

**Memorandum
Public Works Department**



To: City Manager
Subject: No Parking
Date: June 28, 2016
Number: 2016-128

SOURCE OF REQUEST:

Kathy McGrath
4501 42nd Avenue
Rock Island, IL 61201

NATURE OF REQUEST:

The Traffic Engineering Committee received a request from Kathy McGrath and Dick Permantier, 4501 42nd Avenue, to ban parking on both sides of the street at the corner of 42nd Avenue in front of their home.

MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES WARRANTS:

Not Applicable

CONTACTS WITH RESIDENTS:

None

TRAFFIC STUDY INFORMATION:

The Traffic Engineering Committee recommends that parking be banned on both sides of the street starting on the east edge of the driveway at 4445 42nd Avenue to the south edge of the driveway at 4101 46th Street Court.

COST:

The cost to the city is minimal.

RECOMMENDATION:

The Traffic Engineering Committee recommends that the City Council approve the request to ban parking on both sides of the street starting on the east edge of the driveway at 4445 42nd Avenue to the south edge of the driveway at 4101 46th Street Court and direct the city attorney to prepare the necessary paperwork.

Submitted by: Randall D. Tweet, Public Works Director
Traffic Engineering Committee

Approved by: Thomas Thomas, City Manager



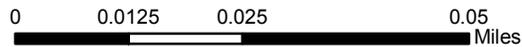
City of Rock Island

No Parking Location

Legend



No Parking





Michelle Martin <martin.michelle@rigov.org>

Request for No Parking signs on corner between 4510 and 4501 42nd ave

1 message

kmm2u@mchsi.com <kmm2u@mchsi.com>

Thu, May 26, 2016 at 2:12 PM

To: martin.michelle@rigov.org

Cc: John <pjchuru@mchsi.com>, Carol <cclarke13@mchsi.com>, CAROLYN KOCH <cakoch@mchsi.com>, Gary Camp <gscamps@mchsi.com>, bill maurhoff <bill.maurhoff@gmail.com>

Hi Michelle,

Per our phone call today, we are requesting no parking signs on both sides of the corner of 4510 and 4501 on 42nd Ave. The Gusse's live at 4510 and Dick and I live at 4501. I've attached a few pictures to show what we mean about this corner being an accident waiting to happen when cars are parked on the corner. Ideally, the end of our driveway will be within the no parking area as Mr. Gusse parks there even when he has parking available in his driveway.

I've attached the minutes of the May 16th City Council meeting, please see Agenda Item #9 where many neighbors spoke up about the parking. Mr. Gusse's lawyer spoke for Mr. Gusse regarding the parking: "Mr. Doak, stepped forward. Mr. Doak addressed the parking issue. Mr. Doak advised that when this issue was first brought up, the City stated they would look into restricting parking on that curve; they have not done that. Mr. Doak stated that Mr. Gusse is not opposed to restricting parking on that street."

I have cc'd a few of the neighbors who are affected by the corner parking.

Please let us know if there is anything else we need to do.

