



REGULAR COUNCIL MEETING MONDAY, OCTOBER 27, 2014
5:30 P.M.

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE <i>Mayor Laurie L. Barra</i>		
3.0 ROLL CALL <i>Clerk to Call the Roll</i>		
4.0 APPROVAL OF AGENDA <i>ACTION: Motion to approve the meeting agenda.</i> VOTE REQUIRED		
5.0 APPROVAL OF MINUTES <i>ACTION: Motion to approve minutes of the Regular Council Meeting October 14, 2014.</i> VOTE REQUIRED		
6.0 PUBLIC INPUT ON THE AGENDA ITEMS, PUBLIC COMMENTS AND QUESTIONS <i>Speakers to state name. Speakers may address the Council on any topic.</i>		
7.0 CONSENT AGENDA		
7.1 Receive and File Monthly Reports: Police Department September Report; Traffic Safety Committee Minutes October 3, 2014; and Human Rights Committee Minutes September 25, 2014.		
7.2 Proclamation: “International Alpha Delta Kappa Month” October 2014		
7.3 Receive and File: Bids CSO Phase 3 and 4 Wastewater Treatment Plant Project opened October 16, 2014		
7.4 Resolution No. 108-14/15 – Mayor’s appointment of Don Oldham to the Economic Development Advisory Committee to fill the unexpired term of Timm Swartz until the first Monday in May 2015.		
8.0 COMMUNICATIONS, PETITIONS, REPORTS		
9.0 NEW BUSINESS		
9.1 Ordinance No. 1462-A339-14/15 – Amending Title 8, Chapter 4, Section 3 of the Code of the City of Pekin 1995 Regarding Handicapped Parking Areas. DESCRIPTION: Recommendation of the Traffic Safety Committee to designate an on street handicapped stall on S. Capitol Street across from 323 S. Capitol Street. ACTION: Motion to adopt the Ordinance. VOTE REQUIRED	GN	2

9.2 Bid CSO Phase 3 and 4 Wastewater Treatment Plant Project DESCRIPTION: Work includes all labor, supervision, materials, supplies, transportation, equipment and services necessary and required to perform the Combined Sewer Overflow Long Term Control Plan Improvements Phase 3 and 4 Package A. ACTION: Motion to approve the bid for Phase 3B with Alternate 1 and Phase 4 Wastewater Treatment Plant CSO Project and award the contract to Leander Construction in the amount of \$2,639,044.78. VOTE REQUIRED	MG	3
9.3 Ordinance No. 2710-14/15 – Amending Title 1, Chapter 12, Section 12 of the Code of the City of Pekin 1995 Regarding Administrative Adjudication of Violations and the Collection of Fines DESCRIPTION: Amends the Code for all fines imposed by the City to bear an interest rate of nine percent (9%) per annum on the unpaid balance from date of imposition of the fine. ACTION: Motion to adopt the Ordinance. VOTE REQUIRED	BD	5
10.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL 10.1 Staff 10.2 Council 10.3 Press		
11.0 EXECUTIVE SESSION 65 ILCS 120/2 (c) 6. Sale of Municipally Owned Property		
12.0 ADJOURN No Vote Required		

Column 1 Key:

DG Darin Girdler City Manager
 GN Greg Nelson Police Chief

MG Michael Guerra City Engineer
 BD Burt Dancey Attorney

Column 2 Key:

- 1 A Prosperous Community.** To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.
- 2 A Safe Community.** To protect community life and property by providing effective, principled police and fire services.
- 3 A Strong Foundation.** To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
- 4 A High Quality of Life.** To support or provide services that improve the quality of life for Pekin's residents.
- 5 An Effective Government.** To deliver effectively the services that Pekin's residents want, need, and are willing to support.

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, OCTOBER 14, 2014 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA * MAYOR * PRESIDING**

**PRESENT: COUNCIL MEMBERS, ABEL, GILLESPIE, GOLDEN, ORRICK, HENDRICKS,
MCCABE AND BARRA**

ABSENT: NONE

The **Pledge of Allegiance** was led by Mayor Barra.

Roll was called. All members were physically present. A quorum was present.

AGENDA

Motion by Council Member Golden, seconded by Council Member Orrick that the **agenda be approved as presented**. Council Member McCabe requested that 7.2 of the Consent Agenda be placed for discussion under New Business. On roll call vote all present voted to approve the agenda as amended.

MINUTES

Motion by Council Member Hendricks, seconded by Council Member Abel that the **minutes of the Regular City Council Meeting of September 22, 2014 be approved as written**.

PUBLIC INPUT ON AGENDA ITEMS

Martha Herms, Executive Director Center for Prevention of Abuse, advised the Council of the many programs offered through the Center to prevent and serve victims of violence. She announced October as National Domestic Violence Awareness Month.

Tom Janky voiced his displeasure with the garbage fee. He asked that Council consider suspending payment for months that citizens do not occupy their main residence.

Joshua Bonnett addressed the Council on the matter of spending \$80,000.00 for property necessary for the resolution of occasional flooding in the Derby Street area. He felt there was need to review all related issues and encourage the Council to slow down on their decisions.

Austin Grant an amateur radio operator, asked what actions had been taken on his earlier request to consider removing the \$2500.00 charge associated with his radio tower, as per Code 9-13-1 City Manager Darin Girdler responded that the matter would be reviewed with the Planning/Code Enforcement departments.

Sally Johnson commented on the following matters:

- Agreed with not paying a garbage fee
- Voiced displeasure in removing a second opportunity to the address the Council at the end of meetings
- Expressed opposition to the \$6 million Library improvement
- Questioned why the property purchase on Derby Street was necessary

Ann Witzig

- requested the City consider using a form for documented written complaints of the Code Enforcement/Building Departments
- expressed displeasure in the removal of a second public comment time from the meetings and indicated it was the decision of Attorney Dancey
- questioned the difference in the IDOT agreement for traffic signal work of \$6,077.00 and the higher appropriation from MFT funds of \$7,600.00

Bob Bramham

- expressed appreciation to Council Member Orrick for answering his questions prior to the meeting start
- commented on displeasure with garbage fee
- criticized Attorney Dancey's work

Larry Wolfer stated his opinion of the reasons for occasional flooding in the Cambridge/Shire area and stated what could be corrected at the Wastewater Treatment Plant.

CONSENT AGENDA

Motion by Council Member Gillespie, seconded by Council Member McCabe that the **CONSENT AGENDA be approved as now presented**. The following was presented for consideration of the Consent Agenda items by Omnibus Vote.

7.1 Receive and File Monthly Reports: Tazewell County Animal Control September Report; Building and Zoning Department July and August Reports; Human Rights Committee Minutes dated June 25, and August 27, 2014.

On roll call vote all present voted Aye

NEW BUSINESS

ORDINANCE NO. 2709-14/15

ACCEPTING A REAL ESTATE SALE CONTRACT AND AUTHORIZING THE PURCHASE OF REAL PROPERTY

04-10-02-407-016

Motion by Council Member Orrick, seconded by Council Member Abel that Ordinance No. 2709-14/15 be adopted. City Manager Darin Golden recommended the acquisition of 1119 Derby Street from James C. Layne in the amount of \$80,000.00 for use necessary for resolution of occasional flooding in the area. Discussion followed. Prior preliminary information from a study indicated the purchase was the cheapest and best option of possibilities for the retention of the storm water. Council Member Golden questioned if the purchase should be delayed until the City saw the improvements at the treatment plant would reduce the flooding. It was indicated that the matter was strictly stormwater not combined sewer which had no effect on the plant. On roll call vote Ayes, Abel, Orrick, Hendricks, Gillespie, McCabe, Barra; Nay, Golden. Motion Carried.

Motion by Council Member Abel, seconded by Council Member Gillespie that the **ILLINOIS DEPARTMENT OF TRANSPORTATION AGENCY AGREEMENT FOR miscellaneous signal work**, be approved. City Engineer Michael Guerra presented the joint agreement with IDOT for the District 4 traffic signal work. Work included replacement of LED traffic light modules and backup batteries on State Routes. He indicated the City would be responsible for \$6,077.00 of estimated total cost of \$355,810.00. He recommended approval, indicating the upgrades would be done prior to Court Street being transferred to the City for an minimal cost. On roll call vote all present voted Aye.

RESOLUTION NO. 107-14/15

APPROPRIATION OF MOTOR FUEL TAX

Motion by Council Member McCabe, seconded by Council Member Orrick that Resolution No. 107-14/15 be adopted. The resolution authorized MFT fund of \$7,600.00 for the local share of 2% of the miscellaneous Traffic Signal Work 2015 along state highways. City Engineer Michael Guerra explained 125% was appropriated to cover any possible cost per the agreement. On roll call vote, all present voted Aye.

Motion by Council Member McCabe, seconded by Council Member Hendricks that the **MUTUAL AID BOX ALARM SYSTEM – MABAS** be approved. Fire Chief Kurt Nelson explained to the Council the action was clarification to original ordinance to adhere to the new FEMA guidelines to insure that the City obtains federal funding in time of national disaster. On roll call vote all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Police Chief Nelson encouraged the public to attend Nite Out Against Crime at the Dome on Thursday, October 23, 2014.

Fire Chief Kurt Nelson advised the public to check smoke detectors

Attorney Burt Dancey stated in response to comments that had been made that the 7 members of the Council speak for themselves and the attorney does not make decisions for them.

Council Members Golden and Orrick indicated they would be in favor of a workable solution to eliminate garbage service fee for snow birds. Council Member Orrick requested staff make elimination of pot holes top priority. Council Member Gillespie was informed that the Sheridan Road Bridge improvement was complete. Council Member Abel requested consideration of the process enacted in Washington Illinois that code violations such as weeds are penalized \$100.00 per day. Council Member McCabe encouraged the audience to call the staff or Council Members with question they have for answers prior to the Council Meeting night.

