed for this hearing, and since the final 22 assessments are almost always the same as the 23 preliminary assessments, no one usually appears 24 for this hearing. The judge then confirms the 25 Final Assessment Roll.
Page 7 1 Residents are invited to make further 2 comments at the City Council meeting if they so 3 desire. If the City Council decides to proceed 4 with the project, it passes the Special 5 Assessment Ordinance, starting the formal 6 process for establishing individual assessments 7 against adjacent properties. 8 The assessment roll is sent to the 9 Rock Island County Circuit Clerk of Court, who 10 sets the final assessments to each individual 11 property. Notices are sent to properties being 12 assessed notifying them of the time and date of 13 the court hearing. 14 You can appear before the Circuit 15 Court to file an objection if you feel your 16 proposed assessment is too high. The Court 17 will then set a trial date to hear evidence 18 regarding the objection. After all objections, 19 if any, are resolved by the Court, the 20 assessment roll is confirmed by the judge, 21 and the city is authorized to proceed with 22 construction. If an objection is filed, the 23 project will usually be delayed until the next 24 construction season. 25 Construction: After the Court has	Page 9 1 When the judge confirms the final 2 assessment roll, the city is authorized to send 3 assessment bills to the individual property 4 owners. The assessments may be paid in full 5 without interest or they may be spread out for 6 payments over ten years with interest. The 7 interest is set at 70 percent of the commercial 8 prime rate on the date the City Council passes 9 the Special Assessment Ordinance. The interest 10 is always paid on the remaining balance. 11 Assessment bills are sent out in December with 12 payments due in January of each year. 13 Thank you. 14 MR. TWEET: John, do you want to put 15 up my slide there. 16 I'm Randy Tweet, the public works 17 director. Mr. Morrison covered the ratings of 18 the different streets, and I just wanted to 19 talk to you for just a couple minutes on what 20 that really means. 21 So we rate the streets from 1 to 100, 22 so if they are in that 75 to 100 range there 23 is really no maintenance, maybe some pothole 24 patching or some cracked sealings. When we get 25 into that fairly good range, which is a rating

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1 of 41 to 70, that's when we do a resurfacing,
2 maybe asphalt recycling, full-depth concrete
3 patching.

4 Once it falls below a rating of 40,
5 then it needs a total reconstruction. That's
6 very expensive to the city, also very
7 inconvenient to anyone having to live on the
8 street because it involves ripping out the old
9 street and putting a new one in, so our goal is
10 to repair everything when they are in that
11 middle window of 41 to 70.

12 John, if you can go to the next slide.

13 So this is a graphic which kind of
14 shows you the life of a pavement. So for the
15 first 75 percent of the life of a street, it
16 has a 40 percent drop in quality, and then
17 right around a rating of 55, where our two
18 resurfacing projects are this year, then it
19 starts to drop off very fast, and very soon
20 it gets to the point where it needs total
21 reconstruction, where the last two projects
22 are.

23 So some people will say, Well, my
24 street looks okay. Why are we doing a
25 resurfacing? And that's because if we don't do

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1 that now, then in a few years we will need
2 total reconstruction on it, and it's very
3 expensive.

4 I would liken it to doing some
5 maintenance on your car. The car is still
6 in good shape, but you change the oil, you do
7 other maintenance, and the reason you do that
8 is so that the engine doesn't seize up and you
9 need a total engine overhaul or a new
10 transmission.

11 So we do that as preventive
12 maintenance so later on you don't have a
13 catastrophic failure. So that's why we do
14 that resurfacing in that timeframe when the
15 road still seems like it's in good condition,
16 but if we do it then, the base is still solid,
17 and then we can bring that level back up into
18 the excellent range, and then that kind of
19 curve starts again.

20 The goal would be to do that for
21 every street in Rock Island and never have
22 the streets fall into that total disrepair.
23 Unfortunately, we're not there at this point,
24 but that's our goal for the future. So that's
25 why streets are being resurfaced when you may

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1 look at them and say, That street doesn't need
2 it, when, in fact, it really does because
3 that's the critical time before it sort of
4 falls off that cliff and really starts to
5 deteriorate.

6 There has also been some questions on
7 why we are putting an asphalt surface on. If
8 you can go to the next slide, John, it's really
9 a good maintenance technique. We have used it
10 all over the city. Here is just an example.

11 For the past 25 years or so, the blue
12 lines are where we have done this resurfacing
13 on residential streets. The yellow are our
14 main streets, and you can see we have done it
15 all over the city. The red line is where the
16 state has done it.

17 So it's a time-tested maintenance
18 procedure. It lasts a long time. It's done in
19 every city in Illinois, in every state in the
20 country, so it really is a good maintenance
21 procedure to grind down that driving surface
22 and put in some fresh asphalt.

23 Then it becomes a little easier to
24 maintain in the long term. We have got some
25 new maintenance techniques that we can use on

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1 asphalt streets to rejuvenate the asphalt as
2 time goes by at no cost to the residents.

3 So it is really a long-lasting
4 surface. It's nothing that is sort of being
5 done on the cheap. It's, again, something
6 that's done all over the country and is a very
7 standard maintenance procedure. That's all I
8 have right now.

9 MR. EDER: With that, Mike Kane, our
10 city engineer, will go through the first
11 project.

12 MR. KANE: Job 2360, John. The
13 first project I'm going to go over is our
14 job No. 2360, which is the 26th Street
15 reconstruction north of 13th Avenue.

16 As the name suggests, what this is
17 is a total reconstruction project, so what we
18 will be doing on this is totally removing the
19 existing pavement and any sidewalks associated
20 with the project. Of course, because we are
21 going to be putting new pavement in, the
22 driveway approaches are going to be removed.

23 In addition to this, the water main
24 on this project is undersized and in very poor
25 repair, so we will also be replacing the

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1 existing water main and bringing that back up
2 to current standards.

3 On this project, it will be replaced
4 with a new concrete driving surface, so like I
5 said, we will be removing the existing driving
6 surface, putting in a six-inch aggregate base
7 course underneath it once we complete all the
8 underground work, and then be placing a
9 six-inch -- seven-inch concrete driving surface
10 back on top of that.

11 Once that work is complete, then we
12 will come back through and replace the existing
13 sidewalks and driveway approaches. Typically
14 on a resurfacing -- excuse me, on a
15 reconstruction project, we try to do it in
16 halves or quarters, and that's so we can try
17 to maintain access as best we can for the
18 residents.

19 However, with a reconstruction
20 project, that's not always possible because
21 there is going to be times, like I said, where
22 the existing pavement is going to be ripped
23 out. Then we have got to do the work to get
24 the water main back in, place the base course,
25 place concrete pavement, let that gain

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1 strength, and that can take anywhere from a
2 week to two weeks on top of that, and then,
3 of course, replacing of those driveways on top
4 of that, and, then, of course, those also need
5 to gain strength.

6 That pretty much sums up the work on
7 the 26th Street reconstruction project.

8 MR. EDER: At this time I know Larry
9 Heimann on 26th Street signed up to speak, and
10 if he wants to come up and speak on that, and
11 then I will ask if there is anybody else on
12 that street that wants to speak on that
13 specific project.

14 MR. HEIMANN: I guess my question
15 would be directed towards the city attorney.

16 My question to you is what date --
17 there are several processes that you've listed
18 for assessments and everything. At what date
19 does the current property owner become
20 responsible to pay the assessments?

21 MR. MORRISON: Once the final order
22 of the Court has been signed is the time that
23 you become responsible for -- I'm sorry if I'm
24 not speaking loudly enough.

25 But on the date that -- generally,

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1 these have historically been in front of Judge
2 Conway, and when he signs the final order, at
3 that last date that would generally be when you
4 become liable to pay them, and then they would
5 be due January of the following tax year.

6 If you take a look at the procedures
7 that we just went through, in just a moment,
8 which would be when we are talking about the
9 judge confirming the final assessment roll,
10 which would be the last paragraph of the
11 paperwork that we were just talking about that
12 would --

13 MR. HEIMANN: So you don't have a
14 definite date for that?

15 MR. MORRISON: Well, no. What happens
16 is, then, for instance, there will be a
17 hearing -- there will be a meeting in front of
18 the City Council, and they will decide whether
19 or not they are going to go forward with a
20 particular project or not, and that's one of
21 the steps in the process that we have been
22 talking about.

23 You would get a notice regarding the
24 initial Court date and then of the following
25 Court date, so I can't give you a Court date

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1 today.

2 For instance, if the City Council
3 were to decide not to go forward with your
4 particular project, there wouldn't even be a
5 Court date set, so it would be impossible for
6 me to tell you that date at this time.

7 MR. HEIMANN: You mentioned that
8 May 11 was the Council meeting?

9 MR. MORRISON: That is correct.

10 MR. HEIMANN: And that's when they
11 will decide whether they will proceed with the
12 street repair or not?

13 MR. MORRISON: Yes, it will be
14 presented to the Council, and you, sir, would
15 have the right, as would any citizen, to appear
16 at that time and make your feelings known about
17 how you would like them to proceed.

18 MR. HEIMANN: And then the next step
19 from there is that it goes to the judge?

20 MR. MORRISON: There will be notices
21 sent out for a hearing, that's correct. There
22 will be a TX case, an assessment case, filed at
23 the courthouse, and then there will be notices
24 sent out to any adjacent property owners for
25 that particular project, giving the date and

1 time of a hearing.

2 And then if you, as noted in the
3 process, if you wanted to file an objection,
4 and you say, Listen, I don't believe that this
5 is a fair amount, whether you think that you
6 were either under-assessed or over-assessed, I
7 would have an objection to that amount, then
8 you would file that with the Court.

9 Then there would be a hearing date
10 scheduled by the judge, and then he would make
11 a determination regarding your objection.

12 MR. HEIMANN: Based on past projects,
13 what is the approximate timeline from the
14 Council to getting it to the judge?

15 MR. MORRISON: You know, I don't know,
16 actually, to be honest with you, because this
17 is about my eighth month of being in the
18 position of city attorney. I don't know that
19 I have been involved on one from start to
20 finish, but just one moment, I might be able to
21 answer that question for you.

22 (Conversation)

23 MR. MORRISON: I'm being told that it
24 depends on when we can get before Judge Conway,
25 who is the judge that's assigned to do those

1 now. That could change tomorrow. The chief
2 judge might change that, so it would depend on
3 when there is Court time available.

4 So I suppose it's the same answer that
5 I would have to give any other client who is
6 asking about a Court date. It depends on the
7 availability.

8 MR. HEIMANN: Thank you.

9 MR. MORRISON: Sure.

10 MR. TWEET: Just one comment there.
11 The bills go out in December, so if this
12 project did go forward and was done this year
13 and everything was finished, you would get your
14 first bill in December, but realistically,
15 there is a lot of times paperwork that we
16 haven't got back to the judge, so it's the
17 following December when you get your first
18 bill.

19 MS. PARCHERT: If this runs similar to
20 other projects, it would get billed next
21 December, but that doesn't mean it won't get
22 billed this December.

23 MR. HEIMANN: My property is currently
24 on the market, so my concern is if it's sold by
25 what date am I no longer responsible for this

1 assessment?

2 I'm trying to find out if it sells in
3 a month, am I responsible? If it sells in
4 three months, am I responsible? I want to know
5 what date that property has to be sold by and I
6 am no longer the owner, so that I will not be
7 responsible for the \$2,800.

8 MS. PARCHERT: We do not get the rolls
9 to bill until it goes to Court, and so if this
10 works slick, which it usually doesn't, we would
11 be billing this December, and that's when the
12 debt would get incurred.

13 MR. MORRISON: I would guess, sir,
14 what you ought to do, in my opinion, is to
15 either speak -- if you're selling this on your
16 own, I'm presuming that this is an issue that
17 you may want to address with the purchaser's
18 attorney. I'm assuming that if they are
19 borrowing money to buy this piece of land, that
20 they are either going to have an attorney or
21 the bank would have an attorney who would be
22 interested in this.

23 And if you have your own attorney
24 helping you prepare the deed and the green
25 sheet, which is the tax status sheet, and that

1 kind of stuff, you could talk with your lawyer
2 about that.

3 I don't think it would be appropriate
4 for me to give you or for anybody else to give
5 you legal advice on that. I think that you
6 would have to talk to your own lawyer or talk
7 to the purchaser's attorney, because without
8 knowing even what a Court date might be, it's
9 impossible for me to guess and say, Oh,
10 October 22nd or July 23rd.

11 MR. HEIMANN: I was looking for an
12 approximate time. That's all I was looking
13 for.

14 MR. MORRISON: Sure. I'm sorry, but
15 the problem that we run into, at least from my
16 perspective of being a lawyer for 23 years, if
17 I were to give you an approximation, someone is
18 going to treat that as if that is the rule, and
19 they are going to say that, You said on
20 April 22nd that July 23rd was the approximate
21 date. I relied on that, and now that's not the
22 right date, and I'm upset with you because of
23 that. So we couldn't give you a date or that
24 legal opinion.

25 MR. HEIMANN: I understand that. It

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1 was just -- I was wondering with the various
 2 processes and what's happening. Thanks.
 3 MR. MORRISON: Sure.
 4 MR. EDER: Anybody else with a
 5 question about that particular project on
 6 26th Street?
 7 Mike, do you want to go to the next
 8 project.
 9 MR. KANE: John, 2661, please. The
 10 next project that we are going to discuss is
 11 the 22nd 1/2 Avenue reconstruction project east
 12 of 29th Street. This project is also a
 13 reconstruction project, so it would be similar
 14 to the steps that I discussed earlier.
 15 We will be removing the existing
 16 pavement. There is water main on this project,
 17 so we will be replacing the existing water main
 18 because, again, it's an undersized and outdated
 19 main on that. So we will be removing the
 20 existing water main and replacing it.
 21 On this project we will be removing
 22 the existing brick surface. We are currently
 23 looking at getting this project in two separate
 24 ways and then evaluating the project at that
 25 point. The first one would be as a -- we will

Page 23

1 take one set of bids as a concrete replacement,
 2 and the other set would be for a brick driving
 3 surface on that.
 4 What that typically is is with the
 5 concrete pavement, that actually would be
 6 similar to what I explained. It will be a
 7 six-inch aggregate base underneath it, followed
 8 by a seven-inch concrete pavement. If we go
 9 with brick, it will be about a five- to six-inch
 10 aggregate base underneath it, followed by a
 11 four- to five-inch concrete base on top of it,
 12 and then an existing brick driving surface put
 13 on top of that.
 14 In addition to this, we are going to
 15 expand and update the existing sidewalk. It's
 16 currently about two feet wide, so we will widen
 17 that out so it will be up to about four
 18 inches -- I'm sorry, four feet wide, and it
 19 will currently remain on the north side.
 20 One other thing, and this also applies
 21 to the last project, too, we are going to kind
 22 of put in a semi-modified hammerhead at the end
 23 of this project. What this is is the two
 24 driveways at the far east end on the north and
 25 the south side will be poured back a little

Page 24

1 thicker and beefed up a little bit.
 2 They will be poured back so they
 3 look like the existing driveway. They will
 4 just thicker, so that way if somebody ends up
 5 pulling into this residential street, they kind
 6 of can use those to get themselves turned
 7 around and pulled back out.
 8 Again, we are going to try to do this
 9 half at a time, so hopefully try to minimize
 10 some of the inconveniences to the neighbors. I
 11 know we have had some questions in regards to
 12 the tree at the far east end of this project.
 13 Our current plans right now are to have that
 14 tree remain, so we are going to do everything
 15 that we possibly can do to save that tree.
 16 So that pretty well sums up the
 17 existing work that's being proposed right now
 18 on 22 1/2 Avenue.
 19 MR. EDER: Okay. Looking through the
 20 people who signed up, I see it looks like Jeff
 21 Zeglin is the first one from that street that
 22 signed up.
 23 MR. J. ZEGLIN: Good evening. I have
 24 many questions about the scope of this project,
 25 and I'm wondering, is there going to be an

Page 25

1 opportunity for a meeting just involving around
 2 our project to get input from the residents, be
 3 it brick or concrete, or how it will affect our
 4 landscape and so forth?
 5 MR. KANE: We can have those
 6 discussions with you after this meeting.
 7 MR. J. ZEGLIN: Okay, and then
 8 secondly, and this may not be the appropriate
 9 time, but there are some questions about the
 10 assessment, and it's not necessarily the amount
 11 of the overall assessment. It's a little
 12 unbalanced as to how it has been divided among
 13 the residents.
 14 Just for example, my property, in
 15 particular, has an assessed value of \$52,871.
 16 One of neighbors has an assessed value of
 17 \$44,708, yet my assessment is \$1,500 and his is
 18 \$7,100.
 19 I hate to put off the project because
 20 it's an important project. Our street is in
 21 bad shape and you could get hurt just walking
 22 across it. So I would like to get it done
 23 this year, but I have some questions about
 24 rebalancing this assessment overall.
 25 (Applause)

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1 MR. TWEET: We do have the assessor
2 here tonight that can answer some of those
3 questions. The Board doesn't have the
4 authority to make any adjustments to the
5 assessments. That would come later in front
6 of the City Council or in front of the judge,
7 but if you have a specific question, I'm sure
8 that she would be happy to hear it.

9 MR. J. ZEGLIN: I don't have -- I
10 have the assessed values of each home, and I
11 have some of the assessments from the
12 neighbors, but I don't have all of them, so I
13 don't know the total investment as far as the
14 residents go, but I propose just balancing it
15 based on assessed value.

16 In my assumption, all of our homes are
17 assessed properly by the county assessor, so if
18 the project comes in costing X, you know, and
19 one house is worth \$30,00 and another house is
20 worth \$60,000, I would think the increased
21 value would be prorated.

22 MS. BAECKE-SPRANGER: The assessments
23 aren't placed by value of the property. That's
24 not how it's done.

25 AUDIENCE: That's the problem.

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1 MS. BAECKE-SPRANGER: Well, this is
2 the way it has been done, historical data, but
3 the way the assessments are placed they are
4 placed on lot size, and you, Mr. Zeglin,
5 actually have a corner lot, so you're assessed
6 at half that rate because you could get double
7 hit if there was another project, so we have
8 always done the corner lot at the half rate
9 versus the full rate that the interior lot
10 pays.

11 So the people at the end of that court
12 or the end of that street have been hit pretty
13 heavily because of their extremely large lot
14 sites.

15 MR. J. ZEGLIN: So if they have
16 ten-foot frontage, it's because they have
17 22,000-square foot lot sizes.

18 MS. BAECKE-SPRANGER: That's correct.
19 If we based this off of front footage, that's
20 not fair, either. It's not --

21 AUDIENCE: Why? Why?

22 MS. BAECKE-SPRANGER: The assessments
23 are placed on total lot area because everyone
24 gets the benefit from the project. The person
25 that had the ten-foot frontage has the same --

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1 they are getting a lot of benefit out of that,
2 not just ten foot. Where your property is -- I
3 have got the plat here. You have 82 feet of
4 frontage, okay.

5 The most equitable way that we have
6 found to place the assessment -- you have to
7 place the assessment to determine what's the
8 contributory value to each property. The
9 property probably at the end of the court --
10 and I don't know what its assessed value is. I
11 know they recently purchased it.

12 MR. J. ZEGLIN: \$44,780.

13 THE WITNESS: But I think that they
14 actually paid more for it than that, but I'm
15 not 100 percent --

16 MR. J. ZEGLIN: I'm talking about the
17 assessed value. It's triple that when you go
18 to --

19 MS. BAECKE-SPRANGER: Right. That's
20 correct, but you try to place what the
21 contributory value to that property is going to
22 be, so that's why we've found over years of
23 doing this that placing it on the entire site
24 area is the most equitable way to do it for the
25 entire project.

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1 Now, it's not -- this is just the way
2 that historically you do it. This is the way
3 that the engineers and the city did it, and we
4 have come to the conclusion that this is the
5 best way to do it.

6 MR. J. ZEGLIN: There happens to be
7 seven residents on this project. If we come to
8 an equitable agreement and it meets your costs,
9 is that --

10 MS. BAECKE-SPRANGER: That's not my
11 decision. All I'm -- my job is just to place
12 the assessments based on lot areas and the
13 contributory value that each property is going
14 to get.