Thank you,

Kathy McGrath (309) 269-5314

Dick Permantier (309) 230-7262

4 attachments**20160328_161042_resized.jpg**
598K**gusse.jpeg**
825K

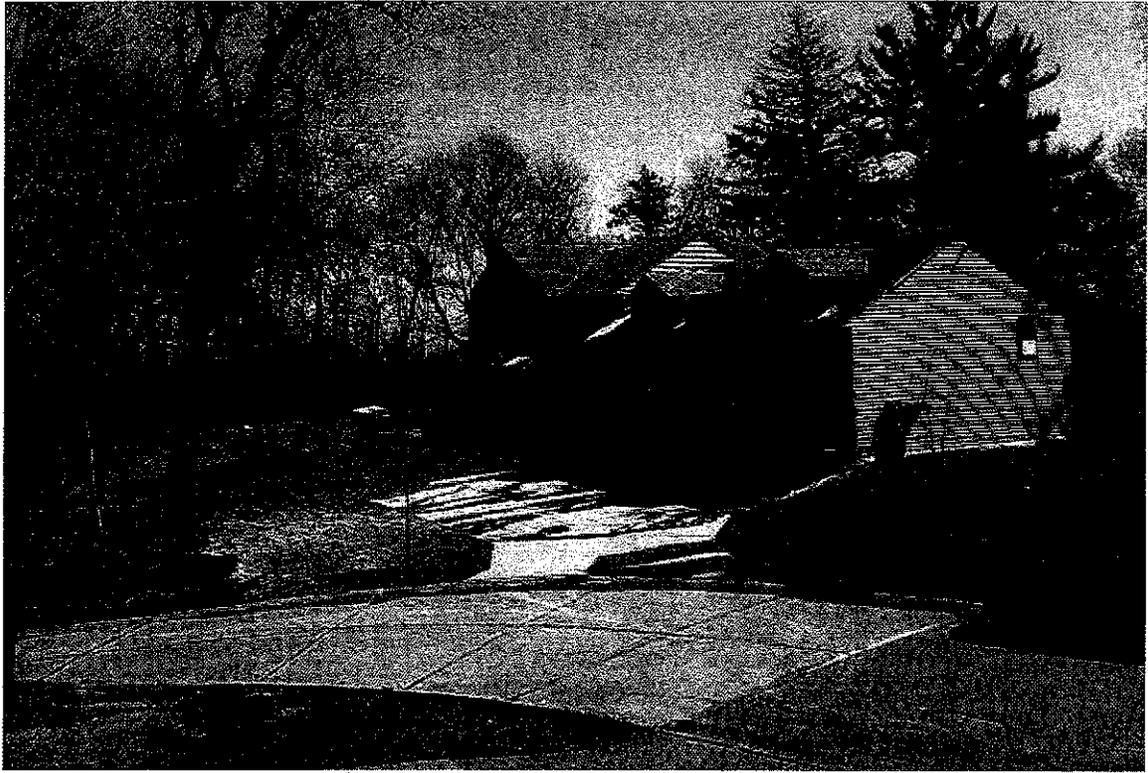


gusse 3-25-16.jpg
78K

 **City Council Minutes 051616.pdf**
275K







**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

**May 16, 2016
MINUTES**

The Rock Island City Council met in Study Session at 5:30 pm in City Council Chambers at Rock Island City Hall. Present were Mayor Dennis E. Pauley presiding, and Aldermen Virgil J. Mayberry, Stephen L. Tollenaer, Charles O. Austin III and Ivory D. Clark. Also present were Public Works Director Randy Tweet, Library Director Angela Campbell, Police Chief Jeff VenHuizen, other City staff and City Attorney Dave Morrison. Alderman Kate Hotle arrived at 5:32 pm. City Manager Thomas Thomas and Aldermen P.J. Foley and Joshua Schipp were absent.

PRESENTATION OF ROCK ISLAND LIBRARY'S ANNUAL REPORT

Library Director Angela Campbell presented the Library's Annual Report to Council. Ms. Campbell stated that Pursuant to the Local Library Act, 75 ILCS 5/4-10, the Board of Trustees must report in writing on the condition of their trust.

Ms. Campbell discussed the Library's CY2015 finances as it related to revenues, expenditures and needed reserves. Ms. Campbell stated that in 2015, the projected revenue was about \$2.6 million dollars and the actual revenue received was about \$2.5 million dollars. Ms. Campbell stated that they didn't quite get all of the revenue because they didn't need as much money from the Foundation as projected. Ms. Campbell stated that the actual expenditures were under the projected amount, which came in at \$226,679.68. Ms. Campbell added that a lot of that had to do with staff turnovers and retirements and that was a cost savings. Ms. Campbell added that they didn't need as many reserves as they had originally thought. Ms. Campbell further discussed the Library's finances.

Next, Ms. Campbell discussed the Library's collection of materials. Ms. Campbell noted that they have 224,190 in-house materials available for patrons, which include; adult books, adult audios/videos, children's books and children's audios/videos. Ms. Campbell commented that the number of library materials used, which included in-house, online circulation and database usage was 452,198. Ms. Campbell commented that if the circulation numbers are added to other services used, then that total is 1,150,512. Various other services Ms. Campbell discussed included; internet and Wi-Fi sessions, computer help questions, reference questions and children's literacy stations.

Ms. Campbell discussed the Library's extension of services. Ms. Campbell advised that little free libraries are now located at the QC Botanical Center, RIFAC, Martin Luther King Center, Community Health Care, Rock Island Township Office and South Rock Island Township Office. Ms. Campbell noted that they also extend services through outreach. Ms. Campbell commented that they did 176 programs last year outside of the Library.

Ms. Campbell advised that the Library's local property tax requirement for CY2017 is \$2,563,720.00. Ms. Campbell added that this amount would allow the Library to continue operating three library locations, meet the State library standards, keep the reserve fund at 120 days, and it would allow the library to expand services. Ms. Campbell indicated that the Library had in-kind donations of more than \$50,000.00 and that funded the reading program and a new

website design. Ms. Campbell noted that the Library Foundation donated more than \$38,000.00 to help fund materials, services, programs and equipment.

Next, Ms. Campbell discussed the Library's partnerships, which included Reach Out and Read, a national program with Community Health Care; Stargazing with the Popular Astronomy Club; Librarians Out & About; Last Call Book Club at Icons Martini Bar; Rock Island-Milan School District; Money Smart Week; Head Start tours; TRY-Play; and Black Hawk College/Church of Peace ELL instruction. Ms. Campbell further discussed this subject.