No further business to come before the Council, motion by Council Member McCabe seconded by Council Member Hendricks that Council adjourn. Mayor Barra declared the meeting adjourned.

COUNCIL ADJOURNED AT 6:30 P.M.

Sue E. McMillan
City Clerk

**PEKIN POLICE DEPARTMENT
END OF MONTH REPORT FOR SEPTEMBER 2014**

	SEPTEMBER 2013	AUGUST 2014	SEPTEMBER 2014
TRAFFIC TICKETS	295	469	505
WARNING TICKETS	67	143	144
OFFENSES	473	434	361
ARRESTS	267	238	199
PARKING TICKETS	137	175	144
STOPS	1281	883	959

CITY ORDINANCE TICKETS FOR SEPTEMBER 2014

NUMBER OF TICKETS WRITTEN 73
NUMBER OF TICKETS PAID OVER THE COUNTER 15
FINES COLLECTED OVER THE COUNTER \$2,810.00

**CITY OF PEKIN TRAFFIC SAFETY COMMITTEE MINUTES
OCTOBER 3, 2014 @ 8:30 a.m.
CITY HALL CONFERENCE ROOM**

PRESENT: Greg Nelson, Ron Mayeur, Will Taylor, Mike Guerra, Bob Shaw.
Also present: Jim Kaminski, Lee Ann Wrhel.

The meeting was called to order at 8:35 a.m.

Motion by Will Taylor to approve the agenda, seconded by Ron Mayeur. All in favor.

Motion by Mike Guerra to approve the September 5, 2014 meeting minutes, seconded by Will Talyor. All in favor.

Old Business:

1. *Overnight Parking - Revisited*

The committee discussed the status of this. There had been a request to include a provision in the proposal to accommodate hardship cases or permits. After discussion of an updated proposal, Mike made a motion to update the proposal with a provision for parking permits to present to the Mayor for review. Ron seconded the motion. All in favor.

New Business:

1. *Dell Avenue – Speed Reduction Request*

The resident at 1105 Dell had called requesting a speed reduction on Dell Ave., or at least installation of speed limit signs. It was noted that the curve is sharper traveling north than traveling south. Jim recommended that a "curve ahead" sign be posted in this location. The sign will be posted and the SpeedSpy will be placed there to monitor traffic.

2. *Handicapped Parking Sign Request – 323 S. Capitol St.*

The committee received a handicapped parking sign request signed by a doctor for the resident at this address. It was noted that this address is on the "no parking" side of the street. Will made a motion to make a recommendation to City Council to designate a handicapped parking space on the east side (parking side) of the 300 Block of S. Capitol St. across from the 323 S. Capitol St. address. Ron seconded the motion. All in favor.

3. *Illinois-American Water Co. Work Near Pekin High School*

The high school has requested a lane closure for those wanting to turn left from Stadium Dr. onto Court St. when Illinois-American Water does their upgrade work in that location. Mike reported that at this time Illinois-American is not sure when they will be doing this project. It was noted that when the project is going on, Illinois-American is responsible for the traffic control in that location. Mike will contact Illinois-American and make them aware of the request by the high school.

Around the Table

Tom Janky, 1016 Kennedy, (309-267-1088), attended the meeting. He asked for speed bumps on Kennedy at N. 11th St. He is concerned with vehicles speeding on Kennedy, taking the turn from Kennedy onto N. 11th St. too fast and cutting the corner, and vehicles not stopping at the stop sign on N. 11th St. at Kennedy. He indicated that this is of particular concern during the

drive to work and drive home times of day. He also indicated that school busses in that location are doing the same. The committee will have this as an agenda item for the November meeting. In the meantime, the police department will monitor the location.

Ron requested the flashing stop signs be placed on Derby St. at S. Seventh St. Bob recommended placing flashing red lights above the stop signs there. The lights will be placed in this location.

Ron asked about the concern brought to the committee last month regarding parking on Center St. It was noted that Parking Enforcement is working that area.

Ron inquired about Pekin holding refresher courses for senior drivers put on by AARP that has been done in other locations. After the meeting Greg reported that this is already being done through the Miller Center at the park.

Ron presented a concern regarding school busses driving "too fast for conditions".

Mike reported that beginning Monday, October 6th, Third St. will be closed due to railroad repairs being done at the intersection of Third and Margaret.

Mike stated that there is a vendor that has a system available that does traffic counts that includes video. This would require that we pay for this service.

It was noted that it is in the works to paint stop bar lines on the road on S. 10th St. where the stop signs have been installed at Oxford.

It was reported that additional reflective diamonds have been installed at the end of Veterans Dr. at Sheridan Rd.

It was noted that coming into town on Court St., the 40 mph zone is not marked. At this time, that is controlled by IDOT.

Respectfully Submitted,
Lee Ann Wrhel

NEXT REGULAR MEETING NOVEMBER 7, 2014 @ 8:30 A.M.

City of Pekin
Human Rights Committee
September 25, 2014
Minutes

- I. Welcome and introductions – Meeting called to order by Michelle Moul at 7:30am. Present: Telesia Crnkovich, Melinda Figge, Bill Fleming, Michelle Moul, Danielle Owens, Becky Saban and Linda Seth. Also present: Pamela Anderson and Reena Pulfrey.
- II. Approval of minutes – On a motion by Figge, second by Owens, the minutes from the August 27th meeting were approved as distributed.
- III. Correspondence and feedback – There was a general discussion of the blog and social media feedback on the Diversity Festival and the Come Together sign.
- IV. Old Business
 - A. Diversity Festival – In general there was plenty of positive feedback and many requests for a bigger event next year. There were an estimated 300 children who participated. There was also interest from additional vendors for next year. The committee has already started discussing potential dates for 2015.
 - B. Community Reads – The books are going fast. The library may order more. There is a flyer with the program events and posters available. Board members need to help publicize this event and also be prepared for our discussion at the next HRC meeting.
 - C. Night Out Against Crime – We will have a booth at the October 23rd Night Out Against Crime. Illinois American has donated a box of “diversity” themed book marks we can give away. The PCHS graphics students will create a banner that follows the bookmark theme, with a pledge to sign. We reviewed two different drafts of the poster and made suggestions for the students. Owens will get a cost estimate for us for a 4’x8’ banner.

- D. All the Little Snow Angels – The author's flight is booked. The book and an ornament will be delivered to each primary classroom in District 108, plus other private schools and head start. The author will visit some schools on December 5th, read the book and talk about being an author. She'll also be at an event at the Speakeasy Art Center that evening as part of Christmas on Court.
- E. Come Together Sign – Anderson had previously distributed photos of the entrances to town and the traffic counts. There was consensus to locate it at the west entrance. There is less clutter, and it's the area we originally discussed for a mural. It's also the alleged site of the "sundown" sign. Fleming made a motion, second by Owens, to locate the sign near the Pekin welcome sign on the West Route 9 entrance. The motion carried. Anderson will check with the sign shop to see if the sign can be protected from graffiti by a clear coat or film. Ironically, graffiti prevention was part of the original reason for the mural discussion.

V. New Business

VI. Other business to come before the committee

- A. Committee members – none
- B. Committee advisory members - none
- C. City staff – Pamela reported she spoke to the FCI Pekin staff about the HRC at their Diversity Inclusion Day. It was an event similar to our Diversity Festival. She and Figge also spoke to Kiwanis about the HRC and the Big Read. Pamela also noted she has secured \$4,000 in the city's budget for HRC projects.
- D. Public – none
- E. Press – none

IV. Adjournment – Meeting adjourned at 8:39

***WHEREAS,** Alpha Delta Kappa is celebrating International ADK Month, in October;
and*

***WHEREAS,** the International Honorary Sorority for Women Educators recognizes women who have proven themselves to be strong, efficient professional teachers; and*

***WHEREAS,** it builds a fraternal fellowship, promotes high standards of education, sponsors educational and altruistic projects, and contributes to world understanding through an international fellowship of women educators; and*

***WHEREAS,** scholarships and grants are available to ADK members for study and travel. An International Teacher Education Scholarship is granted to a foreign student who agrees to return to her own country and teach for a year; and*

***WHEREAS,** the Alpha Theta Chapter of Alpha Delta Kappa at Pekin is comprised of 25 active members. Meetings are held monthly during the school year and on special occasions during the Summer; and*

***WHEREAS,** in addition to fellowship and business, the Alpha Theta Chapter has been active in community and charity work. Throughout its 40 years, the Chapter has had many projects, including granting yearly scholarships to students in education, contributing to an area ADK Scholarship Fund, contributing to Christian Civic Outreach, Reading is Fundamental, and Toys for Tots; and*

***NOW, THEREFORE, BE IT RESOLVED** that I, Laurie L. Barra, Mayor of the City of Pekin, Illinois, do hereby proclaim the month of October, 2014, to be*

