



REGULAR COUNCIL MEETING MONDAY, OCTOBER 26, 2015  
5:30 P.M.

|                                                                                                                                                                                                                                                                                                          | 1  | 2 |
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| <b>1.0 CALL TO ORDER</b>                                                                                                                                                                                                                                                                                 |    |   |
| <b>2.0 PLEDGE OF ALLEGIANCE</b><br><i>Mayor John McCabe</i>                                                                                                                                                                                                                                              |    |   |
| <b>3.0 ROLL CALL</b><br><i>Clerk to Call the Roll</i>                                                                                                                                                                                                                                                    |    |   |
| <b>4.0 APPROVAL OF AGENDA</b><br><br><i><b>ACTION:</b> Motion to approve the meeting agenda.</i><br><br><i><b>VOTE REQUIRED</b></i>                                                                                                                                                                      |    |   |
| <b>5.0 APPROVAL OF MINUTES</b><br><br><i><b>ACTION:</b> Motion to approve minutes of the Regular Council Meeting of October 13, 2015.</i><br><br><i><b>VOTE REQUIRED</b></i>                                                                                                                             |    |   |
| <b>6.0 PUBLIC INPUT</b>                                                                                                                                                                                                                                                                                  |    |   |
| <b>7.0 CONSENT AGENDA</b>                                                                                                                                                                                                                                                                                |    |   |
| <b>7.1 Receive and File Monthly Reports and Minutes:</b> Minutes Liquor Commission dated August 27, 2015 and Tourism Committee Minutes dated October 13, 2015.                                                                                                                                           |    |   |
| <b>7.2 Proclamation:</b> "International Alpha Delta Kappa Month" October 2015                                                                                                                                                                                                                            |    |   |
| <i><b>ACTION:</b> Motion to approve all items listed on the Consent Agenda by Omnibus Vote.</i><br><br><i><b>VOTE REQUIRED TO APPROVE CONSENT AGENDA</b></i>                                                                                                                                             |    |   |
| <b>8.0 COMMUNICATIONS, PETITIONS, REPORTS</b>                                                                                                                                                                                                                                                            |    |   |
| <b>9.0 UNFINISHED BUSINESS</b>                                                                                                                                                                                                                                                                           |    |   |
| <b>9.1 2015 Action Plan Amendment #1 B to Community Development Block Grant</b><br><br><b>DESCRIPTION:</b> Reallocation of \$217,249.78 CDBG Dollars for the 2015 Action Plan tabled July 13, 2015.<br><br><b>ACTION:</b> Motion to approve 2015 Action Plan Amendment #1 B.<br><br><b>VOTE REQUIRED</b> | PA | 4 |

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|---|
| <b>10.0 NEW BUSINESS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |    |   |
| <b>10.1 2015 Public Services</b><br><br><b>DESCRIPTION:</b> Recommended allocation of 2015 Community Development Block Grant Public Service activities submitted from 5 Pekin agencies of eligible activities for funding.<br><br><b>ACTION:</b> Motion to approve CDBG activities.<br><br><b>VOTE REQUIRED</b>                                                                                                                                                                                                                 | PA | 4 |
| <b>10.2 Ordinance No. 2730-15/16 - Amending Title 1, Chapter 5, Section 3 A. of the Code of the City of Pekin 1995 Regarding City Council Meetings.</b><br><br><b>DESCRIPTION:</b> Removes Columbus Day as an exception to the Code that provides Council meet for its regular scheduled Monday meetings the following Tuesday on legal holidays.<br><br><b>ACTION:</b> Motion to adopt the ordinance.<br><br><b>VOTE REQUIRED</b>                                                                                              | DG | 5 |
| <b>10.3 Improvement Amendment to existing airport hangar lease</b><br><br><b>DESCRIPTION:</b> Allows reimbursement of lessee capital improvement expenditures on city owned property through the form of rental fee waiver.<br><br><b>ACTION:</b> Motion to approve the amendment.<br><br><b>VOTE REQUIRED</b>                                                                                                                                                                                                                  | CS | 3 |
| <b>10.4 Ordinance No. 2731-1516 – Amending Title 6, Chapter 2, Section 11 of the Code of the City of Pekin 1995 Regarding Impounding of Vehicles</b><br><br><b>DESCRIPTION:</b> Reinstates provisions for seizure and impoundment of vehicles for the citation charging violation of offenses including weapons, controlled substance, suspended vehicle license, etc. amended Ordinance No 2695-13/14 failed to be adopted February 24, 2014.<br><br><b>ACTION:</b> Motion to adopt the ordinance.<br><br><b>VOTE REQUIRED</b> | DG | 2 |
| <b>10.5 Ordinance No. 2732-15/16 - Amending Title 5, Chapter 2A, Section 1-5 of the Code of the City of Pekin 1995 Regarding Garbage, Refuse, and Littering.</b><br><br><b>DESCRIPTION:</b> Removes the fee for the City to provide residential garbage collection for oversized items that was established April 14, 2014.<br><br><b>ACTION:</b> Motion to adopt the ordinance.<br><br><b>VOTE REQUIRED</b>                                                                                                                    | DG | 5 |
| <b>10.6 Censure</b><br><br><b>DESCRIPTION:</b> Mayor Pro Tem Orrick's motion to confirm his action in censuring Mayor John McCabe with formal written reprimand                                                                                                                                                                                                                                                                                                                                                                 | LO | 5 |

|                                                                                 |  |  |
|---------------------------------------------------------------------------------|--|--|
| <b>ACTION:</b> Motion to approve written reprimand.<br><br><b>VOTE REQUIRED</b> |  |  |
| <b>11.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL</b>                       |  |  |
| <b>12.0 EXECUTIVE SESSION</b><br><b>65 ILCS 120/2 (c)</b>                       |  |  |
| <b>13.0 ADJOURN</b><br><br><b>NO VOTE REQUIRED</b>                              |  |  |

**Column 1 Key:**

|    |                             |    |                                                |
|----|-----------------------------|----|------------------------------------------------|
| DG | City Manager Darin Girdler  | PA | Community Development Director Pamela Anderson |
| LO | Council Member Lloyd Orrick | CS | Airport Manager Clayton Stambaugh              |

**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.



## **WELCOME TO A MEETING OF THE PEKIN CITY COUNCIL**

All persons present are asked to conduct themselves in a polite, respectful and professional manner.

All meetings of the city council of the City of Pekin are a deliberative and legislative assemblage and not a public forum. The purpose of these meetings is to conduct city business. The city council considers both oral and written communications in making and establishing policies.

All city residents, property owners, business members and other interested parties are invited to address the council at the designated time (public input) for a period of 5 (five) minutes. All questions shall be directed to the council as a whole and not individual members. It is strongly encouraged that all questions shall first be directed to the appropriate personnel at the City Municipal Building or other city office before bringing them to the city council.

Because all meetings of the Pekin City Council are a matter of public record, each speaker, when recognized by the Mayor or his designee, shall give their full name.

Council members may appropriately interrupt a speaker to ask questions necessary to clarify the speaker's comments. In most cases, the council will not answer questions from the public at the council meeting, but will respond to the individual in due time. All questions requiring a researched answer shall be submitted in writing and turned to the city clerk. Please provide your name and contact information so that we can get back to you in a timely manner. The Council cannot address questions involving litigation, possible litigation or employee matters.

Any charges or complaints against individual employees of the City of Pekin shall be presented to the city manager in writing with specific information, and shall be signed by the person or persons lodging the charges or complaints. Pursuant to the Illinois Privacy Act, no person shall be permitted to present orally or discuss at any open meeting, charges against any city employee.



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**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 TUESDAY, OCTOBER 13, 2015 AT 5:30 P.M.**

**JOHN H. MCCABE \* MAYOR \* PRESIDING**

**PRESENT: COUNCIL MEMBERS, GOLDEN, ORRICK, ABEL, RITCHASON, LUFT, DUNN AND MCCABE**

**ABSENT: NONE**

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

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

**AGENDA**

Motion by Council Member Golden, seconded by Council Member Ritchason that the **agenda be approved as presented**. On roll call vote all present voted Aye.

**MINUTES**

Motion by Council Member Orrick, seconded by Council Member Abel that the **minutes of the Regular City Council Meeting of September 28, 2015, be approved as written**. On roll call vote all present voted Aye.

**PUBLIC INPUT on agenda items**

Jim Mangan comments on financial reports and asks for explanation of the reserves and funding for loan. Mayor McCabe tells him Mr. Wolf is presenting a financial report later in the meeting that he is sure will address his questions.

Ann Witzig states her displeasure with the minutes and not being able to talk about personnel in open session.

**CONSENT AGENDA**

Motion by Council Member Luft, seconded by Council Member Orrick that the **CONSENT AGENDA be approved as presented**. Golden asks about written/oral warnings by the police department and whether verbal was oral or written. Kaminski comments that the field contact information is an "oral" warning. The following was presented for consideration of the Consent Agenda items by Omnibus Vote

|                                                                                                                                                                                                     |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <b>7.1 Receive and File Monthly Reports and Minutes:</b> Police Department September Report, Tazewell County Animal Control September Report, Traffic Safety meeting minutes dated October 3, 2015. |  |  |
| <b>7.2 Receive and File</b> Petition for Voluntary De-Annexation from the City of Pekin                                                                                                             |  |  |

On roll call vote all present voted Aye.

**COMMUNICATIONS, PETITIONS, REPORTS**

City Treasurer James Wolf presented to Council the **QUARTERLY FINANCIAL REPORT**.

Mr. Wolf presented documentation for his report for budget performance of the quarter ended July 31, 2015 (Pre-Audit) Revenues over Expenses – All City Funds; Major Revenue Sources; and Investment Earnings.