15 MR. J. ZEGLIN: Mr. Kramer at 2916 has
16 the big corner lot, but he also has a street at
17 29 1/2 that dead-ends there, and should he get
18 credit for that?

19 MS. BAECKE-SPRANGER: At the very end?

20 MR. J. ZEGLIN: Yes, he owns the lot
21 that ends at 29 1/2 Street.

22 MS. BAECKE-SPRANGER: No. Which
23 parcel are you, because I don't see your name
24 on here? Did you just recently purchase? Is
25 that the one?

Page 30 1 MR. KRAMER: Yes. 2 MS. BAECKE-SPRANGER: Okay. That's 3 why I'm trying to find you. You're No. 5, so 4 it was Casper. 5 MR. J. ZEGLIN: Yes. 6 AUDIENCE: Since it is vacated back 7 there, we did not. 8 MR. EDER: Sir, sir, one at a time, 9 and if you want to speak, we need you to come 10 up to the mic and speak because we have got a 11 court reporter and she can't hear. 12 MS. BAECKE-SPRANGER: As the 13 engineering says that I have on this, it says 14 that it is a vacated street back there. I 15 mean, I'm basing it off what my engineering 16 says. 17 MR. KRAMER: I understand, but there 18 is a house there with cars and people who live 19 in it, so -- 20 MS. BAECKE-SPRANGER: I'm not sure 21 what parcel you are talking about on this map. 22 MR. KRAMER: You don't have it there, 23 but it's on the southeast corner. 24 MS. BAECKE-SPRANGER: The southeast 25 corner of your site?	Page 32 1 what I have on the map, it's showing that as a 2 vacated area. If I need to go back and redo 3 it, that's strictly up to these people. 4 MR. KRAMER: I'm just curious. 5 MR. J. ZEGLIN: So as far as the scope 6 of the project, how it is going to affect my 7 lawn, my landscaping and so forth, we will have 8 an opportunity to meet with whoever is doing 9 the planning prior to it happening if it does, 10 in fact, happen; correct? 11 MR. KANE: That's correct. Once the 12 bid is let, the contractor will be tasked with 13 meeting the homeowners and letting you know the 14 schedule and working around that. 15 MR. J. ZEGLIN: I hate to be 16 redundant, but my question is, if the 17 assessment by all means seems to be unbalanced, 18 based on the value of the homes and what they 19 will increase, can that be addressed without 20 harming the project and without going to Court? 21 MS. BAECKE-SPRANGER: I would say that 22 would be something that you want to address 23 when you have this meeting about the scale of 24 the project, and if this is something that you 25 can get everyone on the street to agree to,
Page 31 1 MR. KRAMER: Yes, of my lot. There's 2 29 1/2 that dead-ends right into that street, 3 right into there, the same way this street 4 dead-ends into my lot on the front side. 5 MS. BAECKE-SPRANGER: Okay. 6 MR. J. ZEGLIN: I guess what I'm 7 looking for -- 8 MS. BAECKE-SPRANGER: No, it was not a 9 corner site, so that's why it was not given the 10 half rate. 11 MR. KRAMER: But that's two street, 12 the same way this street touches 10 feet of my 13 property. 14 MS. BAECKE-SPRANGER: Your main 15 access is off of the 22 1/2 Avenue; is that 16 correct? 17 MR. ZEGLIN: My access is off of 18 29th Street, so -- 19 MS. BAECKE-SPRANGER: But your address 20 is different. I mean, your only access to your 21 property is -- 22 MR. KRAMER: No, I can come right 23 down, and I'm actually going to park there when 24 you guys redo the street. 25 MS. BAECKE-SPRANGER: But as far as	Page 33 1 that's probably -- 2 MR. EDER: You're into a legal area 3 where none of us could really answer that with 4 the way the state law is written. 5 MR. MORRISON: With this procedure, it 6 would be my opinion that this Board could not 7 do that. That would be something that you 8 could address with Council if you wanted to 9 show up on the 11th to talk about that. I 10 think that's something that you can certainly 11 talk to them about. 12 MR. J. ZEGLIN: Okay. Thank you very 13 much. 14 MR. EDER: Thank you. John, do you 15 want to speak? 16 MR. PHILLIPS: Good evening, or 17 afternoon. My name is John Phillips. The 18 property that we own, that my wife and I own, 19 is 2910 - 22 1/2 avenue. I will provide a 20 little bit of history about this project. 21 I think it was like -- you probably 22 have a date on your petition. I have a copy of 23 the petition that was signed, but it didn't 24 have a date. I'm saying six years, so maybe 25 2010?

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1 MR. KANE: It would have been around
2 then.

3 MR. PHILLIPS: Yes. Anyway, it's
4 clear that the street is in very bad condition
5 by the rating system by the city and certainly
6 by the residents. There is agreement on that
7 part.

8 Like I said, about five or six years
9 ago, the owners met with the city engineer.
10 Jim Johnson came out and had a meeting with the
11 owners, reviewed the special assessment process
12 that you went over earlier, provided a copy of
13 the 13th Avenue project, the brick project,
14 45th Street to 46th Street, a cross-section for
15 that as a brick pavement cross-section.

16 And the owners were interested in
17 keeping the street brick when it was
18 reconstructed and were also told at that time
19 that this street would be constructed in brick
20 since this street was designated, along with
21 some of the other brick streets in Rock Island,
22 as ones that should be preserved as brick when
23 they are reconstructed.

24 So as a result of that meeting, five
25 of the property owners signed the petition.

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1 There were a couple of absentee owners at that
2 time. They didn't object, but they didn't
3 really get very much involved and didn't sign
4 the petition.

5 There are several new owners right
6 now. You know, as time goes by, properties
7 sell. One of the owners passed away, and so
8 the new owners probably haven't had the benefit
9 of some of the process that we did when we
10 heard that information in the past.

11 As far as my wife and I go, we
12 strongly support the project. We supported it
13 back six years ago. The street hasn't gotten
14 any better, although the Public Works
15 Department came in and tried to fill some of
16 the big holes, so that we could at least get up
17 and down the street a little bit.

18 But I think that there probably
19 would -- the special assessment is probably the
20 big question that a lot of the neighbors would
21 have. We are certainly fine with ours, but
22 they do vary pretty dramatically in that small
23 street.

24 Some of the issues that also maybe
25 could be handled at a subsequent meeting is

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1 some of the details of the design, the timing
2 of the project. Access is going to be
3 important, not only for the residents, but
4 there is an elderly person that sometimes
5 emergency vehicles have to respond, and we
6 would be concerned about being able to provide
7 coverage during the construction period.

8 So, anyway, that's our point on it.
9 Questions?

10 MR. EDER: No. Thank you. Does
11 anybody else want to speak on this particular
12 project? If not, we will move on to the next
13 project.

14 MR. KANE: That would be job 2730,
15 John. The next project we are going to discuss
16 is the 20th Avenue resurfacing project. This
17 will be between 27th Street and 30th Street.

18 This is a little bit different
19 project because it is a resurfacing and not a
20 reconstruction project. What this will
21 entail -- this one is a slight little hybrid
22 compared to a street resurfacing project in
23 dealing with we are going to be reconstructing
24 the intersections with the intersecting
25 streets.

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1 That mainly has to do with because
2 of the way they are currently built, it just
3 doesn't lend itself well to a resurfacing-type
4 project, so we are going to be removing those,
5 and since we are to the point where we are
6 going to have to do a lot of work to bring
7 those up to grade to be able to do that, we are
8 just going to redo those intersections in
9 concrete.

10 The remaining of the driving surface
11 will be a new asphalt surface. In this we will
12 go ahead and mill a portion of the existing
13 pavement off, make room for the new asphalt
14 driving surface. After that is done, we will
15 go ahead and -- actually probably beforehand we
16 will go ahead and do any necessary repairs to
17 the sidewalk and any of the driveway approaches
18 off of the street itself.

19 We will bring the sidewalk up to
20 current ADA standards with redoing the curb
21 ramps, and when that's completed, then we will,
22 like I said, mill off a portion of the existing
23 driveway surface. There may be some base core
24 patches that will need to be done, so we will
25 take care of those at that point. Then

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1 following that, a new asphalt driving surface
 2 will be placed.
 3 Typically, since this is a
 4 resurfacing, access is a little bit better
 5 than what it typically would be. Like I
 6 said, the streets are going to undergo some
 7 reconstruction. We will probably do those in
 8 quarters and thirds to be able to maintain some
 9 of the access back in through there, but for
 10 the most part, access to most of the properties
 11 will only be eliminated when they are doing
 12 some concrete work right in front of it if they
 13 need to replace sidewalk through the driveways,
 14 or for the driveway work itself.
 15 Once that's done, like I said, they
 16 will mill that off. That will usually probably
 17 be in one day for this, so that day access will
 18 be a little spotty while we move things and
 19 mill around a few things and then follow up
 20 with asphalt.
 21 It will be the same thing, and that
 22 will probably be a two- or three-day process.
 23 But on that, once asphalt cools, you can drive
 24 on it, so most of the access should be
 25 available at the end of the working day.

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1 MR. EDER: We will open this up to
 2 public comments. Mike Zeglin was signed up to
 3 speak. I see his address on this street.
 4 MR. M. ZEGLIN: Hi, I'm Mike Zeglin,
 5 and I have a couple questions.
 6 I heard that the rating on my
 7 street project, they have three blocks they
 8 have rated. They are rated from 30th Street to
 9 27th Street, and they gave my street rating a
 10 51. Am I correct?
 11 MR. KANE: That is what the average
 12 is.
 13 MR. J. ZEGLIN: The average. I
 14 feel that the average from 29th Street to
 15 30th Street would not be near there. The block
 16 that I live on -- and I represent the majority
 17 of the homes, because I own five lots on that
 18 avenue.
 19 If you go to 29th Street and then go
 20 out to 30th, that's one third of the project,
 21 and that street is good. I have been there
 22 since 1967. We have only had one pothole
 23 that's created any problems. The cement is
 24 fine.
 25 So did you really look at the project

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1 from 29th and take 29th to 30th out? My rating
 2 would be considerably higher. Why would you
 3 include that?
 4 MR. KANE: Well, as Randy explained
 5 earlier, we try to hit these projects when they
 6 are in the shape that they are in now so we can
 7 get them up to brand-new condition.
 8 MR. M. ZEGLIN: Correct, but my street
 9 is in good condition.
 10 MR. KANE: Well, the rating we have on
 11 that block --
 12 MR. M. ZEGLIN: No, that's the rating
 13 for all three blocks. Sir, that's the average.
 14 MR. KANE: I understand that. Some
 15 are lower, and some are higher. They are all
 16 still underneath the 60 that was as
 17 recommended.
 18 MR. M. ZEGLIN: 29th to 30th was rated
 19 as under a 60?
 20 MR. KANE: Yes, I believe so.
 21 MR. M. ZEGLIN: Could you check?
 22 Could you let me know now?
 23 MR. KANE: I don't have that
 24 information with me right now.
 25 MR. M. ZEGLIN: Well, I feel it's kind

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1 of crazy to replace a street when it's good.
 2 I'm sorry, I'm not an idiot here. I understand
 3 that we base it on averages and age, you know.
 4 We have commercial even in that area, and that
 5 street seems to handle the semi trucks from
 6 Hy-Vee, the commercial property that borders my
 7 property.
 8 As you know, this is a residential
 9 property assessment. Am I correct? The
 10 residential and the commercial properties, are
 11 they charged the same?
 12 MR. KANE: They will be assessed, yes.
 13 MR. M. ZEGLIN: The same rate as the
 14 residential?
 15 MR. KANE: What their assessment is is
 16 what their assessment will be.
 17 MR. M. ZEGLIN: Right. But is it the
 18 same as the residential?
 19 MR. KANE: Yes.
 20 MR. M. ZEGLIN: The rate is the same?
 21 MR. KANE: It's based on property, not
 22 residential or commercial.
 23 MR. M. ZEGLIN: So this isn't just a
 24 residential program? This is a commercial
 25 program, also?

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1 MR. KANE: It's for local streets.
2 27th Street is -- I'm sorry, 20th Avenue is
3 classified as a local street.

4 MR. M. ZEGLIN: Local?

5 MR. KANE: Yes.

6 MR. M. ZEGLIN: But we have
7 professional property on that street. I don't
8 understand.

9 MR. KANE: We have local and arterial
10 streets. Arterial would be the 18th, 30th,
11 31st Avenue. Those are arterial streets. They
12 are federally classified as arterial streets.
13 The remaining streets are classified as local
14 streets.

15 MR. M. ZEGLIN: But I thought you
16 changed the assessment -- or I'm sorry, you
17 changed the Hy-Vee to be commercial on
18 20th Avenue.

19 MR. KANE: Again, it has nothing to do
20 with commercial. We are looking at the
21 streets. The street --

22 MR. M. ZEGLIN: Well, I would like to
23 know what the average number of 29th and 30th
24 Street was, what that rating was in that block.
25 If that's a third of the project, because the

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1 project was \$300,000, we could save our city
2 and our taxpayers \$100,000 by leaving that
3 street alone. That street is fine.

4 MR. KANE: Okay.

5 MR. M. ZEGLIN: Give me all your
6 facts. Drive up there and drive on that
7 street. Where the dip is on 27th Street is
8 bad and possibly 28th Street where the water
9 collects, but, sincerely, 29th to 30th is fine.

10 MR. KANE: Again, sir, according to
11 general civil engineering practices for the
12 past hundreds of years, these are the types of
13 streets which are ready for resurfacing
14 projects.

15 MR. M. ZEGLIN: That sounds like
16 kind of mimic to me. I'm sorry, I just don't
17 understand it. So let it be known. Any other
18 questions for me?

19 MR. EDER: Thank you. Does anyone
20 else in the audience want to speak on that
21 20th Avenue resurfacing? Tom?

22 MR. BENSON: Thomas Benson. I do not
23 live on 20th Avenue, but I certainly drive it,
24 as the Hy-Vee parking lot exits onto that road.

25 What this Board -- the first question

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1 you need to consider is, is it a local
2 improvement? You kind of skipped past that and
3 said because it is here, here it is. It's not.

4 20th Avenue, in particular, is a very
5 good example of what's not a local improvement
6 that's allowed by the Constitution to be
7 especially assessed. It's a street that's used
8 by the customers at Hy-Vee. There is lots of
9 traffic on that road. It's not just for the
10 residents.

11 The Constitution requires the
12 assessments not to exceed the benefits to the
13 property owners. The benefits to improvements
14 on 20th Avenue probably solely go to Hy-Vee to
15 allow their customers to leave on that road and
16 to the detriment of the people who live there,
17 who have paid the taxes on their property. For
18 as long as they have owned their property, they
19 have paid for the general maintenance of the
20 street.

21 Now, the statute has been repassed and
22 repassed and found unconstitutional in the
23 state of Illinois, and back in 1894, believe it
24 or not, our Supreme Court addressed the issue
25 of what's a local improvement and whether it's

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1 constitutional.

2 It's my opinion that has changed
3 about our Constitution or laws since that time,
4 except what we are doing, we are doing it the
5 way we have always done it, and nobody has
6 revised that. When we talked about the
7 assessments, you are saying this is what
8 benefits this property based on the footage or
9 the total lot size.

10 If I could drive in and out of my
11 driveway, I have the benefit of my home. If
12 the holes in the street are so big I have to
13 park my car down the street and walk, I have
14 lost the benefit of that road.

15 I will give you a copy of this
16 decision, but I want to quote one very short
17 part, and I will be done. It says, "The mere
18 maintenance and repair of a street, as provided
19 for by this act, is not a local improvement
20 within the meaning of the Constitution."

21 "Original paving of a street brings
22 the property bounding upon it into the market
23 as building lots. Before that it is a road,
24 and not a street. It is, therefore, a local
25 improvement, with benefits almost exclusively

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1 peculiar to the abutting property."

2 So when you first build a road from
3 dirt, it benefits those people in those homes,
4 and the value of the property increases.

5 "But when the street is once open and
6 paved, thus assimilated with the rest of the
7 city and made a part of it, all the particular
8 benefits to the locality derived from the
9 improvements have been received and enjoyed.
10 Repairing streets is as much a part of the
11 original duty of the municipality, for general
12 good, as cleaning, watching and lighting. It
13 would lead to monstrous injustice and
14 inequality should such general expenses be
15 provided for by local assessments."

16 I believe this is still good law in
17 Illinois, and I believe the Board needs to
18 consider the first question. Is this project a
19 local improvement that should be subject to a
20 special assessment, or is it not?

21 (Applause)

22 MR. MORRISON: Mr. Benson, since you
23 and I have had the pleasure of discussing a
24 couple of times over the past week or so,
25 you're keenly aware of the statute passed in

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1 1961, and to my understanding, I have found no
2 case law that says that that statute, as
3 written and passed in 1961, is
4 unconstitutional.

5 I am certain, based on our
6 conversations, that you have also not found
7 any case law that says that this is
8 unconstitutional or I imagine that you would
9 have made me aware of it during those
10 conversations.

11 MR. BENSON: What I'm telling you,
12 Mr. Morrison, is that it's the same statute
13 that has previously been found
14 unconstitutional. I agree that the city has
15 the right to provide special assessments.

16 When you build a new road in a
17 subdivision, you can charge that share to those
18 property owners. When you repair and maintain
19 a street, as this project is, that's what I pay
20 my taxes for. I drive on 20th Street. I want
21 20th Street to be a good road.

22 (Applause)

23 MR. MORRISON: Again, Mr. Benson,
24 I understand your argument, and certainly
25 reasonable minds can differ, but, generally

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1 speaking -- well, not generally speaking, but
2 specifically speaking, I have not seen one case
3 in the last -- let's say this is '61, and I was
4 born in '66, so it's got to be almost 50 years
5 ago, well, 54 years ago.

6 In the last 54 years I'm not aware of
7 a single case that found this particular code
8 section unconstitutional, and perhaps it has
9 never been challenged by the likes of you or
10 anybody else. I doubt that, but it's possible.

11 MR. BENSON: Now that the Board is
12 aware of what I think their burden is, they
13 need to consider whether this project is a
14 local improvement and make a determination
15 based on the facts as to whether it is, in
16 fact, local or benefits the entire city, and we
17 may be revisiting this issue.

18 MR. MORRISON: We certainly may.
19 (Applause)

20 MR. EDER: Does anybody else want to
21 talk about this particular project? If not, we
22 will go to the last project.

23 MR. KANE: The last project is the
24 Shadybrook Phase II project on 9th Street West,
25 10th Street West and 80th Avenue. This project

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1 is a resurfacing project. What this will
2 involve will be similar to the work that is
3 currently going on in the three streets that
4 are out there currently in Phase I of the
5 Shadybrook project.

6 Underneath that one, the first phase
7 of it is they are going through and removing
8 and cleaning up any sidewalk issues, driveway
9 issues, redoing the curb ramp, and any curb
10 ramp repair that would be needed -- I'm sorry,
11 any curbs that would need to be repaired.

12 Once that is done, then they will
13 follow it back up with any concrete patches
14 that are needed to the existing surface that
15 are in structurally bad enough shape that they
16 won't support any resurfacing.

17 Once that's done, the existing couple
18 inches of the existing pavement will be milled
19 off and will be replaced by new asphalt driving
20 surface.

21 MR. EDER: Okay. With that, there are
22 a number of people who wanted to speak on this.
23 I have got Kim and Rob VanSeveren.