“INTERNATIONAL ALPHA DELTA KAPPA MONTH”

in the City of Pekin, Tazewell County, Illinois

***ADOPTED,** this 27th day of October, in the Year of Our Lord, Two Thousand and Fourteen.*

LAURIE BARRA
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

City of Pekin, Illinois Combined Sewer Overflow (CSO) Long Term Control Plan Improvements Phase 3 and 4 Letting: October 16, 2014 Farnsworth Group, Inc. 2709 McGraw Drive Bloomington, IL 61704				Engineer's Estimate		Leander Construction P.O. Box 345 Canton, IL 61520		Williams Bros. Construction, Inc. P.O. Box 1367 Peoria, IL 61655						
Estimated Quantity	Unit	Item Description			Unit Price	Total	Unit Price	Total						
Base Bid Phase 3A														
1490	LF	30" Sewer Lining Complete - MH A1 to A7 (Fully Deteriorated)	\$	165.00	\$	245,850.00	\$	146.97	\$	218,985.30 *	\$	133.50	\$	198,915.00
760	LF	30" Sewer Lining Complete - MH A4 to B4 (Partially Deteriorated)	\$	140.00	\$	106,400.00	\$	158.10	\$	120,156.00 *	\$	153.20	\$	116,432.00
1	LS	Relocation of Existing State Street Force Main Discharge	\$	24,017.00	\$	24,017.00	\$	45,100.00	\$	45,100.00	\$	20,000	\$	20,000.00
1	LS	Electrical and Controls Complete	\$	41,000.00	\$	41,000.00	\$	46,959.00	\$	46,959.00	\$	4,653	\$	4,653.00
TOTAL BASE BID PHASE 3A														
Phase 3A Alternate 1														
1	LS	Manhole A2 Polymer Lining and Frame and Lid Replacement	\$	4,715.00	\$	4,715.00	\$	6,688.00	\$	6,688.00	\$	3,755	\$	3,755.00
1	LS	Manhole A3 Polymer Lining and Frame and Lid Replacement	\$	4,415.00	\$	4,415.00	\$	6,572.00	\$	6,572.00	\$	3,699	\$	3,699.00
1	LS	Manhole A5 Polymer Lining and Frame and Lid Replacement	\$	3,715.00	\$	3,715.00	\$	6,586.00	\$	6,586.00	\$	3,714	\$	3,714.00
1	LS	Manhole A6 Polymer Lining and Frame and Lid Replacement	\$	2,815.00	\$	2,815.00	\$	4,575.00	\$	4,575.00	\$	3,103	\$	3,103.00
1	LS	Manhole B1 Polymer Lining and Frame and Lid Replacement	\$	2,515.00	\$	2,515.00	\$	3,591.00	\$	3,591.00	\$	2,118	\$	2,118.00
1	LS	Manhole B2 Polymer Lining and Frame and Lid Replacement	\$	3,115.00	\$	3,115.00	\$	5,007.00	\$	5,007.00	\$	3,534	\$	3,534.00
1	LS	Manhole B3 Polymer Lining and Frame and Lid Replacement	\$	4,415.00	\$	4,415.00	\$	3,131.00	\$	3,131.00	\$	10,000	\$	10,000.00
TOTAL PHASE 3A ALTERNATE 1 BID														
Phase 3A Alternate 2														
1	LS	Manhole A2 Polyurea Lining and Frame and Lid Replacement	---	---	\$	20,427.00	\$	20,427.00	---	---	---	---	---	---
1	LS	Manhole A3 Polyurea Lining and Frame and Lid Replacement	---	---	\$	20,427.00	\$	20,427.00	---	---	---	---	---	---
1	LS	Manhole A5 Polyurea Lining and Frame and Lid Replacement	---	---	\$	20,427.00	\$	20,427.00	---	---	---	---	---	---
1	LS	Manhole A6 Polyurea Lining and Frame and Lid Replacement	---	---	\$	18,427.00	\$	18,427.00	---	---	---	---	---	---
1	LS	Manhole B1 Polyurea Lining and Frame and Lid Replacement	---	---	\$	20,427.00	\$	20,427.00	---	---	---	---	---	---
1	LS	Manhole B2 Polyurea Lining and Frame and Lid Replacement	---	---	\$	19,337.00	\$	19,337.00	---	---	---	---	---	---
1	LS	Manhole B3 Polyurea Lining and Frame and Lid Replacement	---	---	\$	18,428.00	\$	18,428.00	---	---	---	---	---	---
TOTAL PHASE 3A ALTERNATE 2 BID														
Base Bid Phase 3B														
2090	LF	30" Sewer Lining (Fully Structural) - MH A7 to A13	\$	165.00	\$	344,850.00	\$	146.96	\$	307,146.40	\$	126.50	\$	264,385.00
3290	LF	30" Sewer Lining (Partially Structural) - MH B4 to B12	\$	140.00	\$	460,600.00	\$	124.71	\$	410,295.90 *	\$	116.90	\$	384,601.00
550	LF	21" Sewer Lining (Fully Structural) - MH A13 (Ex. Court St. Junction Structure) to A14	\$	125.00	\$	68,750.00	\$	109.13	\$	60,021.50 *	\$	88.30	\$	48,565.00
550	LF	21" Sewer Lining (Partially Structural) - MH A14 to A16	\$	105.00	\$	57,750.00	\$	101.25	\$	55,687.50 *	\$	88.30	\$	48,565.00
1	LS	Electrical and Controls Complete	\$	14,000.00	\$	14,000.00	\$	85,324.80	\$	85,324.80	\$	18,884.00	\$	18,884.00
TOTAL BASE BID PHASE 3B														
Phase 3B Alternate 1														
1	LS	Manhole A7 Polymer Lining and Frame and Lid Replacement	\$	5,715.00	\$	5,715.00	\$	5,079.00	\$	5,079.00	\$	3,578.00	\$	3,578.00
1	LS	Manhole A8 Polymer Lining and Frame and Lid Replacement	\$	3,415.00	\$	3,415.00	\$	4,224.00	\$	4,224.00	\$	2,723.00	\$	2,723.00

1	LS	Manhole A9 Polymer Lining and Frame and Lid Replacement	\$	3,415.00	\$	3,415.00	\$	4,339.00	\$	4,339.00	\$	2,838.00
1	LS	Manhole A10 Polymer Lining and Frame and Lid Replacement	\$	3,415.00	\$	3,415.00	\$	4,333.00	\$	4,333.00	\$	2,832.00
1	LS	Manhole A11 Polymer Lining and Frame and Lid Replacement	\$	3,415.00	\$	3,415.00	\$	4,227.00	\$	4,227.00	\$	2,726.00
1	LS	Manhole A12 Polymer Lining and Frame and Lid Replacement	\$	2,815.00	\$	2,815.00	\$	3,495.00	\$	3,495.00	\$	1,994.00
1	LS	Manhole A14 Polymer Lining and Frame and Lid Replacement	\$	4,415.00	\$	4,415.00	\$	5,094.00	\$	5,094.00	\$	3,593.00
1	LS	Manhole A15 Polymer Lining and Frame and Lid Replacement	\$	4,715.00	\$	4,715.00	\$	5,395.00	\$	5,395.00	\$	3,894.00
1	LS	Manhole B4 Polymer Lining and Frame and Lid Replacement	\$	2,815.00	\$	2,815.00	\$	3,412.00	\$	3,412.00	\$	1,911.00
1	LS	Manhole B5 Polymer Lining and Frame and Lid Replacement	\$	2,815.00	\$	2,815.00	\$	3,619.00	\$	3,619.00	\$	2,118.00
1	LS	Manhole B6 Polymer Lining and Frame and Lid Replacement	\$	2,515.00	\$	2,515.00	\$	3,224.00	\$	3,224.00	\$	1,723.00
1	LS	Manhole B7 Polymer Lining and Frame and Lid Replacement	\$	2,115.00	\$	2,115.00	\$	3,218.00	\$	3,218.00	\$	1,717.00
1	LS	Manhole B8 Polymer Lining and Frame and Lid Replacement	\$	3,115.00	\$	3,115.00	\$	3,117.00	\$	3,117.00	\$	1,616.00
1	LS	Manhole B9 Polymer Lining and Frame and Lid Replacement	\$	1,815.00	\$	1,815.00	\$	3,973.00	\$	3,973.00	\$	2,472.00
1	LS	Manhole B10 Polymer Lining and Frame and Lid Replacement	\$	1,815.00	\$	1,815.00	\$	4,183.00	\$	4,183.00	\$	4,035.00
1	LS	Manhole B11 Polymer Lining and Frame and Lid Replacement	\$	5,015.00	\$	5,015.00	\$	5,536.00	\$	5,536.00	\$	4,121.00
1	LS	Manhole B12 Polymer Lining and Frame and Lid Replacement	\$	5,715.00	\$	5,715.00	\$	4,882.00	\$	4,882.00	\$	4,121.00
TOTAL PHASE 3B ALTERNATE 1 BID			\$	59,055.00	\$	59,055.00	\$	71,350.00	\$	71,350.00	\$	73,640.00
Phase 3B Alternate 2												
1	LS	Manhole A7 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	20,439.00	\$	20,439.00	---	---
1	LS	Manhole A8 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	19,349.00	\$	19,349.00	---	---
1	LS	Manhole A9 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	18,439.00	\$	18,439.00	---	---
1	LS	Manhole A10 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	19,349.00	\$	19,349.00	---	---
1	LS	Manhole A11 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	19,349.00	\$	19,349.00	---	---
1	LS	Manhole A12 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	18,439.00	\$	18,439.00	---	---
1	LS	Manhole A14 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	20,439.00	\$	20,439.00	---	---
1	LS	Manhole A15 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	18,439.00	\$	18,439.00	---	---
1	LS	Manhole B4 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	18,439.00	\$	18,439.00	---	---
1	LS	Manhole B5 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	18,439.00	\$	18,439.00	---	---
1	LS	Manhole B6 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	18,439.00	\$	18,439.00	---	---
1	LS	Manhole B7 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	18,439.00	\$	18,439.00	---	---
1	LS	Manhole B8 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	20,439.00	\$	20,439.00	---	---
1	LS	Manhole B9 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	20,439.00	\$	20,439.00	---	---
1	LS	Manhole B10 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	19,846.00	\$	19,846.00	---	---
1	LS	Manhole B11 Polyurea Lining and Frame and Lid Replacement	---	---	---	---	\$	327,600.00	\$	327,600.00	---	---
TOTAL PHASE 3B ALTERNATE 2 BID			---	---	---	---	---	---	---	---	---	---
Base Bid Phase 4												
1	LS	WWTP #2 Improvements, Complete	\$	1,129,719.00	\$	1,129,719.00	\$	1,561,204.68	\$	1,561,204.68	\$	1,935,000
1	LS	Diversion Box Improvements, Complete	\$	107,315.00	\$	107,315.00	\$	88,000.00	\$	88,000.00	\$	40,000
TOTAL PHASE 4 BASE BID			---	---	---	---	---	---	---	---	---	---
TOTAL BASE BID: 3A, 3B, 4			---	---	---	---	---	---	---	---	---	---
TOTAL BASE BID: 3A, 3B, 4, & LOWEST ALTERNATE 3A and 3B			---	---	---	---	---	---	---	---	---	---
TOTAL BASE BID 3A, 3B, 4 & LOWEST ALTERNATE 3A			---	---	---	---	---	---	---	---	---	---
TOTAL BASE BID 3A, 3B, 4 & LOWEST ALTERNATE 3B			---	---	---	---	---	---	---	---	---	---
* Corrected Total			---	---	---	---	---	---	---	---	---	---
** Two numbers written in bid form			---	---	---	---	---	---	---	---	---	---

* Corrected Total

** Two numbers written in bid form

RESOLUTION No. 108-14/15

PEKIN, ILLINOIS, October 27, 2014

RESOLUTION BY COMMISSIONER _____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS, THAT:
the Mayor's appointment of Don Oldham to the Economic Development Advisory

Committee to fill the unexpired term of Timm Schwartz until the first Monday in May 2015
is hereby adopted.