Ms. Campbell then discussed the Main Library restoration project. Ms. Campbell advised that the stone work was completely restored and tuckpointed along with new roofs and flashing and new gutters and downspouts. Ms. Campbell added that the original front steps were completely restored. Ms. Campbell stated that work began in March of 2015 and it took nine months to complete. Ms. Campbell indicated that there were some serious water issues on the lower level and it had to be repaired so that water could be diverted towards the alley and sidewalks instead of to the building. Ms. Campbell added that the restoration project was about \$12,000.00 under budget. Ms. Campbell further discussed the Main Library's restoration project.

Next, Ms. Campbell provided an update to Council on the Library's strategic plan and master plan. Ms. Campbell advised that they are halfway through the second year of the strategic plan and they have met and exceeded many of the goals. Ms. Campbell discussed the goals, which included; Create Young Readers: Early Literacy; Learn to Read & Write: Adult, Teen and Family Literacy; Stimulate the Imagination: Reading, Viewing & Listening for Pleasure; and Visit a Comfortable Place: Physical & Virtual Spaces. Ms. Campbell indicated that they will begin working on a new plan shortly.

Ms. Campbell advised that the master plan had two choices. Ms. Campbell noted that the first option was that the Main Library would be the one library location and it would have an addition that would get the library up to 50,000 square feet. Ms. Campbell stated that the estimated amount for that option was \$29 million dollars. The other option that Ms. Campbell discussed was finding a new site and basically a new library in one location and that was estimated at \$31 million dollars. Ms. Campbell explained that the Tri-City Jewish Center asked the Library if they would be interested in studying their location. Ms. Campbell stated that the Library Board wanted to study that in two ways. Ms. Campbell advised that one way would be as one library location for the whole City; it would require an addition of about 20,000 square feet. Ms. Campbell added that another way it is being studied is to have the Tri-City Jewish Center building as the central main library, keep the Southwest Branch open, which would be completely funded by the the Milan/Blackhawk Area Public Library District, and have a branch library downtown.

Ms. Campbell and Council further discussed the options that are being studied. Ms. Campbell commented that once the master plan addendum study is complete, they will begin their fundraising feasibility study. Council further discussed Ms. Campbell's presentation as it related to the master plan. Council also discussed membership and the Friends of the Library as it related to the bookstore at the 30/31 Branch.

DISCUSSION ON POLICE FEES FOR PARADES AND RACES

Police Chief Jeff VenHuizen advised that in 2015, the Police Department provided police services in the form of traffic control and security for 20 events requiring street closures. Chief VenHuizen added that two of those events were City sponsored events (Red, White & Boom and Labor Day Parade) where police overtime was paid and police off-duty rates were paid for the 18 remaining events.

Police Chief VenHuizen indicated that the police off-duty rate is set by the police union. It was noted that all sworn personnel can volunteer to work off-duty assignments. Chief VenHuizen advised that the rate is currently \$35.00 per hour (3 hr. min.) for officers and \$37.00 per hour (3 hr. min.) for a supervisor. The Chief commented that the City charges an additional service fee of \$2.00 per hour per officer. Police Chief VenHuizen advised that in 2015, the 18 events generated \$22,476.50 worth of fees that were paid directly to the officers and the total for the \$2.00 service fee that is paid directly to the City was \$1,278.00.

Next, Police Chief VenHuizen discussed assignments and rates for on-duty police officers. The Chief advised that police overtime assignments are only available to officers, detectives and sergeants and the average overtime rate for a police officer is \$46.23 per hour. The Chief added that the average overtime rate for a police detective is \$53.28 per hour and the average overtime rate for a police sergeant is \$60.38 per hour.

Chief VenHuizen stated that he was asked to look at the Quad Cities Marathon event, which spurred this report. Chief VenHuizen referred to the chart and stated that the sponsor expenses were \$1,652.50 in 2015 and the estimated City expense on overtime using the estimates for overtime rates was \$2,265.66, which would be a cost that the City would have to be responsible for if it was an overtime event. It was noted that there was a difference of \$613.16 or a 37% increase. The Chief added that the fee would vary depending on the makeup of sworn personnel working the event.

Chief VenHuizen discussed the chart that was related to the 18 events in terms of off-duty versus on-duty costs. Chief VenHuizen advised that there was an average 44% increase in costs for overtime and that is approximately \$36,000.00. The Chief stated that this overtime estimate would vary significantly based on the makeup of sworn personnel working the event. The Chief added that overtime is based on seniority.

The Chief discussed considerations that have to be taken into account. Various considerations discussed included; the exclusion of exempt employees; making one event overtime to pay the officers and other events being paid at an off-duty rate; and fatigue.