The following was heard by Council: Wolf states the overall health of the City is very good and he will touch on the highlights. The first quarter is always interesting because of property taxes being collected in this 1<sup>st</sup> quarter. General Fund operations are showing a profit and that is partially due solid waste is now showing expenses and revenues both in this full quarter. Sewer fund operations are positive for the quarter, but that fund is seeing some pressures and some sewer rates increases are going to be needed per the loan repayment schedule. School Bus shows some payments from the last school year and the school bus lease payment for the whole year. First quarter profit is \$295,000 for bus operations. Mayor McCabe asks about MFT and if it is a reflection of Springfield. The City has received payments up to July and has not received funds since then. Abel asks if other funds are being held up and Wolf states it is just MFT, but others are slower in payment. Orrick asks if real estate tax revenue in the report is the operations' portion. Wolf says yes, it is only reflecting the operations' portions of property taxes, not the amounts that went to pensions. Ty Whitford points out to Mr. Orrick and Luft who both question expenses of the bus department that they are currently in the 4<sup>th</sup> year of

a 5 year/66 bus lease with Midwest Transport. Whitford says most everything is covered under the warranty except tires and brakes and Midwest Transport has proposed an early lease renewal.

Wolf explains the revenue is strong for the quarter and actual results are \$9.25m, which is very good compared to budget and last year. Sales taxes have shown a drop in collections. Wolf noticed another negative percentage on the report, which should be impossible, so he checked into it was told by the IDOR they were updating their system and they would check into the issue and get back to him in the next 2 weeks. He will be watching these numbers and staying on top of this issue. Income & replacement taxes are increased and based on overall state wages. Orrick asks if the food and beverage taxes are delinquent. Wolf says yes, there is always someone who is late, but overall they pay on time and the delinquencies are minimal. McCabe asks if gaming taxes are flattening out and Wolf says he would use the word plateau and he feels only new businesses would cause an increase.

Investments are still only showing about a 1% return on investments because of the fed rate. The quarter shows good results because some annual payments have been received at this point. Orrick asks about economic development revenue; the general fund makes the loans and the economic development fund will pay back the general fund. Wolf says the reserves policy is 25% and normal general fund is \$25m; so 4.5m is what we should have on hand. The solid waste fee is helping the reserves and when we go to borrow funds, they look at reserves and what we are doing to restore reserves, such as instituting a garbage fee. The question has been raised on reserves and the hospital loan. It does not affect our reserves one bit: Assets – Liability= Reserves. When we borrow \$12m and then turn around and loan it for \$12m it is a zero sum transaction. We are expected to keep \$10m in the bank and that includes the funds Progressive Health keeps which is about \$1m; right now the City holds about \$13.8m at Morton Community Bank. We can spend those funds for City use and it has very little impact on keeping reserves where they should be and allows for full use of the funds. Orrick asks what happens if reserves go below \$10m; but Wolf points out that he doesn't think we will dip below that amount. McCabe points out that doesn't include the property tax benefit. Wolf says the total property tax is expected to be about \$300k, and our portion is roughly 13% of a total property tax bill. Golden didn't see anything in the agreement that it included the funds held by hospital in the \$10m. Wolf says it is in the loan agreement. Golden asks where the \$10m came from. Wolf explains there is no difference in the city's funds; we get \$12m and turn around and loan it to the hospital. Golden believes the City must have used reserves to make the loan. Wolf says that (\$10m) is roughly the amount that we keep in the bank and the funds we are loaning the hospital will come from the bank, not our reserves. This report is only revenue and expenses, not a balance sheet. Golden would like to see a balance sheet in future reports. Golden says that the last Willock and Warning audit shows \$12 in general fund. Wolf explains yes that is correct and it is the cumulative effect of revenue over expenses and Wolf will be happy to go over it in detail with Golden in his office. Orrick clarifies, if the loan was in place, our reserves would have stayed the same and Wolf points out that it is correct and this loan won't be in this most current audit either (FY14-15).

## **NEW BUSINESS**

### **ORDINANCE NO. 2729-15/16 AN ORDINANCE DEANNEXING REAL ESTATE PIN 10-10-16-200-004**

Motion by Council Member Dunn, seconded by Council Member Luft that Ordinance No.2729-15/16 be adopted. Council received and filed a Petition dated September 29, 2015 from the owners of the property commonly known as the Geier Property on Rt 29 that had been annexed into the City on August 25, 2014. City Manager Girdler explains that the original agreement stated that if certain contingencies were not met as provided in the annexation agreement in obtaining a permit for a Medical Marijuana Cultivation Center, the City agreed for the owners to petition to disconnect from the City. The only impact would be the property tax that the City could have received. The previous council 2<sup>nd</sup> paragraph shows an error 'tis" needs changed to "its". In Section 1 The City of Pekin is capitalized none of the rest are; Deputy City Clerk states they will be corrected. On roll call vote all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Orrick that the **AGREEMENT FOR ENGINEERING SERVICES WITH FARNSWORTH GROUP** be approved. Council was advised in a Request for Council Action that the City Engineer, Mike Guerra recommended the agreement be amended to reflect the construction inspection for Phase 2 for an additional \$120,000.00 and a reduction in Phase 3 & 4 for the same amount for the Wastewater Treatment Plan Project. Phase 2 was delayed due to flooding in 2013 and again this summer. Phase 3 & 4 are estimated to be completed approximately 2 months early. Pat Sheridan of Farnsworth Group shares a report of the progress in pictures. Farnsworth would like to do a tour for the Council.

He congratulates the City on the project and dealing with the capacity, age, flooding, CSO, nutrients and new standards and IEPA attorney general mandate and the city conducted it all over multiple years, 3 City Managers, 4 councils and significant staff changes and during the recession utilizing \$3.5m from state and a grant as well as low interest loans. The new plant was constructed over an existing/deplorable plant from going from 8.7mgd to 40mgd and the City did all of that within 3% of low bid market. There is a new standard coming down from EPA and we are ready and nearly 9 -10 years ahead of those. The project was definitely expensive, but is still on track with the budget prepared in 2008. The proposed rate increases will be in line with other communities and the schedule provided through the loan process will work. The facility is not a Cadillac, it is a vehicle that meets the needs to do the work of the basic requirements. The control system is a labor reducing set of equipment. The agreement had various segments and the phase 2A is about 1000 hours over, but phase 3 and 4 is online to be a net offset. Orrick asks if the EPA forced us into this. Sheridan says the CSO requirements are hitting all of the communities and Orrick asks why did Peoria not have to do it. Guerra said they are taking their case to the US EPA and t have probably doubled costs as a result of putting off the project. Dunn points out the previous council made a generational decision and that moving forward sooner rather than later was a good decision. Golden points out that inspection services would be provided, and Sheridan says they have done inspections, construction observation, and quality control process. Inspections were completed with critical work in phases 3 and 4, but there is not a need of daily observation including DO/IO inspections, an engineer is not needed out there on a daily basis. They make sure they do inspection services and were scheduled for 50%. Title Block has been changed for the Mayor to sign. Guerra points out that some of the items were done for operational purposes and flooding issues also complicated construction. It is a fine line between the operational and construction projects in a retro-fit situation. Any project of this magnitude would have changes in going from paper to real life. Guerra points out that we will bring some items to the council in the future based on new regulations and commends this council and previous councils for moving forward. On roll call vote, Ayes, Orrick, Dunn, Luft, Ritchason, Abel and McCabe; Nay Golden. Motion Carried.

Motion by Council Member Ritchason, seconded by Council Member Abel that **WASTEWATER TREATMENT PLANT PHASE 3 & 4 PACKAGE A CHANGE ORDER #2 IN THE AMOUNT OF \$3,322.01** be approved. Council was advised in a Request for Council Action that Phase 3& 4 were part of the Combine Sewer Outfall (CSO) projects outlined in the Long Term Control Plan (LTCP) approved in 2011 to bring the City into compliance. Package A included updating of the North Treatment Plant to allow additional detention storage and lining of 2 30" interceptors due to location and depth of existing piping the excavation limits were expanded. The change allows for additional sidewalk that will need to be removed and replaced. Guerra says replacing some pathways provides better access to some valves. Sheridan this is a very legitimate request and it makes more sense to do it now and the price is a very fair \$7.5 per square foot. He expects to be closing out soon. Orrick asks if this is a holding area and Sheridan explains the CSO plan is for a holding station at the North plant and now are able to use the 7m gallon lagoon for storage. Golden asks about completion of work. Guerra says this work has not been started at all and Guerra points out the previous change orders were not completed significantly prior to coming to the City Council. Sheridan points out under Denny Keif, when he was a city engineer, there were probably 72 change orders and it was agreed that they negotiated prices and bring a bundle to the Council. Sheridan says there is no collusion, Golden points out that the Council is the deciding authority. Guerra points out that if the owner holds up progress that the contractor can assess damages back to the owner for timeliness. Williams Bros was told that proceeding previously would be at their own risk. It was a process that was scrutinized by professionals and Guerra points out this work requested in Change Order #2 has not been completed. On roll call vote, Ayes, Orrick, Dunn, Luft, Ritchason, Abel and McCabe; Nay Golden. Motion Carried.

#### **ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL**

**Public Input:** **Jim Mangan** asks if the reserves today are \$13.8m. Wolf says the reserves are \$6m. The \$13.8 is working cash and all funds within the City. Mangan is confused by the \$12m loan and where that money is coming from and that we have to have an additional \$10m. McCabe explains no, that the \$13.8m will cover that \$10m. Wolf says if we keep less than that we would pay a higher interest rate. In transparency tools there are expenses of \$80m, why are there differences? Wolf explains the larger amounts includes all capital funds, sewer plant construction, and that is *all* funds.

**Ann Witzig** – there is no need to complain about anything until other people at the table do their jobs. The public doesn't get answers to nothing. She says executive session is hiding behind closed doors.

**Staff Input:** **Girdler** answers questions from previous meeting. 183 complaints were a result of the “sticker” for large items. The impact of the 4<sup>th</sup> & Capital Street stop signs are still in the 90 day test period and the City has heard mostly positive results. The phase II TIF report just came in a few hours ago and will be shared with Council from the developer. Parking problem is hard to answer without a study. The City has 3 parking lots and the County has some additional parking that they are entertaining opening up after hours.

**McCabe** asks about the efficiency study. Girdler says the scope of work has been set and Girdler included some additional information provided from one Council Member. The City of East Peoria just completed a study by Northern Illinois University Center for Government and it took one year for only 3 departments.