SIGNED BY _____

MAYOR.

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

TERMS END FIRST MONDAY IN MAY, 2015

GREGG RATLIFF
33. 4th STREET
347-1131 (OFFICE)
gratliff@herget.com

DON HOLDHAM
478-4428 (OFFICE)
don.holdham@ilcorn.com

PAULA DAVIS
320 STADIUM DRIVE
477-4222 (OFFICE)
pdavis@pekinhigh.net

BILL FLEMING
402 COURT STREET
346-2106 (OFFICE)
346-2104 (FAX)
bfleming@pekinchamber.com

TERMS END FIRST MONDAY IN MAY, 2016

STEVEN MARTIN
1311 ST. JULIAN STREET
353-2054 (HOME)
2956 COURT STREET/SUNSET PLAZA
347-5740 (OFFICE) 361-0446 (CELL)
smartin@careerlink16.com

DREW LEMAN
2807 BROADWAY ROAD
347-5984 EXT 3 (OFFICE) 347-5988 (FAX)
drew@midwestshelters.com

ANDY SPARKS
601 COURT STREET
347-5101 EXT. 213 (OFFICE) 347-4524 (FAX)
andy.sparks@pekinbank.com

MACK CAKORA
3648 EAGLE BEND
347-3181 (OFFICE)
696-8153 (CELL)
mcakora@tazewellmachine.com

TERMS END FIRST MONDAY IN MAY, 2017

DENNIS KIEF
1412 VELDE DRIVE
(HOME) 347-7507
dkief@itv-3.com
dkief@itv-3.com

JOHN FORDHAM
2102 CORDOVA COURT
346-1850 (HOME)
416 MARGARET STREET
477-0353 (OFFICE) 207-0039 (CELL)
john.fordham@centurytel.com

CAROL SHIELDS
1817 HIGHWOOD AVENUE
346-1813 (HOME)
carshields@aol.com

BOB J. HALEY
600 SOUTH 13TH STREET
353-0796 (OFFICE)
bhaley@pekinhospital.com

FRANK MACKAMAN
508 COUNTRY CLUB DRIVE
353-1626 (HOME) 202-1008 (CELL) 347-7113 (OFFICE)
fmackaman@dirksencenter.org

STAFF RESOURCES

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478-5372 (OFFICE)
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lamatthews@ci.pekin.il.us

EX-OFFICIO MEMBERS

MAYOR LAURIE L. BARRA
478-5349 (OFFICE)
llbarra@ci.pekin.il.us

TONY ROLANDO, ILLINOIS DEPARTMENT OF COMMERCE AND
ECONOMIC OPPORTUNITY
647-5896 (OFFICE)
647-9325 (FAX)
arolando@ildceo.net



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk

From: Greg Nelson, Police Chief

AGENDA ITEM: Amend Traffic Code Regarding Handicapped Parking Areas

AGENDA DATE REQUESTED: October 13, 2014

ACTION REQUESTED: Designate an on-street handicapped stall on S. Capitol Street, across from 323 S. Capitol Street.

BACKGROUND: A resident of S. Capitol Street requests on-street ADA parking due the proximity the access to the residence.

FINANCIAL IMPACT: One sign at a cost of up to \$150.

NEIGHBORHOOD CONCERNS: No significant concerns.

IMPACT IF APPROVED: Would allow additional ADA parking for a citizen who supplied proper medical validation.

IMPACT IF DENIED: Parking is still available on the street, albeit the space across from the home may be used by a non disabled driver.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: [check no more than 2 boxes]

- ☐ **A Prosperous Community.** To promote and sustain a balanced economy that supports expansion and retention of Family-way jobs.
- ☒ **A Safe Community.** To protect community life and property by providing effective, principled Police and Fire services.
- ☐ **A Strong Foundation.** To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
- ☐ **A High Quality of Life.** To support or provide services that improves the quality of life for Pekin's residents.
- ☐ **An Effective Government.** To deliver effectively the services that Pekin's residents want, need, and are willing to support.

REQUIRED SIGNATURES

Department Director

Date

Finance Department

(Certification of Availability of Funds)

Date

Corporation Counsel

Date

City Manager

Date

ORDINANCE NO. 1462-A339 - 14/15

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 4, SECTION 3 F.
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING HANDICAPPED SPACES**

WHEREAS, the Code of the City of Pekin 1995 was adopted on April 10, 1995, and duly published in book form;

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and function pertaining to its government and its affairs; and

WHEREAS, the Traffic Safety Committee reviewed the request of a handicapped resident and proper form signed by the resident's doctor for placement of a handicapped parking space on South Capitol Street across from 323 South Capitol Street at the meeting of October 3, 2014; and

WHEREAS, the Traffic Safety Committee recommends to Council to consider designating on-street handicapped space on South Capitol across from 323 South Capitol Street which is on the no parking side of the street; and

WHEREAS, it is in the best interests of the safety and welfare of the residents of the City of Pekin, Tazewell County, Illinois to adjust the Code to reflect the current handicapped space signs that are in place in town; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS:

1. That Title 8, Chapter 4, Section 3. F. be amended by adding the following designated Handicapped Spaces:

Control	On Street	At or From	Direction	Location
Handicapped	S. Capitol Street	323 S. Capitol Street	North	East side of street across from 323 S. Capitol Street

BE IT FURTHER ORDAINED that all other parts of the Code of the City of Pekin 1995 as amended except as modified herein are hereby reaffirmed and ratified and are in full force and effect.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this _____ day of _____, 2014 and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

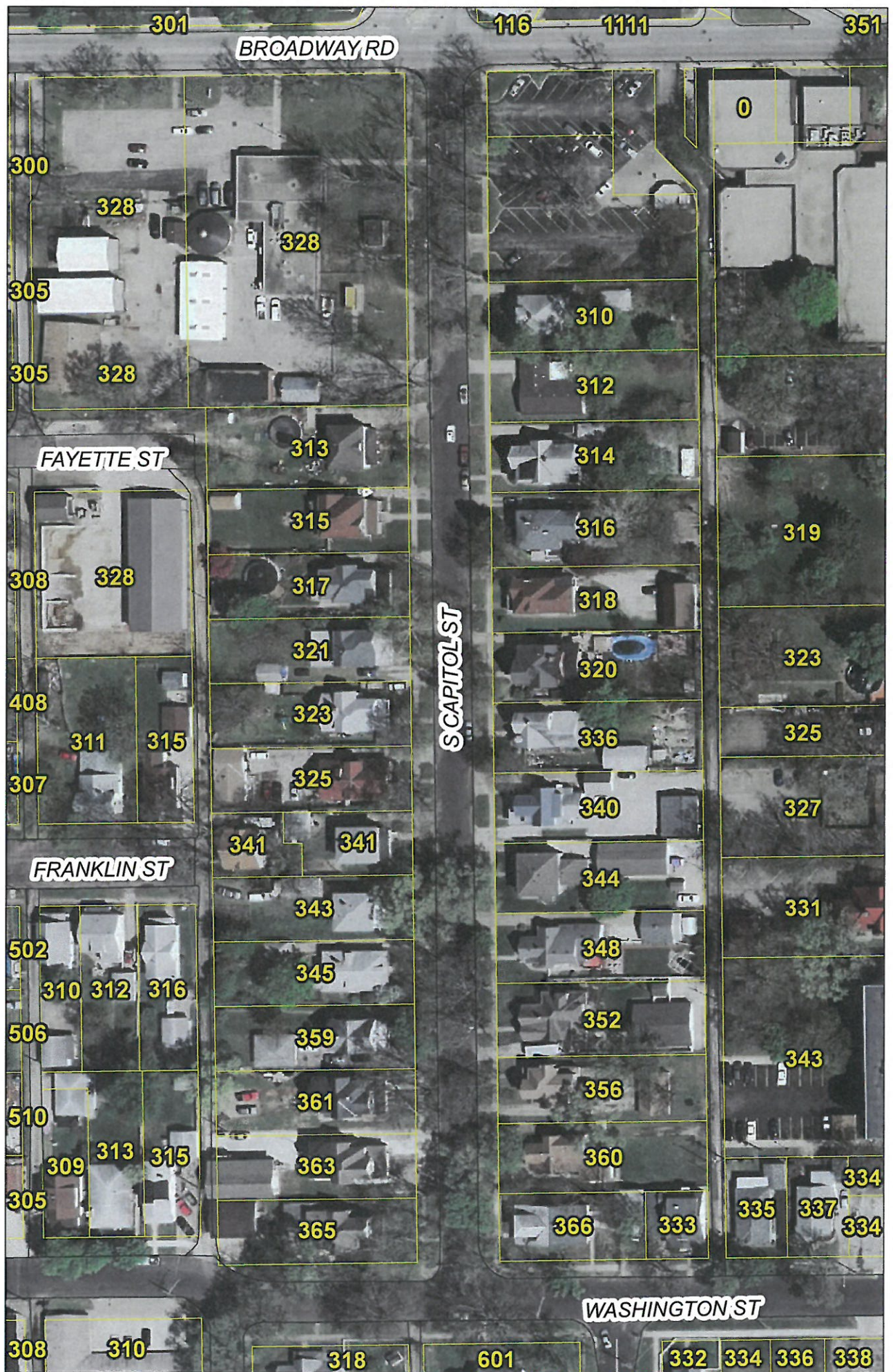
ABSTAINING:

APPROVED this _____ day of _____, 2014

Mayor

ATTEST:

City Clerk



- D. Violation of Handicapped Parking: No vehicle shall be parked in a space designated for vehicles for handicapped persons unless such vehicle shall have displayed thereon a handicapped person parking device as set forth in 8-4-3-A.
- E. Regulation of Handicapped Parking Areas: The City may regulate Handicapped Parking Areas on private property if such area is properly designated with a sign in the form and manner prescribed in 625 ILCS 5/11-301. This authority is granted regardless of whether the City has entered into a contract with the property owner.
- F. The following areas are designated as handicapped parking areas:
 (Ord No. 1462-A249 02-13-06) (Ord No. 1462-A262 06-11-07) (Ord. No. 1462-A286 11-24-08)
 (Ord No. 1462-A289 12-22-08) (Ord No. 1462-A320 11-26-12) (Ord. No. 1462-A332 03-24-14)
 (Ord. No. 1462-A333 04-28-14) (Ord. No. 1462-A334 05-27-14) (Ord. No. 1462-A335 07-28-14)
 (Ord. No. 1462-A339 10-27-14)

Control	On Street	At or From	To	Direction	Location
Handicapped	Buena Vista	Washington Street	96' N of Washington	South	(1 space) St Paul's Church
Handicapped	Court Street	N. Fifth Street	N. Fourth Street	West	1st space east of N 4th St.
Handicapped	Court Street	N. Third Street	N. Second Street	West	1st space E of Second St.
Handicapped	Court Street	S. Capitol Street	S. Fourth Street	East	1st space west of apron Courthouse parking lot
Handicapped	Elizabeth Street	S. Fourth Street	Capitol Street	West	1st space west of apron Courthouse parking lot
Handicapped	Elizabeth Street	S. Fourth Street	Capitol Street	West	1st space west of S. Fourth St
Handicapped	Elizabeth Street	S. Fourth Street	Capitol Street	West	2 nd space west of S. Fourth St
Handicapped	Elizabeth Street	S. Fourth Street	Capitol Street	West	3 rd space west of S. Fourth St
Handicapped	Elizabeth Street	S. Capitol Street	S. Fourth Street	East	4 th space E of S Capitol
Handicapped	N. Nineteenth St	South of Sidewalk	Housing Authority	East Side	19 th St 1 space
Handicapped	N. Nineteenth St	Broadway Road	Market Street	North	1st space appr. center of blk
Handicapped	N. Nineteenth St.	Broadway Road	Market Street	North	2 nd space appr center of blk
Handicapped	Park Avenue	105' E. of 13 th St	135' E. of 13 th St	West	1 space by Pekin Hospital
Handicapped	S. Capitol Street	323 S. Capitol Street	323 S. Capitol Street	North	323 S. Capitol Street east side of street across
Handicapped	S. Capitol Street	Sabella Street	by City Hall	North	(2 spaces) 195' and 225' West
Handicapped	S. Capitol Street	Elizabeth Street	by Justice Center	South	(1 space) 20' South
Handicapped	S. Capitol Street	352 S. Capitol Street	352 S. Capitol Street	North	352 S. Capitol Street
Handicapped	S. Sixth Street	Broadway Road	St. Joseph Place	South	1 spaces W side str by PO
Handicapped	Sabella Street	Broadway Road	S. Capitol Street	West	1st space E of S Capitol/Elks
Handicapped	Sabella Street	Capitol Street	by City Hall	West	(2 spaces) 90' and 120' North
Handicapped	St. Mary Street	S. Fourth Street	S. Capitol Street	West	1st space W of S 4th/Herget
Handicapped	State Street	Rotary Park Shelter	1115 State St	West	1 st space west of driveway

PARKING LOTS

Handicapped	Water Street	Foot of Court Street	North-South	as marked in parking lot
Handicapped	Parking Lot A			3 spaces #800, 835, 836
Handicapped	Parking Lot B			1 space #313
Handicapped	Parking Lot E			3 spaces #21, 22, 23

8-4-4: SELLING VEHICLES ON STREETS; PEDDLING FROM VEHICLES: It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & City Manager

From: Michael Guerra, City Engineer

AGENDA ITEM: Award Bid for Phase 3B and Phase 4 Package A

AGENDA DATE REQUESTED: October 27, 2014

ACTION REQUESTED: To award the Phase 3B & 4 to Leander Construction in the amount of \$2,639,030.78

DESCRIPTION: This request is to award Phase 3B and Phase 4 to the low bidder of Leander Construction in the amount of \$2,639,030.78. Bids were sought for phase 3A, 3B and Phase 4 in which the City received two bids. After reviewing the bids it was decided for budgetary purposes to only award Phase 3B and Phase 4 at this time as this will us to stay within the total anticipated project cost including the 3% contingency for the low interest loan. Phase 3A will be rebid with package B once all the easements are acquired and plans are finalized.

Phase 3 and Phase 4 are part of the CSO projects that were outlined in the Long Term Control Plan (LTCP) which was approved by the State in March of 2011 as appropriate measures to bring the City into compliance with the federal CSO Control Policy. Therefore the City is required to make this improvements within the timeframe outlined in our NPDES Permit. It was decided to advance that schedule to take advantage of the low interest loans that are available and the favorable construction climate. Therefore during the May 12th, 2014 council meeting the council approved the authorization to seek IEPA loans for these projects.

While these projects are needed to be in compliance with the approved LTCP with additional storage and treatment at the north plant, it will also help reduce operation cost and defer maintenance. Therefore I recommend that the projects are awarded so construction can begin.

FINANCIAL IMPACT: \$2,639,030.78 for award (Anticipated total construction cost of \$2,770,109.00 with contingency) of Wastewater Funds to be offset with a Low interest IEPA loan.

NEIGHBORHOOD CONCERNS: Minor construction along roadways located along River

IMPACT IF APPROVED: The projects will proceed

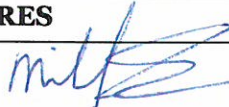
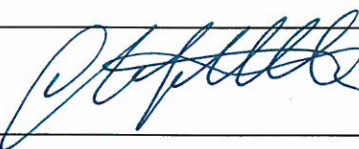
IMPACT IF DENIED: The projects will not be allow to proceed

ALTERNATIVES: None

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: [check no more than 2 boxes. Copy this check mark √ and paste it to the left of the relevant theme.]

A Prosperous Community. To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.

A Safe Community. To protect community life and property by providing effective, principled police and fire services.

✓	A Strong Foundation. To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
	A High Quality of Life. To support or provide services that improves the quality of life for Pekin's residents.
	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.
REQUIRED SIGNATURES	
Department Director: 	
Date: 10/22/14	
Finance Department (Certification of Availability of Funds):	
Date:	
Corporation Counsel:	
Date:	
City Manager: 	
Date: 10/22/14	

October 21, 2014

City of Pekin
111 S. Capitol St.
Pekin, IL 61554

Attn: Mike Guerra, City Engineer

Subject: Pekin Long Term Control Plan Improvements
Package A (Phase 3A, 3B & Phase 4)

Dear Mike:

Bids were opened for the subject project at City Hall on October 16, 2014. Two (2) bids were submitted as tabulated on the attached bid summary.

The Pekin Long Term Control Plan (LTCP) project is being implemented in three distinct phases.

1. A portion of the LTCP Improvements was included in the ongoing Phase 2 Wastewater Treatment Plant (WWTP) construction due to their immediate proximity on the WWTP site. Items included are the CSO Lagoon; CSO Overflow and Dechlorination Basin; CSO Pump Station; and associated on-site piping and controlled Post-Storm Event drain down facilities.
2. Due to ongoing RR easement delay, the remaining LTCP work was broken into two (2) Bid Packages, with Bid Package A including those items that can be done independent of the easement issue. These included the improvements to the WWTP #2 (Phase 4) and portions of the Phase 3A and 3B work (lining of two existing 30" interceptors).
3. Package B includes all remaining LTCP work including 48", 60", 84" and 96" Interceptors; the State St. CSO Pump Station; and conflict/interception structures at Caroline, Court, and Fayette St.

With reference to the bid tabulation, both bids are over the current budget. The predominant differential is in the WWTP #2 improvements. We have reviewed pricing with the low bidder and note the escalation is in the Mechanical and Electrical trade work for this portion of the project.

The project was bid in excess of 45 days, favorable interest was evident in the planholder's list and questions raised by regional trade contractors, subcontractors and suppliers. The bids received in that regard do reflect current market conditions.

In final development of the Phase 3A, 3B or 4 portions of the LTCP project one year ago, and prior to the Package A/B breakout, lining of the two existing 30" sanitary sewers, and associated manholes, was added to the LTCP due to their condition and adverse infiltration conditions. However, it was decided at that time to list the lining work as an additive bid alternate to allow

flexibility to complete other essential portions of the LTCP project, should pricing escalate above budget.

It is our recommendation this same approach be adopted/retained for the current Package A bids.

We recommend removing the Phase 3A Base Bid and Alternates and awarding the Phase 3B and 4 Base Bid and Low 3B alternate as listed below. The Phase 3A – Package A work will be moved to Package B and re-bid with that future work.