Council discussed Chief VenHuizen's presentation as it related to on-duty and off-duty rates. Alderman Hotle discussed events as it related to regional partnerships in terms of other cities not charging for police fees for events like the Quad Cities Marathon. Alderman Hotle noted that the Quad Cities Marathon is a regional event. Alderman Hotle requested a recommendation from staff and Council of what other cities are actually doing and getting on board with what the other cities are doing in regards to this event.

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Alderman Austin stated that most of these events collect entry fees and have sponsors and budgets to cover the costs of their events.

After more discussion, Mayor Pauley stated that Alderman Hotle is not asking to change the current policy; Alderman Hotle is asking staff to go back and review what other communities do where the race runs through and how they handle it and see if there is a way that the City can do something, but not change the policy.

ADJOURNMENT

A motion made by Alderman Clark and seconded by Alderman Mayberry to adjourn the meeting carried by the following Aye and No vote. Those voting Aye being; Alderman Mayberry, Alderman Tollenaer, Alderman Hotle, Alderman Austin and Alderman Clark; those voting No, none. The meeting was adjourned at 6:15 pm.

Aleisha L. Patchin, City Clerk

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Rock Island City Council met in regular session at 6:45 pm in Council Chambers of Rock Island City Hall. Present were Mayor Dennis E. Pauley presiding, and Aldermen Virgil J. Mayberry, Stephen L. Tollenaer, Kate Hotle, Joshua Schipp, Charles O. Austin III and Ivory D. Clark. Also present were Public Works Director Randy Tweet and City Attorney Dave Morrison. Alderman P.J. Foley attended and participated remotely in the meeting via electronic means (telephone conference). City Manager Thomas Thomas was absent.

Introductory Proceedings

Mayor Pauley called the meeting to order.

Mayor Pauley advised that Alderman Foley notified the City through Aleisha Patchin, City Clerk that he would be required to be out of town for employment purposes and made a request to participate remotely per City ordinance. Mayor Pauley then inquired as to whether there was a motion to allow Alderman Foley to participate in the Council meeting remotely.

It was moved by Alderman Hotle and seconded by Alderman Mayberry to allow Alderman Foley to participate in the Council meeting remotely. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Mayberry, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, none.

At this time, the roll was called and Mayor Pauley led in the Pledge of Allegiance. Alderman Mayberry gave the Invocation.

Agenda Item #5

Minutes of the meeting of May 9, 2016.

A motion was made by Alderman Clark and seconded by Alderman Tollenaer to approve the Minutes of the meeting of May 9, 2016 as printed. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, none.

Agenda Item #6

Update Rock Island by Mayor Pauley.

Mayor Pauley stated that the City of Rock Island is in the process of reviewing and updating its land development codes to implement the City's Comprehensive Plan and to encourage community growth. The public is invited to an Open House to share thoughts on the City's existing development regulations and to learn more about the code update project. Mayor Pauley commented that the Open House will be held on Wednesday, May 25, 2016 from 6:00 pm to 8:00 pm at the Martin Luther King, Jr. Community Center, located at 630 7th Ave, Rock Island.

Do you want to get involved in your community? The City of Rock Island is seeking resident citizens interested in serving on the Citizens Advisory Committee. Mayor Pauley stated that the Committee represents various professions and special interests and provides recommendations to

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City Council on allocations for Gaming Fund grant applications, as well as funding and policy recommendations for the City's HUD/CDBG programs. Please contact the Mayor's Office at (309) 732-2012 for more information and to receive an application.

Mayor Pauley advised that the City of Rock Island's Beautification Commission has selected the winner of the April 2016 "Yard of the Month" award. The Mayor added that the winner was selected from among five submitted nominations. The April winner is Susan Thompson at 4517 13th Avenue. Photos of the winning yard can be found under the Beautification Commission section of the City's website at www.rigov.org. Mayor Pauley commented that nominations for the May "Yard of the Month" award may be submitted by contacting the Community & Economic Development Department at (309) 732-2900 or via e-mail at planning@rigov.org by 5:00 pm on Friday, May 27, 2016.

Mayor Pauley stated that in observance of Memorial Day, City Hall will be closed Monday, May 30, 2016. The refuse and yard waste schedule will be one day late all week. Recycling will be on the normal collection schedule. The City of Rock Island wishes everyone a very happy and safe Memorial Day weekend!

Note: Mayor Pauley changed the order of the Agenda to read the proclamation for Preservation Month.

Agenda Item #8

Proclamation declaring May 2016 as Preservation Month.

Mayor Pauley read the proclamation. Mr. Martin Bush, President of the Rock Island Preservation Society accepted the proclamation and stated that they appreciate the City's support of this historic month.

Agenda Item #7

Presentation of the Rock Island Historic Preservation Awards.