24 MR. VANSEVEREN: Thank you. I live at
25 8121 9th Street West. I have a few questions

Page 50 1 about the assessed value. 2 I know there's a lot of the media 3 here. There was paperwork that was given to us 4 that said that the city pays between 70 and 5 90 percent of the project. My assessed value 6 was \$4,400, and by my math myself, that's still 7 1 percent of the project at this point. I know 8 my neighbors, as well, theirs is well over 9 \$4,000, so there is three houses that we are 10 paying close to \$12,000 for this project, which 11 for three houses is about 3 percent. 12 So I guess my question would be to the 13 assessed value and why my assessed value is so 14 high. 15 MS. BAECKE-SPRANGER: As I stated 16 earlier, all the parcels are equally balanced 17 and assessed, so it's based strictly on lot 18 area. They are. I can guarantee you that they 19 are. It is based on total lot area. 20 So I just found yours, so it took me a 21 second to find you. You have a very large 22 site, Mr. VanSeveren. You have one of the 23 larger sites in that area, and that's why yours 24 is higher, and it is based off -- you were 25 going to say something?	Page 52 1 is actually 54 percent, and the public portion 2 is 46 percent. 3 MR. VANSEVEREN: I have done my math. 4 The three houses, mine and the property north 5 and south, that's 3 percent right there. 6 MR. KANE: That number is a little low 7 because that was revised. 8 MS. BAECKE-SPRANGER: Okay, so this 9 was based off the original cost numbers, so I 10 haven't gotten the new numbers, so -- 11 MR. VANSEVEREN: I can do the math as 12 I sat here. 30 percent of the project would be 13 \$124,000. That's -- 14 MS. BAECKE-SPRANGER: I'm not sure 15 what the new numbers are. 16 MR. VANSEVEREN: That's the most that 17 we would have to pay is 30 percent; that the 18 city would pay anywhere from 70 to 90 percent 19 of the project. 20 MR. TWEET: I can maybe answer that. 21 That's just an average after when it's done. 22 The assessor really looks at the improvement to 23 the property, so if there are ten houses or a 24 hundred houses, that's the difference in what 25 percentage that you end up paying, I guess, so
Page 51 1 MR. VANSEVEREN: I'm listening to you. 2 MS. BAECKE-SPRANGER: Every one of 3 these sites that you see, I mean, I'm sure that 4 you all got a copy of these maps, and you can 5 see how it's balanced, but I'm giving the 6 engineering, and with the engineering I'm 7 giving site area for each parcel and the 8 address. 9 MR. VANSEVEREN: We were not given a 10 copy of that. 11 MS. BAECKE-SPRANGER: And not always 12 does -- the Rock Island County assessor's 13 office has a copy that you can read online, but 14 it does not always match up exactly to these 15 numbers. 16 MR. VANSEVEREN: And I agree, the 17 street needs to be repaired. My concern is the 18 assessed value that everybody is getting here, 19 that we are paying for a major portion of the 20 project by the time it's all done. 21 MS. BAECKE-SPRANGER: As it comes down 22 at the end -- 23 (Applause) 24 MS. BAECKE-SPRANGER: The percentage 25 that private homeowners are actually paying in	Page 53 1 really when she looked at it, it doesn't matter 2 whether it's a \$100,000 project or a 3 \$10 million project. She looks at the 4 improvement to the property. When it's all 5 said and done, then we do the math, and it ends 6 up being a certain percentage. 7 MR. VANSEVEREN: This paperwork needs 8 to make that clearer. 9 MR. TWEET: The average is just a 10 little over 11 percent, between 11 and 11 12 percent. Some are higher, and some are 12 lower. But it's not a goal. We don't try to 13 make the assessment being a certain percentage. 14 It's just how that turns out after she has done 15 the assessment. Does that make sense? 16 You are not trying to pay a certain 17 percentage. It's just an assessment, and it 18 ends up being whatever percentage of the 19 project that it ends up being. 20 MR. VANSEVEREN: I could probably go 21 door to door and get everybody's assessment, 22 and my math would be a lot higher than 23 50 percent, I'm sure, so I guess I will be at 24 the Court hearing to discuss this matter. 25 Thank you.

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1 (Applause)

2 MR. EDER: The next person on the list
3 is looks like is Jerry Patterson.

4 MR. PATTERSON: Yes. Good afternoon.
5 I think there is some additional explanation
6 needed. I know the attorney went over some of
7 it as to how the state decides that it can
8 assess us after we have already paid taxes
9 over the years, and in addition to that, how
10 long the roads have gone and not been repaired
11 while paying those taxes, and then all of a
12 sudden we out here are taking this burden,
13 which already we are seeing that the numbers
14 aren't matching.

15 MR. MORRISON: Sir, what I can tell
16 you, the code section -- if anyone is
17 interested, and maybe some of you have already
18 gone to the website, the Internet, but what we
19 are talking about is Chapter 65 ILCS 5
20 Article 9, and so that's what we are talking
21 about.

22 And I suppose that if you were to ask
23 that question, the more appropriate party than
24 to ask the city attorney might be to ask the
25 state legislature. One might also ask the

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1 state legislature, Why is the gas tax 15 cents
2 a gallon? Why is my income tax so --
3 (Crowd noise)

4 MR. MORRISON: No, no, if you let me
5 finish, and I know you may feel this is
6 unpopular, but you act as if anyone on this
7 council or anyone on this Board sets the code
8 for the State of Illinois, and they do not.

9 That is done in Springfield, Illinois,
10 and that's under the Local Improvement Act,
11 just like any other law, whether it be the
12 state speed limit, whether it be the state
13 income tax, or whether it be anything that is
14 set by the state legislature in Springfield.

15 So what the city is using is the Local
16 Improvement Act, which is an act passed in
17 1961, as referred to by Mr. Benson, and so
18 that's the authority by which the city is able
19 to act.

20 Now, certainly if you disagree with
21 that, you have the right with regard to the
22 assessment to both come to the City Council
23 meeting and also to go over to the courthouse
24 and say, I don't believe this is a fair
25 assessment, and that's an absolute right that

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1 you have.

2 But as far as why this law was passed,
3 you would have to talk to those people who were
4 in the legislature in 1961. I was not even
5 born yet, so I couldn't answer that question,
6 sir.

7 MR. PATTERSON: Well, that was my
8 first question, to get that out there so we
9 can encourage whoever wants to go to the
10 hearing and challenge it and go to speak to
11 Springfield, because many don't regularly, and
12 if we can all do that, we won't see these
13 things.

14 The road's been in bad shape for a
15 long time. One of the pluses here is that the
16 assessment is based on the improvement that it
17 will make to our property, and I need to speak
18 to some realtors and see the reality of that.

19 But if that's the thinking, then the
20 many years -- and we are talking quite a few
21 years that the roads haven't been maintained --
22 has that not harmed the value of our property?

23 (Applause)

24 MR. PATTERSON: I know that's hard for
25 you folks to address, but we are here tonight

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1 to speak to who we can for now. Seeing a large
2 bill coming at us, some of the people, if this
3 was being decided five years ago, they have
4 since moved in or have moved out. This will
5 affect selling the home with these assessments.

6 There is a lot to be considered here,
7 putting the burden, a pretty large burden, on
8 individuals, and it seems to me the road should
9 have been maintained better all along.

10 (Applause)

11 MR. EDER: I think we all up here
12 understand.

13 MR. PATTERSON: There is some
14 frustration and some misunderstanding, but I
15 think there are some moral issues here.

16 My other question is I didn't see
17 79th Avenue listed where you first come into
18 the S turns, and it's pretty bad there. Can
19 that be addressed by the engineer?

20 MR. KANE: Yes. Due to budget
21 constraints, that project has not been
22 included in Phase I or Phase II at this time.

23 MR. PATTERSON: I'm sorry, I didn't
24 hear you.

25 MR. KANE: That street has not been

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1 included in Phase I or Phase II.
 2 MR. PATTERSON: Where they first
 3 come in on 10th and turn left and go on to
 4 9th, that's the 79th Avenue I'm speaking of.
 5 MR. KANE: Correct.
 6 MR. PATTERSON: And they have come out
 7 and tried to maintain it with small fixes, but
 8 that seems like that needs to be looked at, as
 9 well.
 10 MR. KANE: It will be.
 11 MR. PATTERSON: Yes. When?
 12 MR. KANE: When we start our process
 13 with our five-year capital improvement plan and
 14 recommend projects to the City Council.
 15 MR. PATTERSON: So being here this
 16 evening, I think one of the big concerns is our
 17 assessment is based on lot size?
 18 MS. BAECKE-SPRANGER: Lot size.
 19 MR. PATTERSON: So it's been hurting
 20 our value by not doing it versus that it's a
 21 public thoroughway and sidewalks, and that seems
 22 that would be an equal share of everyone, but
 23 you are saying that it's going to help us
 24 individually on our property, and I'm not
 25 seeing that, but if that is true, I see that it

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1 has been hurting us. That's all I have. Thank
 2 you.
 3 MR. EDER: Thank you, sir. The next
 4 person on the list is Kathy Parrish.
 5 MS. PARRISH: That's me. He said it
 6 all.
 7 MR. EDER: Okay. Virgil Mayberry.
 8 MR. MAYBERRY: Thank you. My name is
 9 Virgil Mayberry. I'm the Second Ward alderman
 10 elect. I will be sworn in May 4th, so I want
 11 to thank you, everybody, for all the phone
 12 calls that I have got already.
 13 The main reason for that is my phone
 14 number is listed and has been listed for
 15 45 years. I believe elected officials should
 16 have accessibility. You should have a phone.
 17 Everybody doesn't have a computer.
 18 But I am here tonight on behalf of the
 19 people from the Second Ward. All they want is
 20 to be treated fairly, first of all. That's the
 21 calls that I got. They are ticked off. They
 22 are disgusted by a certain amount of things.
 23 The city attorney explained the different ways
 24 that this has come about, and I believe you
 25 listed a Board of Local Improvements, that this

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1 is how this project is going.
 2 MR. MORRISON: Well, I believe that
 3 item of this particular project was, once
 4 again, it's my understanding this was made part
 5 of the five-year plan.
 6 I can't tell you. I don't recall that
 7 coming up since last July, but I would assume
 8 that it probably wasn't by petition of the
 9 citizens who lived there, based on the people
 10 who are here tonight, so I'm guessing that it
 11 was either by request of the City Council or
 12 Board of Local Improvements:
 13 MR. TWEET: It was a staff
 14 recommendation. It was originally scheduled
 15 Phase I and Phase II I believe for 17 and 18,
 16 and at the request of the current alderman two
 17 years ago, it was moved up, so that's why we
 18 are doing Phase I now and then going into
 19 Phase II.
 20 Again, it was picked because it's in
 21 that critical area where if we don't do
 22 something now, all of a sudden in a few years
 23 it's in total disrepair. It's much cheaper,
 24 much less hassle on the residents, but that's
 25 why it's in that phase.

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1 MR. MAYBERRY: Also I read in the
 2 paper that I believe where the City of Rock
 3 Island is the only city in the State of
 4 Illinois that has this process; is that
 5 correct?
 6 MR. MORRISON: I certainly don't claim
 7 to speak for every city. I don't even know how
 8 many cities there are in the State of Illinois,
 9 but certainly we do implement that process.
 10 It's still allowed under the law,
 11 and I guess other cities would have to speak to
 12 whether or not they use that process, because I
 13 can't answer that question.
 14 MR. MAYBERRY: Like I said, I read it
 15 in the paper. I'm not sure -- I know the paper
 16 isn't always correct, because they had me
 17 listed as not having any education. I retired
 18 from John Deere in 2007, and I went to the
 19 University of Illinois, and I graduated in 2011
 20 in government.
 21 One of the first professors that we
 22 had told us if this is the way things always
 23 have been done, this is traditional or this is
 24 historical, those are red flags that it's
 25 either illegal, immoral or unethical.

Page 62 1 (Applause) 2 MR. MAYBERRY: I would like to thank 3 the young lady that's sitting in my seat-to-be. 4 You have already heated it up for me. 5 MS. BAECKE-SPRANGER: My pleasure. 6 MR. MAYBERRY: Thank you. 7 MR. EDER: The next person on the list 8 is Kurt Frank. 9 MR. FRANK: Microphones are never 10 tall enough. I'm Kurt Frank, and I was 11 appointed by the mayor as the at-large 12 representative for Neighborhood Partners, but 13 I also happen to live on 9th Street, and I 14 think what we have learned tonight, and I think 15 this is a recurring thing that we run into, is 16 that the method of assessment is clearly 17 inequitable. 18 (Applause) 19 MR. FRANK: It does not make sense to 20 say on one hand that a person's property is 21 improved by a certain amount based on the 22 square footage of the land area. For example, 23 a person could have a huge lot, a farm, who 24 had a very small border on this land, and that 25 huge lot might be vacant, might not have any	Page 64 1 about only a thousand dollars per homeowner. 2 There's \$1,600 and all the way up to \$5,000. 3 You take that, and it's like we are paying the 4 biggest portion of this. 5 So the other thing I would like to 6 point out, is there somewhere we could get what 7 everybody's getting assessed on this? 8 MS. BAECKE-SPRANGER: I'm not sure 9 that that's something that I could give out. 10 It's something you can request that from the 11 panel up here. 12 MR. EDER: You can request that from 13 the city through the Freedom of Information 14 Act. 15 MR. MAESS: We should know exactly 16 what everybody's paying, so we know how much of 17 this we are paying and how much you are paying, 18 because the numbers don't add up. 19 MS. BAECKE-SPRANGER: The numbers, 20 the initial cost numbers that I was given and 21 the assessments, like I said, the initial cost 22 was 54 percent private or the homeowners, 23 46 percent by the public. Now, the cost 24 numbers have changed, and I have not received 25 the new cost numbers.
Page 63 1 buildings on it at all, but yet that farmer 2 would get a huge assessment. 3 I don't think we have any farmers on 4 9th Street, by the way, but just in case, but 5 the bottom line here is that we don't want to 6 use a system that's inequitable. I should not 7 have to pay more for my street than the guy 8 across the street that has a house that's worth 9 more than mine just because my land is larger 10 than his land. 11 He's getting more improvement to his 12 property by that street improvement than I am, 13 yet I have to pay more, and that's clearly not 14 right. I ask you to make sure that that does 15 not occur. Use a different system, and it 16 would be very simple to even have a computer 17 program that would just use the property's 18 assessed valuation rather than square footage. 19 That's all I have to say. 20 MR. EDER: Thank you. I have got a 21 George Maess. 22 MR. MAESS: In here you say that the 23 homeowners are going to pay 10 to 30 percent of 24 it, which is \$412,322, which equates out to 25 about \$124,000, divided by 122, which should be	Page 65 1 MR. MAESS: You are saying that we are 2 paying 54 percent, when you say we usually pay 3 10 to 30 percent? 4 MS. BAECKE-SPRANGER: I don't know 5 what you're referring to. That's not my area. 6 MR. MAESS: It's right here in 7 writing, yes. 8 MR. TWEET: Again, that's an average. 9 It's not a number we are shooting for. The 10 assessment is done independently of the project 11 price. 12 MR. MAESS: I think if one project is 13 30 percent, all the projects should be 30. We 14 should all be treated equal. 15 MR. TWEET: I can just say, if a 16 street has ten residents and there's a 17 hundred -- for instance, you have 120 residents 18 out there on this project. One of the other 19 projects has seven residents. So a lot of it 20 has to do with the percentages of how many 21 people are contributing, I guess is a way to 22 look at it. 23 But, again, it isn't a percentage 24 number. The assessor must assess the 25 improvement, and then that gets added up, and

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1 the percentage is whatever it turns out to be.
 2 I will say, if you were at the City
 3 Council meeting two weeks ago, the current
 4 aldermen have proposed that they would reduce
 5 the assessments and have no one having an
 6 assessment more than a thousand dollars. That
 7 is they what they proposed. They cut the
 8 Shadybrook assessment last year, and they did
 9 it for the project the year before, so my
 10 assumption is that they will probably do that
 11 again.

12 This is just an initial. This isn't
 13 what you're being assessed yet. This is the
 14 initial assessment, so there is a long way to
 15 go in the process to get that number adjusted.

16 MR. MAESS: I have the property at the
 17 end of 10th Street, 10th Street West, way at
 18 the south end. I think there 82nd Avenue
 19 crosses there. That road from there on south,
 20 there is literally nothing wrong with it.

21 Why do you want to go in there and try
 22 to tear up something there is nothing wrong
 23 with?

24 MR. TWEET: I can speak for this area.
 25 The ratings are between 49 and 65 for every

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1 street out there, so it all falls in that range
 2 of the fair to good streets where we want to do
 3 the maintenance.

4 So it may not appear that it needs
 5 that maintenance, but it is in that window
 6 where we want to do the maintenance. Again,
 7 you change the oil in your car when it doesn't
 8 need to be changed. Why do you do that?
 9 Because you don't --

10 (Crowd noise)

11 MR. MAESS: Somebody needs to look at
 12 that now that the snow is gone because they
 13 must have looked at it when it was full of
 14 snow.

15 MR. TWEET: It was looked at in the
 16 fall.

17 MR. MAESS: Well, I don't believe you.
 18 It must have been dark out, because there's
 19 nothing there.

20 Another thing I have to say is I
 21 think the reason you're assessing all of us
 22 is because you people have literally wasted
 23 millions of dollars on land out there by the
 24 casino which will never be nothing.

25 (Applause)

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1 MR. EDER: Can we keep it to the topic
 2 at hand tonight, please. Just cover the topic
 3 at hand tonight, please.

4 I have got a W. Howard --

5 MR. CRAMPTON: Crampton. Thanks for
 6 letting me speak here. My name is William
 7 Howard Crampton, and I live at 7916 9th Street
 8 West in East -- in Rock Island. I used to live
 9 in East Moline. I've got a couple of questions
 10 about the nature of the work that's going to
 11 take place out there.

12 I've worked construction my entire
 13 life, and it's one of the reasons why I'm
 14 interested, and I think we'll probably go to
 15 you on the question.

16 There is a real water problem on the
 17 street out there, and that's one of the reasons
 18 why it's so destroyed. If you go up the
 19 hill -- like we live just north of 80th Avenue,
 20 and if you go up the hill there, water runs out
 21 of the street for the majority of the
 22 summertime. What's the plan with that? I'm
 23 kind of interested.

24 MR. KANE: We will take a look at all
 25 those things, and we will make the necessary

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1 adjustments to try to collect as much of the
 2 water as possible.

3 MR. CRAMPTON: I guess that means you
 4 don't have the answer to my question. Is that
 5 what you're saying to me right now?

6 MR. KANE: I'm not the engineer on
 7 this project right now, so, no, I do not.

8 MR. CRAMPTON: The other thing I don't
 9 understand is if this improves our property or
 10 the value of our property, so we are going to
 11 be paying the additional value of our property
 12 as the assessment, and are we going to end up
 13 paying more in taxes because this improves the
 14 value of our property?

15 You're not the most popular person in
 16 the room.

17 MS. BAECKE-SPRANGER: Actually I'm a
 18 very nice person.

19 MR. CRAMPTON: I believe that.

20 MS. BAECKE-SPRANGER: But as far as
 21 your taxes, now, that's a completely different
 22 entity. Give me a moment. Just give me a
 23 moment.

24 I am not associated or affiliated with
 25 the county assessor's office or the taxing

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1 entity. I own my own business. I have been
2 contracted by the City of Rock Island to do
3 this work, so whatever numbers you're assessed
4 has actually -- I have actually no idea what
5 the county assessor will do it.

6 Now, the county assessor has to have
7 grounds to increase your assessments, and,
8 again, you can always contest what your
9 property is assessed at, but I don't believe
10 that they will probably take -- if you're being
11 assessed \$21 to \$4,000, that's not enough of an
12 improvement for them to go and bump your taxes
13 up. I'm just saying that.

14 I have been doing real estate and
15 appraising for 28 years. That's not something
16 that they are going to probably jump on at this
17 rate. I mean, because, actually, the question
18 is, did it really improve my property?

19 Absolutely, a project like this
20 contributes to the value of your property. If
21 a person can't drive up the street without
22 losing an axle or a muffler, that person is not
23 going to be terribly willing to buy in that
24 neighborhood. That has been noted over time,
25 location, location, location.

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1 If the property is not appealing
2 from the exterior, you're never going to get
3 them on the interior. So, yes, I do believe
4 being assessed this amount, improving your
5 streets and your sidewalks and the safety of
6 the area, it will help the property value.