**Dancy** mentions that the folks at the Court House like the changes with the street lights and the dance studio patrons are overwhelmingly positive. Luft states you can get a parking spot easier as well. Orrick says the request came from an owner of downtown property.

**Chief Nelson** reminds people to keep smoke alarms in working order. The Fire Department can help people with that if they call the department.

**Deputy Chief Kaminski** Night out against crime is on October 22, 2015 and encourages all to attend.

**Golden** asks about fire at a duplex on ElCamino; Nelson says they were outside grilling and oil on stove inside ignited and flashed over. Nelson reminds people to invest in renters insurance. What is the policy about construction/silt fence because street sweeping was done in Sunset Hills today. Guerra points out this is an Ameren project and they have a franchise agreement and InfoSource is their subcontractor. Luft says they have caused issues with Illinois American as well. Guerra says because they are a utility, they have much latitude and the City doesn't have a very big hammer when it comes to other utilities. Girdler will contact Ameren tomorrow. Orrick asks if we can increase the rules/regulations on the utilities in the Code. Golden also says Highwood and Summit sidewalk just ends; should the developer be held accountable for that and asks about erosion issue at Highwood and Lisa Court. Mike is meeting with the homeowner and thinks it can be completed this year. Golden also wants to know the plan with the building on Front Street being torn down? Girdler says it was owned by the City and there was a tunnel under that street that is being filled with flowable fill. Golden, where is the Cartegraph report? Guerra says he can share the report, but he would like to share some historical information and provide a complete picture. Golden asks if the final report extensive. Guerra says, yes, the City asked for compilation of data; it is a 1200 page report; but doesn't really provide for planning and he shared the executive summary to the City Manager previously. Girdler states he forwarded the one page executive report. Golden asks about EarthMine. Guerra says we use it to import information into our GIS program; for instance, the GIS technician has updated street lighting and sign information; it is a very powerful tool. Kaminski says the police dept. does not normally report burnt out street lights. Golden's street has one out and it hasn't been repaired.

**Abel** – when will Veterans to 14<sup>th</sup> be open? Guerra 2 lanes poured this week and by end of next week most of pavement will be down and the reconnection will be open. Abel is told the \$20 fee may be on the next agenda.

**Orrick** asks about The B&D fine collections that comes to Angie and Dancy points out that it was reported in a post council report from staff.

**Luft** talks about the efficiency study and the timelines and the costs. It is in the best interest of the tax payers if a study comes back and says we are efficient, he is good with a number in the \$100k range, but it needs to be done in a timely manner. Luft explains that two council members made a motion and that Mrs. Witzig suggesting two members must have been coerced is not the case. The motion and the second does not necessarily mean that council member agrees with the motion. The council member seconding is just agreeing to further the discussion and it doesn't mean the whole council is in agreement. Luft points out that in closed session there is no coercion just good honest discussion. Luft makes a motion to put the impound ordinance back on the council agenda for the next council meeting it is seconded by Abel.

No further business to come before the Council, motion by Council Member Dunn, seconded by Council Member Orrick that Council adjourn. Motion carried voice vote.

**COUNCIL ADJOURNED AT 7:51 P.M.**

Submitted by  
Sarah Newcomb.  
for  
Sue E. McMillan  
City Clerk



**LIQUOR COMMISSION MINUTES  
THURSDAY, AUGUST 27, 2015 AT 4:00 P.M.  
CITY HALL CONFERENCE ROOM  
111 SOUTH CAPITOL STREET  
PEKIN, ILLINOIS 61554**

Deputy Liquor Commissioner VonRohr called the meeting to order at 4:00 p.m.

**PLEDGE of ALLEGIANCE**

**ROLL CALL**

The following members were present for roll call: Liquor Commissioner John McCabe, Deputy Liquor Commissioner Rick VonRohr, Deputy Police Chief Don Baxter, Commission Member Buster Hanley, and Commission Member Dale Vonderheide

Absent: Fire Chief Kurt Nelson

Also present: Attorney Sue Bosich

Fire Chief Kurt Nelson entered the meeting at 4:15pm

**APPROVAL OF AGENDA**

Motion made by Commission Member Hanley to approve the agenda for August 27, 2015, seconded by Commission Member Dale Vonderheide. On roll call vote all present voted Aye. Motion carried.

**APPROVAL OF LIQUOR COMMISSION MINUTES**

Motion made by Deputy Police Chief Baxter to approve the July 23, 2015 liquor commission minutes, seconded by Commission Member Vonderheide. On roll call vote all present voted Aye. Motion carried.

**PUBLIC INPUT/COMMENTS/QUESTIONS**

Jon Flynn- leased the east portion of the building known as Gingoteague. He sent an email to City Clerk Sue McMillan outlining his plans which was then forwarded to the Liquor Commission. All of Mr. Flynn's questions were answered from his email. He will get with Ron Sieh in the Inspections Department to go over his plans of adding a wall and separate doors to separate the Liquor Store from the Convenience Store area. He will also call the Fire Department to find out about a sprinkler system. If Mr. Flynn has anymore questions he can call the City Clerk's office.

Nick Filarski of Broadway Liquor asked the Liquor Commissioner if there will be discussion of the change to the liquor code to allow gas stations to sale alcohol. Liquor Commissioner McCabe stated there will be no action taken tonight. He is still doing more research. McCabe will give the public plenty of notice when this will be on the Liquor Commission Agenda.

Casey's store manager Tara Davis was present and asked about the change as well. They are doing remodeling at their N. 8<sup>th</sup> Street store and was planning on adding a beer cave and they also bought the gas station at the corner of Court and Parkway. She stated they were also considering a third location on Veteran's Drive.

## **NEW BUSINESS**

**TAY-CAM, LTD DBA FABULOUS TAYLOR'S  
AARON ROGERS  
2916 COURT STREET  
PEKIN, ILLINOIS 61554**

Discussion: VonRohr had gone out to inspect his building and everything was good on the Police Department end. The Fire Department and Inspections Department were good with everything as well. Greg Sparkman has an outstanding DUI that is pending. Paula to send Attorney Bosich their liquor liability insurance for her files.

Deputy Police Chief Don Baxter made a motion to approve the liquor license for Tay-Cam, Ltd. dba Fabulous Taylor's at 2916 Court Street, Seconded by Commission Member Buster Hanley. On roll call vote all present voted Aye. Motion carried.

**MI RANCHITO BAR AND GRILL, LLC DBA MI RANCHITO BAR AND GRILL  
JENNIFER LOPEZ  
2217 COURT STREET  
PEKIN, ILLINOIS 61554**

Discussion: Jamie Evans with the Fire Department, Ron Sieh with the Inspections Department, and Deputy Police Chief Don Baxter have all gone out and did their inspections. Jennifer Lopez stated that she is waiting for the underwriter to change the certificate holder to say City of Pekin and then they will fax it over to the City Clerk's office.

Commission member Vonderheide made a motion to approve the liquor license for Mi Ranchito Bar and Grill, LLC dba Mi Ranchito Bar and Grill pending her liquor liability insurance is changed to include City of Pekin as Certificate Holder. Seconded by Deputy Police Chief Don Baxter. On roll call vote all present voted Aye. Motion carried.

## **ANY OTHER BUSINESS**

Attorney Sue Bosich will be attending the IML Conference in Chicago next month and will bring the information regarding the new Happy Hour law. She will discuss this at the next liquor commission meeting.

Liquor Commissioner McCabe talked about the 2% Food and Beverage tax late payments. Paula sent out an email from Vicki Bass with Finance on who is late:

Friends Tap: April-July 2015  
Pekin Amvets: July 2015  
Roxy's: April-July 2015  
The LeeWay: July 2015

Attorney Sue Bosich will send out letters to Pekin Amvets and The LeeWay. Friends Tap and Roxy's she will prepare a legal notice complaint on them not paying their 2% Food and Beverage tax to the City of Pekin.

Liquor Commissioner John McCabe brought to the commission his idea to go back to the way the liquor commission used to be as an Advisory Commission and also to add two more members from the public. This would leave the Liquor Commissioner as a non-voting member. The liquor commission then would advise the liquor commissioner on items on the Agenda for him to make final decision. Liquor Commissioner McCabe likes the idea of a Deputy Liquor Commissioner. VonRohr stated that he found the meetings turned into a 3 hour debate and we did not get a lot done and was hard to come to a consensus. Felt there was no real direction to the liquor commission as an advisory committee. Hanley and Vonderheide felt it makes more sense to have more voting members. Liquor Commissioner McCabe asked the commission to think about it and email him with concerns. He will bring a formal proposal to the next meeting.

Deputy Liquor Commissioner VonRohr made a motion to adjourn.

Meeting adjourned at 4:30 P.M.