Mr. Martin Bush, President of the Rock Island Preservation Society stated that May is Historic Preservation Month. Mr. Bush stated that this year, the Preservation Society is presenting four Special Stewardship Awards, one Certificate of Recognition and two Historic Preservation Awards.

Mr. Bush inquired upon Mayor Pauley to join him at the podium for the award ceremony. Mr. Bush and the Mayor then presented the awards.

Rita Toalson of Royal Neighbors of America accepted the first special award for maintaining the quality of the original materials on the building at 230 16th Street.

Linda Work of the Coventry Apartments (Rosenfield Mansion) at 1900 6th Avenue received the second special award for maintaining this mansion.

Pastor Tanner Payton and his wife Amy of the Word of Life Church at 1808 7th Avenue received the third special award for the meticulous stewardship of this unique home with its religious facility in the rear addition.

Superintendent Mike Oberhaus of the Rock Island School District received the fourth special award for tuckpointing projects that have recently been completed at four school buildings, which include; Denkmann, Thurgood Marshall, Rock Island High School and Horace Mann.

The Certificate of Recognition was presented to Dan Cleaveland for the new detailed porch restoration at 730 19th Street. Mr. Cleaveland was not at the meeting to accept the award.

Angela Campbell, Library Director was presented with the Historic Preservation Award for chimney repair, exterior stone restoration and other exterior restorations for the Rock Island Public Library at 401 19th Street.

Steven and Cynthia Pressly (Wheelan-Pressly Funeral Home) were presented with the Historic Preservation Award for the complete inside and outside restoration and renovation of Knox Chapel at 2106 7th Avenue.

Agenda Item #9

Public Hearing regarding consideration of the revocation of a Special Use Permit for Mr. Joseph Gusse at 4510 42nd Avenue.

Mayor Pauley closed the regular meeting at 7:00 pm and opened a Public Hearing regarding consideration of the revocation of a Special Use Permit for Mr. Joseph Gusse at 4510 42nd Avenue.

Mayor Pauley stated that this public hearing is somewhat different than any other one that has been done before. Mayor Pauley stated that he will be following a script to stay on target.

At this time, Mayor Pauley inquired upon the applicant or his representative to come forward and briefly explain the request to keep this special use permit.

Attorney John Doak of Rock Island, IL and Mr. Joseph Gusse of Rock Island, IL stepped forward. Mayor Pauley swore in Mr. Doak and Mr. Gusse.

Mr. Doak discussed the statute 65ILCS 5/11-13-1.1 that governs these types of matters. Mr. Doak explained that once you are granted a special use permit, it is subject to those conditions, which are reasonably necessary to meet those standards. Mr. Doak added that if there is an attempted revocation, it has to be specific to those nuisances or hazards associated with that use that were identified in the original legislation. Mr. Doak further discussed this subject.

Mr. Doak then discussed the exhibits (that were distributed to Council) in detail and explained the significance of each exhibit as it related to Mr. Gusse's special use permit.

The 11 exhibits that Mr. Doak discussed included; real estate purchase agreement; Gusse letter requesting permission to apply for the special use permit; memorandum from the Community

and Economic Development Department on the special use permit dated November 26, 2013 to the City Manager; ordinance 075-2013 granting the special use permit and approved on December 17, 2013; City of Rock Island notice of inspection dated December 10, 2015 - occupation of temporary office; notice of violation dated March 7, 2016; memorandum from the Community and Economic Development Department on the special use permit dated May 13, 2016 to the City Manager - recommendation for continuance of 60 days; notice of inspection dated May 12, 2016 on final electrical - passed with notes; photographs of before, during and current construction process; City of Rock Island website page for Planning and Redevelopment Division; and City of Rock Island website page for Inspection Division.

Mr. Doak then discussed the items that have not been completed yet. Various items discussed included; landscaping; installation of gas line to cook top; holes in main entry floor sub-floor; various door thresholds; attic above kid's room needs insulation; HVAC diffuser needs to be installed; attic storage handrails need to be installed; and handrails on basement stairs need to be installed. Mr. Doak advised that Mr. Gusse believes that he can accomplish all of the things that need to be completed within the 60 day time recommendation and he hopes to have the City inspectors back at the house within a couple of weeks to check off the items on the list.

Mr. Gusse stated that he came before the zoning commission as a potential buyer for the house; it got recommended; it came before the City Council and it was approved. Mr. Gusse explained that until this issue came up, he wasn't aware that he had to reside at the residence before he started working at the residence. Mr. Gusse added that the project stretched on for two years longer than he ever dreamed of. Mr. Gusse explained that the contractors were not completing the work unless someone was there to supervise them. Mr. Gusse added that since the business has moved to the house, tremendous progress has been made to the home. Mr. Gusse offered that he had no intention of violating any ordinance when he moved the business to the residence. Mr. Gusse added that he had every intention of completing the house so the family could live there. Mr. Gusse further discussed this item as it related to parking vehicles on the street and in the driveway and the issue of no street signs posted for no parking on the street.