7 Do I think it will change your
8 property's assessment when it comes to the tax
9 roll? I don't think so. This is not the type
10 of number that they are looking for when they
11 increase your assessment. Does that make sense
12 to you?

13 MR. CRAMPTON: Yes and no. You
14 explained the situation very well, but as far
15 as making sense, I don't think anyone here gets
16 it.

17 MS. BAECKE-SPRANGER: What I'm saying
18 is the county assessor who levies your taxes is
19 not going to take a \$2,000 to \$5,000
20 improvement to your property and increase your
21 property assessment, generally speaking.

22 Most of the time if -- let's say you
23 lived in your house for 20, 30 years, and you
24 pull a building permit, and it's to finish your
25 basement or for a roof. That is something that

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1 they take note of. That's an improvement that
2 they take note of.

3 Now, this special assessment, no.
4 This is not something similar to a building
5 permit that they will take personal note of and
6 increase everyone's assessment in this area.

7 When they do a county assessment, it's
8 a mass appraisal. Everyone is generally mass
9 appraised. This is not going to affect that.
10 I honestly believe that.

11 MR. CRAMPTON: I appreciate your
12 explanation. I recognize you're working within
13 the parameters that you have to work.

14 MS. BAECKE-SPRANGER: Yes and no. You
15 know, you try to stay within the lines. You
16 don't want to jump outside, but what I'm saying
17 is that I don't think that your property taxes
18 will increase by a street improvement, bottom
19 line.

20 I haven't seen that take place, and I
21 have seen a lot of special assessment projects,
22 and I have not seen real estate taxes go up
23 based on a street improvement. Is that better?

24 MR. CRAMPTON: Thank you for your
25 explanation.

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1 One other question I had -- once
2 again, this goes back to the scope of the work
3 that's going to take place out there. My
4 concern is because of the fact that we have
5 heavy trucks that do run on 9th Street West.
6 It's a bus route. City buses charge through
7 there. There are several times a week
8 dumpsters -- I don't know what you call them,
9 garbage truck dumpsters, whatever that is,
10 traveling through there and trucks, basically.

11 I'm just concerned that if you're
12 going to be milling off the concrete surface
13 and replacing with asphalt, which is
14 considerably less strength than concrete, how
15 does that affect the durability of that street?
16 That's my concern.

17 MR. KANE: It's not an even match.
18 It's not like we are milling off three inches
19 and replacing three inches. We are just taking
20 off enough so we can maintain the existing
21 curbs and stuff and we can build a flag into
22 the curb.

23 MR. CRAMPTON: I know what you're
24 speaking about there.

25 MR. KANE: So, in general, we are

Page 74 1 increasing the overall thickness of the 2 pavement and increasing the overall structural 3 integrity of the pavement. 4 MR. CRAMPTON: Maybe I'm talking to 5 the wrong person here. I would like the 6 information, though. 7 What type of crack treatment are they 8 going to be using over the existing joints and 9 cracks in the concrete? You know, I mean, 10 something that's going to prevent reflux 11 cracking. 12 MR. KANE: Right. We do apply a 13 reflux crack control treatment to those cracks. 14 MR. CRAMPTON: Any particular -- that 15 is something that we will probably have to look 16 into the project on, because I really, really 17 would like to know, because I know what does 18 work and what doesn't work. 19 MR. KANE: I'm not sure of the exact 20 number of it. It is what is specified by the 21 Illinois D.O.T. There is numerous products 22 that meet their specifications, so it's one of 23 those products that will be used. 24 MR. CRAMPTON: What would be my course 25 of action to obtain some copies of what's going	Page 76 1 MR. EPPERSON: Most of us people out 2 there have been paying taxes. I've been there 3 since '92. When I bought there, that hill, 4 well, all along the base and the intersection, 5 which you guys replaced a few years back, and 6 all the way to just the steepest part of the 7 hill has been that way. It was bad. 8 You replaced the intersection. I 9 don't know. You didn't tax nobody, because 10 they come out of the funds. 11 What I want to know is where our tax 12 money is and how much is going into the funds. 13 Can anybody answer me that question? 14 MR. TWEET: You mean how much is going 15 into street maintenance? 16 MR. EPPERSON: Yes. 17 MS. PARCHERT: I would be happy to get 18 that for you. I am happy to get that for you, 19 but that's not a number I have off the top of 20 my head. 21 MR. EPPERSON: That ought to be posted 22 and mailed to every person on 9th Street and 23 10th Street. 24 MS. PARCHERT: Actually, our budget is 25 online.
Page 75 1 to be taking place on the project? How would I 2 go about doing that? 3 MR. KANE: We can talk to you about 4 it. 5 MR. CRAMPTON: I would like to have a 6 set of the specs on it, possibly, a small set 7 of drawings. 8 MR. EDER: What he is saying is that 9 you can contact the city engineer, and he can 10 provide that information. 11 MR. CRAMPTON: Well, that's great. I 12 guess I didn't understand that. I really 13 appreciate the opportunity to get up here and 14 speak to you. 15 MR. EDER: Thank you, sir. Next on 16 the list is Gerald Epperson. 17 MR. EPPERSON: Well, I just don't 18 know. I have heard all kinds of stuff tonight. 19 My name is Gerald W. Epperson. I live 20 at 8119 10th Street West. You're going to tax 21 me for my street of what land, cubic feet or 22 square feet, I have; is that right? 23 MS. BAECKE-SPRANGER: That's correct. 24 That's correct. It's based on the site area, 25 square footage.	Page 77 1 MR. EPPERSON: Not everybody has all 2 these privileges. 3 MS. PARCHERT: If you call, we will be 4 happy to provide you with a budget. 5 MR. EPPERSON: But I don't think we 6 should have any tax coming out of anybody's 7 property because we have been paying taxes to 8 the City of Rock Island County, which you guys 9 get so much of it, Moline gets so much of it. 10 Now, Milan, a little town of Milan, 11 you drive on those streets, and every street in 12 there has been resurfaced in the last three 13 years. I don't think any of them people paid 14 anything. 15 What you guys are doing is trying to 16 set a precedence that all other cities clear 17 all over Illinois -- and Iowa, Davenport, over 18 there, they are greedy. That mayor they got 19 over there, they ain't going to sit around. He 20 is going to jump on the band wagon like you 21 guys had done. 22 Now, when you come down to driving 23 on concrete, concrete is lot stronger than 24 blacktop. You can take blacktop, a hump like 25 this, and break it, but concrete? Not unless

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1 you're a hunk. What's that guy's name?
 2 MR. KANE: That's why we are putting
 3 back more asphalt than what we will be milling
 4 off.
 5 MR. EPPERSON: That's all right. I
 6 don't think you need to be milling anything.
 7 What you need to be doing is fix that hill, fix
 8 10th Street on the base. 9th Street, I don't
 9 know, it's bad all the way going through. Even
 10 with that, it should come out of the funds that
 11 the people have paid taxes on, not taking --
 12 now, like I say, it's on the crest of the hill
 13 on, I think, 8108 down from there. The street
 14 has got a few chuckholes right in the middle of
 15 the street, just like the state highway does.
 16 You cut out a square, put you in a little
 17 aggregate, and have at it.
 18 Now, when I bought my place, it was a
 19 repo, and it was a mess. When I put my drive
 20 in, I put in a foot of six, eight-inch stuff, a
 21 foot, and I drove on it a little bit, and then
 22 I put some Illinois base on it, and when I put
 23 the Illinois base on, then we rolled it, and
 24 then I had 6 to 6 1/2 inches of concrete, just
 25 for my drive.

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1 I don't think it's ever going to bust
 2 up, but you got to put down a base. You just
 3 can't -- lots of highways, what they do on
 4 them, they pour them right over the highway and
 5 pour another section right over it. They grind
 6 it all up and then smooth it all out, and then
 7 for a base, you have got to have a base.
 8 You can't have just six inches. You
 9 can't have six inches. It won't hold up, not
 10 unless you put in bridge, which is a bag mix,
 11 and I don't think you guys are going to put
 12 bags in your patching. You'd end up putting
 13 about three, eight bags. I don't know.
 14 To me, it's a waste of your time.
 15 What they paid her to come out to estimate it
 16 all, it's been a waste of time, because we
 17 should not have to pay because we been paying
 18 taxes all these years, and we will until we
 19 die. That's all I got to say.
 20 MR. EDER: Thank you. The next person
 21 to speak is Darrell Jay, maybe Day.
 22 MR. DAY: My name is Darrell Day,
 23 and I live at 8217 9th Street. One thing, I
 24 understand how they gave us our assessments. I
 25 don't agree with it, but it is what it is right

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1 now.
 2 But I live on the creek, as many of
 3 these other folks do, on the east side of
 4 9th Street and the people on the west side of
 5 8th Street, actually, and most of our -- we
 6 have a big creek that runs right down the
 7 middle of our property, and I own the property
 8 on both sides of the creek.
 9 Well, I mean, it's a swamp. There's
 10 nothing I can do with it. It's an easement,
 11 which we can't do anything with, you know, and
 12 so but yet we are being assessed on property
 13 that we can't use.
 14 It's not going to raise my property
 15 value this much. I mean, I got 20, 30, 40 feet
 16 or more that is useless to me. I mean, that's
 17 why I feel, like the other folks do, that the
 18 assessment process is incorrect.
 19 Herb who spoke lives two houses down
 20 from me, he has got the same thing, drop down
 21 the hill, into the creek, and across to the
 22 other side. A lot of us who have the high rate
 23 of assessments are those people that live along
 24 the creek, so I think that should be taken into
 25 consideration, as well, when they do assess

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1 that, because like I say, it's not fair.
 2 Half the time it's underwater. My
 3 whole bank is washing away, which has been
 4 addressed to the council a couple weeks ago,
 5 and they are looking into that, and I am
 6 getting some help with that.
 7 But like I said, right now my property
 8 needs to go all the way to the creek, and it
 9 doesn't anymore, so really they are charging
 10 for dead air.
 11 I mean, if you want to walk it off, I
 12 will let you, but there's a ten-foot drop, but
 13 thank you very much for hearing me, and I
 14 appreciate it.
 15 MR. EDER: Thank you, sir. The next
 16 person who signed up was Cindy Leonard.
 17 MS. LEONARD: Hi. One of the
 18 questions that I do have is on the resurface.
 19 I'm at 8104 10th Street West, Rock Island. One
 20 of the questions I had, right there in front of
 21 our home 8104, 8103, which is across the street
 22 from us, and 8102 is probably one of the
 23 absolute worst spots on the street.
 24 One of our problems is it's broken up
 25 so bad that my husband literally picked up

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1 concrete out of our yard to mow. This has been
2 going on for a few years.
3 We have been at that house for ten
4 years. Our taxes have gone up every year, and
5 we have seen no improvement whatsoever on that
6 street.

7 So my question is, are they going to
8 be taking that section of the street down to
9 the rock, to the roadbed, and repairing that,
10 because milling off of that, you could mill
11 four inches off of that thing, and it's not
12 going to affect it one way or another.

13 It's ground-up rock, essentially,
14 down there. You can't drive hardly up that
15 street without having to stop in that section
16 and literally crawl up into our driveway.

17 So I am concerned about that, because
18 our assessment was \$3,013, and I also disagree
19 with the way the assessments are done, because
20 the section of the street in front of your
21 house doesn't make any difference if your house
22 or your property is 40 feet deep or 80 feet
23 deep.

24 You know, the section of street in
25 front of the home, it should be just based by

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1 square footage and assessed that way. But I'm
2 saying the length of that, but I am really
3 concerned about that not being repaired
4 properly, because I feel like just covering
5 that with asphalt, we are going to be back at
6 this in three to five years being assessed for
7 some more money for a problem that's not been
8 resolved to begin with.

9 (Applause)

10 MS. LEONARD: I do tend to disagree
11 with the fact that our property taxes are not
12 going to be going up. I have been there for
13 ten years, and it has gone up every year, and I
14 find it very hard to believe.

15 The state is writing a letter that
16 this is an improvement to our property, and
17 every time you do an improvement, you get an
18 increase. I don't care if you put a roof on or
19 a deck or siding or windows, you get nailed
20 every time.

21 So one of the other things that I
22 did not hear was concerning the sewer on our
23 street, because in the last year we have had
24 five water main breaks on our street alone.
25 Two have been directly in front of 8103, two

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1 separate incidents.

2 For the very first one, the hole was
3 opened for a very long time, weeks. In fact,
4 several of the neighbors called the city
5 requesting them to fill the hole because we
6 have children on our street, and it rained so
7 much that the water filled the hole, which was
8 probably a good 12 to 14 foot deep, and finally
9 they come out and backfilled it in.

10 So we have had two water main breaks
11 at 1803 and further down the hill on the
12 corner, and I'm not sure what the residence
13 number is, but probably where the street
14 crosses over to 9th, there was recently one
15 there, and I think the water hydrant was
16 replaced, as well, at the same time.

17 And then there were two down at the
18 bottom of 10th Street West and Andalusia Road,
19 right there on the corner by the 7-Eleven, so
20 we have had five water breaks that I'm aware of
21 in the last year, but yet there is nothing
22 being addressed to that. Currently there is
23 still a problem at 8103 because you can see
24 still water running.

25 MR. TWEET: We can check on that, and

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1 I can get back to you. Currently there is not
2 a water main replacement scheduled. To get
3 back to --

4 MS. LEONARD: But, well, we do have a
5 problem.

6 MR. TWEET: To get back to the base
7 question --

8 MS. LEONARD: I'm concerned about that
9 base. I feel like that roadbed just needs to
10 come down.

11 MR. TWEET: If they get in there and
12 realize that something extra needs to be done,
13 they will do it at that point.

14 MR. KANE: We evaluate the sections
15 as we move along, and if it will not support
16 anything, we do remove those, and we will pour
17 a new concrete base back in before we resurface
18 with asphalt.

19 MS. LEONARD: When you go back up
20 that street, you can see a lot of sections can
21 be milled and resurfaced, but that particular
22 section by no means could be milled. I don't
23 even see how milling could be done there,
24 because once you start getting into it, you're
25 just going to turn it into gravel, because

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1 that's about what it is right now.

2 AUDIENCE: That's the only section
3 that we want fixed.

4 MS. LEONARD: I do feel that we are
5 being over-assessed, and I do feel that our
6 taxes should be paying for this, and I know
7 that you are not necessarily the people to
8 address that to, so we will be back at council
9 to address that, as well. Thank you.

10 MR. EDER: Thank you. The next person
11 that signed up was David Weber.

12 MR. WEBER: I'm David Weber. I'm at
13 8213 9th Street West. The gentleman in the
14 middle -- none of you have names in front --
15 what is your name?

16 MR. EDER: Jeff Eder.

17 MR. WEBER: You mentioned to the
18 person before me that where the money was being
19 spent in Rock Island wasn't the issue here that
20 we are talking about, and I do think it is
21 directly related. The fact that the city
22 doesn't have the money to pay for this without
23 assessing us, that money is going somewhere
24 else, so, yes, that is a direct issue in this
25 particular case.

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1 (Applause)

2 MR. WEBER: My question for Public
3 Works, Mr. Tweet, is how often do these
4 concrete assessments of the street -- how often
5 is that done?

6 MR. TWEET: We do a city-wide
7 assessment every five years, so we just
8 received -- the assessment was actually done
9 in the fall of '13, but we just received the
10 results a couple months ago.

11 MR. WEBER: Okay. I've lived at
12 8213 for 18 years. The street was in bad shape
13 18 years ago. Why isn't anything being done?

14 MR. TWEET: All I can tell you is that
15 I wasn't here 18 years ago. I can tell you
16 that this was put on several years ago as a
17 resurfacing project, and it's in that range
18 that needs the resurfacing. That's why we are
19 here.

20 I'm sorry, I don't know what it was
21 rated 18 years ago, but I know now it's in that
22 range where resurfacing is appropriate.

23 MR. WEBER: In 2014 38th Street in
24 Rock Island, a very big majority of it was
25 worked on. They cut out sections and replaced

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1 it with concrete, and not this asphalt that
2 they are wanting to put down on our street.

3 Why was that just not ground down and
4 asphalted over?

5 MR. TWEET: Well, a main drag is a
6 little bit different, but I will tell you that
7 in the next five years most of that is going to
8 be ground off and replaced with an asphalt
9 driving surface.

10 MR. WEBER: 38th Street?

11 MR. TWEET: Yes, 7th to 18th Avenue
12 is scheduled for either next year or the year
13 after, and the year after that is 31st to
14 Blackhawk Road, and then the years coming up
15 will be the middle section.

16 It is the standard procedure that we
17 use all over the city with concrete and
18 asphalt, so that will happen to 38th Street,
19 but it needed some more repair before we could
20 do that.

21 MR. WEBER: Is it used because you
22 believe it's a better product or because it's
23 cheaper?

24 MR. TWEET: Yes, I guess. You know,
25 if I had unlimited money and I were going to

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1 build a street from scratch, it would be
2 concrete, but if I wanted to maintain a street,
3 I would mill it off and put asphalt down.
4 Asphalt is very easy to maintain.

5 Someone had mentioned that Milan just
6 repaved all their streets. They didn't. What
7 they did was they hot-in-place recycled those
8 streets because they were asphalt, which is a
9 program we started last year. We did
10 27 blocks. All the residents thought they got
11 a new street. In fact, it was just the same
12 asphalt rejuvenated.

13 Once we have an asphalt driving
14 surface, that would be something that we could
15 come back and do every 10 or 12 years, so
16 asphalt is really in the long term cheaper and
17 easier to maintain.

18 The street still does have a concrete
19 base on it, so you have the structure of a
20 concrete and asphalt driving surface on top of
21 it. It's a very good product. We use it all
22 over the city on the main drags. The state
23 uses it. It's done all over the country. It's
24 a good product.

25 MR. WEBER: One of the gentlemen

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1 before me spoke about how he had done
2 construction all his life. I, too, had done
3 construction for nearly 30 years. I was a
4 lieutenant with the Civil Engineer Corps where
5 we did runways, bridges, roads.

6 Taking a structural concrete and
7 thinning it down to a thinner thickness and
8 putting asphalt over is never anything that we
9 ever practiced with the Civil Engineering
10 Corps. It's like taking a layer of plywood off
11 and putting carpet over it. It's not the same
12 strength.

13 MR. TWEET: Again, we are putting
14 in more than it was milled off, but it's a
15 standard procedure all over the country. It's
16 a very durable product. We used it on main
17 roads and our side roads, and it holds up very
18 well.

19 We have never had, to my knowledge, a
20 base failure. There is the possibility that we
21 would do this, and a section could have a base
22 failure. Any road could have a base failure,
23 but if you look at the roads we have done, you
24 won't see that, and you will certainly see wear
25 on the asphalt surface, but the base has held

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1 up fine where we have milled off the concrete
2 and put asphalt on top. We haven't seen that
3 issue.

4 MR. WEBER: I guess what I would like
5 to request, and I don't know if this process is
6 too far along to do this, but I would like to
7 see what was done on 38th Street to be done in
8 Shadybrook, just take the bad sections. I
9 understand they do an average. You can't
10 assess every inch of the road from 0 to 100,
11 but if you're taking four blocks of road and
12 one block of it is below 50 and the rest of it
13 is 70 or 80, wouldn't it be cheaper and better
14 just to replace those sections like you did on
15 38th Street? 38th was a main street, and it
16 was good enough for 38th Street.

17 MR. TWEET: Again, on 38th Street we
18 are going to mill off the top layer and replace
19 it with asphalt, so you are getting the same
20 product that 38th Street is going to get.

21 MR. WEBER: So what's wrong with
22 38th Street now? They've redone it, and it's
23 fine. Why would you do it now?

24 MR. TWEET: Again, we have replaced
25 some bad sections down to the base, and those

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1 were repaired, but the rating on the street is
2 now in that area where you want to bring that
3 level back up by replacing that driving
4 surface.

5 MR. WEBER: I'm going to touch on this
6 a little bit. I have to beat up on the
7 assessor like everybody else has.

8 I also agree that linear frontage
9 footage would be a much better way of doing it,
10 and here's why. If you were going to be
11 seeding or sodding my yard, then by all means
12 using the square footage of my yard would make
13 sense.