**Next Regular Meeting Thursday, September 24, 2015 at 4:00 P.M.**

Respectfully submitted, Paula Gensel, Liquor Commission Secretary



**Pekin Visitors  
Committee  
Tuesday,**



**Bureau - Tourism  
Meeting  
October 13, 2015**

**4:00pm, City Hall  
Meeting Minutes**

- 1.0 Tourism Grant applications
  - 1.1 Pekin Academy of Fine Arts Sept. First Friday – Motion made by Kaci to approve the grant in the amount of \$54.96, seconded by Charlotte, motion carried.
  - 1.2 Pekin Academy of Fine Arts Art Market – Motion made by Kaci to approve the grant in the amount of \$83.33, seconded by Charlotte, motion carried.
  - 1.3 YWCA Keys for a Cause Fundraiser Event – Motion made by Charlotte to approve the grant in the amount of \$1000.00, seconded by Darin. Motion carried.
  - 1.4 Grace United Methodist Church: See You at the Pole Youth Concert – Motion made by Darin to approve the grant in the amount of \$596.18, seconded by Charlotte. Motion carried.
  - 1.5 Pekin Academy of Fine Arts First Friday, October 1<sup>st</sup> – Motion made by Charlotte to approve the grant in the amount of \$50.00, seconded by Darin. Motion carried
- 2.0 Tourism activities
  - 2.1 Soda Pop Festival – June 11 2016 date (rain date of June 12)
  - 2.2 Pekin Arts Council "PAC" – upcoming meeting – Shannon Cox attended the Illinois Arts Council State of the Arts in McLean County. She made lots of great contacts.
  - 2.3 Diversity Events
    - 2.3.1 Peace Pole – Friday, September 11<sup>th</sup> at 3:30pm-Library – Excellent turn-out
    - 2.3.2 Dessert Competition – Friday, October 16 – Speakeasy 7pm to 9pm. Have 12 Chef's, wine wall, and a fundraiser prize wall.
  - 2.4 Pekin Community Tourism Forum update – met at the YWCA and Papa Murphy brought in Pizza. Had several new attendee's; U of I Extension, Josiah Williams with Congresswoman Bustos office, and Facet Computers. Discussed the Canoe Trail, Pekin to Henry. The Sportsman Alliance Group received a grant from Illinois American Water. A bench and sign were purchased and



will be put up by the bike trail. Ribbon cutting will be October 29<sup>th</sup> at 11:00am. More information to follow. Small Business Saturday will be November 28<sup>th</sup>. City of Pekin will be involved and the Mayor will have a Proclamation. Calling this "Shop Small Campaign". Puttin on Pekin was held on October 9<sup>th</sup> at the Speakeasy, the program was Adults with Disabilities. Night Out Against Crime will be held on October 22<sup>nd</sup> from 6pm-8pm at Avanti's Dome. Avanti's Dome is booked through April for weekend tournaments. First Fridays – Both Kiwanis Groups are having a "Trip Trot Tea" on October 27<sup>th</sup> from 5:30pm to 7:30pm, will include a 5k run/walk and golf outing and will hand out their Grant checks that Kiwanis supports.

2.4.1 Next meeting Thursday, November 12<sup>th</sup>

2.5 Pekin Public Library Grand Opening – Saturday, November 14<sup>th</sup>

### 3.0 Advertisements/Public Relations

- 3.1 Enjoy Pekin Website and Facebook – still posting on our web sites, plus the City of Pekin Facebook page
- 3.2 PCHS Winter and Holiday Tournament – approved ad for \$300 for a quarter of a page; has our city logo and enjoy pekin logo.
- 3.3 Enjoy Peoria experience guide – next year will include specific areas in Pekin; possibly down by riverfront for places to take "Selfies". Highlight areas in Pekin, have free activities, etc.

### 4.0 Tourism strategic planning/budget

#### 4.1 Bike Trail

4.1.1 Tri-County regional bike forum – will be meeting with them on plans; maps, existing trails, bike safety awareness, street assessment, etc.

4.1.2 Farnsworth – possible funding available to help with certain activities, lighting on bike paths, and to help offset energy costs – this is still in the works

4.2 First Friday – coordination with surrounding communities. Shannon Cox will take a break for the First Fridays over winter; January, February and March. Will be meeting with the smaller communities and see what opportunities there are in their communities and possibly do the bus loop that way.

4.3 Bike Racks – looking at installing a few bike racks around town

4.4 Canoe Trail – Ribbon Cutting for October 29<sup>th</sup> at 11:00am – more information coming regarding place.

### 5.0 Other Business

- 5.1 PACVB updates – working on their strategic plan. New Destination Committee. Discuss bike trails, bike racks, bike rental program, chess and checker tables, and message boards for a few locations yet to be determined. Looking into "Fit

- Trails"; work out along the bike trails, for example; stair steps, pull up bars, etc. See if Park District would be interested.
- 5.2 Scenic Byway updates – sort of at a standstill with meeting and committee members. No state funding available. May partner with other groups.
  - 5.3 National Philanthropy Day Awards luncheon on November 4<sup>th</sup> at 11am at the Paradise Hotel. Interested let Leigh Ann know.

Next meeting – Tuesday, November 10<sup>th</sup>, 2015 at 4:00pm, City Hall

***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, John McCabe, Mayor of the City of  
Pekin, Illinois, do hereby proclaim the month of October, 2015, to be*

***“INTERNATIONAL ALPHA DELTA KAPPA MONTH”***

*in the City of Pekin, Tazewell County, Illinois*

***ADOPTED**, this 26<sup>th</sup> day of October, in the Year of Our Lord, Two Thousand and  
Fifteen.*

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*JOHN MCCABE  
Mayor*

*ATTEST:*

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*SUE E. McMILLAN  
City Clerk*



## REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Manager, City Attorney, Finance Director & City Clerk

From: Community Development Director

**AGENDA ITEM:** Amendment #1B to the 2015 Action Plan for the Community Development Block Grant entitlement

**AGENDA DATE REQUESTED:** October 26, 2015

**ACTION REQUESTED:** Recommendation for Council approval of the Amendment #1B to 2015 Action Plan for CDBG

**DESCRIPTION:** Any substantial changes to the allocation of CDBG dollars require an amendment, which includes a public comment period and Council approval. The request for Council is to allocate available CDBG dollars to programs currently approved in the 2015 Action Plan.

**FINANCIAL IMPACT:** CDBG available dollars are being allocated to current FY programs. Please see the attached supporting document breakdown.

**NEIGHBORHOOD CONCERNS:** Public notice of the 2015 Action Plan Amendment #1B has been on public review from October 12 to October 23, 2015 at the City of Pekin and Pekin Public Library.

**IMPACT IF APPROVED:** Increase in CDBG allocation for the Owner Occupied Rehab program, Rehab Program Delivery program and Public Services. The 2014 Action Plan amendment #1B will be mailed to HUD for notification and work will continue forward in this direction.

**IMPACT IF DENIED:** The City of Pekin will have to decide the eligible use of the \$294,382.31 CDBG dollars needing to be allocated. This further delay may result in the City of Pekin not meeting the timeliness mark.

**ALTERNATIVES:** Based on documented need and CDBG eligibility, City staff could re-allocate the \$294,382.31 to other Community needs and bring forth another amendment to Council for approval. This would require an amendment to the 5 year Consolidated Plan and current fiscal year Action Plan.

### RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS:

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

### REQUIRED SIGNATURES

**Department Director:** *Pamela Anderson*

Date: *10/9/15*

**Finance Department (Certification of Availability of Funds):**

Date: *10-12-15* *Cheryl Evans*

**Corporation Counsel:**

Date:

**City Manager:**

Date:

2015 HUD FY  
Action Plan Amendment #1B

| 2015 Budget - May 1, 2015<br>to April 30, 2016 | 2015 Action Plan<br>allocation (actual) | Amendment #1B                                                        |                          | Amendment #1 totals (2015<br>allocation + re-allocated \$'s<br>+ IDIS amount) |
|------------------------------------------------|-----------------------------------------|----------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------|
|                                                |                                         | 7/13/15 proposed &<br>tabled 2014 re-allocated<br>dollars to FY 2015 | PR-01 funds<br>available |                                                                               |
| Rehabilitation                                 | \$ 153,000.00                           | \$ 160,800.00                                                        | \$77,085.76              | \$ 390,885.76                                                                 |
| Rehab Prog. Delivery                           | \$ 101,000.00                           | \$ 55,000.00                                                         |                          | \$ 156,000.00                                                                 |
| Public Services **                             | \$ 58,400.00                            | \$ 1,496.55                                                          |                          | \$ 59,896.55                                                                  |
| Administration *                               | \$ 78,100.00                            | \$ -                                                                 |                          | \$ 78,100.00                                                                  |
| Total:                                         | \$ 390,500.00                           | \$ 217,296.55                                                        | \$ 77,085.76             | \$ 684,882.31                                                                 |
|                                                |                                         | \$294,382.31                                                         |                          |                                                                               |





## Community Development

October 5, 2015

RE: Newspaper notification of public review period for the 2015 Action Plan amendment #1B

To Whom It May Concern:

Please publish the following information:

### **2015 ACTION PLAN AMENDMENT #1B**

The City of Pekin's 2015 Action Plan amendment #1B will be available for public review and comment from October 12 to October 23, 2015 in the City of Pekin Office of the City Clerk and the Pekin Public Library. The proposed amendment will allocate CDBG dollars to existing 2015 CDBG programs.

All comments and questions will be submitted in writing prior to the presenting to Pekin City Council for approval on October 26<sup>th</sup>, 2015 at their regularly scheduled Council meeting.

The Council Chambers are accessible to persons with disabilities. If special accommodations are needed or if there are any questions regarding the 2015 amendment #1B, please contact Pamela Anderson, Community Development Director at (309) 477-2300 ext. 5356.



August 19, 2015

To: Mayor and City Council Members  
CC: City Manager and City Clerk  
From: Community Development

Greetings to all!

The attached information shows the variety of funding related to the Community and Planning Department of HUD. As the list is five pages long; you can see it is a big department with a variety of programs.

- The City of Pekin (proper) receives funding directly from HUD in the form of the Community Development Block Grant (CDBG).
- The Pekin Housing Authority receives different funding revenues from HUD and is completely separate from the CDBG funding.
- Subsidized housing properties receive different funding that is separate from the CDBG funding.

In addition, there is a one page over-view of the CDBG program. This narrative provides an executive summary of the nature of the program, grantee eligibility, funding distribution and a few other details related to the CDBG program.

This information is provided to demonstrate the nature of funding the City of Pekin directly receives from the Department of Housing & Urban Development.

Please feel free to contact me for any questions.

Regards,

*Pamela Anderson*  
Pamela Anderson  
Community Development  
City of Pekin



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- **Community Development Block Grants for Insular Areas**
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- **Rural Housing Stability Assistance Program**
-

- Rural Innovation Fund
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  -

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## **Community Development Block Grants (CDBG) (Entitlement)**

Federal funding to help entitled metropolitan cities and urban counties meet their housing and community development needs.

**Nature of Program:** Provides annual grants on a formula basis to entitled communities to carry out a wide range of community development activities directed toward neighborhood revitalization, economic development, and improved community facilities and services.