Alderman Austin inquired as to whether Mr. Gusse was comfortable in stating how much he will have invested in the house by the time he moves in. Mr. Gusse stated that he was not comfortable in sharing that information. Alderman Clark inquired as to whether Mr. Gusse felt comfortable that within 60 days, everything would be completed. Mr. Gusse stated yes with the exception of the addition in the back that will not be 100% done. Mr. Gusse indicated that the existing renovated house will be 100% done. Alderman Tollenaer inquired as to what direction is out back. Mr. Gusse stated that it would be the east side where the addition will go. Alderman Tollenaer and Mr. Gusse further discussed this subject.

Alderman Clark and City Attorney Morrison discussed the special use permit as it related to the zoning code. Alderman Schipp and City Attorney Morrison discussed the process for revocation of the special use permit. Alderman Schipp and City Attorney Morrison also discussed the legality of granting occupancy as it related to the business occupying the house prior to it being a residence.

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At this time, Mayor Pauley invited any proponents (anyone in favor) of the request to come forward. No one came forward.

Mayor Pauley then invited any opponents (not in favor) of the request to come forward.

Katherine McGrath of Rock Island, IL stepped forward. Mayor Pauley swore in Ms. McGrath. Ms. McGrath stated that she lives across the street from Mr. Gusse. Ms. McGrath indicated that the Gusse's are blaming her and Mr. Permantier for most of their problems. Ms. McGrath voiced concerns about their neighborhood's property values decreasing in the last two and one-half years.

Alderman Tollenaer inquired upon Ms. McGrath to give Council her perception of how often the Gusse's block her driveway and prevent her from backing out. Ms. McGrath indicated that more times than not, the three employees as well as the Gusse's will be parked on the street and not in their driveway.

Mr. Doak cross-examined Ms. McGrath. Mr. Doak inquired to Ms. McGrath as to whether she has ever seen a client's vehicle parked on the street. Ms. McGrath stated that it is the employees and the Gusse's that park on the street.

Dick Permantier of Rock Island, IL stepped forward. Mayor Pauley swore in Mr. Permantier. Mr. Permantier stated that he has seen a client's vehicle parked on the street across from his driveway on two occasions. Mr. Permantier discussed two of the stipulations of the special use permit as it related to the resident employees and the five off street spaces. Mr. Permantier also discussed the pictures that he brought concerning the property and parking. Mr. Permantier indicated that the Gusse's are not adhering to the conditions of the special use permit. Mr. Permantier added that the Gusse's intentionally park right across from his driveway. Mr. Permantier further discussed the concerns he had about the Gusse's and the whole project. Mr. Permantier stated that Council should revoke Mr. Gusse's special use permit because he hasn't adhered to the stipulations stated in the ordinance.

John Churovia of Rock Island, IL stepped forward. Mayor Pauley swore in Mr. Churovia. Mr. Churovia voiced concerns in regards to parking and the appearance of the property. Mr. Churovia stated that the corner where the Gusse's live is on a blind curve; cars are always parked on the street. Mr. Churovia inquired upon the City to maybe do a study on that corner and possibly put no parking signs on that street. Mr. Churovia stated that on behalf of the French Farm Condo Association, they would like to see the special use permit revoked.

Alderman Austin stated that Mr. Churovia has a legitimate concern in regards to the parking; there is a public safety reason to have no parking signs. Alderman Austin mentioned that staff could do a study on that issue.

Vera Hinrichsen of Rock Island, IL stepped forward. Mayor Pauley swore in Ms. Hinrichsen. Ms. Hinrichsen stated that she lives one house away from the qualified distance to receive any kind of notifications. Ms. Hinrichsen voiced concerns in regards to the parking issue. Ms. Hinrichsen also voiced concerns in regards to the back of Mr. Gusse's house where walls are

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built up to where someone could fall in that opening. Ms. Hinrichsen stated that someone from the City needs to look at that opening in the back yard.

Dr. John Solis of Rock Island, IL stepped forward. Mayor Pauley swore in Dr. Solis. Dr. Solis inquired as to what the definition is of a permit given for a business to be in a residential area. City Attorney Morrison stated that it is a special use permit. City Attorney Morrison advised that the zoning code states that you can apply for a special use permit to run a business out of your home; it has to be secondary; it can't be the primary reason for why you are there. City Attorney Morrison further explained the requirements of a special use permit.

Mayor Pauley invited anyone else that wished to speak on this issue to come forward.