14 But in Shadybrook every one of those
15 properties run anywhere from 60 to 70 feet of
16 frontage, so everybody pretty much has the same
17 amount of road in front of their yard. The guy
18 across the street from me might have a couple
19 thousand square feet less of yard, but we still
20 have the same 70 feet on the front in the front
21 of the houses, which is what you're working on.

22 Was Phase I done the same way? Were
23 you contracted to do Phase 1 for the city?

24 MS. BAECKE-SPRANGER: Yes.

25 MR. WEBER: So this is a good question

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1 for you. My parents live at 7906 8th Street
2 West. They have 60 feet of frontage. They
3 have 6,000 square feet of property. I have
4 70 feet of frontage and about 3,000 more feet
5 than they do, so they have 6,000 and I have
6 about 9,000 square feet of property. They paid
7 \$700. Mine is \$4,200.

8 MS. BAECKE-SPRANGER: The assessments
9 in Phase 1 were actually reduced at the City
10 Council meeting.

11 MR. WEBER: They were cut in half.
12 They were \$1,400 to begin with, so even that
13 math doesn't add up.

14 MS. BAECKE-SPRANGER: Are they on a
15 corner?

16 MR. WEBER: No.

17 MS. BAECKE-SPRANGER: I would have to
18 look it up. They were all done the same way,
19 based on the same rate.

20 MR. WEBER: I'm a construction worker.
21 I'm not a mathematician. There is nothing that
22 you could probably tell me that that math will
23 add up.

24 MS. BAECKE-SPRANGER: I can guarantee
25 that it will, because I reviewed those numbers.

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1 We have gone over them a number of times. We
2 based it off the same numbers.

3 MR. WEBER: When can I expect that
4 information from you?

5 MS. BAECKE-SPRANGER: I would have to
6 get it out, and you would have to give me your
7 contact information.

8 MR. WEBER: I would be more than happy
9 to.

10 Going back to financing, the City of
11 Rock Island residents pay about the same
12 property taxes. I have people that live in
13 Moline and East Moline. We all pay about the
14 same amount of tax.

15 What is it that the City of Rock
16 Island does with their money that Moline
17 doesn't so they don't have to assess their
18 residents? Jumer's and Wal-Mart and the docks
19 down in The District that nobody uses, the
20 money was spent on that when it wasn't used to
21 take care of the people that supply you with
22 our tax money.

23 That's our money, and back to the
24 50 something percent that we are paying and the
25 60 something that you are paying, you're not

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1 paying that. We are paying 100 percent of
2 that. Your 60 percent is also my tax money.
3 That's all.

4 (Applause)

5 MR. EDER: The next person who signed
6 up to speak is Bill Henne.

7 MR. HENNE: How's the pressure cooker?
8 I live up at the end of 10th Street West, 8409,
9 excuse me. I own property up there.

10 We have no sidewalks past 83rd Avenue.
11 Were we assessed at the same amount as
12 everybody else? So we don't have the same
13 improvements as everybody else in the
14 Shadybrook Subdivision, so were we assessed at
15 the same amount as anybody else?

16 MS. BAECKE-SPRANGER: Yes.

17 MR. HENNE: Why would we be assessed
18 the same past 83rd Avenue on 10th Street West
19 when we have no city sidewalks?

20 MS. BAECKE-SPRANGER: I have no -- to
21 be perfectly honest with you, to be equally
22 beneficial to everybody, it's equally spread
23 out to everybody. Everybody is based on the
24 same numbers, sidewalks, no sidewalks. I don't
25 know whether they are putting sidewalks in

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1 there.

2 MR. HENNE: They are not, according to
3 the blueprint. Are they? I guess I should
4 ask.

5 MR. TWEET: No. Sidewalks are not
6 being added anywhere. If there is an existing
7 sidewalk, then we are doing some work on those.
8 So we are not adding sidewalks as a part of
9 this project.

10 MR. HENNE: Okay, but if the 30 lots
11 or so up past 83rd Avenue are assessed the
12 same as all of the 122 in the whole project,
13 shouldn't we have the same improvements as
14 everybody else?

15 MR. TWEET: Well, they are not getting
16 a sidewalk improvement. They already have a
17 sidewalk improvement. The improvement is the
18 street.

19 MR. HENNE: Right, but the
20 improvements are based as a whole on the
21 average of everybody up there. We don't have
22 the same things that they have. We don't have
23 sidewalks, so we are being assessed for
24 other things or other improvements to that
25 subdivision that we don't have, so it's not

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1 improving our area at all.

2 MS. BAECKE-SPRANGER: Well, it is
3 being improved by the street improvements;
4 correct? I mean, the access to your --

5 MR. HENNE: Well, I happen to agree
6 that up past 83rd Avenue there's nothing wrong
7 with it, and I've been there since '91, so I'm
8 still having a hard time with that part of it.

9 MS. BAECKE-SPRANGER: I don't know.

10 MR. HENNE: Okay, but we don't have
11 any sidewalks past 83rd Avenue, so my concern
12 is we are being assessed for improvements that
13 we will not see in our area.

14 Also, are we being assessed for -- I
15 noticed on the print that there is quite a few
16 driveways being updated. Is that being equally
17 assessed for everybody, or are those lots being
18 assessed more because they are having
19 improvements to their driveways?

20 MS. BAECKE-SPRANGER: The numbers
21 are not broken down to that extent. It's
22 giving a total project cost. It's not broken
23 down to addresses. It doesn't give specific
24 addresses on the ones that are having driveway
25 improvements or driveways. In fact, I would

Page 98 1 imagine that that will change as the project 2 goes on. I'm sure that there will be more 3 driveways. 4 So, no, it's not broken down that far. 5 It is based strictly on your lot area. That's 6 how the assessment is placed. 7 MR. HENNE: So I'm paying a higher 8 cost for less improvement than everybody else, 9 actually. Sir? 10 MR. TWEET: Again, you're being 11 assessed on lot size. Some people are going to 12 get a new driveway based on need. Some won't. 13 Some will have a sidewalk repaired in front of 14 their house. Some won't. It depends upon the 15 condition. 16 Everybody's going to get the same 17 thing done to the street, and that's really 18 what we are looking at as the assessment, so I 19 would look at the driveway and sidewalk as sort 20 of an add-on, but it's really the street that 21 the assessment is based on. 22 MR. HENNE: Well, I guess my general 23 complaint would be that south of 83rd Avenue 24 and 10th Street West we are paying for more 25 improvements than we are actually receiving	Page 100 1 if we did any kind of surface treatment, those 2 are not assessable. 3 MR. HENNE: Okay. Thank you. 4 MR. EDER: Dion Baal? 5 MR. BAAL: My name is Dion Baal, and I 6 live at 8220 10th Street West. I'm, basically, 7 here for the same reason everybody else is. 8 Nobody's happy about this assessment that they 9 received, but what I'm hearing is the cost has 10 already gone up from what the total was sent 11 out in the letter; is that correct? 12 MR. KANE: It has gone down. The 13 total cost of the project has decreased. 14 MR. BAAL: Will that lower our 15 assessment fees? 16 MR. KANE: No, it will not. 17 MR. BAAL: Okay. That's kind of what 18 I figured I was going to hear. 19 MR. KANE: Currently, if a project 20 comes in over the cost estimate, those costs 21 are borne by the city. 22 MR. BAAL: I read on the back of 23 my letter that was also sent out with that 24 assessment that the city usually pays between 25 70 and 90 percent of the total project cost;
Page 99 1 through sidewalk improvements and street 2 improvements. 3 MR. TWEET: I guess you could say if 4 someone has a driveway and a sidewalk and we 5 are not doing anything there, and for the 6 neighbor we are replacing sections of sidewalk 7 and driveway, if you want to look at it that 8 way, then it's inequitable, I guess, so the 9 answer is yes. 10 MR. HENNE: In the past 24 years that 11 I have owned property there, the 10th Street 12 West has been repaired, I believe, twice, maybe 13 even three times, large sections. Was anything 14 assessed at that time? 15 MR. TWEET: Not for a patch. 16 MR. HENNE: Well, these weren't 17 patches. 18 MR. TWEET: It was a patch, a large 19 patch. We didn't do the whole street, so 20 what the assessments are for are for street 21 reconstructions where the entire street is 22 ripped up and a new street is put in or a 23 resurfacing project, those are the two types. 24 So if you had an asphalt street and we 25 did some recycling, if we did micro-surfacing,	Page 101 1 correct? 2 MR. KANE: Again, like Randy mentioned 3 earlier, that's an average. The assessments 4 are set at what the assessments are set at. 5 The remaining is paid out of city funds. 6 MR. BAAL: Okay. Out of the \$412,000, 7 if the city paid 90 percent of that, that would 8 leave a balance of \$41,000 that us homeowners 9 would pay. I calculated -- I included 10 79th Street, so my error. I counted 117 homes, 11 which if everybody contributed equally, would 12 be \$352 per homeowner. I think that's a little 13 more realistic than \$5,300. 14 I cannot afford \$5,300. It's 15 unrealistic, and I think a lot of people here 16 would agree that it's a little easier to pay 17 \$352 versus \$5,300, so I would hope this would 18 be reviewed one more time. 19 The length of my property has actually 20 nothing to do with the amount of street that I 21 drive on. I drive on the same amount of street 22 as my neighbors do, so I think it should be 23 split up a little more fairly. 24 (Applause) 25 MR. EDER: The next person on the list

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1 signed up is Chris Jacobs.
 2 MS. JACOBS: I agree with what he
 3 said.
 4 MR. EDER: Chris was the last person
 5 signed up. Is there anybody new that wants to
 6 speak? Please step forward and say your name.
 7 MR. SANT AMOUR: John Sant Amour.
 8 I've lived there for 48 years and been paying
 9 taxes for 48 years. The street in front of my
 10 house is fine. It has got one little pothole
 11 that has been patched six or seven times in the
 12 last 48 years.
 13 I have a creek running through the
 14 back of my yard. I don't want to beat a dead
 15 horse, but I would like to know where all my
 16 tax dollars have been going all these years if
 17 I have to pay \$2,800 to have my street redone.
 18 Can anybody answer that?
 19 MS. PARCHERT: You're welcome to come
 20 in. I'm happy to provide you with a budget to
 21 show you where your tax dollars are going.
 22 MR. SANT AMOUR: Every year for
 23 48 years?
 24 MS. PARCHERT: Actually, I do have
 25 budgets going back that far.

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1 MR. SANT AMOUR: I would like to see
 2 them.
 3 MS. PARCHERT: Come into finance, and
 4 I would be happy to share them with you.
 5 MR. SANT AMOUR: All right. Thank
 6 you.
 7 MR. EDER: Ma'am?
 8 MS. KARGL: My name is Sharon Kargl,
 9 and that's K-A-R-G-L, and I live at 8205 10th
 10 Street West, and I'm actually going to address
 11 a couple of issues that haven't been discussed
 12 yet.
 13 The first is our addition has several
 14 retired people and widows, and I am one of
 15 those, and I don't understand why the interest,
 16 if we cannot pay it up front, you expect to pay
 17 interest if you buy a house or a car because
 18 that's something that you choose to do.
 19 This is something that we are not
 20 choosing to do. However, we are being charged
 21 2 1/2 percent interest, and I would like to
 22 know why.
 23 (Applause)
 24 MR. MORRISON: Ma'am, the statute
 25 states that the interest on any unpaid

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1 balance --
 2 MS. KARGL: I'm sorry. I can't hear
 3 you.
 4 MR. MORRISON: I'm sorry. The
 5 statute, which is what they would call the law
 6 in Illinois, the Illinois Compiled Statutes is
 7 how they refer to it, but in laymen's terms,
 8 the law requires that 70 percent of what the
 9 prime rate is is what would be the applicable
 10 interest rate for anyone who had an outstanding
 11 balance, so that is set by the legislature in
 12 Springfield.
 13 MS. KARGL: Do you have a choice not
 14 to assess interest for us? I mean, it's not
 15 something that you have to do, but is it
 16 something because it is available you're
 17 choosing to do?
 18 MR. MORRISON: For instance, if I may,
 19 actually, we don't get to choose which portions
 20 of the statute we obey and which we don't. I
 21 don't get to say, I disagree with the speeding
 22 law, so I'm going to drive 75.
 23 (Crowd noise.)
 24 MS. KARGL: That's not what I'm
 25 getting at. I'm getting at you have the

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1 ability to do it, not saying that you have to
 2 do it. Are you choosing to do this because you
 3 can?
 4 MR. MORRISON: If you go through the
 5 special assessment process, it is required by
 6 the statute, which is set by the legislature in
 7 the State of Illinois.
 8 MS. KARGL: I guess I don't understand
 9 why if it's something that we have to have and
 10 we can't afford to pay it up front, why we are
 11 being charged interest to pay it over the
 12 ten-year period.
 13 MR. MORRISON: And the best I could
 14 tell you, ma'am, is with regard to the statute
 15 as it applies to local improvements, that is
 16 what is written in the code, which would in
 17 laymen's terms be law set by the legislature of
 18 the state of Illinois.
 19 MS. KARGL: So where does the interest
 20 go to? Do you keep it or does it go to the
 21 state?
 22 MR. MORRISON: That's a question that
 23 I would be happy to research.
 24 MS. PARCHERT: I can answer that one.
 25 It goes into the actual debt service special

Page 106 1 assessment fund to help pay for the street 2 fund. 3 MS. KARGL: My next issue is where I 4 live on the hill, we have had mudjacking done 5 to both the street and sidewalk in the past, 6 and what's to say that -- is this street going 7 to be strong enough that we are not going to 8 end up in a sinkhole if everything washes out? 9 Is it going to be as strong and 10 durable as concrete if they would have replaced 11 it? 12 I have got part of my backyard that's 13 washed out because of a natural spring there, 14 and it happens to run right in front of my 15 house, and like I said, we have had our 16 sidewalks and streets mudjacked in the past 17 because of sunken sidewalks and everything. 18 And I was just wondering, is this 19 going to be as durable so that we are not going 20 to end up driving up a street and all of a 21 sudden have a sinkhole because everything is 22 washed out underneath it? 23 MR. TWEET: The base is not being 24 changed. The same base is still there. We 25 just have another driving surface on top. If	Page 108 1 MS. KARGL: Okay. And another 2 question is several of us were at the last City 3 Council meeting, and they addressed it, and 4 every question we asked was answered with, Take 5 it up at your meeting on the 22nd, because we 6 were asking about having the assessments 7 changed. 8 Take it up at the meeting on the 22nd, 9 and now I've directed it to you, and you're 10 telling us, Take it up with the City Council. 11 Where do we take it up? 12 (Applause) 13 MR. TWEET: Well, they said there's a 14 meeting, and you can address your concerns 15 there, because this is step 1 in the process. 16 Step 2 is to go to the Council. They 17 are going to see all the minutes from this. 18 They are going to see everything that everyone 19 said. They will have our recommendation 20 whether to move forward with the project or 21 not, and then you will have a chance to 22 approach them and talk to them. 23 As I mentioned before, the current 24 alderman in your ward said that he would like 25 to see everything reduced with the max to a
Page 107 1 they get in there and they find out that there 2 is some additional repair needed, maybe the 3 concrete removed and additional base added, 4 they would do it at that point. 5 However, I can't guarantee in the 6 future on any road there won't be a sinkhole or 7 some type of failure. 8 MS. KARGL: Right, but I'm wondering 9 because we have had problems with it in the 10 past. 11 MR. TWEET: They will look at that 12 when they get in there, and if they see 13 something that needs to be done, then they will 14 do it at that point. And that happens 15 sometimes. We can think we can just resurface 16 an area, and then they get in there and find 17 out a large section actually needs new base, 18 new concrete. 19 MS. KARGL: Will that again raise our 20 taxes? 21 MR. TWEET: Your assessment doesn't 22 have anything to do with the project cost, 23 and that's why sometimes it's 30 percent, 24 50 percent, 10 percent. It doesn't have to do 25 with the project cost.	Page 109 1 thousand. That's what he said. It seemed like 2 there was support throughout the council for 3 that. 4 I can't speak for the council, but 5 they are the ones that have the authority to do 6 that. They said to come here, listen about the 7 project, state your case. We will try to 8 answer any questions, but we can't make those 9 kinds of changes, but we can explain the 10 process, and that's what we are doing tonight. 11 MS. KARGL: The next thing is the 12 project start date is late summer to be wrapped 13 up in the fall. 14 MR. TWEET: That would be ideal. 15 MS. KARGL: Is it possible that it 16 will be started this year and not be able to be 17 completed, and we will be in disrepair 18 throughout the whole winter? 19 MR. TWEET: It won't, because the 20 resurfacing, as the city engineer mentioned, is 21 pretty quick. Once they do the concrete work, 22 they could do, say, your sidewalks this year, 23 some of that work, and then next year maybe do 24 the other work, but it's a fairly quick 25 process.

Page 110 1 When they get ready to do it, they 2 come and they're there for a couple days. 3 There is equipment in front of your house in 4 the morning, and in the afternoon you're 5 driving across that surface. It's a little 6 rough, but you're driving across it. 7 When they lay the asphalt, they put it 8 on, and you're driving across it that night, so 9 you're really with this process looking at two 10 or three days, maybe. 11 MS. KARGL: So we are not going to end 12 up with a winter of disrepair? 13 MR. TWEET: You won't. You won't. 14 You might have to under a full reconstruction, 15 but this isn't like that, so they will not -- 16 the asphalt plants close down usually in 17 November, so they are not going to start some 18 work if there isn't going to be asphalt 19 available. 20 Again, if the project starts, they 21 could do the sidewalk work and the sidewalk 22 approaches. I know in Shadybrook Phase I, they 23 really had enough time probably to do the 24 concrete last fall, but they waited until this 25 summer to do everything. I think the	Page 112 1 approved this year but the work doesn't get 2 done until next year and I happen to sell my 3 house in the meantime, because it was approved 4 in this year then I'm responsible? 5 MS. WYKOFF: It's when the judge signs 6 the order of confirmation, and then there is a 7 second, a final order of confirmation, that 8 takes place when the project has been 9 completed. 10 So it goes to Court actually twice, 11 once allowing us to bid the project, and then 12 once at the completion of the project. 13 MS. KARGL: Okay. And my last point 14 is I figured 120 homes at an average assessment 15 of \$4,000 per home comes to \$480,000. This 16 project comes in, well, you even said, less 17 than that now. 18 Does the money that we have paid go 19 into a kitty to go to other projects, then, if 20 your assessment is under what we were assessed, 21 so that someone else down the line would 22 possibly not pay as much? 23 MR. TWEET: Well, the assessments are 24 actually under the project cost. The average 25 assessment is \$2,900; is that right? I don't
Page 111 1 contractor would prefer to do that, wait until 2 the following spring. 3 MS. KARGL: One other thing, I 4 understand if it doesn't get done until next 5 spring and once the bids and everything, if I 6 would sell my house between the time of that 7 bid and even if it doesn't get started until 8 next spring, I'm still responsible for it; is 9 that correct? 10 MR. TWEET: I believe the assessment 11 is already in your name once the judge sets the 12 assessment. Is that correct? 13 MS. WYKOFF: Actually, once the City 14 Council approves the project and once we get it 15 into the Court system, there is -- as the city 16 attorney mentioned, that there is actually 17 several phases of the Court system. 18 The first part of the Court system is 19 when the judge will -- and that's the one that 20 you do receive notice of that you can appeal 21 your assessment and so on. At that point, by 22 statute, if the judge does sign the order of 23 confirmation, it does get recorded, and it does 24 put a lien on your property at that point. 25 MS. KARGL: So even if that is	Page 113 1 remember, but it is under the project cost, so 2 we have never had a case where it has been 3 more. 4 Again, I expect when you get to the 5 City Council they are going to reduce this. 6 They made every indication that they are going 7 to. You have your incoming alderman sitting 8 there. I can't speak for him. 9 MS. KARGL: Okay, I guess it seems 10 kind of irresponsible of the City Council in 11 that respect if they are saying, We are going 12 to reduce it in the long run, so why do they 13 send these out saying, This is what you're 14 going to pay? 15 (Applause) 16 MR. TWEET: So the process requires 17 an independent assessor to look at it. So I 18 don't have any influence over it. No one else 19 in the city has any influence over it. It's 20 meant to be independent. 21 MS. KARGL: Basically, if we don't 22 protest this, we will pay what it is, and so 23 it's only because we protested that possibly 24 our assessment will be lowered? 25 MR. TWEET: That's correct. We have