Entitlement communities develop their own programs and funding priorities and consult with local residents before making final decisions. All CDBG activities must meet one of the following national objectives: benefit low- and moderate-income persons; aid in the prevention or elimination of slums and blight; or meet certain community development needs having a particular urgency. Some of the activities that can be carried out with community development block grant funds include the acquisition of real property; rehabilitation of residential and nonresidential properties; provision of public facilities and improvements, such as water and sewer, streets, and neighborhood centers; public services; clearance; homeownership assistance; and assistance to for-profit businesses for economic development activities.

To receive its annual CDBG entitlement grant, a grantee must develop and submit to HUD its Consolidated Plan (which is a jurisdiction's comprehensive planning document and application for funding under the following Community Planning and Development formula grant programs: CDBG, HOME Investment Partnerships, Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Shelter Grants (ESG)). In its Consolidated Plan, the jurisdiction must identify its planned use of funds and the goals for these programs and for affordable housing. The goals will serve as the criteria against which HUD will evaluate a jurisdiction's performance under the Plan. Also, the Consolidated Plan must include several required certifications, including that not less than 70 percent of the funds expended over a period specified by the grantee, not to exceed 3 years, must be used for activities that benefit low- and moderate-income persons. The grantee must also affirmatively further fair housing.

**Grantee Eligibility:** Metropolitan cities and urban counties are entitled to receive annual grants. Metropolitan cities are principal cities of Metropolitan Areas (MAs) or other cities within MAs that have populations of at least 50,000. Urban counties are within MAs and have a population of 200,000 or more (excluding the population of metropolitan cities within their boundaries).

**Funding Distribution:** From each year's CDBG appropriation, excluding the amounts provided for grants under Section 107 of the Housing and Community Development Act of 1974 (Section 107 grants), and other specified grants, 70 percent is allocated to metropolitan cities and urban counties. The amount of each entitlement grant is determined by statutory formula, which uses several objective measures of community need, including poverty, population, housing overcrowding, age of housing, and growth lag.



**REQUEST FOR COUNCIL ACTION****To: Mayor and Council****CC: City Clerk, Finance Dept., City Attorney, City Manager, Assistant City Manager****From: Pamela Anderson, Community Development Director****AGENDA ITEM: 2015 Action Plan Amendment #1****AGENDA DATE REQUESTED: July 13, 2015****ACTION REQUESTED: Council approval of the re-allocation of \$217,249.78 CDBG dollars (Amendment #1) from HUD FY 2014 to HUD FY 2015 Action Plan.**

**DESCRIPTION:** HUD CDBG dollars are carried over at the end of the fiscal year (2014) to the new HUD fiscal year (2015). Prior to the submission of any "substantial change" in the proposed use of funds the Proposed amendment must be approved by City Council. A proposed re-allocation of 2014 HUD fiscal year dollars (\$217,249.78) to approved 2015 Action Plan activities has been on public review from June 22 to July 13, 2015.

**FINANCIAL IMPACT:** Please see the attached supporting document.

**NEIGHBORHOOD CONCERNS:** A public hearing is scheduled for July 13, 2014 at the regularly scheduled Council meeting that begins at 5:30pm in the Council chambers. Comments will be included within the correspondence submitted to HUD.

**IMPACT IF APPROVED:** The 2015 Action Plan amendment #1 will be e-mailed to HUD for approval.

**IMPACT IF DENIED:** The \$217,249.78 will be re-allocated within the current 5 year Consolidated plan goals and be prepared and re-presented to City Council.

**ALTERNATIVES:** none (see above impact if denied section)

**REQUIRED SIGNATURES****Department Director:** *Pamela Anderson*Date: *7/2/15***Finance Department (Certification of Availability of Funds):**

Date:

**Corporation Counsel:**

Date:

**City Manager:**

Date:

2015 HUD FY Ammendment #1

| 2015 Budget - May 1, 2015 to April 30, 2016 | 2015 Action Plan allocation (actual) | 2014 re-allocated dollars to FY 2015 | Amendment #1 totals (2015 allocation + re-allocated \$'s) |
|---------------------------------------------|--------------------------------------|--------------------------------------|-----------------------------------------------------------|
| Rehabilitation                              | \$ 153,000.00                        | \$ 160,753.23                        | \$ 313,753.23                                             |
| Rehab Prog. Delivery                        | \$ 101,000.00                        | \$ 55,000.00                         | \$ 156,000.00                                             |
| Public Services (LSC + agencies) **         | \$ 58,400.00                         | \$ 1,496.55                          | \$ 59,896.55                                              |
| Human Rights Committee                      | \$ 2,000.00                          | \$ -                                 | \$ 2,000.00                                               |
| Pekin Coalition for Equality *              | \$ 3,000.00                          | \$ -                                 | \$ 3,000.00                                               |
| Administration *                            | \$ 73,100.00                         | \$ -                                 | \$ 73,100.00                                              |
| Total:                                      | \$ 390,500.00                        | \$ 217,249.78                        | \$ 607,749.78                                             |

|                                |               |
|--------------------------------|---------------|
| 2015 Grant allocation          | \$ 360,583.00 |
| 2015 estimated program income: | \$ 30,000.00  |
| Total:                         | \$ 390,583.00 |
| difference:                    | \$ 83.00      |

|                           |               |
|---------------------------|---------------|
| 2014 carried over \$'s:   | \$ 217,249.78 |
| 2015 grant dollars:       | \$ 360,583.00 |
| 2015 estimated PI:        | \$ 30,000.00  |
| total available for 2015: | \$ 607,832.78 |
| minus amendment totals:   | \$ 217,249.78 |
| remaining to be allocated | \$ 83.00      |

July 13, 2015

Motion by Council Member Luft, seconded by Council Member Abel that the **2015 ACTION PLAN AMENDMENT #1 FOR COMMUNITY DEVELOPMENT BLOCK GRANT** be approved.

Community Development Director Pamela Anderson advised the Council there were CDBG dollars not expended that require changes to the allocation of dollars required as an amendment that would reallocate \$217,249.78 for the 2015 Action Plan used to guide the programs/activities during the year. Ms. Anderson provided a spread sheet of the 2015 Action Plan budget allocation, the proposed re-allocation of dollars to rehabilitation and public services. Council Member Luft advised that he had never received more input than this topic of HUD dollars for housing. He felt there was needed more input and knowledge on the subject and offered a motion to table the item. Council Member Golden commented that administration ate of one half of the funds. Council Member Dunn also felt there needed to be a larger discussion on dollars geared to bring the poverty numbers down. Additional discussion followed. Council Member Golden stated that he be clear that he did not want to accept HUD dollars. Motion by Council Member Luft, second by Abel that the Action Plan amendment be tabled. On roll call vote all present voted Aye. Motion carried to table the Amendment.



## REQUEST FOR COUNCIL ACTION

**To: Mayor and Council**

**CC: City Clerk, Finance Dept., City Attorney, City Manager, Assistant City Manager**

**From: Pamela Anderson, Community Development Director**

**AGENDA ITEM: 2015 CDBG Public Service Activities**

**AGENDA DATE REQUESTED: October 26, 2015**

**ACTION REQUESTED: Council approval of the 2015 CDBG Public Service activities**

**DESCRIPTION:** On August 25<sup>th</sup>, 2015 a request for proposals was sent to not-for-profit social service agencies that serve the City of Pekin. The request was for the 2015 CDBG Public Service activities with a due date of September 11, 2015 at 5pm. There were 8 activities from 5 Pekin agencies submitted. 7 were eligible activities. See recommended allocation in next section.

**FINANCIAL IMPACT:** Of the allocated CDBG dollars for Public Services, it is recommended for Council approval –

- 17% is allocated to the Pekin Salvation Army Social Services for a Low Income Wastewater Assistance (est. benefit 150) and Wheels for Work and Wellness activity (est. benefit 250).
- 40% is allocated to the Center for Prevention of Abuse Carol House of Hope to support their domestic violence services (est. benefit 135).
- 23% is allocated to the Pekin YWCA for the Weekend Snack Packs – District #108 (est. benefit 225), Weekend Snack Pack – YWCA Child Care (est. benefit 30) and Childcare Scholarship (est. benefit 20) activities.
- 20% is allocated to Driven Church for their Driven Café activity (est. benefit 300).

**NEIGHBORHOOD CONCERNS: none**

**IMPACT IF APPROVED:** The proposed 2015 Public Service activities will move forward with sub-recipient agreements and environmental paperwork.

**IMPACT IF DENIED:** Staff will expect & need clear direction to move forward with the 2015 CDBG Public Service program.

### REQUIRED SIGNATURES

**Department Director:** *Pamela Anderson*  
Date: 10/21/15

**Finance Department (Certification of Availability of Funds):**  
Date: 10-21-15 *Angel Evans*

**Corporation Counsel:**  
Date:

**City Manager:**  
Date:

**ORDINANCE NO. 2730-15/16**

**AN ORDINANCE AMENDING TITLE 1, CHAPTER 5, SECTION 3 A.  
OF THE CODE OF THE CITY OF PEKIN 1995  
REGARDING REGULAR COUNCIL MEETINGS**

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 has made rules and regulations necessary and proper for the efficient and economical conduct of City business; and

WHEREAS, the City Code provides language in which the Council transacts business on the second and fourth Monday of each month except that when a Monday shall be a legal holiday, the Council shall meet on Tuesday next following; and

WHEREAS, the Council desires to facilitate a more efficient manner in conducting meetings; and

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

That the following change in Title 1, Chapter 5, Section 3 (A.), Meetings of the City council is deleted and replaced with the following:

- A. Regular Meetings: Regular meetings of the City Council of the City of Pekin shall be held in the Council Chambers in the City Hall on the second and fourth Monday of each month at 5:30 o'clock P.M., except that when Monday shall be a legal holiday, the City Council shall meet on the Tuesday next following at the same hour, except for Columbus Day legal holiday. (Ord. No. 2730-15/16 10-26-15)

**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 portions thereof in conflict with this Ordinance are hereby repealed.