James Wilson of Rock Island, IL stepped forward. Mayor Pauley swore in Mr. Wilson. Mr. Wilson stated that he is a neutral party that lives directly to the west of the property in question. Mr. Wilson commented that he has not had one problem with the Gusse's. Mr. Wilson stated that he has observed other neighbors parking on the street. Mr. Wilson noted that he has even parked on the street and no one has complained. Mr. Wilson stated that as a disinterested party, he does not have a problem with the Gusse's; they work on their property and are doing the best they can.

With no other persons coming forward to speak on this issue as a neutral party, Mayor Pauley advised that the applicant or representative may come forward if there were any opponents or other comments that you believe need an answer or response.

Mr. Doak stepped forward. Mr. Doak addressed the parking issue. Mr. Doak advised that when this issue was first brought up, the City stated they would look into restricting parking on that curve; they have not done that. Mr. Doak stated that Mr. Gusse is not opposed to restricting parking on that street. Mr. Doak offered that the City issued a temporary occupancy for the business and that was telling Mr. Gusse that he could have his business there while he is finishing the rest of the residence. Mr. Doak further discussed these issues. Alderman Austin and Mr. Doak discussed the east side of the house as it related to safety concerns. Alderman Foley commented that the City inspectors should go out and take a look at that area.

Mayor Pauley advised that there are two choices; we either need a motion to postpone the public hearing until July 11th or the public hearing can be closed and an Alderman can make a motion for something different.

Alderman Tollenaer stated that these are two separate actions; there is a notice of violation and the other is revocation of the special use permit. Alderman Tollenaer added that if the special use permit is revoked that will be a lever to make Mr. Gusse comply then he could reapply and show the neighbors that he can do it.

Alderman Hotle inquired for clarification of the temporary occupancy of the office. Alderman Hotle stated that the temporary occupancy was approved and now it has expired. Alderman Hotle inquired upon Chief Building Official Tom Ayers to explain what this means legally. Mr. Ayers stated that the office is separate from the residence; it even has a separate means of providing

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water to the lavatories. Mr. Ayers commented that once the occupancy expires, it is no longer legal. Mr. Ayers stated that he has not been called to extend the temporary occupancy. Alderman Hotle and Mr. Ayers further discussed this issue.

After more Council discussion on the occupancy issue, Alderman Tollenaer moved to close the public hearing and Alderman Schipp seconded that motion. The public hearing was closed at 8:41 pm.

Alderman Schipp then moved to revoke the special use permit, Alderman Tollenaer seconded that motion.

Discussion followed. Alderman Austin stated that this is in the 7th Ward. Alderman Austin advised that Mr. Gusse has invested a lot of money into the house. Alderman Austin added that he sees that anything Council does to try and stop him from continuing to see the project to completion and to stop Mr. Gusse from continuing to work in that part of the house that has been approved is basically punitive. Alderman Austin stated that he will not be a party to that; he will vote against the motion. Alderman Austin stated that he encourages Council to vote for the 60 day extension and would ask staff to check on the safety concerns on the east side of the house.

Alderman Schipp discussed that original November 26, 2013 memo as it related to the recommendation that the special use permit should be approved because it will not have a negative impact on the character of the neighborhood. Alderman Schipp stated that it is clear that it does have a negative impact on the neighborhood. Alderman Schipp further discussed this issue.

Alderman Hotle agreed with Alderman Austin and stated that she would not support the motion. Alderman Hotle stated that it would be in the best interest of the City to grant the 60 day extension. Alderman Hotle further discussed this subject.

Alderman Clark agreed with Alderman Hotle and Alderman Austin. Alderman Clark commented that when you have a special use permit, there is a higher burden on you to do things right in the neighborhood. Alderman Clark stated that he was disappointed that Mr. Gusse has not reached out more to the neighbors.

Alderman Tollenaer reiterated that the special use permit can be revoked; it is a lever that will make Mr. Gusse do what he needs to do and then he can come back and apply. Alderman Tollenaer stated that he will support the revocation.

Alderman Foley discussed the minutes from the meeting on April 4th that related to Mr. Gusse and the issues regarding the special use permit. Alderman Foley stated that it took over two years to get to the point of finishing the project and that is inexcusable. Alderman Foley further discussed this issue.

After discussion, the motion to revoke carried by the following Aye and No vote; those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer and Alderman Schipp; those voting No; Alderman Hotle, Alderman Austin and Alderman Clark.

Mayor Pauley commented that the motion passes and the special use permit is revoked.

Agenda Item #10

An amendment to a Special Ordinance amending Chapter 10, Article VI, Sec. 10-107.11 of the Code of Ordinances by adding the effective date of July 1, 2016.

Alderman Schipp moved and Alderman Austin seconded to consider, suspend the rules and pass the ordinance. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, Alderman Hotle.