Page 114 1 been doing this for a hundred years or so, the 2 city has, and it's been true the whole time. 3 Yes, that's correct, if nobody 4 protests their assessment, then you would be 5 assessed that. We have had projects cancel. 6 We had a project cancel last year because the 7 citizens came forward, and every single person 8 in the block said they didn't want it, even 9 though they had previously signed a petition 10 saying that they did. 11 We have had other projects that have 12 been approved by the Board and it goes to the 13 City Council and the City Council abandons the 14 project. So, again, this is just Phase I, the 15 first step, and the assessment is done 16 independently with no influence or oversight 17 from the city. We don't have any influence 18 over that project, and that's how it's meant to 19 be. 20 MS. KARGL: May I ask you, where is 21 your office located? 22 MS. BAECKE-SPRANGER: Right now it's 23 in Bettendorf. We have been in East Moline for 24 70 years. 25 MS. KARGL: So why did we not get an	Page 116 1 MS. KARGL: And that's why I asked 2 presumably why they didn't get a local person 3 to do it. 4 MS. BAECKE-SPRANGER: Well, I would 5 consider myself very local. 6 MS. KARGL: I didn't know where you 7 were from. 8 MS. BAECKE-SPRANGER: That's fine. 9 MS. KARGL: That's all my comments. 10 Thank you for hearing me. 11 MR. EDER: Thank you, ma'am. 12 MS. BAKER: I'm Linda Baker, and I 13 live at 8216 10th Street West. We had a lot of 14 questions tonight. We had a lot of answers. 15 We have had a lot of comments. But the common 16 denominator here is we have an issue with our 17 street. It has a problem. 18 That's why we are all here, because 19 there's -- most of us wouldn't be here if there 20 weren't dollars involved, and I think the main 21 concern of a 22 lot of people, and I speak for myself, is 23 that on Phase I there was a reduction to the 24 assessment, and we are hoping that we can be 25 afforded in Phase II the same consideration as
Page 115 1 assessor that lives in Rock Island that knows 2 our area to do our assessment? 3 (Applause.) 4 MS. BAECKE-SPRANGER: If I could 5 address that, I have lived in the Iowa and 6 Illinois Quad Cities for 28 years, was born and 7 raised in East Moline. I know the area very 8 well. I have worked the area very extensively. 9 I have probably appraised many of your homes in 10 this neighborhood. 11 It's not that I'm not familiar. I'm 12 very familiar with the area. The fact that I 13 moved my office to Bettendorf was for family 14 reasons. 15 MS. KARGL: I mean, it's well known 16 that Iowa, Bettendorf and Davenport, their 17 properties are a much higher value than they 18 are here on the Illinois side, and just I 19 didn't know. Like I said, I did not know you. 20 I had just heard that you were out of state, 21 and I did not know where, and that's why I 22 asked. 23 MS. BAECKE-SPRANGER: Believe me, I am 24 more Illinois than Iowa, so don't worry about 25 that.	Page 117 1 the residents were in Phase I. 2 If this was not hitting our pocket, 3 and in my case it is hitting mine to the tune 4 of over \$5,000, we wouldn't be here. We would 5 be happy that you came in and fixed our street, 6 so I guess what we are asking is we can work 7 together and effect a good resolution to the 8 street and the budget side of it. 9 Based on the fact that Phase I they 10 were charged, they were reduced, but there were 11 still charges, that tells us that we are going 12 to be charged. 13 So if there are people living in hope 14 that we are not going to be charged, that's not 15 going to happen. That's the realistic part of 16 it, because they were charged. 17 Now, maybe it was decreased by half, 18 and, hopefully, we can get the same thing, 19 because half of \$5,000 looks a lot better to me 20 than \$5,000, and I'm sure that everybody else 21 would feel the same way. 22 Basically, that's my comment. You had 23 indicated, being Mr. Tweet, that there is a 24 possibility that the Council feels confident 25 that this will happen and we will be at a

Page 118 1 reduced rate. This is what we hope for. Thank 2 you. 3 MR. EDER: Thank you, ma'am. Anybody 4 else? I saw a hand in the back over here. 5 Ma'am? 6 MS. PECK: My name is Stephanie Peck, 7 and I live at 1010 - 83rd Avenue West, Rock 8 Island. 9 I think we all have kind of the same 10 opinion, and majority kind of rules here, in 11 that things are not fair and prices are not 12 fair, and nobody is giving us a definite answer 13 as to where these dollars are coming from, 14 okay. 15 But when I look at your Shadybrook 16 Phase II information here, it says 9th Street 17 West, 10th Street West, and 80th Avenue West. 18 Is 83rd Avenue included in that, 19 83rd Avenue West? 20 MR. KANE: It's not included as part 21 of this phase. 22 MS. PECK: So 83rd Avenue West is not 23 included. My mom has lived in that property 24 for at least 38 years. She has paid property 25 taxes. We have all paid other taxes, gas	Page 120 1 MR. KANE: I stand corrected. 2 MS. BAECKE-SPRANGER: It is on the 3 initial drawings. 4 MS. PECK: So we can expect for our 5 sidewalks and our road to be repaired, as well? 6 MR. KANE: Correct. 7 MS. PECK: Okay. Well, we do have 8 a small pothole that could afford to be 9 patched. 10 The second question is, okay, once 11 these streets are fixed and repaired and 12 patched and ground down and asphalt put on 13 them, who is responsible for the repairs after 14 that when something happens? 15 MR. TWEET: The city is responsible 16 for the repairs. Again, the only time that 17 residents are assessed is for a complete 18 reconstruction or a complete resurfacing. 19 So if we had to come in, as I 20 mentioned before, to repair an intersection, if 21 we need to do a surface treatment to all the 22 asphalt, if we had to repair potholes, if we 23 need to fix a section, that's just part of the 24 normal maintenance. 25 MS. PECK: Okay. So the current roads
Page 119 1 taxes, you name it, that are supposed to go to 2 street repair. 3 My mom is being assessed almost 4 \$3,000 for her property, okay. Where are we 5 benefiting from the improvement? 6 MS. BAECKE-SPRANGER: What's her 7 address? 8 MS. PECK: 1010 - 83rd Avenue West. 9 MS. BAECKE-SPRANGER: Is her last name 10 Peck? 11 MS. PECK: No, my last name is Peck. 12 Her last name is Condrack. We have got six 13 houses on our street. Five of those houses, 14 their driveways enter on 83rd Avenue West, not 15 on 10th Street West, so why are we paying for 16 improvements to our street and it's based on 17 our property value when we are not getting the 18 repair? 19 MS. BAECKE-SPRANGER: It was initially 20 in the engineering drawings that that property 21 was in there. 22 MS. PECK: I asked. That was the 23 first question I asked when I stepped up; is 24 83rd Avenue West being repaired, and I was told 25 no, it's not.	Page 121 1 that are there, who's responsible for those? 2 MR. TWEET: The city is responsible 3 to do maintenance on the road. It's a city 4 street. The process the city has for 5 resurfacing or reconstructing a local road is a 6 special assessment process. 7 MS. PECK: Okay. So then that 8 brings me to my next question, and nobody has 9 mentioned it. Maybe -- I find it hard to 10 believe that I'm the only one that has had 11 vehicle damage because of the potholes on 12 10th Street West. 13 Okay, I popped a tire dodging 14 potholes. I mean, I was trying to be careful 15 and popped a tire. That tire was \$283. I took 16 pictures of it, and I still have the tire at 17 home. I was told bring it down; we will look 18 at it. 19 I brought you in an estimate from 20 where I bought the tire. Okay. I took 21 pictures and brought them down, and I was told 22 that because we did not give the city adequate 23 enough time to come out and repair the road, 24 that that was just too bad, but if you guys 25 maintain the road, why is it my responsibility

Page 122 1 to let you know that it needs fixed? 2 MR. TWEET: I will let the city talk 3 about the -- 4 MS. PECK: Pass the buck. I will take 5 it. I will listen. 6 MR. MORRISON: Sure. At any time 7 there is a property claim for failure to 8 maintain your sidewalks, there is a gap that's 9 too big or there's a pothole, those types of 10 questions, what the law requires is that there 11 be notification and then adequate time to 12 repair. 13 In other words, that's what the law 14 requires, and I would guess that you probably 15 submitted that to the GLC? 16 MS. PECK: I don't know. I brought it 17 down here to Rock Island. 18 MR. MORRISON: Generally, there's a 19 process, like Patrick Dougherty would handle 20 that and go through that process, I believe. 21 That's my guess as to how it was handled. Is 22 that fair to say? 23 MS. PECK: Yes, but I don't agree with 24 it. I mean -- 25 MR. MORRISON: I understand you don't	Page 124 1 required to have sidewalks. Unfortunately, 2 that wasn't the case at the time that the 3 subdivision was built. Were we to do a full 4 reconstruction, then we would add sidewalks 5 at that point, but for a resurfacing we don't 6 do that. We just repair the existing 7 sidewalks. 8 MS. PECK: Okay. Thank you. 9 MR. EDER: Did I see another hand go 10 up there? Yes. 11 MS. DIXON: My name is Angie Dixon, 12 and I live at 8109 9th Street West, and since 13 we are talking sidewalks, I had mine repaired 14 probably 20 years ago, and I had to pay part of 15 it, and it was due to the tree that the city 16 planted. They picked a maple tree. 17 Well, I've lived at the address for 18 46 1/2 years, so this tree is that old, and it 19 is huge, so I don't know. Is my sidewalk to be 20 repaired again because it is now coming up 21 again, and you know, will this be constantly 22 happening? This tree is huge, and a lot of our 23 sidewalks are because of the trees the city 24 planted. 25 MR. TWEET: It will be repaired.
Page 123 1 agree with the outcome, sure, but that's the 2 process. That's what the law states. 3 MS. PECK: Okay. So then one other 4 question, and we have a gentleman down here 5 that lives on 10th Street West at the dead end, 6 okay, addressing the sidewalks, okay. 7 Now, I am not trying to make 8 somebody's money go up and that type of thing, 9 but there are no sidewalks there, and sometimes 10 I take my grandson and my grandchildren for a 11 walk down there, and there are no sidewalks, 12 and I have to walk them in the street. 13 Does the City of Rock Island feel that 14 that's safe by not doing it, and does that 15 bring his property value up by not having 16 sidewalks? We are not going to address the 17 issue of replacing sidewalks? 18 MR. TWEET: Again, I understand 19 your point. I live in a neighborhood without 20 sidewalks, and people walk in the street. I 21 would love to have a sidewalk. Certainly, any 22 resident is free to put in a sidewalk if they 23 want a sidewalk. 24 Under our current ordinance now, if 25 Shadybrook were to be built today it would be	Page 125 1 MS. DIXON: It will? 2 MR. TWEET: Yes. 3 MS. DIXON: And this is part of the 4 payment? 5 MR. TWEET: It's part of the project. 6 So if there is a sidewalk that's a trip hazard, 7 it will be repaired at that point. 8 MS. DIXON: Like I said, I think the 9 tree should be taken down. It's a maple that 10 has surface roots. 11 MR. TWEET: We can look at that as a 12 different project. I would have to know costs 13 if trees are a hazard or something. 14 MS. DIXON: You have come out. The 15 city has come out before and trimmed it up. 16 MR. TWEET: Generally we don't take 17 down a healthy tree. 18 MS. DIXON: I see that. 19 MR. TWEET: Generally residents don't 20 want us to take down a healthy tree. 21 MS. DIXON: Right, I don't want that, 22 either, but it is huge now. 23 MR. TWEET: We could take a look at 24 that. That really wouldn't be a part of this 25 project. That would be separate. There would

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1 be a cost on that, but as part of this project,
 2 the sidewalk will be addressed.
 3 MS. DIXON: Okay. Thank you.
 4 MR. EDER: Sir, in the back.
 5 MR. MASON: George Mason, back up
 6 again. I have a question here. If this repair
 7 does not hold up in three to five years and we
 8 have to have a full reconstruction, who's going
 9 to pay for it?
 10 MR. TWEET: Well, I can't believe
 11 that -- why would you think that it can't hold
 12 up? We have done this all over the city, and
 13 we have never had a failure after we have done
 14 it.
 15 MR. MASON: Well, what if it don't?
 16 There is always a first time. Are we going to
 17 be reassessed again?
 18 MR. TWEET: I would say if the street
 19 doesn't hold up in three to five years, no.
 20 MR. MASON: Are we going to get that
 21 on the record? Are you going to put that down
 22 on the record?
 23 MR. MORRISON: I think that would have
 24 to be addressed at the time.
 25 MR. MASON: I think it can be

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1 addressed right now, not five years down the
 2 road.
 3 MR. MORRISON: With regard to my
 4 ability to bind the City of Rock Island, which
 5 is governed by the City Council, you know, it
 6 would be like your lawyer going to a bar
 7 tonight and saying that you were going to sell
 8 your house for \$100,000. He can't do that. He
 9 doesn't have the authority to do that, sir.
 10 I have no ability to bind the
 11 Council of the City of Rock Island, the elected
 12 officials of the City of Rock Island, to that
 13 agreement, so that would be a violation. That
 14 would be unethical and probably cause me to be
 15 disbarred, sir.
 16 MR. MASON: My next question I noticed
 17 out here on the Centennial Expressway you have
 18 got that marked off to have patches dug out and
 19 repaved out there; correct?
 20 MR. TWEET: I wouldn't know that
 21 because that's a state route.
 22 MR. MASON: The Centennial Expressway?
 23 MR. TWEET: Oh, yes, full-depth
 24 patching, yes.
 25 MR. MASON: Valley Construction,

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1 Thermo King, Roadway is out there. Larry
 2 Anderson owns most of the property. Are they
 3 being assessed for that?
 4 MR. TWEET: Again, we don't assess
 5 for full-depth patching, as well as previous
 6 patchings in Shadybrook were not. They are
 7 different projects. One is a full
 8 reconstruction, and one is a full resurfacing.
 9 MR. MASON: The only other thing is
 10 that you have answered a lot of questions, but
 11 you haven't done much with the numbers. With
 12 modern technology, I don't know why you don't
 13 have a computer in front of you to be able to
 14 answer them.
 15 MR. TWEET: What question do you need
 16 answered?
 17 MR. MASON: There were many questions
 18 tonight that you weren't able to come up with
 19 the numbers on them. With modern technology,
 20 you have computers. Why don't you have one in
 21 front of you where you can answer these
 22 questions for us?
 23 MR. TWEET: I don't have a laptop
 24 computer to plug in up here, I guess. They
 25 have tablets. They have. I don't have one

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1 personally.
 2 I would be glad to go over here at the
 3 end of the meeting, and if someone had a
 4 question about a rating on a street, I can pull
 5 up that information once we are done on that
 6 computer. I don't know if that gentleman from
 7 20th Avenue is still here, but I can answer
 8 that.
 9 MR. EDER: Is there anybody new that's
 10 speaking first before -- the person in the
 11 back, sir.
 12 MR. POOL: My name is Jason Pool, and
 13 I live at 1058 Third Avenue West, so clearly my
 14 street is not one to be noted as far as the
 15 paperwork showing, although we are being told
 16 otherwise now.
 17 Actually, I want to know how many of
 18 you have actually driven in our neighborhood?
 19 How many people even know what we are talking
 20 about besides from a paper diagram wondering
 21 what the heck is going on?
 22 MR. TWEET: I have.
 23 MR. MASON: Anybody else?
 24 BOARD MEMBERS: Yes.
 25 MR. POOL: Do you seriously think

1 that cutting that down and putting asphalt
2 down is going to fix that 10th Street hill?
3 My grandfather built his house in
4 1970. I know my great-grandfather's house was
5 also built in 1970. Those houses were built
6 for \$19,000 to \$25,000, so in 45 years my house
7 has gone up from \$19,000 to \$25,000 to
8 \$103,000.

9 So if you're telling me that
10 resurfacing this road is going to increase
11 my property value by that much more, I think
12 you're insane, especially considering the
13 houses in that neighborhood sell for no more
14 than \$110,000 to \$115,000 as it is.

15 MR. TWEET: I guess to address your
16 first question, as I mentioned a number of
17 times tonight, if we get in there and it needs
18 more extensive work than repair and
19 resurfacing, then we will do it at point.

20 MR. POOL: Okay, then how are you
21 going to know that it needs more extensive
22 repairing if you're only going to mill three
23 inches down? If the concrete is already six
24 inches and you only mill three inches, how do
25 you know if the base underneath that needs to

1 be replaced?

2 MR. TWEET: The contractor will
3 address that at that time. The contractors we
4 have do projects all over the area and are very
5 skilled.

6 MR. MASON: Do they have some kind of
7 x-ray machine to see through concrete or what?

8 MR. TWEET: Well, they can look at the
9 street and determine if we need to do further
10 investigation or they are able to do core
11 samples, whatever we need to do there. If it
12 looks like it needs to be replaced, we will
13 replace it.

14 MR. POOL: I mean, you have looked at
15 it and said it needs to be replaced. I agree
16 it needs to be replaced --

17 MR. TWEET: Our contractor --

18 MR. POOL: -- but you'll replace it
19 the way you want to replace it. You'll charge
20 us \$412,000 and assess everybody an obscene
21 amount. My street -- the house is not even on
22 that street and is appraised at \$2,204. I
23 could walk up the dang hill from Milan
24 Industrial Park. It don't matter to me none.
25 Why am I being charged for it?

1 It's not going to increase my property
2 value, and my street had one minor problem from
3 where the tree fell down. It has been sealed
4 up and hasn't cracked at all since.

5 If the roads were put in back in
6 before 1970 when the houses were built and
7 90 percent of them are holding up, that means
8 they were done right, but when you travel up
9 the hill and you notice that they're busted up
10 and disgusting -- (inaudible) -- well, right
11 there in front of -- it's below it.

12 I have lived there for 25 years in
13 that neighborhood. I grew up in that
14 neighborhood, and it's terrible.

15 I agree with you. It needs to be
16 replaced, but it needed to be replaced 25 years
17 ago, and so we are just now addressing the
18 issues that should have been done then? We
19 are being penalized because the city wasn't
20 proactive in addressing issues before.

21 MR. TWEET: I can't tell you about
22 25 years ago. I can say that several years ago
23 this got put on the list for resurfacing, and
24 that's where we are today.

25 MR. POOL: I don't see how it's going

1 to fix it.

2 MR. TWEET: Again, if it needs more
3 repair than just resurfacing, it will be done
4 at that time.

5 MR. POOL: Well, we'll see.

6 MR. EDER: Anybody else that's not
7 been up to speak?

8 MR. DEPOOTER: My name is Chris
9 DePooter, and I live at 8001 9th Street West.

10 The special assessment tax that we are
11 being taxed on here is if you did a full-depth
12 repair, are you able to do a special
13 assessment?

14 MR. TWEET: What do you mean by a
15 full-depth repair? A reconstruction?

16 MR. DEPOOTER: Because most of us have
17 kind of said that there's part of the street
18 that's fine, and then there's part of the
19 street that you're not even doing anything on
20 that actually needs to be repaired, and the
21 bulk of the problem is on the hill.

22 Obviously, there is a stream running
23 through it. There is water coming out, so if
24 you do a full-depth repair instead of a
25 resurfacing project, are you able to do a

1 special assessment?

2 MR. TWEET: If we just did the hill,
3 just a section, just a large patch, no, there
4 would be no special assessment. That's
5 full-depth patching. As we talked about,
6 that's the work that's been done on
7 38th Street.