Phase 3B Base Bid	\$918,476.10
Phase 3B Alternate 1	\$71,350.00
<u>Phase 4 Base Bid</u>	<u>\$1,649,204.68</u>
Total Recommended Award	\$2,639,030.78

The project will be funded with an IEPA low interest loan. Projected loan rate for Federal FY 2015 is 2.21%. Project cost as compared to budget is:

Total award	\$2,639,030.78
<u>Contingency (3%)</u>	<u>\$79,170.92</u>
Total Anticipated Loan Construction Budget	\$2,718,201.70
 Project Budget with Contingency	 \$2,770,109.00

The low bidder, Leander Construction, is a regional contractor that performs the specified type of work. Per discussion with Todd Leander, President, after the bid opening, their major subcontractors include:

Tobin Brothers – Mechanical

Oberlander Electric – Electrical

Hoerr Construction – Lining

Spurgeon Construction – Earthwork/Civil

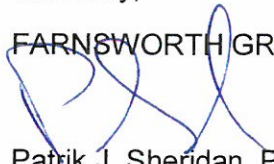
Listed equipment providers on the bid form reflect the specified manufacturers/suppliers. All loan related certifications and advertisement requirements appear to have been met.

In conclusion, we recommend award to Leander Construction, Canton, IL, in the amount of \$2,639,030.78. The project is a necessary component of the IEPA approved Long Term Control Compliance Plan and the City has, to date, consistently taken full advantage of available long term, low interest loan funding.

Please do not hesitate to contact the undersigned for any questions or further information required.

Sincerely,

FARNSWORTH GROUP, INC.



Patrik J. Sheridan, P.E.

rih

Enclosures

City of Pekin, Illinois
Combined Sewer Overflow (CSO) Long Term Control Plan Improvements
Phase 3 and 4
Letting: October 16, 2014

Farnsworth Group, Inc.
2709 McGraw Drive
Bloomington, IL 61704

Williams Bros.
Construction, Inc.
P.O. Box 1367
Peoria, IL 61655

Leander Construction
P.O. Box 345
Canton, IL 61520

Engineer's Estimate

Estimated Quantity		Item Description			Unit Price	Total	Unit Price	Total						
Base Bid Phase 3A														
1490	LF	30" Sewer Lining Complete - MH A1 to A7 (Fully Deteriorated)	\$	165.00	\$	245,850.00	\$	146.97	\$	218,985.30 *	\$	133.50	\$	198,915.00
760	LF	30" Sewer Lining Complete - MH A4 to B4 (Partially Deteriorated)	\$	140.00	\$	106,400.00	\$	158.10	\$	120,156.00 *	\$	153.20	\$	116,432.00
1	LS	Relocation of Existing State Street Force Main Discharge	\$	24,017.00	\$	24,017.00	\$	45,100.00	\$	45,100.00	\$	20,000	\$	20,000.00
1	LS	Electrical and Controls Complete	\$	41,000.00	\$	41,000.00	\$	46,959.00	\$	46,959.00	\$	4,653	\$	4,653.00
TOTAL BASE BID PHASE 3A			\$		\$	417,267.00	\$		\$	431,200.30 *	\$		\$	340,000.00
Phase 3A Alternate 1														
1	LS	Manhole A2 Polymer Lining and Frame and Lid Replacement	\$	4,715.00	\$	4,715.00	\$	6,688.00	\$	6,688.00	\$	3,755	\$	3,755.00
1	LS	Manhole A3 Polymer Lining and Frame and Lid Replacement	\$	4,415.00	\$	4,415.00	\$	6,572.00	\$	6,572.00	\$	3,699	\$	3,699.00
1	LS	Manhole A5 Polymer Lining and Frame and Lid Replacement	\$	3,715.00	\$	3,715.00	\$	6,586.00	\$	6,586.00	\$	3,714	\$	3,714.00
1	LS	Manhole A6 Polymer Lining and Frame and Lid Replacement	\$	2,815.00	\$	2,815.00	\$	4,575.00	\$	4,575.00	\$	3,103	\$	3,103.00
1	LS	Manhole B1 Polymer Lining and Frame and Lid Replacement	\$	2,515.00	\$	2,515.00	\$	3,591.00	\$	3,591.00	\$	2,118	\$	2,118.00
1	LS	Manhole B2 Polymer Lining and Frame and Lid Replacement	\$	3,115.00	\$	3,115.00	\$	5,007.00	\$	5,007.00	\$	3,534	\$	3,534.00
1	LS	Manhole B3 Polymer Lining and Frame and Lid Replacement	\$	4,415.00	\$	4,415.00	\$	3,131.00	\$	3,131.00	\$	10,000	\$	10,000.00
TOTAL PHASE 3A ALTERNATE 1 BID			\$		\$	25,705.00	\$		\$	36,150.00	\$		\$	29,923.00
Phase 3A Alternate 2														
1	LS	Manhole A2 Polyurea Lining and Frame and Lid Replacement	---		---		\$	20,427.00	\$	20,427.00	---		---	
1	LS	Manhole A3 Polyurea Lining and Frame and Lid Replacement	---		---		\$	20,427.00	\$	20,427.00	---		---	
1	LS	Manhole A5 Polyurea Lining and Frame and Lid Replacement	---		---		\$	20,427.00	\$	20,427.00	---		---	
1	LS	Manhole A6 Polyurea Lining and Frame and Lid Replacement	---		---		\$	18,427.00	\$	18,427.00	---		---	
1	LS	Manhole B1 Polyurea Lining and Frame and Lid Replacement	---		---		\$	20,427.00	\$	20,427.00	---		---	
1	LS	Manhole B2 Polyurea Lining and Frame and Lid Replacement	---		---		\$	19,337.00	\$	19,337.00	---		---	
1	LS	Manhole B3 Polyurea Lining and Frame and Lid Replacement	---		---		\$	18,428.00	\$	18,428.00	---		---	
TOTAL PHASE 3A ALTERNATE 2 BID			---		---		\$	137,900.00	\$	137,900.00	---		---	
Base Bid Phase 3B														
2090	LF	30" Sewer Lining (Fully Structural) - MH A7 to A13	\$	165.00	\$	344,850.00	\$	146.96	\$	307,146.40	\$	126.50	\$	264,385.00
3290	LF	30" Sewer Lining (Partially Structural) - MH B4 to B12	\$	140.00	\$	460,600.00	\$	124.71	\$	410,295.90 *	\$	116.90	\$	384,601.00
550	LF	21" Sewer Lining (Fully Structural) - MH A13 (Ex. Court St. Junction Structure) to A14	\$	125.00	\$	68,750.00	\$	109.13	\$	60,021.50 *	\$	88.30	\$	48,565.00
550	LF	21" Sewer Lining (Partially Structural) - MH A14 to A16	\$	105.00	\$	57,750.00	\$	101.25	\$	55,687.50 *	\$	88.30	\$	48,565.00
1	LS	Electrical and Controls Complete	\$	14,000.00	\$	14,000.00	\$	85,324.80	\$	85,324.80	\$	18,884.00	\$	18,884.00
TOTAL BASE BID PHASE 3B			\$		\$	945,950.00	\$		\$	918,476.10 *	\$		\$	765,000.00
Phase 3B Alternate 1														
1	LS	Manhole A7 Polymer Lining and Frame and Lid Replacement	\$	5,715.00	\$	5,715.00	\$	5,079.00	\$	5,079.00	\$	3,578.00	\$	3,578.00
1	LS	Manhole A8 Polymer Lining and Frame and Lid Replacement	\$	3,415.00	\$	3,415.00	\$	4,224.00	\$	4,224.00	\$	2,723.00	\$	2,723.00