Agenda Item #11

CLAIMS

It was moved by Alderman Austin and seconded by Alderman Tollenaer to accept the following reports and authorize payments as recommended.

Discussion followed. Alderman Schipp inquired as to when the project on 6th Avenue will be done.

Public Works Director Randy Tweet advised that the pipelining was successful and that finished up early last week. Mr. Tweet added that Brandt is starting again and they will be installing a large section of pipe. Mr. Tweet advised that Brandt expects it to be completed during the first week of June. Alderman Schipp and Mr. Tweet further discussed this item.

After discussion, the motion carried by the following Aye and No vote; those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, none.

- a. Report from the Public Works Department regarding payment #15 in the amount of \$573,088.67 to Brandt Construction of Rock Island/Milan, IL for services provided for the 6th Avenue Relief Sewer project.
- b. Report from the Public Works Department regarding payment #9 in the amount of \$151,695.04 to Centennial Contractors of the Quad Cities, Inc., Moline, IL for services provided for the 2015/2016 Sidewalk and Pavement Patching Program projects.
- c. Report from the Public Works Department regarding payment in the amount of \$167,743.00 to Inland Waters Pollution Control, Inc. of Detroit, MI for services provided for the rehabilitation of 320 feet of the 54" brick sanitary sewer located along 24th Street between 5 ½ Avenue and 6th Avenue.

Agenda Item #12

Claims for the week of May 6 through May 12 in the amount of \$1,349,773.17 and payroll for the weeks of April 25 through May 8 in the amount of \$1,426,333.43.

Alderman Hotle moved and Alderman Schipp seconded to allow the claims and payroll. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, none.

Agenda Item #13

Report from the Public Works Department regarding bids for the 34th Avenue Resurfacing and 20th Street Court Resurfacing project, recommending the bid be awarded to Langman Construction, Inc. of Rock Island, IL in the amount of \$169,399.20.

It was moved by Alderman Hotle and seconded by Alderman Schipp to award the bid as recommended and authorize the City Manager to execute the contract documents. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, none.

Agenda Item #14

Report from the Community and Economic Development Department regarding bids for the demolition of three residential properties, recommending the bid be awarded to Jimax of Peoria, IL in the amount of \$38,718.08.

Alderman Hotle moved and Alderman Schipp seconded to award the bid as recommended and authorize the City Manager to execute the contract documents. The motion carried by the following Aye and No vote; those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, none.

Agenda Item #15

Report from the Mayor regarding designation of the Mayor Pro Tem.

Alderman Clark nominated Alderman Foley to be Mayor Pro Tem for 2016-2017, which nomination was seconded by Alderman Schipp. Nominations were then closed. Alderman Foley was elected as Mayor Pro Tem. The nomination carried by the following Aye and No vote: those voting Aye being; Alderman Mayberry, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, none. Alderman Foley abstained.

Agenda Item #16

Other Business.

Alderman Austin stated that he was pleased to see an article in the Quad City Times about the Vietnam Veterans War 50th Anniversary Welcome Home Parade for this Saturday beginning at 10:30 am. Alderman Austin advised that the parade starts in Rock Island and ends in Davenport.

**CITY OF ROCK ISLAND
CITY COUNCIL MEETING**

**May 16, 2016
MINUTES**

Alderman Austin commented that it would be wonderful if the parade would have the same turnout as the St. Patrick's Day Parade does. Alderman Austin commented that because of the lack of awareness to the community, it may not get the turnout it deserves. Alderman Austin encouraged the City and the media to push this and make it as well known as possible.

Alderman Hotle stated that she will be having a ward meeting on Thursday, May 26th starting at 6:30 pm at the Hauberg Center. Alderman Hotle stated that everyone is welcome.

Mr. Tom Keith of Moline, IL stepped forward. Mr. Keith discussed Geo-Engineering as it related to health and environmental concerns.

Agenda Item #17

Executive Session on Personnel, Property Acquisition and Litigation.

A motion was made by Alderman Schipp and seconded by Alderman Clark at 9:00 pm to recess to Executive Session on matters of Personnel, Property Acquisition and Litigation. The motion carried by the following Aye and No vote: those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, none.

Agenda Item #18

Recess

Mayor Pauley reconvened the regular meeting at 9:43 pm. A motion was made by Alderman Tollenaer and seconded by Alderman Clark to recess to 5:30 pm, Monday, May 23, 2016. The motion carried by the following Aye and No vote: those voting Aye being; Alderman Mayberry, Alderman Foley, Alderman Tollenaer, Alderman Hotle, Alderman Schipp, Alderman Austin and Alderman Clark; those voting No, none. The meeting was recessed at 9:44 pm.

Aleisha L. Patchin, City Clerk