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

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Pekin, this \_\_\_\_\_ day of \_\_\_\_\_, 2015; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



## CHAPTER 5

### CITY COUNCIL

#### SECTION:

- 1-5-1: Members; Term; Vacancies
- 1-5-2: Salary
- 1-5-3: Meetings
- 1-5-3.1 Electronic Attendance at Public Meetings
- 1-5-4: Voting
- 1-5-5: Conducting Business
- 1-5-6: Powers and Duties Generally
- 1-5-7: Specific Duties
- 1-5-8: Reports from Officers and Superintendents

**1-5-1: MEMBERS; TERM; VACANCIES:** The Council shall consist of the Mayor and six (6) Council Members elected for four (4) year terms pursuant to 65 ILCS 5/5-2-12. and as is provided, shall consist of one (1) member, who receives the least number of votes at the next biennial general municipal election, with a two (2) year term, their successors and all future elected member shall serve four year terms. The term shall commence at the first regular or special meeting of the City Council during the month of May following the proclamation of the results of the regular municipal election. The order of business at said meeting shall be: Pledge of allegiance, roll call, approval of minutes, swearing in of new officers, continuation of all other business of the municipality by the newly elected officers. All members of the City Council shall have the qualifications required by law. Vacancies occurring in the City Council shall be filled by the remaining members, as is provided by 65 Illinois Compiled Statutes 5/5-2-12. (Ord. No. 2410 2/14/05) (Ord. No. 2515 02-12-07) (Ord. No. 2492-06/07 09-25-06 effective 04-17-07)

**1-5-2: SALARY:** The Council may fix the annual salaries of its members as provided by law payable in equal monthly installments. (65 ILCS 5/5-4-1)

#### **1-5-3: MEETINGS:**

- A. **Regular Meetings:** Regular meetings of the City Council of the City of Pekin shall be held in the Council Chambers in the City Hall on the second and fourth Monday of each month at 5:30 o'clock P.M., except that when Monday shall be a legal holiday, the City Council shall meet on the Tuesday next following at the same hour, **except for Columbus Day legal holiday. (Ord. No. 2730-15/16 10-26-15)**
- B. **Adjourned or Recessed Meetings:** Adjourned or recessed meetings of the City Council of the City of Pekin may be held for the purpose of completing any unfinished business of a regular meeting at such time or times as may be determined by majority vote of the City Council.

CHAPTER 5  
CITY COUNCIL

SECTION:

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**Pekin Municipal Airport**  
13906 Airport Lane  
Pekin, IL 61554

pekinairport@ci.pekin.il.us  
(309) 348-3692  
(309) 348-3693 FAX

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## MEMORANDUM

**TO:** John McCabe, Mayor  
John Abel, Council Member  
Tim Golden, Council Member  
Mark Luft, Council Member  
Michael Ritchason, Council Member  
Lloyd Orrick, Council Member  
Rusty Dunn, Council member

**CC:** Darin Girdler, City Manager  
Mike Guerra, City Engineer  
Sue McMillan, City Clerk  
Angie Evans, Director of Finance  
Burt Dancey, Legal Counsel  
Airport Advisory Commission

**FROM:** Clayton Stambaugh, Airport Manager

**DATE:** October 22, 2015

**SUBJECT:** Additional Information for Request for Council Action, Improvement  
Amendment to Existing Airport Hangar Lease

This memo provides additional information relating to a request for council action (10-26-2015) for an improvement amendment to an existing airport hangar lease. In an effort to condense the information and overall memo length, bullet points and tables are utilized. Please contact Clayton Stambaugh, Airport Manager, via email at [clstambaugh@ci.pekin.il.us](mailto:clstambaugh@ci.pekin.il.us) or phone at (309)221-0076 regarding comments, questions, or concerns.

Due to Federal Aviation Administration (FAA) safety/security rules and regulations, particularly Part 107, Air Operations Areas are restricted for "authorized persons only". Visitors must be escorted by the Airport Manager or other authorized personnel. Site visit appointments may be made for Saturday October 24<sup>th</sup> and Sunday October 25<sup>th</sup> as deemed necessary and appropriate by the Airport Manager.

---

Clayton Stambaugh, M.P.A., Airport Manager  
13906 Airport Lane, Pekin, IL 61554  
(309) 348-3692  
[clstambaugh@ci.pekin.il.us](mailto:clstambaugh@ci.pekin.il.us)





**Pekin Municipal Airport**  
13906 Airport Lane  
Pekin, IL 61554

pekinairport@ci.pekin.il.us  
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**Sought Cost Reimbursement Totals:**

|              |                 |
|--------------|-----------------|
| Door         | 16743.75        |
| Labor        | 18733.42        |
| Insulation   | 2431.00         |
| Engineering  | 5400.00         |
| <b>Total</b> | <b>43308.17</b> |

(Actual cost sheets and available alternatives attached)

**Total Reimbursement Schedule Utilizing Existing Lease Agreement:**

|                                                                                                     |                 |
|-----------------------------------------------------------------------------------------------------|-----------------|
| December 1, 2015 through January 31, 2019 (38 months)<br>at \$700.00 per month in waived rental fee | 26600.00        |
| February 1, 2019 through June 30, 2019 (20 months)<br>at \$800.00 per month in waived rental fee    | 16000.00        |
| July 1, 2019 through July 31, 2019 (1 month)<br>at \$708.17 per month in waived rental fee          | 708.17          |
| <b>Total</b>                                                                                        | <b>43308.17</b> |

**Justification:**

1. Safety critical – risk assessment
  - a. Aged door system
  - b. Home engineered door system
  - c. Zero safety mechanisms
  - d. Imminent motor failure and cable failure due to age
  - e. \$1.5 – \$2.0 million dollars' worth of equipment moved daily under door
  - f. Personnel near door operation daily
  - g. One of the greatest known liabilities on airport property
  - h. Identified by State of Illinois Department of Transportation – Division of Aeronautics in “poor condition” and in need of “corrective action”  
(letter attached)

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Clayton Stambaugh, M.P.A., Airport Manager  
13906 Airport Lane, Pekin, IL 61554  
(309) 348-3692  
clstambaugh@ci.pekin.il.us



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## 2. Lease requirements

- a. Imminent failure of door will cause breach of lease
- b. Lessee could leave facility and airport
  - i. Loss of monthly rental
  - ii. Building would deteriorate without door due to type of structure and Illinois weather conditions
- c. Emergency repair would be costly and difficult
  - i. Difficult finding contractor willing to work and be held liable on a home engineered door system
  - ii. Difficult finding contractor familiar with door workings
  - iii. Increased costs due to these factors
    - 1. Even after emergency repair the door system remains aged and unsafe

## 3. Building improvement

- a. Door system will increase value and utility of building and justify increased rental rates in future
- b. Increase overall look of building
- c. Increase efficiency of building with properly sealed door that is foam insulated
  - i. Current door does not seal – 12 inch gap on header
    - 1. City pays for utilities, included in rent, to heat the hangar in the winter

## 4. Developmental encouragement

- a. Project encourages future development of the airport by private organizations through public/private cooperation
- b. Project ensures tenant retention
  - i. Tenant is one of the largest aerial applicators in Illinois
  - ii. Tenant has one of the greatest amounts of based aircraft at the airport
    - 1. Based aircraft and operations factors into federal funding priority
- c. Project promotes the regions agricultural industry

---

Clayton Stambaugh, M.P.A., Airport Manager  
13906 Airport Lane, Pekin, IL 61554  
(309) 348-3692  
clstambaugh@ci.pekin.il.us



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5. Cost savings

- a. Project allows flexibility of private funding and development
  - i. Non local funding (federal/state), routine for projects at the airport, can increase costs significantly due to Federal and State rules, regulations, and grant assurances relative to certain types of projects
- b. Zero interest paid by City
- c. Lessons financial impact to overall City budget
- d. Project allows airport to focus federal dollars on non-vertical/revenue producing projects
  - i. A federally funded door project would penalize the airport for 3 years' worth of federal discretionary projects
  - ii. This funding is needed to continue the airports master/strategic plan which includes airfield rehabilitation, maintenance, improvement, and development. No upfront capital outlay
- e. No additional cost in emergency measures and/or liability to injured persons or damaged equipment
- f. State of the art hydraulic door system will reduce operational costs relating to maintenance and repair.

6. Project supported by stakeholders

- a. Airport Advisory Commission
- b. Airport Manager
- c. State of Illinois Division of Aeronautics and the Federal Aviation Administration
- d. City Staff
- e. Airport Tenants

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Clayton Stambaugh, M.P.A., Airport Manager  
13906 Airport Lane, Pekin, IL 61554  
(309) 348-3692  
clstambaugh@ci.pekin.il.us



**INVOICE**
**ICON**  
DOOR SYSTEMS

Icon Door Systems  
702 E 1st St.  
Minneota, MN 56264  
p: 507.872.5901  
f: 507.322.4014  
e: LukeG@icondoors.com