8 AUDIENCE: And that's all we're asking
9 for.

10 MR. TWEET: Right. Again, there are
11 people from all throughout the neighborhood
12 that said their streets need to be repaired, so
13 it's just not 10th Street. If it was only just
14 10th Street, that's different, but, again,
15 the whole neighborhood is in that area where
16 you're -- the street is going to get ready to
17 fall into disrepair.

18 MR. DEPOOTER: It already has. It has
19 already done that.

20 MR. TWEET: That's why we are
21 resurfacing.

22 MR. DEPOOTER: Which is not going to
23 work, which everybody in this room is saying is
24 probably not going to hold up. If you do a
25 full-depth repair --

1 MR. TWEET: You're talking about one
2 section. I'm talking about the entire
3 subdivision.

4 MR. DEPOOTER: Which doesn't need to
5 be done.

6 MR. TWEET: Well, I disagree with
7 that. I think it does need to be done.

8 MR. DEPOOTER: Well, the homeowners
9 that live there and some that live there that
10 have actually built houses there, they don't
11 agree with that.

12 MR. TWEET: I understand.

13 MR. DEPOOTER: So, to me, it looks
14 like the only reason that you're doing a full
15 surfacing project is because you're taxing us
16 instead of the city paying for it.

17 (Inaudible)

18 MR. TWEET: Again, the whole -- every
19 street up there is in that area where it should
20 be resurfaced at this point.

21 MR. DEPOOTER: That's repair, because
22 the problem is not the concrete. The problem
23 is the base, which is --

24 MR. TWEET: In one section is what
25 you're talking about.

1 MR. DEPOOTER: Yes, on 7th Street, 8th
2 Street, 9th Street, 10th Street, all have the
3 same problem, and it's on the hill. It's not
4 on the flat parts, other than some of the
5 avenues have issues with the flat parts, and
6 you're not even doing those. You're not
7 addressing the problem in the whole
8 neighborhood. You're piecemealing it.

9 MR. TWEET: I think we are addressing
10 the entire neighborhood. We have one section
11 that we are not addressing, but everything else
12 in the entire subdivision will be addressed.

13 MR. DEPOOTER: Okay. I just want to
14 make it clear that if we did a full-depth
15 repair, there wouldn't be an assessment.

16 MR. TWEET: There would be, because
17 with a full-depth repair, it would be a full
18 reconstruction and you would still be assessed.

19 MR. DEPOOTER: Well, how much did you
20 do on 38th Street?

21 MR. TWEET: Again, 38th Street is
22 going to get an asphalt surface exactly like
23 you're going to get.

24 MR. DEPOOTER: Who's going to pay for
25 that?

1 MR. TWEET: Who is going to pay for
2 that? Well, everybody pays for that. It comes
3 out of the budget and the taxes and --

4 MR. DEPOOTER: Because that's an
5 arterial street?

6 MR. TWEET: That will probably be paid
7 mostly with federal funds. Most of that is
8 federal funds. Some small part of it is city
9 funds.

10 MR. DEPOOTER: So we have a city park
11 at the end of 9th Street. We have a city bus
12 that comes barreling through the street.
13 That's not an arterial street?

14 MR. TWEET: Arterial.

15 MR. DEPOOTER: That's a local street
16 still?

17 MR. TWEET: Oh yes, it is. You would
18 be nowhere near close to the traffic for an
19 arterial. We can talk afterwards, like I said,
20 but an arterial would be a street like 38th,
21 and you don't have near the volume of traffic
22 as 38th Street or 18th Avenue.

23 MR. DEPOOTER: Okay. Well, I just
24 wanted it to be clear that most people here are
25 looking for a patchwork, not a full resurfacing

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1 project.

2 MR. TWEET: I understand.

3 MR. DEPOOTER: Okay, thank you.

4 MR. VANSEVEREN: I just have one quick
5 question. I'm Rob VanSeveren.

6 79th Avenue is not being redone; is
7 that my understanding? When you come into the
8 division, you have got 10th Street going this
9 way, 9th Street going this way.

10 MR. KANE: There is one of them that's
11 not.

12 MR. VANSEVEREN: 79th is a small,
13 short leading up to 9th Street West. Is that
14 being redone?

15 Has anybody driven out there? When
16 you first come into that neighborhood, have you
17 driven through there recently, because if
18 you're not doing that --

19 MS. BAECKE-SPRANGER: It's on there.

20 MR. VANSEVEREN: It is on there?
21 Okay, because I thought somebody said earlier
22 it wasn't, because that leads up to my house,
23 and you are saying that you're assessing my
24 value. If I want to sell my house and somebody
25 drives in and has to drive through that section

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1 of the avenue and that's not being
2 resurfaced --

3 MS. BAECKE-SPRANGER: It's in there.

4 MR. VANSEVEREN: -- I might as well go
5 set my money on fire in the street.

6 MS. BAECKE-SPRANGER: Call me before
7 you do that.

8 MR. VANSEVEREN: Well, I'm just saying
9 that that's probably one of the worst parts
10 that are on the hill. There is a pothole there
11 that was probably a good 8 to 10 inches deep
12 probably by 14 wide.

13 It has been filled in, but that
14 section, even if you do a patch job on that,
15 something's got to be done there. If you're
16 not doing 79th Avenue where it's coming in, as
17 somebody had said earlier, so I'm confused
18 whether you're doing 83rd Avenue or 79th
19 Avenue, because it's not on any of the
20 paperwork that we got here.

21 It said that 80th Avenue, 9th and
22 10th Streets West are the only ones that we
23 were given paperwork on today.

24 MS. BAECKE-SPRANGER: All I know is
25 that on the maps that I was given, 79th is

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1 included. There was a section on 10th Street
2 down at the very bottom, off of 78th Avenue,
3 there was a parcel that was removed, because
4 that's the part that's not going to be
5 included.

6 MR. VANSEVEREN: Do you know the section
7 that I'm talking about, then?

8 MR. TWEET: I do. That's another
9 reason that I think the whole neighborhood
10 needs to be resurfaced. I think there is more
11 wear than --

12 MR. VANSEVEREN: I know, but that's
13 part of it. All the roads need to be redone,
14 but if you don't do that section, that's the
15 main thoroughfare up to 9th Street West, so,
16 hopefully, it's being done because I was told,
17 heard that it wasn't.

18 MS. BAECKE-SPRANGER: It's in there.

19 MR. EDER: Is there anybody new that
20 wants to speak? The gentleman in front of you
21 there. Tom, be brief, please.

22 MR. BENSON: No problem. The question
23 now is what is the benefit to each individual
24 property owner? Once you say that this is a
25 project that's appropriate to be assessed, we

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1 have heard from the assessor, I didn't
2 calculate the benefits to each individual
3 property.

4 She says when she assesses homes or
5 appraises home, I don't know what the value of
6 the street is. I can't assess how good a
7 street is. I don't know if it's 50 percent or
8 100 percent. She doesn't calculate the value
9 of whether it's 300 percent or 5 percent, even
10 though that information is readily available in
11 Rock Island what the value of the home is on
12 that street.

13 But I know what does come up when you
14 appraise is if there is a lien for a special
15 assessment, and you can negotiate that when you
16 sell your property.

17 So when you are charging people more
18 than the actual benefit, which is what many
19 people here believe is happening, that's what
20 they are complaining about. If they are
21 getting a \$500 increase in their property value
22 and you charge them \$500, I don't think they
23 are going to complain about that.

24 But you can't prove to anybody here
25 that you're increasing the value of their

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1 property. If and when you can do that, it
2 would be appropriate to specially assess them,
3 but you haven't got that information to the
4 Court. I don't know how this Court could make
5 a decision based on the information that you
6 have to assess anyone in this room on any of
7 these projects.

8 I did check, and the statute does
9 state that you shall charge interest if you do
10 payments, so --

11 MR. MORRISON: Thank you very much.

12 MR. BENSON: I think you can choose to
13 ignore that if you wanted to.

14 MR. EDER: This is all about taking
15 public input at this time.

16 Sir, you have waited patiently for a
17 quick comment.

18 MR. EPPERSON: Mr. Councilman, good
19 luck. What we are asking for is that hill
20 fixed and the base down below in the 7900 block
21 patched, that section fixed like they said. We
22 aren't asking for a patchwork.

23 In front of my house if you put
24 blacktop in there, it's a waste of money. Lots
25 of people up here that lives up and down --

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1 there would be a section about like that,
2 that's it. We are asking for the patch, the
3 fix on that hill and patch the rest.

4 Now, on 9th Street, that's a different
5 problem, because they have got water problems,
6 and you're not going to fix it by just going in
7 there and grinding it off, which concrete is
8 probably eight inch, if that. You drill three
9 inches off it, and you're weakening it,
10 literally weakening it.

11 You're not making the roadbed stronger
12 by putting some blacktop on top of it. You're
13 making it smoother, but it's not going to hold
14 up because you have got your garbage trucks,
15 and I have got a big motor home.

16 Lots of people don't like it, because
17 I wouldn't say I got lots of money, but we use
18 our money through that. Most my stuff comes
19 from Goodwill stores. You would never know
20 that. We go in and buy the best and leave the
21 rest, but we are asking to be on 10th Street
22 just that hill patched, patched.

23 Then there is a little chuckhole in
24 the middle of the street about the size of a
25 paper or that big around, cut out a little

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1 square, put in some concrete. Concrete is lots
2 stronger than blacktop.

3 Where I have my motor home now, I set
4 the jacks down, and I busted the blacktop. I
5 don't know if she is going to come out and say
6 something about that or not, but, anyway, I
7 noticed that. Blacktop, you can take a piece
8 that thick, break it in your hands.

9 MR. EDER: Could you add something
10 new? I think you explained that to us once
11 before.

12 MR. EPPERSON: We are asking to get
13 that hill patched and the rest of it patched.
14 We don't need blacktop up our street. Like I
15 said, over on 83rd and beyond, they don't have
16 any problems, but you assessed them, and you're
17 going to come in there and blacktop for what?
18 Waste of money.

19 MR. EDER: Thank you, sir. Something
20 new.

21 MR. EPPERSON: Is this all the City
22 Council?

23 MR. EDER: We are not City Council.
24 We are a recommending body to City Council. We
25 were charged -- our duty tonight was to take

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1 the public input, which you guys have given us
2 plenty of input, and once we end the public
3 input section, we have to vote whether to send
4 this on to council with a recommendation or not
5 to send.

6 MR. EPPERSON: Well, that's all I got,
7 I guess.

8 MR. WEBER: I'm David Weber, and I
9 live at 8213 9th Street West.

10 You had mentioned about changing your
11 oil in an automobile. When I buy a new car or
12 a used car, a new home or a used home, I know
13 that that car or that house is not going to
14 last forever. Personally, I put money aside in
15 case that happens.

16 It seems here that because we are
17 having to assess the residents on top of the
18 taxes that we are already paying that the city
19 has failed to put that money aside to fix that
20 road, because when they built 48 years ago,
21 just like a car or a house, it's not going to
22 last forever, and it's going to need repair at
23 some time.

24 So the way that we are looking at is
25 your lack of planning ahead and saving that

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1 money and using it in a place that you said is
2 not related to this issue, it is an issue, and
3 that's the money should have been used here
4 instead of on those other projects.

5 For how long have you guys been doing
6 this assessing?

7 MR. TWEET: Probably for like a
8 hundred years. I guess I would say that I
9 concur that at least since the '60s, you know,
10 the city didn't have an aggressive maintenance
11 program for fixing the streets, and that's what
12 we have now, and the resurfacing is part of it.

13 One of the things we do is we tackle
14 the streets that are in that area of rating
15 that your street has right now to stop it from
16 falling into additional disrepair, and that's
17 our goal to do that to every street in the
18 city. That would be the goal.

19 MR. WEBER: One last point, the lady
20 next to you, you do something with the
21 financing?

22 MS. PARCHERT: I'm the finance
23 director.

24 MR. WEBER: So if you guys have had to
25 do assessments to pay for street projects for a

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1 hundred years and you say that there is so much
2 allotted to streets with a yearly budget, you
3 have been having to assess people for a hundred
4 years, it seems you need to adjust how much is
5 going to streets.

6 Obviously, not enough money is going
7 to pay for streets if we are having to assess
8 the residents for a hundred years now. At the
9 end of the year you can say, well, for 99 years
10 now we have been assessing people. We don't
11 have enough money in the street fund. So maybe
12 you need to adjust it from the Wal-Mart
13 property and the Jumer's property and put it in
14 the street fund.

15 It makes sense to me. You guys all
16 look very well educated. Figure it out.

17 MR. EDER: Anybody new that would like
18 to speak to the Board?

19 MR. SANT AMOUR: John Sant Amour at
20 7929 9th Street West.

21 All the answers that you guys have
22 given are very vague, and it's almost like, to
23 me, you're not really sure what you are talking
24 about, and I think everybody here is in
25 agreement that we are being way overcharged for

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1 this project.

2 It's only a \$400,000 project. We
3 shouldn't be charged what we are. We are
4 paying for the whole thing, so I would like
5 some answers on that one. Good night.

6 MR. EDER: Thank you, sir. Anybody
7 else?

8 Seeing nobody else wants to step
9 forward, I will close the public meeting and
10 reopen the regular meeting of the Board of
11 Local Improvements.

12 I need a motion whether or not to pass
13 the Second Resolution for Special Assessment
14 Job 2360.

15 MR. KANE: I will make the motion to
16 pass a Second Resolution for Job 2360 for 26th
17 Street reconstruction, North of 13th Avenue,
18 and recommend a draft ordinance be prepared for
19 City Council consideration.

20 MR. TWEET: Second.

21 MR. EDER: We need a roll call for
22 this.

23 MS. PARCHERT: Are we going to have
24 discussion?

25 MR. EDER: Sorry.

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1 MS. PARCHERT: On this particular
2 project, there is a new water main, fire
3 hydrants. Typically, that is not assessed
4 property, or is that a -- (inaudible)

5 MR. EDER: We're having a hard time
6 hearing this.

7 MS. PARCHERT: I guess I have to get
8 really close to the microphone.

9 I just wanted to confirm that
10 there is a water piece to this particular
11 reconstruction, and that will be paid by the
12 water fund. That's not assessed to the
13 property owners.

14 MR. KANE: That is correct. Those
15 funds come from water.

16 MS. PARCHERT: I just wanted the
17 property owners to realize that.

18 MR. EDER: Any other discussion? If I
19 can have the roll call.

20 MS. WYKOFF: Jeff Eder?

21 MR. EDER: Yes.

22 MS. WYKOFF: Cindy Parchert?

23 MS. PARCHERT: Yes.

24 MS. WYKOFF: Randy Tweet?

25 MR. TWEET: Yes.

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1 MS. WYKOFF: Mike Kane?
 2 MR. KANE: Yes.
 3 MS. WYKOFF: Dave Morrison?
 4 MR. MORRISON: Yes.
 5 MS. WYKOFF: Motion carried.
 6 MR. EDER: Thank you. Could I have a
 7 motion whether or whether or not to pass the
 8 Second Resolution for Special Assessment
 9 Job 2661.
 10 MR. TWEET: I would make a motion to
 11 pass Job 2661, 22 1/2 Avenue reconstruction
 12 east to 29th Street.
 13 MR. MORRISON: Second.
 14 MR. EDER: Discussion?
 15 MS. PARCHERT: This particular
 16 project has no utilities involved in it; is
 17 that correct?
 18 MR. KANE: There is water main, and
 19 those funds are --
 20 MS. PARCHERT: That's right. That's
 21 about \$50,000 is budgeted, and there is about
 22 \$6,000 budgeted for wastewater.
 23 MR. KANE: Right. There is a few
 24 small repairs to the existing sanitary.
 25 MS. PARCHERT: Again, that will not

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1 be assessed to the homeowners?
 2 MR. KANE: Correct.
 3 MS. PARCHERT: Then the only other
 4 question I had on this, what I heard the
 5 residents say is they wanted this preserved as
 6 a brick street. I know you addressed that, but
 7 I didn't realize the importance of that to the
 8 residents on the street at the time.
 9 Can you just explain to me at what
 10 point do we determine if this is still a brick
 11 street or not?
 12 MR. KANE: We will make that
 13 determination after we open bids.
 14 MR. TWEET: Our indication is that it
 15 will be very inexpensive because it's a small
 16 street.
 17 MS. PARCHERT: Okay.
 18 MR. TWEET: If it's a big street, you
 19 know, a couple of blocks long, it would be a
 20 quarter of a million dollars. On this it will
 21 be probably minimal.
 22 MS. PARCHERT: Okay, and on this
 23 particular project we are it appears to be
 24 coming in under budget?
 25 MR. KANE: Correct.

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1 MS. PARCHERT: Okay. I'm ready.
 2 Thank you.
 3 MR. EDER: Could I have roll call.
 4 MS. WYKOFF: Jeff Eder?
 5 MR. EDER: Yes.
 6 MS. WYKOFF: Cindy Parchert?
 7 MS. PARCHERT: Yes.
 8 MS. WYKOFF: Randy Tweet?
 9 MR. TWEET: Yes.
 10 MS. WYKOFF: Mike Kane?
 11 MR. KANE: Yes.
 12 MS. WYKOFF: Dave Morrison?
 13 MR. MORRISON: Yes.
 14 MS. WYKOFF: Motion carried.
 15 MR. EDER: Thank you. Now for the
 16 third one, a motion whether or whether or not
 17 to pass the Second Resolution for Special
 18 Assessment for Job 2730.
 19 MR. KANE: I will make the motion
 20 to pass the Second Resolution for Special
 21 Assessment Job 2730, 20th Avenue, 27th Street
 22 to 30th Street, and recommend the draft
 23 ordinance be prepared for the City Council
 24 consideration.
 25 MR. MORRISON: I will second.