1	LS	Manhole A9 Polymer Lining and Frame and Lid Replacement	\$	3,415.00	\$	3,415.00	\$	4,339.00	\$	4,339.00	\$	2,838.00	\$	2,838.00	
1	LS	Manhole A10 Polymer Lining and Frame and Lid Replacement	\$	3,415.00	\$	3,415.00	\$	4,333.00	\$	4,333.00	\$	2,832.00	\$	2,832.00	
1	LS	Manhole A11 Polymer Lining and Frame and Lid Replacement	\$	3,415.00	\$	3,415.00	\$	4,227.00	\$	4,227.00	\$	2,726.00	\$	2,726.00	
1	LS	Manhole A12 Polymer Lining and Frame and Lid Replacement	\$	2,815.00	\$	2,815.00	\$	3,495.00	\$	3,495.00	\$	1,994.00	\$	1,994.00	
1	LS	Manhole A14 Polymer Lining and Frame and Lid Replacement	\$	4,415.00	\$	4,415.00	\$	5,094.00	\$	5,094.00	\$	3,593.00	\$	3,593.00	
1	LS	Manhole A15 Polymer Lining and Frame and Lid Replacement	\$	4,715.00	\$	4,715.00	\$	5,395.00	\$	5,395.00	\$	3,894.00	\$	3,894.00	
1	LS	Manhole B4 Polymer Lining and Frame and Lid Replacement	\$	2,815.00	\$	2,815.00	\$	3,412.00	\$	3,412.00	\$	1,911.00	\$	1,911.00	
1	LS	Manhole B5 Polymer Lining and Frame and Lid Replacement	\$	2,815.00	\$	2,815.00	\$	3,619.00	\$	3,619.00	\$	2,118.00	\$	2,118.00	
1	LS	Manhole B6 Polymer Lining and Frame and Lid Replacement	\$	2,515.00	\$	2,515.00	\$	3,224.00	\$	3,224.00	\$	1,723.00	\$	1,723.00	
1	LS	Manhole B7 Polymer Lining and Frame and Lid Replacement	\$	2,115.00	\$	2,115.00	\$	3,218.00	\$	3,218.00	\$	1,717.00	\$	1,717.00	
1	LS	Manhole B8 Polymer Lining and Frame and Lid Replacement	\$	3,115.00	\$	3,115.00	\$	3,117.00	\$	3,117.00	\$	1,616.00	\$	1,616.00	
1	LS	Manhole B9 Polymer Lining and Frame and Lid Replacement	\$	1,815.00	\$	1,815.00	\$	3,973.00	\$	3,973.00	\$	2,472.00	\$	2,472.00	
1	LS	Manhole B10 Polymer Lining and Frame and Lid Replacement	\$	1,815.00	\$	1,815.00	\$	4,183.00	\$	4,183.00	\$	4,035.00	\$	4,035.00	
1	LS	Manhole B11 Polymer Lining and Frame and Lid Replacement	\$	5,015.00	\$	5,015.00	\$	5,536.00	\$	5,536.00	\$	4,121.00	\$	4,121.00	
1	LS	Manhole B12 Polymer Lining and Frame and Lid Replacement	\$	5,715.00	\$	5,715.00	\$	4,882.00	\$	4,882.00	\$	4,749 25000	\$	4,749 25000	
TOTAL PHASE 3B ALTERNATE 1 BID			\$		\$	59,055.00	\$		\$	71,350.00	\$		\$	73,640.00	
Phase 3B Alternate 2															
1	LS	Manhole A7 Polyurea Lining and Frame and Lid Replacement	---		---		\$	20,439.00	\$	20,439.00	---		---		
1	LS	Manhole A8 polyurea Lining and Frame and Lid Replacement	---		---		\$	19,349.00	\$	19,349.00	---		---		
1	LS	Manhole A9 Polyurea Lining and Frame and Lid Replacement	---		---		\$	18,439.00	\$	18,439.00	---		---		
1	LS	Manhole A10 Polyurea Lining and Frame and Lid Replacement	---		---		\$	19,349.00	\$	19,349.00	---		---		
1	LS	Manhole A11 Polyurea Lining and Frame and Lid Replacement	---		---		\$	19,349.00	\$	19,349.00	---		---		
1	LS	Manhole A12 Polyurea Lining and Frame and Lid Replacement	---		---		\$	18,439.00	\$	18,439.00	---		---		
1	LS	Manhole A14 Polyurea Lining and Frame and Lid Replacement	---		---		\$	20,439.00	\$	20,439.00	---		---		
1	LS	Manhole A15 Polyurea Lining and Frame and Lid Replacement	---		---		\$	20,439.00	\$	20,439.00	---		---		
1	LS	Manhole B4 Polyurea Lining and Frame and Lid Replacement	---		---		\$	18,439.00	\$	18,439.00	---		---		
1	LS	Manhole B5 Polyurea Lining and Frame and Lid Replacement	---		---		\$	18,439.00	\$	18,439.00	---		---		
1	LS	Manhole B6 Polyurea Lining and Frame and Lid Replacement	---		---		\$	18,439.00	\$	18,439.00	---		---		
1	LS	Manhole B7 Polyurea Lining and Frame and Lid Replacement	---		---		\$	18,439.00	\$	18,439.00	---		---		
1	LS	Manhole B8 Polyurea Lining and Frame and Lid Replacement	---		---		\$	18,439.00	\$	18,439.00	---		---		
1	LS	Manhole B9 Polyurea Lining and Frame and Lid Replacement	---		---		\$	20,439.00	\$	20,439.00	---		---		
1	LS	Manhole B10 Polyurea Lining and Frame and Lid Replacement	---		---		\$	20,439.00	\$	20,439.00	---		---		
1	LS	Manhole B11 Polyurea Lining and Frame and Lid Replacement	---		---		\$	19,846.00	\$	19,846.00	---		---		
TOTAL PHASE 3B ALTERNATE 2 BID							\$		\$	327,600.00					
Base Bid Phase 4															
1	LS	WWTP #2 Improvements, Complete	\$	1,129,719.00	\$	1,129,719.00	\$	1,561,204.68	\$	1,561,204.68	\$	1,935,000	\$	1,935,000	
1	LS	Diversion Box Improvements, Complete	\$	107,315.00	\$	107,315.00	\$	88,000.00	\$	88,000.00	\$	40,000	\$	40,000	
TOTAL PHASE 4 BASE BID							\$	1,237,034.00			\$	1,649,204.68		\$	1,975,000.00
TOTAL BASE BID: 3A, 3B, 4, & LOWEST ALTERNATE 3A and 3B							\$	2,600,251.00			\$	2,998,881.08		\$	3,080,000.00
TOTAL BASE BID: 3A, 3B, 4, & LOWEST ALTERNATE 3A and 3B							\$	2,685,011.00			\$	3,106,381.08		\$	3,183,563.00
TOTAL BASE BID 3A, 3B, 4 & LOWEST ALTERNATE 3A							\$	2,625,956.00			\$	3,035,031.08		\$	3,109,923.00
TOTAL BASE BID 3A, 3B, 4 & LOWEST ALTERNATE 3B							\$	2,600,251.00			\$	3,070,231.08		\$	3,153,640.00

** Two numbers written in bid form

Addendum No. 3

Available in office
of City Clerk

**BID FORM
FOR CONSTRUCTION CONTRACTS**

Prepared by

ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE

and

Issued and Published Jointly by



AMERICAN COUNCIL OF ENGINEERING COMPANIES

ASSOCIATED GENERAL CONTRACTORS OF AMERICA

AMERICAN SOCIETY OF CIVIL ENGINEERS

PROFESSIONAL ENGINEERS IN PRIVATE PRACTICE
A Practice Division of the
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

Endorsed by



CONSTRUCTION SPECIFICATIONS INSTITUTE

ORDINANCE NO. 2710-14/15

AN ORDINANCE AMENDING CHAPTER 1-12-12 OF THE CODE OF THE CITY OF PEKIN PERTAINING TO THE INTEREST RATE ON UNPAID BALANCES OF FINES

WHEREAS, the Code of the City of Pekin 1995 was adopted on April 10, 1995, and duly published in book form; and

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and function pertaining to its government and its affairs; and

WHEREAS, the City Council of the City of Pekin, Illinois desires to provide a more effective and simpler method for collecting unpaid fines for all violations of the Code of the City of Pekin.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS:

SECTION I. That the City of Pekin finds the facts of the recitals herein above set forth.

SECTION II. That the following change in Chapter 1-12-12 of the Code of the City of Pekin is hereby amended by deleting in its entirety the Section, and replacing it as follows:

Section Interest on Fines and Collection of Fines.

“All fines imposed by this Code and the ordinances of the City shall bear interest at the rate of nine percent (9%) per annum on the unpaid balance from the date of imposition of the fine.

A default in the payment of a fine and costs or any installment imposed by the circuit court or by a hearing officer may be collected by any and all means authorized for the collection of money judgments. The corporation counsel may retain attorneys and private collection agents for the purpose of collecting any default in payment of any fine or installment of that fine. The fees and costs incurred by the city or by another governmental entity through an intergovernmental agreement in any such collection by attorneys and private collection agents retained by the corporation counsel or by another governmental entity through an intergovernmental agreement for those purposes shall be charged to the offender.”

SECTION III. That the City of Pekin, Tazewell County, Illinois, is a home rule unit of government under Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

SECTION IV. All Ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

SECTION V. That this Ordinance shall be in full force and effect upon its passage and approval.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this _____ day of _____, 2014; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2014.

MAYOR

ATTEST:

CITY CLERK

CHAPTER 12

ADMINISTRATIVE ADJUDICATION OF VIOLATIONS OF THE CITY CODE

SECTION:

- 1-12-1: Purpose
 - 1-12-2: Creation
 - 1-12-3: Administrative Composition
 - 1-12-4: Procedures
 - 1-12-5: Service
 - 1-12-6: Notices
 - 1-12-7: Administrative Hearings
 - 1-12-8: Determination of Liability
 - 1-12-9: Petition to Set Aside Determination
 - 1-12-10: Judicial Review
 - 1-12-11 *Enforcement of Judgement*
 - 1-12-12 *Schedule of Fines/Penalties*
- 1-12-1 **PURPOSE**

The stated purpose of this article is to provide for the fair and efficient enforcement of the City Code of the City of Pekin, Illinois, other than those ordinances pertaining to vehicular standing, parking or vehicle compliance regulation (hereafter the "City Code"), as may be allowed by law and directed by ordinance, through an administrative adjudication of violations; and, establishing a schedule of fines and penalties, and authority and procedures for collection of unpaid fines and penalties.

1-12-2 CREATION

There is hereby established a department of the City government to be known as the ordinance enforcement department and to have the power to enforce any municipal ordinance as from time to time authorized by the City Council, except for (i) any offense enforced pursuant to Chapter 4 of Title 8 of this Code relating to stopping, standing and parking of vehicles; (ii) any offense under the Illinois Vehicle Code or a similar offense that is a traffic regulation governing the movement of vehicles; and, (iii) any reportable offense under Section 6-204 of the Illinois Vehicle Code. The establishment of the ordinance enforcement department does not preclude the Mayor and City Council from using any other method or court with jurisdiction to enforce ordinances of the City.

1-12-3 ADMINISTRATIVE COMPOSITION

The ordinance enforcement department shall be composed of a hearing officer, an ordinance enforcement administrator, system coordinator/computer operator and hearing room security personnel, with the power and authority as hereinafter set forth. One person may serve more than one such position. The City may contract with other parties to serve such positions.