**Sought  
Door**

**Invoice#: 20310**
**Quote #: 12392**
**Date: 3/2/2015**
**Sales Rep: Luke Gregoire**
**Bill To:**

Chuck Holzwarth  
Lincoln, IL

**Customer Contact Info:**

Phone 1: 217-965-5268  
Phone 2: 309-657-2176  
Email: flyinglew58@yahoo.com

**Shipping To:**

Lincoln, IL

|                                                                                                                                                                           |               |                               |                      |                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------|----------------------|------------------------------------|
| <b>Item #: 1</b>                                                                                                                                                          | <b>Qty: 1</b> | <b>Size: 65' 9" x 17' 4"</b>  | <b>Mount: Inside</b> | <b>Price Each: \$15,719.51</b>     |
| <ul style="list-style-type: none"> <li>• Wood Building Header</li> <li>• Wood Building Jamb</li> <li>• 90mph Wind Load</li> <li>• Inside Skin Prep - \$1024.24</li> </ul> |               |                               |                      | <b>Options: \$1,024.24</b>         |
| • Pekin IL - \$0                                                                                                                                                          |               |                               |                      | <b>Item # 1 Total: \$16,743.75</b> |
| <b>Item #: 2</b>                                                                                                                                                          | <b>Qty: 1</b> | <b>Size: 64' 9" x 15' 9"</b>  | <b>Mount: Inside</b> | <b>Price Each: \$14,291.79</b>     |
| <ul style="list-style-type: none"> <li>• Wood Building Header</li> <li>• Wood Building Jamb</li> <li>• 90mph Wind Load</li> <li>• Inside Skin Prep - \$850.71</li> </ul>  |               |                               |                      | <b>Options: \$850.71</b>           |
| • Lincoln IL-Left Door - \$0                                                                                                                                              |               |                               |                      | <b>Item # 2 Total: \$15,142.50</b> |
| <b>Item #: 3</b>                                                                                                                                                          | <b>Qty: 1</b> | <b>Size: 64' 8" x 15' 10"</b> | <b>Mount: Inside</b> | <b>Price Each: \$14,318.50</b>     |
| <ul style="list-style-type: none"> <li>• Wood Building Header</li> <li>• Wood Building Jamb</li> <li>• 90mph Wind Load</li> <li>• Inside Skin Prep - \$852.75</li> </ul>  |               |                               |                      | <b>Options: \$852.75</b>           |
| • Lincoln IL-East Door - \$0                                                                                                                                              |               |                               |                      | <b>Item # 3 Total: \$15,171.25</b> |
|                                                                                                                                                                           |               |                               |                      | <b>Freight: \$2,093.00</b>         |
|                                                                                                                                                                           |               |                               |                      | <b>Subtotal: \$47,057.50</b>       |
|                                                                                                                                                                           |               |                               |                      | <b>Tax (if applicable): \$0.00</b> |
|                                                                                                                                                                           |               |                               |                      | <b>Grand Total: \$49,150.50</b>    |
|                                                                                                                                                                           |               |                               |                      | <b>Deposit Due: \$24,575.00</b>    |
|                                                                                                                                                                           |               |                               |                      | <b>Due FOB: \$24,575.50</b>        |

**Screaming Eagle Door Service Inc.**

200 E Lafayette Unit 3A  
Bloomington IL. 61701

# Estimate

| Date     | Estimate # |
|----------|------------|
| 4/2/2015 | 873        |

Name / Address

Chuck Holzwarth

Sought  
Labor

Project

| Description                                                                                                     | Qty | Rate     | Total       |
|-----------------------------------------------------------------------------------------------------------------|-----|----------|-------------|
| Labor to remove existing door and reframe opening from 60' to 65' wide.                                         | 1   | 5,000.00 | 5,000.00    |
| Labor to hang new door and install liner panel on both sides.                                                   | 1   | 6,950.00 | 6,950.00    |
| 29 gauge MAX-RIB ultra PVF Kynar Regal White in color, all 29 gauge j-channel, all 29 gauge drip and base trim, | 1   | 2,683.42 | 2,683.42    |
| All lumber, screws, and hydraulic fluid.                                                                        | 1   | 1,200.00 | 1,200.00    |
| Equipment rental for 2 telehandlers and 1 scissor lifts.                                                        | 1   | 2,900.00 | 2,900.00    |
| Down payment of 50% required before ordering                                                                    |     | 0.00     | 0.00        |
| Pekin                                                                                                           |     | Subtotal | \$18,733.42 |

Sales Tax (0.0%) \$0.00

**Total** \$18,733.42





# Estimate

Page 1 of 1 Page(s)

Sought  
Insulation

ADVANCED FOAM INSULATION  
15736 CR 3400E  
MASON CITY, IL 62664  
(217)482-3595  
"IT PAYS FOR ITSELF"

Estimate for Services Detailed Below

|                                                   |                                    |
|---------------------------------------------------|------------------------------------|
| Customer Name<br><u>Holzwarth Flying service.</u> |                                    |
| Customer Address<br><u>Pekin airport.</u>         |                                    |
| <u>agpilot79@yahoo.com.</u>                       |                                    |
| Customer Phone<br><u>309) 208-9668.</u>           | Date of Proposal<br><u>4/12/15</u> |

2" closed cell on Hanger Door.  
65' x 17' 1,105 sq ft.

At \$1.10 a sq ft per inch thick.

2" is R-16 value Pirtight  
2" Adds 30% structural strength.

Payment Terms: check.

We propose to furnish material and labor to the above specifications for the sum of:

\$ 2431.00

Proposed Costs May Change if Accepted After 60 Days.

Acceptance of Proposal Terms: The above proposal is satisfactory and I give my permission to authorize the work as specified. Payment will be made as outlined above.

Signature of Contractor [Signature]

Signature of Customer \_\_\_\_\_

Date 4/12/15.

Date \_\_\_\_\_



**ATSE CONSULTANTS, LLC**

2400 N. Main St., Unit F, East Peoria, IL 61611 ; Ph 309-681-7903

**Sought  
Engineering**

## **CONFIRMATION and AGREEMENT for SERVICES**

**CLIENT:** Holzwarth Flying Service  
Attn: Brandon Flexsenhar  
1351 Airport Road  
Lincoln, IL 62656

**DATE:** September 1, 2015

**RE:** Proposal for Structural Engineering Services  
Pekin Municipal Airport - Hanger Door Replacement  
ATSE Project Number: HOLZ2015-01

This Confirmation and Agreement for Services confirms the authorization by Holzwarth Flying Service ("Client") of services in conjunction with the above referenced project. The services authorized are described below:

### **Project Scope**

Provide professional services in regard to replacement of existing aircraft hanger door at the Pekin Municipal Airport. The scope of work is limited to the following:

- (1) Site visit (completed on August 7<sup>th</sup>, 2015) for observation and assessment of existing hanger door, hanger roof framing, hanger exterior wall and door opening framing. Visit also included meeting with replacement door installer who described intended work to be provided for the replacement door support.
- Provide structural design and modified framing details for increasing the door width from 60 to 65 feet.
- Analyze structure, trusses, and jambs for new loads per ICON reactions.
- Provide structural design of new jambs.
- Provide structural design for header kicker details.
- Provide structural anchor design at base of new jamb.
- Provide structural design for footing at new jambs (if required).
- Provide sketches and details addressing the installation of the new replacement door.

|R1

### **Fees and Schedule (See Attached General Conditions):**

Compensation for providing the above described services in the manner defined below; with an understanding the payment terms are net 30 days of invoice date: A proposed lump sum of **\$5,400.00**; this includes compensation for the Engineer's services, and reimbursable expenses incurred while providing the above described services, and in accordance with the fee breakdown per the phases listed below. Any additional rework as a result of design changes outside our control shall constitute as additional services which shall be compensated on an hourly basis in excess of the estimated amount. Based on our present workload, we can begin the project immediately following a receipt of this signed contract.

If services to be provided under this Agreement require the agents, employees, or contractors of ATSE to enter onto the Project site, Client shall provide right-of-access to the site to ATSE, its employees, agents and contractors, to conduct the planned field observations or services. The terms and conditions, which are attached, are expressly incorporated into, and are an integral part of our contract for services. Please indicate your acceptance of this Confirmation and Agreement by having an authorized representative of your firm execute one copy and return it to the undersigned prior to commencement of ATSE services.

If in the reasonable judgment of ATSE, the scope or nature of the services to be performed by ATSE, in respect to the above-referenced project, change or deviate materially from the scope or nature of the services described above, ATSE may at its discretion, suspend performance of its services, until a written agreement superseding this Agreement and adjusting the scope, schedule, fees, and terms and conditions has been executed. If such a superseding agreement is not agreed to within a reasonable time, ATSE may terminate this Agreement.

ATSE Consultants, LLC

*Randy A. Burt*

Signature

Randy A. Burt, SE, PE, Principal  
Name & Title

9/1/2015  
Date

ATTACHED: General Conditions.

Responsible for Payment and Accepted by:

\_\_\_\_\_  
(Client)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name & Title (please print)

\_\_\_\_\_  
Date





1400 Territorial Rd • Benton Harbor, MI 49022 • 269-927-8990 • Fax 269-927-1400

Alternate  
Door

## QUOTATION

6/30/2015

**Clayton Stambaugh**  
**Pekin Municipal Airport**  
**13906 Airport Lane**  
**Pekin, IL 61554**

**Email:** clstambaugh@ci.pekin.il.us

**Ship To:**

309-348-3692 (ph)  
309-221-0076 (cell)

Pekin, IL  
61554

**Job Name:** Pekin Airport

Dear: Clayton ,

We are pleased to provide you with the following quote. Please find listed below the specifications for your new hydraulic hangar door.

SCOPE: Provide 1 Higher Power Hydraulic Door(s)

- **1 HPdoors measuring 65'9W x 17'4H clear opening @ \$17,056 each; 115mph ASCE 7-10 wind load** **\$17,056.00**

INCLUDED: Each door will include the following items:

- All steel required to install doors into your opening
- All hydraulic components / lines / fittings
- Thermal seals for all four edges of doors
- Motor and Hydraulic Pump Unit

EXCEPTIONS:

- DOES NOT include labor/equipment to unload
- DOES NOT include installation
- DOES NOT include cladding/trim/insulation
- DOES NOT include freight, delivery or sales tax

TOTAL SALE:

**\$17,056.00**

NOTES: Lead time for product is approximately **12 to 16 weeks** from receipt of deposit payment. The deposit is 50% of the TOTAL SALE. To pay by credit card, please call 269-927-8990. This price is valid for 10 days. Call for current pricing if beyond that. Once again, thank you for the opportunity to quote this project for you. Please feel free to call with any questions or concerns.