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1 MR. EDER: Discussion?
 2 MS. PARCHERT: Yes. Sorry, this
 3 particular one, I noticed the particular
 4 assessment that I reviewed, there was one
 5 property that was not assessed, but it was
 6 asked to be corrected.
 7 MR. KANE: Correct.
 8 MS. PARCHERT: Good. There are no
 9 utilities on this because it's a resurfacing?
 10 MR. KANE: That is correct.
 11 MR. EDER: Roll call.
 12 MS. WYKOFF: Jeff Eder?
 13 MR. EDER: Yes.
 14 MS. WYKOFF: Cindy Parchert?
 15 MS. PARCHERT: Yes.
 16 MS. WYKOFF: Randy Tweet?
 17 MR. TWEET: Yes.
 18 MS. WYKOFF: Mike Kane?
 19 MR. KANE: Yes.
 20 MS. WYKOFF: Dave Morrison?
 21 MR. MORRISON: Yes.
 22 MS. WYKOFF: Motion carried.
 23 MR. EDER: Thank you. And the last
 24 one, a motion whether or whether or not to pass
 25 a resolution, a Second Resolution, for Special

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1 Assessment for Job 2746.
 2 MR. TWEET: I will make a motion to
 3 pass the Second Resolution for Job 2746,
 4 Shadybrook Phase II, 9th Street West,
 5 10th Street West and 80th Avenue West.
 6 MR. KANE: I will second.
 7 MR. EDER: Discussion on this one?
 8 MS. PARCHERT: This one has given me a
 9 lot of angst, a lot of angst. I have sat here,
 10 and I have listened to your comments. I am a
 11 CPA, so numbers are kind of my gig. These
 12 numbers don't make sense to me.
 13 I understand that they are correct,
 14 but they don't make sense to me, but what I
 15 have heard is I have heard my Council say that
 16 they will revisit this information.
 17 Here is what I have already heard you
 18 say is that your street does need fixed. We
 19 may disagree on what "fixed" means, but it
 20 needs fixed. The way I look at this, I have
 21 two choices. If I vote this down, your road
 22 will not get fixed. It will go to the end of
 23 the line, and it will not get fixed.
 24 If I vote yes, then it goes before
 25 Council and gives you another opportunity to

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1 talk to them about the assessment, so I will be
 2 voting yes for this, not because I agree with
 3 the assessment, but because I heard you say
 4 that your road needs fixed, and I am giving you
 5 the opportunity to make your voice heard.
 6 So I welcome you and encourage you to
 7 come on May 11th to Council and voice your
 8 opinions. I wish everyone was here to hear
 9 this, but, unfortunately, they left.
 10 (Applause)
 11 MR. MORRISON: I would add to those
 12 sentiments, because I guess the real, in my
 13 opinion, kind of false argument here is if this
 14 Board can say, yes, we will just do a patch, or
 15 we will only assess this amount.
 16 Right now we are talking about either
 17 this is going to go in front of City Council or
 18 it's not going in front of City Council. I
 19 understand that people have certain concerns
 20 about the assessments, but it's not a situation
 21 where any of these individuals on the Board are
 22 able to say, Okay, let's try plan B.
 23 The question is is this going to be
 24 going to the City Council for their
 25 consideration or is it not, and then if it is

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1 not, the streets are not considered for repair,
 2 and they go to the end of the line, and I
 3 presume, then, that the next time I was at a
 4 City Council meeting, I would have a whole
 5 group of angry people saying, Oh, what do you
 6 mean you're not going to consider it? You
 7 know, we have an ultimate plan.
 8 And so I would agree with
 9 Ms. Parchert's assessment, and for that reason
 10 I also will be voting in favor, and I do
 11 encourage everyone, as is your right and is our
 12 duty as citizens, to speak to your elected
 13 officials.
 14 Talk to them. Let them know what you
 15 are thinking. One of your officials elect here
 16 will be sworn in soon, and he is here tonight,
 17 so I would encourage everyone to do that.
 18 MR. EDER: I wish I could make a
 19 recommendation to reduce that. I don't think
 20 that's within this Board's power. I think
 21 that's a Council power that they need to
 22 address the assessment and the ultimate charge,
 23 and they showed their willingness to do that in
 24 Shadybrook Phase I, so all indications that I
 25 saw at last Council meeting led by the current

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1 aldermen was to reduce those assessments, so
 2 I'm going to have to take them on their word.
 3 I don't want to see this project not
 4 go forward, either. I'm not as familiar with
 5 this particular road as Randy. I have driven
 6 it, but I can't be familiar with every street
 7 in town in my position, but I will be
 8 supporting this, as well.
 9 Are there any other comments. Randy?
 10 MR. TWEET: No, I'm talked out
 11 tonight.
 12 MR. EDER: Roll call, Sue.
 13 MS. WYKOFF: Jeff Eder?
 14 MR. EDER: Yes.
 15 MS. WYKOFF: Cindy Parchert?
 16 MS. PARCHERT: Yes.
 17 MS. WYKOFF: Randy Tweet?
 18 MR. TWEET: Yes.
 19 MS. WYKOFF: Mike Kane?
 20 MR. KANE: Yes.
 21 MS. WYKOFF: Dave Morrison?
 22 MR. MORRISON: Yes.
 23 MS. WYKOFF: Motion carried.
 24 MR. EDER: Is there any new business
 25 to come before us tonight?

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1 Seeing no new business, I need a
2 motion to adjourn.

3 MS. PARCHERT: So moved.

4 MR. KANE: Second.

5 MR. EDER: All in favor?

6 BOARD MEMBERS: Aye.

7 (The hearing was concluded at

8 8:22 p.m., 04-22-2015.)

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1 STATE OF ILLINOIS)

) ss.

2 ROCK ISLAND COUNTY)

3

4

5 I, Donna M. Kelly, a Certified
6 Shorthand Reporter in and for the States of
7 Illinois and Iowa, do certify that, pursuant
8 to the agreement herein contained, there came
9 before me on Tuesday, April 22, 2015,
10 commencing at 5:30 PM, in the City of Rock
11 Island Council Chambers, 1528 Third Avenue,
12 Rock Island, Illinois, the foregoing
13 transcription of the hearing concerning the
14 matters in controversy in this cause; that the
15 hearing was thereupon reduced to writing under
16 my supervision, consisting of 158 pages, and
17 the typewritten transcript is a true record of
18 the hearing and testimony given by said
19 witnesses and members;

13 I further certify that I am neither
14 attorney for, nor related to or employed by,
15 any of the parties to the action in which this
16 hearing was taken, and further that I am not a
17 relative or employee of any attorney or
18 employed by the parties hereto or financially
19 interested in the action.

18 In witness whereof I have hereunto set
19 my hand this 27th day of April, 2015.

19

20

21 Donna M. Kelly, CSR
22 Illinois CSR # 084-001304
23 Iowa CSR # 980
24 P. O. Box 6305
25 Rock Island, Illinois 61204
(309) 788-3630

24

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**153 Ill. 348
38 N.E. 943
CRANE et al.**

v.

WEST CHICAGO PARK COM'RS et al.¹

Supreme Court of Illinois.

Oct. 29, 1894.

Appeal from circuit court, Cook county; S. P. McConnell, Judge.

Bill by William E. Mason, Eliza Crane, and others against the West Chicago park commissioners to enjoin the collection of a special tax. Defendants obtained a decree. Complainants appeal. Reversed.

[153 Ill. 348]M. B. Loomis and W. E. Mason, for appellants.

[153 Ill. 349]E. T. Noonan and R. Prendergast, for appellee.

WILKIN, C. J.

This is a bill to enjoin the collection of a special tax by appellants, as owners of real estate fronting on certain boulevards in the town of West Chicago, under the control of appellees, the West Chicago park commissioners. The cause was heard on the bill and answer, and the injunction denied. Complainants below prosecute this appeal.

The tax sought to be enjoined was levied by the park commissioners upon each lineal foot of the several lots, etc., contiguous to and abutting upon the boulevards, 'for [153 Ill. 350]the maintenance and repair' of such boulevards, under the act of the general assembly approved June 17, 1893, entitled 'An act to authorise corporate authorities, having jurisdiction and control of parks and boulevards, to levy a special tax upon contiguous property abutting on boulevards and pleasure ways for the maintenance and repair thereof.' The validity of the assessment is questioned, first, upon the ground that the statute under which it was made is unconstitutional. Section 9, art. 9, of the

constitution of 1870 is as follows: 'The general assembly may vest the corporate authorities of cities and towns and villages with power to make local improvements by special assessment, or by special taxation of contiguous property or otherwise. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such taxes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same.' That this section is a limitation upon the power of the legislature to authorize corporate authorities to levy special assessments or taxes, except for the purpose of making local improvements, cannot be made clearer than by repeating its own language. The first clause confers the power to authorize the making of local improvements by special assessments or special taxation, and the second expressly provides that taxes for all other corporate purposes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same, viz. general taxation. The first clause permits the legislature to authorize special assessments and special taxation for a particular purpose, and the second prohibits the conferring of such authority for any other purpose. It is also only because the first clause of this section modifies section 1 of the same article that the general assembly can authorize the levying of a special tax upon contiguous property. For any other purpose than the making of [153 Ill. 351]local improvements, taxes must, under section 1, 'be by valuation, so that every person and corporation shall pay a tax in proportion to the value of his or its property.' *White v. People*, 94 Ill. 604. The power, then, of the general assembly to pass the statute in question, depends upon whether the purpose for which it attempts to authorize the levy of a special tax is a 'local improvement.' As indicated by its

Before that it is a road, and not a street. It is therefore a local improvement, with benefits almost exclusively peculiar to the abutting property. Such a case is clearly within the principles of assessing the lots lying upon it; * * * but when the street is once open and paved, thus assimilated with the rest of the city and made a part of it, all the particular benefits to the locality derived from the improvements have been received and enjoyed. Repairing streets is as much a part of the original duty of the municipality, for general good, as cleaning, watching, and lighting. It would lead to monstrous injustice and inequality should such general expenses be provided for by local assessments.' That case is in accord with what was said in *Blair v. City of Chicago*, supra, sustaining the view that to maintain and repair a street as provided for in this statute is not to make a local improvement, within the principles upon which special assessments can be levied. See, also, *In re Washington Avenue*, 69 Pa. St. 352; *Clay v. Grand Rapids*, 60 Mich. 451, 27 N. W.

596; *Williamsport City v. Beck*, 128 Pa. St. 147, 18 Atl. 329; *Tide-Water Co. v. Coster*, 18 N. J. Eq. 518. [153 Ill. 354] We entertain no doubt that in the passage of this statute the general assembly exceeds its constitutional power. The act is therefore void, and conferred no power upon appellees to levy the tax in question, and the circuit court should, for that reason, have enjoined its collection. In this view, other questions raised become unimportant. The decree below will be reversed, and the cause will be remanded with directions to enter a decree according to the prayer of the bill. Reversed and remanded.

Notes:

¹ Reported by Louis Boisot, Jr., Esq., of the Chicago bar.

SECOND RESOLUTION by Board of Local Improvements for making one improvement by improving:

22-1/2 Avenue: East of 29th Street

**BE IT RESOLVED BY THE BOARD OF LOCAL IMPROVEMENTS
OF THE CITY OF ROCK ISLAND, ILLINOIS THAT:**

1. A local improvement shall be made in the City of Rock Island, Illinois, the location, nature, character and description of said improvement being as follows:

Location: 22-1/2 Avenue: East of 29th Street

Nature: Reconstruction

All references to station points, etc. in the above location description can be located on right-of-way as shown on plans for Job 2661 which is herein made a part of this resolution as if copied word for word and line for line by specific reference.

Nature, Character and Description of Improvement: The improvement shall consist of reconstruction.

A general description of said improvement being:

The proposed work is located within the City of Rock Island and is to remove the existing roadway and replace with a new PCC driving surface. There may be some sidewalk, sewer, stormsewer and watermain work.

The plans and specifications clearly explain in further detail the nature, character and description of this project, and are made a part hereof by specific reference.

2. An itemized list showing the estimated cost of this improvement has been submitted by the City Engineer. That said estimate is hereby made part of the record of this Board, and further that said estimate is hereby incorporated into this resolution by specific reference as if copied word for word herein, and further that said estimate is hereby approved by this Board.
3. That the cost said improvement estimated to be \$153,176.09 shall be paid for by Special Assessment. The exact amount to be assessed

against the City of Rock Island and the exact amount to be assessed against the properties benefited shall be determined as provided by law.

4. That the plans, profiles, detailed drawings and project specifications governing the construction of this project are those as approved by the Board of Local Improvements on this date, together with "The Standard Specifications for Road and Bridge Construction" adopted by the Department of Transportation of the State of Illinois, on January 1, 2012, which are made a part of the project specifications by specific reference and said project specifications are hereby made part of the record of this Board. That all parts of said plans, profiles, detailed drawings and project specifications as well as "The Standard Specifications" relating to the construction of this improvement as aforementioned in this resolution are hereby incorporated into this resolution as if copied word for word and line for line by specific reference.
5. This resolution, plans, profiles, detailed drawing, project specifications, "Standard Specification" and estimate is available for public inspection during business hours in the Office of the City Engineer of the City of Rock Island located at 1309 Mill Street, City of Rock Island, Illinois. The aforementioned plans, profiles, detailed drawing project specifications are known in the City Engineer's office as **Job 2661**.
6. And further resolved that the Board of Local Improvements has held a Public Hearing on the **22nd** day of **April, 2015**, on the herein before described improvement, and due notice was given to all the persons who paid the general taxes for the year preceding on the land fronting or abutting said improvement at least five days before said meeting as required by law.

Passed this **22nd** day of **April, 2015**.

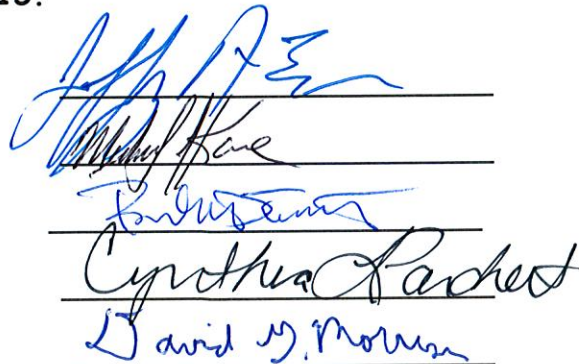
Jeffery Eder, President

Michael J. Kane, Secretary

Randall Tweet

Cynthia Parchert

David G. Morrison



Handwritten signatures in blue ink over horizontal lines, corresponding to the names listed on the left: Jeffery Eder, Michael J. Kane, Randall Tweet, Cynthia Parchert, and David G. Morrison.

CITY OF ROCK ISLAND

Public Works Department - Engineering Division

Proposed Assessments

22-1/2 Street Reconstruction

East of 29th Street

Job No. 2661

NO.	AMOUNT	AREA (FEET)	FULL NAME	PROPERTY ADDRESS	CITY STATE	ZIP CODE	BILLING ADDRESS	BILL CITY STATE	BILL ZIP CODE	PARCELS	LEGAL DESCRIPTION
1	\$ 960.00	8005	ELIZABETH A KERR	2900 22 1/2 AVE	ROCK ISLAND IL	61201	2139 17TH ST	ROCK ISLAND IL	61201	2520	LOT 34 L MOSENFELDERS ACRE ADD W 55 FT
2	\$ 5,677.00	17741	PAUL W MUSKOPF	2917 22 1/2 AVE	ROCK ISLAND IL	61201	2917 22 1/2 AVE	ROCK ISLAND IL	61201	2521	LOT 35 L MOSENFELDERS ACRE ADD ALL EX W 165 FT OF N 112.7 FT
3	\$ 1,920.00	6000	JOHN TUMBLESON	2906 22 1/2 AVE	ROCK ISLAND IL	61201	2906 22 1/2 AVE	ROCK ISLAND IL	61201	2520-A	LOT 34 L MOSENFELDERS ACRE ADD E 55 FT OF W 110 FT
4	\$ 1,926.00	6021	KAREN A PHILLIPS	2910 22 1/2 AVE	ROCK ISLAND IL	61201	2910 22 1/2 AVE	ROCK ISLAND IL	61201	2520-B	LOT 34 L MOSENFELDERS ACRE ADD E 55 FT OF W 165 FT
5	\$ 7,100.00	22190	DUNCAN W KRAMER	2916 22 1/2 AVE	ROCK ISLAND IL	61201	2916 22 1/2 AVE	ROCK ISLAND IL	61201	2520-C	LOT 34 L MOSENFELDERS ACRE ADD ALL EX W 165 FT & W 83.3 FT 144' N56' LOT 33
6	\$ 2,993.00	9353	JOHN M BENSON	2911 22 1/2 AVE	ROCK ISLAND IL	61201	2911 22 1/2 AVE	ROCK ISLAND IL	61201	2521-A	LOT 35 L MOSENFELDERS ACRE ADD E 82.5 FT OF W 165 FT OF N 112.7 FT
7	\$ 1,515.00	9474	JEFFREY K ZEGLIN	2903 22 1/2 AVE	ROCK ISLAND IL	61201	2903 22 1/2 AVE	ROCK ISLAND IL	61201	2521-B	LOT 35 L MOSENFELDERS ACRE ADD W 82.5 FT OF N 112.7 FT

\$ 22,091.00 Private Benefit 14%
\$131,085.09 Public Benefit 86%
\$153,176.09 Total

Exb. 5.

Ordinance Number 15-____

AN ORDINANCE PREPARED AND TRANSMITTED AND ITS PASSAGE RECOMMENDED BY THE BOARD OF LOCAL IMPROVEMENTS OF THE CITY OF ROCK ISLAND, ILLINOIS, PROVIDING FOR THE IMPROVEMENT OF 22-1/2 Avenue, East of 29th Street.

BE IT ORDAINED BY THE CITY COUNCIL OF ROCK ISLAND, COUNTY OF ROCK ISLAND, AND STATE OF ILLINOIS:

Section 1: That a local improvement shall be made in the City of Rock Island, County of Rock Island, and State of Illinois, the nature, character, locality and description of which local improvement is as follows, to-wit:

Remove the existing roadway and replace with a new PCC driving surface. There may be some watermain, stormwater, sewer and/or sidewalk work.

The plans and specifications on file in the office of the City Engineer of the City of Rock Island, Illinois, clearly explain in further detail the nature, character and description of this project, and are made a part hereof and incorporated herein by specific reference.

Section 2: That the recommendation to the Council by the Board of Local Improvements of the City of Rock Island, provided for said improvement together

with the estimate of the cost thereof made by the City Engineer and Engineer of the Board of Local Improvements of the City of Rock Island, both hereto attached be and the same are hereby approved.

Section 3: That the recommendation of the Board of Local Improvements of the City of Rock Island, Rock Island County, State of Illinois, providing for said improvement, and the estimate of the cost of said improvement made over the signature of the Engineer of the Board of Local Improvements of said City, and presented to the City Council of said City with this ordinance and hereto attached, be and the same are hereby approved and by reference made a part hereof.

Section 4: That the improvement herein provided for shall be made and the whole cost of said improvement, being the sum of \$153,176.09, as shown by the estimate of the City Engineer of said City of Rock Island hereto attached and made a part hereof, including the sums \$8,469.84, being the amount included in the estimate of said City Engineer as the cost of making, levying, and collecting the assessment therefore, and court costs, attorney's fees and lawful expenses attending the same, including the sum of \$21,025.69 being the amount included in the estimate of said City Engineer as the cost of engineering, inspection, and supervision, be paid for by Special Assessment to be levied upon the property specially benefited to the amount the same may be legally assessed therefore, in accordance with the provisions of 65 ILCS 5/9-2-1, et seq., and all acts amendatory thereof and supplementary thereto; and that the sum of \$8,469.84 shall be applied towards paying the lawful cost of making, levying, and collecting

said assessments and court cost, attorney's fees and lawful expenses attending the same, and said sum of \$21,025.69 , shall be applied towards paying the cost of engineering, inspections, and supervision incident to said improvement, all as provided in and by said act to the General Assembly, and all acts amendatory thereof and supplementary thereto.

Section 5: That the aggregate amount herein ordered to be assessed against property and each individual assessment, and also the assessment, if any, against the City of Rock Island on account of property owned by said City and for public benefits, if any shall be divided into ten annual installments in the manner provided by law, such division to be made so that all installments shall be equal in amount, and each multiple of one hundred dollars (\$100.00). The first installment shall be due and payable on the second day of January next after the date of the first voucher issued on account of work done, and the second installment one year thereafter, and so on annually until all installments are paid and it is hereby made the duty of the Board of Local Improvements to file in the Office of the Clerk of the Court in which such assessment may be confirmed a certificate signed by its Secretary, of the date of said first voucher and the amount thereof, within thirty days after the issuance thereof. Each installment shall bear interest at the rate of 2.275 (%) per annum, as provided by law. Interest on assessments shall begin to run from the date of first voucher issued on account of worked done as provided by said act of said General Assembly, and all acts amendatory thereof and supplementary thereto.

Section 6: All proceedings hereunder or in this ordinance provided for, as well as all things provided for herein, shall be in conformity with the provisions of 65 ILCS 5/9-2-1, et seq, and all acts amendatory thereof and supplementary thereto.

Section 7: That for the purpose of anticipating the collection of the second and succeeding installments of said Assessment for said improvement provided for in this ordinance, bonds shall be issued by the said City of Rock Island payable out of said installments, bearing 2.275 (%) per annum, payable annually, as provided by law, and signed by the Mayor of said City of Rock Island, and attested by the Clerk of said City under the corporate seal of said City. Said bonds shall be issued in the sum of One Hundred Dollars (\$100.00) each, or some multiple thereof, and shall in all respects be issued in accordance with, and shall in all things conform to the provisions of 65 ILCS 5/9-2-1, et seq, and all acts amendatory thereof and supplementary thereto.

Section 8: That the Attorney of the City of Rock Island, Rock Island County, be and he is hereby directed to file a petition in the County Court of Rock Island County, Illinois, in the name of the City of Rock Island, praying that steps be taken to levy a special assessment to pay the cost of improvement herein provided, to be made in accordance with the provisions of this ordinance and the laws of the State of Illinois.

Section 9: That all ordinances or parts of ordinance in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

Section 10: That this ordinance shall be in full force and effect immediately and forthwith upon its adoption by the City Council and its approval by the Mayor as provided by law.

Dennis Pauley, Mayor

Passed: _____

Approved: _____

Attest: _____