- (a) (1) The hearing officer, prior to appointment, must be an attorney licensed to practice law for at least three (3) years in the State of Illinois. The hearing officer shall preside over all adjudicatory hearings and shall have the following powers and duties:

- a. To administer oaths;
- b. To hear testimony and accept evidence that is relevant to the existence of the City Code violation;
- c. To issue subpoenas directing witnesses to appear and give relevant testimony at the hearing, upon the request of the parties or their representatives;
- d. To preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
- e. To issue and sign a written finding, decision and order stating whether a City Code violation exists;
- f. To impose penalties, sanctions or such other relief consistent with applicable City Code provisions and assessing costs upon finding a party liable for the charged violation, except however, that in no event shall the hearing officer have authority to impose a penalty of incarceration; and,

- (2) Prior to conducting administrative adjudication proceedings under this article, the hearing officer shall have successfully completed a formal training program which includes the following:

- a. Instruction on the rules of procedure of the administrative hearings over which the hearing officer shall preside;
- b. Orientation to each subject area of the code violations that he/she will adjudicate;
- c. Observation of administrative hearings; and,
- d. Participation in hypothetical cases, including ruling on evidence and issuing final orders.

- (b) The ordinance enforcement administrator is authorized and directed to:

- (1) Operate and manage the ordinance enforcement department.

- (2) Adopt, distribute and process all notices as may be required under this article or as may be reasonably required to carry out the purpose of this article.
 - (3) Collect moneys paid as fines and/or penalties assessed after a final determination.
 - (4) Certify copies of Findings, Decision & Final Order of an ordinance violation adjudicated pursuant to this article, and any factual reports verifying the Findings, Decision & Final Order of any violation liability which was issued in accordance with this article.
 - (5) Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.
 - (6) Collect unpaid fines and penalties through private collection agencies and direct the pursuit of all post-judgment remedies available by law.
- (c) The system coordinator/computer operator is hereby authorized and directed to operate and maintain the computer programs for the administrative adjudication system of the ordinance enforcement department hereby created, on a day-to-day basis, including but not limited to:
- (1) Input of violation notice information.
 - (2) Establishing hearing dates and notice dates.
 - (3) Record fine and penalty assessment and payments.
 - (4) Issue payment receipts.
 - (5) Issue succeeding notice of hearing dates and/or Hearing Officer's Findings, Decision & Final Order.
 - (6) Keep accurate records of appearances and nonappearances at administrative hearings, pleas entered, judgments entered, sanctions imposed, if any, fines and penalties assessed and paid.
- (d) All hearing room security personnel shall be qualified off-duty, full-time, part-time or auxiliary police officers who are hereby authorized and directed to:
- (1) Maintain hearing room decorum.
 - (2) Have and execute authority as is granted to courtroom deputies of the circuit court.

- (3) Perform such other duties or acts as may reasonably be required and as directed by the hearing officer or ordinance enforcement administrator.

The City Manager is hereby authorized to appoint persons to hold the positions above set forth. Other than the hearing officer, one person may hold and fulfill the requirements of one or more of the above stated positions and compensation for each of the above stated positions shall be as approved by the City Council.

1-12-4 PROCEDURES.

The system of administrative adjudication of any ordinance violation authorized to be adjudicated hereunder, shall afford a party due process of law and the hearings shall be conducted in accordance with the following procedures:

- (a) Violation notices of any City Code shall be issued by the persons authorized under this Code and shall contain information and shall be certified and constitute prima facie evidence of the violation cited as hereinafter set forth.
- (b) All full-time, part-time and auxiliary police officers as well as other specifically authorized individuals of any department of the City shall have the authority to issue violation notices.
- (c) Any individual authorized hereby to issue violation notices and who detects any ordinance violation authorized to be adjudicated under this article, is authorized to issue notice of violation thereof and shall make service thereof as is hereinafter set forth.
- (d) The violation notice of the City Code shall contain, but shall not be limited to, the following information:
 - (1) The name of the party violating the ordinance, if known.
 - (2) The date, time and place of the violation (date of issuance).
 - (3) The particular ordinance violated.
 - (4) The fine and any penalty which may be assessed for the ordinance violation.
 - (5) The signature and identification number of the person issuing the notice.
 - (6) The date and location of the adjudication hearing of ordinance violations, and the penalties for failure to appear at the hearing.

(7) That payment of the indicated fine and any late payment shall operate as a final disposition of the violation.

1-12-5 SERVICE.

(a) Service of any violation notice shall be made by the person issuing such notice by:

- (1) Handing the notice to the person responsible for the ordinance violation;
- (2) Handing the notice to the responsible person or leaving the notice with any person twelve (12) years of age or older at the residence of the responsible person;
- (3) Mailing the notice by first class mail, postage prepaid, to the person responsible for the ordinance violation; or,
- (4) Posting the notice upon the property where the violation is found when the person is the owner or manager of the property.

(b) The correctness of facts contained in any violation notice shall be verified by the person issuing said notice by:

- (1) Signing his/her name to the notice at the time of issuance; or,
- (2) In the case of a notice produced by a computer device, by signing a single certificate, to be kept by the ordinance enforcement administrator, attesting to the correctness of all notices produced by the device while under his/her control.

(c) The original or a facsimile of the violation notice shall be retained by the ordinance enforcement administrator and kept as a record in the ordinary course of business.

(d) Any violation notice issued, signed and served in accordance herewith, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice.

1-12-6 NOTICES

The notices sent pursuant to paragraph 1-12-5 shall be in the following sequence and contain, but not be limited to, the following information:

- (1) Date and location of violation cited in the violation notice;
- (2) Particular ordinance violated;
- (3) Fine and any penalty that may be assessed for late payment;

(4) A section entitled "Notice of Hearing" which shall clearly set forth that the person receiving a notice of the City Code ordinance violation may appear at an administrative hearing to contest the validity of the violation notice on the date and at the time and place as specified in the notice of hearing.

(5) Date, time and place of the administrative hearing at which the alleged violation may be contested on its merits.

(6) Statement that failure to either pay fine and any applicable penalty or failure to appear at the hearing on its merits on the date and at the time and place specified will result in a final determination of liability for the "cited" violation in the amount of the fine and penalty indicated.

(7) Statement that upon the occurrence of a final determination of liability for the failure, and the exhaustion of, or the failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the City.

1-12-7 ADMINISTRATIVE HEARINGS

An administrative hearing to adjudicate any alleged City Code ordinance violation on its merits shall be granted to the person named in the ordinance violation notice. All administrative hearings shall be recorded and shall culminate in a determination of liability or nonliability, made by the hearing officer, who shall consider facts and/or testimony without the application of the formal or technical rules of evidence. Evidence including hearsay, may be admitted only if it is of a type commonly relied upon by reasonable prudent persons in the conduct of their affairs. The hearing officer shall, upon a determination of liability, assess fines, penalties and costs in accordance with section 1-12-12 hereof. Persons appearing to contest the alleged violation on its merits may be represented by counsel at their own expense, present witnesses and cross-examine opposing witnesses. The burden of proof shall be on the alleged offender to refute the prima facie case set forth in the verified notice of violation.

1-12-8 DETERMINATION OF LIABILITY

The Hearing Officer's Findings, Decision & Final Order shall be sent following the conclusion of the administrative hearing, as is hereinafter set forth, and shall contain, but not be limited to, the following information and warnings:

(1) A decision as to whether or not the Respondent violated the City Code as alleged.

(2) The amount of fine or other sanction imposed, if any.

(3) A statement that the unpaid fine and any penalty assessed is a debt due and owing the City;

(4) A statement that any sanction ordered or costs imposed are debts due and owing the City; and,

(5) A warning that failure to pay the fine and penalty due and owing the City within the time specified may result in proceeding with collection procedures in the same manner as a judgment entered by any court of competent jurisdiction.

1-12-9 PETITION TO SET ASIDE DETERMINATION

A petition to set aside the Hearing Officer's Findings & Final Order may be filed with the ordinance enforcement administrator within twenty-one (21) days of the date of the final determination of liability and payment of twenty-five dollars (\$25.00).

1-12-10 JUDICIAL REVIEW

The Hearing Officer's Findings, Decision & Final Order stating that a City Code violation does or does not exist shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois Administrative Review Law.

1-12-11 ENFORCEMENT OF JUDGMENT

(a) Any fine, other sanction, or costs imposed, or part of any fine, other sanction, or costs imposed, remaining unpaid after the exhaustion of or the failure to exhaust judicial review procedures under the Illinois Administrative Review Law are a debt due and owing the City and may be collected in accordance with applicable law.

(b) After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a final determination of a code violation, unless stayed by a court of competent jurisdiction, the findings, decision, and order of the hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(c) In any case in which a hearing officer finds that a defendant has failed to comply with a judgment ordering a defendant to correct a code violation or imposing any fine or other sanction as a result of a code violation, any expenses incurred by the City to enforce the judgment including, but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure after they are fixed by the hearing officer, shall be a debt due and owing the municipality and may be collected in accordance with applicable law. Prior to any expenses being fixed by a hearing officer pursuant to this subsection (c), the municipality shall provide notice to the defendant that states that the defendant shall appear at a hearing before the administrative hearing officer to determine whether the defendant has failed to comply with the judgment. The notice shall set the date for such a hearing, which shall not be less than 7 days from the date that notice is served. If

notice is served by mail, the 7-day period shall begin to run on the date that the notice was deposited in the mail

(d) A lien shall be imposed on the real estate or personal estate, or both, of the defendant in the amount of any debt due and owing the City under this section. The lien may be recorded and enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction. No lien may be enforced under this section until it has been recorded in the manner provided by Article XII of the Code of Civil Procedure or by the Uniform Commercial Code.

(e) A hearing officer may set aside any judgment entered by default and set a new hearing date upon a petition filed within twenty-one (21) days after the issuance of the order of default if the hearing officer determines that the petitioner's failure to appear at the hearing was for good cause or at any time if the petitioner establishes that the City did not provide proper service of process. If any judgment is set aside pursuant to this subsection (e), the hearing officer shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the municipality as a result of the vacated default judgment.

1-12-12 SCHEDULE OF FINES/PENALTIES

For an ordinance violation of the City Code, fines and penalties shall be as established from time to time by the Mayor and City Council.

(Ord. No. 2549-07/08 02-11-08)