Sincerely,  
Lowell Winans

### Other Options Available

- Remote (Hold Button) Control w/2 fobs - \$580.00
- Extra Key fobs - \$132.00
- Pass Door Framing - \$132.00
- Window Framing - \$132.00
- Wainscot Girt - \$4.20 per foot
- Gray Primer - \$550.00
- Installation Assistance - (inquire)
- Hot Dip Galvanize (inquire) 0.50/lb + freight + re-drill + labor



## Alternate Door

|                                                  |                                  |                                    |                                                                 |
|--------------------------------------------------|----------------------------------|------------------------------------|-----------------------------------------------------------------|
| <b>RED POWER &amp; BIFOLD</b><br>HYDRAULIC DOORS | <b>DOORS</b><br>schweisdoors.com | Sales Person: <u>Julie Schafer</u> | GRAND TOTAL<br>of CONTRACT                                      |
|                                                  |                                  |                                    | <b>\$ 16020.00</b><br>PRICES GOOD FOR 30 DAYS<br>9513 3:00 0.58 |

**DOORS**  
schweisdoors.com

**GRAND TOTAL  
of CONTRACT**

**\$ 16020.00**

**PRICES GOOD FOR 30 DAYS**

9513 3:00 0.58





## Hydraulic Doors & Walls

The original and still the World's No1 and best selling hydraulic doors, over 7,000 units sold in the USA

Quote #: 46046

Date: 12/30/14

Quoted By  
Rachael Frankino

Chuck Holzwarth (CNL Holzworth)  
p: 309.657.2176  
e: flyinglow

Address:  
Logan County Airport  
1351 Airport Rd.  
Lincoln, IL 62656

Shipping:  
Logan County Airport  
1351 Airport Rd.  
Lincoln, IL 62656

Alternate  
Door

### Hydraulic Door # 1 Building: Unknown | Jamb: Wood | Header: Wood | Construction: Bi-Fold Replacement

| Single Panel | Dimensions      | Wind Loading | Cladding Type | Cladding Wt Limit | Mount Style | Qty | Cost        | Total       |
|--------------|-----------------|--------------|---------------|-------------------|-------------|-----|-------------|-------------|
| Yes          | 65' 0" X 14' 0" | 90mph        | Steel         | 2 lbs/sqft        | Flush       | 2   | \$18,950.00 | \$37,900.00 |

#### Door Options

| Description         | Total Qty | Qty/Door | Cost   | Total  |
|---------------------|-----------|----------|--------|--------|
| Push Button Station | 2         | 1        | \$0.00 | \$0.00 |
| Window              | 6         | 3        | \$0.00 | \$0.00 |
| Walk Door           | 2         | 1        | \$0.00 | \$0.00 |

Freight: \$4,000.00

Install: \$5,000.00

Sub Total: \$46,900.00

Tax Rate: 0.00%

Sales Tax: \$0.00

Grand Total: **\$46,900.00**

Deposit: \$23,450.00

On Delivery: \$23,450.00

All steel members are shot blasted post fabrication and pre painted with Carboline Carboguard 890 gray epoxy primer system.

AWS D1.1 and ISO 9001 Weld Certified.

Hydroswing® Push Button Station inclusive

Patented Hydroswing® Bow Truss, providing unparalleled engineered strength and next generation architectural aesthetics.

Door comes exclusive of cladding, which will be provided by customer

Walk Door and Window Frame outs inclusive, position to be agreed by customer.

Installation excludes rental of fork & scissor lift.

I Chuck Holzwarth Having read and understood the terms and conditions attached, authorize this agreement.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Sales Rep: Rachael Frankino  
Accepted for and on behalf of Hydroswing® North America.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**D H PACE COMPANY INC**

Pinnacle Door  
dba 1001 MORRISSEY DRIVE  
BLOOMINGTON, IL 61701  
TEL (309) 829-3667  
FAX (309) 829-1377

**Alternate  
Labor**

Proposal #: PIN-52903

|                                                  |             |                  |                                     |                                |
|--------------------------------------------------|-------------|------------------|-------------------------------------|--------------------------------|
| PROPOSAL SUBMITTED TO:<br>Pekin Muncipal Airport |             |                  | Date<br>10/19/2015                  | Attention<br>Clayton Stambaugh |
| STREET<br>13906 Airport Lane                     |             |                  | Job Name<br>Hangar Door Renovations |                                |
| City<br>Pekin                                    | State<br>IL | ZipCode<br>61554 | Job Location<br>Airport             |                                |
| Phone Number                                     |             | Fax Number       | Job Phone                           |                                |

**FURNISH LABOR TO INSTALL ONLY:**

We propose the following Scope of Work: as requested in e-mail dated 10/7/2015.

- Remove Existing Hangar Door
- Modify Opening from 60' wide to 65' wide \*\*\*
- Install provided ICON Hydraulic Door
- Install Metal Sheeting, Flashing and Weather Seals onto ICON.
- Program Settings and Adjust Door for Proper operation
- Equipment as needed for installation
- Prevailing Wage Labor

**PROPOSAL TO INCLUDE THE FOLLOWING:**

\*\*\* Reframing of opening is dependent upon engineering review by customer. We will require blue prints on how opening is to be changed and rebuilt. Pinnacle Door will not accept any engineering responsibility for the structural modifications.

**EXCLUSIONS:**

1. All Electrical Work by Others. Including Rough in, conduit, wire and wiring.
2. All Control Rough In by Others. We will make final connections on controls, and set for proper operation

We hereby propose to complete in accordance with above specification, for the sum of:

Forty Four Thousand Eight Hundred Eighty Five Dollars and No Cents

\$44,885.00

Signature

Rhett S. Hillard- Branch Manager

Direct Dial: 309-829-3667

**TERMS AND CONDITIONS**

Payment to be made as follows:

Prices subject to change if not accepted in 30 days.

The proposal described herein, including all price(s) quoted, is made conditionally upon Buyer's continued credit status and must be accepted by Buyer as made by Seller. To accept this Proposal, Buyer must date, sign and return the original copy hereof to Seller within 30 days after the date hereof. Unless expressly disclosed and stated, the amount of any sales and use tax is not included in this proposal. Buyer acknowledges and agrees that each and all of the terms and conditions on the reverse side hereof are a part of the proposal and that upon buyers acceptance of this proposal shall constitute a valid and binding contract between the parties and all prior proposals, discussions and agreements respecting the subject matter hereof are cancelled.

## Alternate Insulation

**Phoned estimate from Central Illinois Insulation (Morton)**

Total cost = \$1,990.00 or \$1.8 per 2 inches

**Emailed estimate from Hanson Engineering**

Alternate  
Engineering

\$7,500.00

Small projects like these are not always pursued by larger firms because of workload





# Illinois Department of Transportation

Division of Aeronautics

1 Langhorne Bond Drive / Springfield, Illinois / 62707-8415

June 26, 2015

Clayton Stambaugh, Manager  
Pekin Municipal Airport  
13906 Airport Lane  
Pekin, IL 61554

RE: State Comprehensive &  
FAA 5010 Inspection  
Pekin Municipal Airport

Dear Mr. Stambaugh:

An FAA 5010 and annual State Comprehensive Inspection were conducted at your airport by Roger Finnell on June 25, 2015. The information obtained will reflect the current airport physical conditions and will be used to revise our database. The amended 5010 information will be forwarded to the Airport Safety Data Branch in Washington, DC for inclusion and revision, if any, of the Airport/Facility Directory.

Generally, the airport was found to be in good condition. A verification of required items included in our IL Aviation Safety Rules (facility requirements) was conducted. Items noted were the following:

- Overall, the pavements and surfaces markings were well maintained. The airport is being proactive on its crack filling program. The only pavement notes were two very small areas on the south ramp area and tea cup handle turn around at the approach end of runway 09 which had some vegetation growing through some minor unfilled cracks. It is recommended that these areas be treated with herbicide and/or the cracks be cleaned out and resealed.
- It was noted that the inspection tags on the fire extinguishers at the fuel pumps were more than a year old. It is recommended these be inspected/recharged on a yearly basis.
- The rotating beacon is missing a green lens and currently flashes "white-white".
- The approaches to both runway ends are obstruction free. However, numerous trees have grown into the 14 CFR 77 7:1 side transition area. The area extends along the south property line and a few trees north of the runway - just west of the ramp. See the attached exhibit

Mr. Clayton Stambaugh  
Pekin Municipal Airport Inspection  
June 26, 2015

for representative locations measured during the inspection and noted penetrations. Be aware that there are likely more trees of concern than listed. Please trim and or remove as appropriate to clear the 7:1 side transition.

While exceeding federal standards, these trees have yet to exceed the standards set forth in the Illinois Aviation Safety Rules.

- As you relayed, there are some airfield electrical issues. In particular, one or more taxiway circuits are inoperative due to regulator issues. The PAPIs are out of service and a few taxiway light fixtures are missing. Please continue your efforts to address these issues and continue issuing NOTAMs to keep pilots aware the outages.
- It was noted that the exterior of the terminal building as well as the former paint stripping shop hangar door are in poor shape and in need of corrective action.

The airport was found to be in compliance with our State minimum standards; however it is not in compliance with 14 CFR Part 77 requirements due to the trees in the side transition.

Reiterating previous inspection letters, the data elements shown on the accompanying copy of the FAA 5010 preceded by a ">" symbol are considered critical safety items. It is the responsibility of the Airport Manager (or designated individual responsible) to report any subsequent changes of these items to the FSS immediately so that appropriate NOTAMS can be issued. This will assure that the most current safety information is available to the flying public.

Please feel free to contact me at 217/785-4215 if you have any questions regarding the above or the inspection of your airport in general.

Sincerely,



Linda K. Schumm  
Bureau Chief Aviation Safety and Education

**CITY OF PEKIN**

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**ORDINANCE NO. 2695-13/14**

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 2, SECTION 11  
OF THE CODE OF THE CITY OF PEKIN 1995  
REGARDING IMPOUNDING OF VEHICLES**

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**PASSED BY THE CITY COUNCIL  
OF THE CITY OF PEKIN  
THE 24TH DAY OF FEBRUARY 2014**

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**PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE CITY  
COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS,  
THIS 24TH DAY OF FEBRUARY 2014**

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**EFFECTIVE  
MARCH 6, 2014**

**ORDINANCE NO. 2695-13/14**

**AN ORDINANCE TO ADOPT THE IMPOUNDMENT OF VEHICLES TITLE 6  
CHAPTER 2 SECTION 11 OF THE CODE OF THE CITY OF PEKIN**

**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 believes it is in the best interest of the City to enact and enforce an ordinance for the impoundment of vehicles, that being Title 6 Chapter 2 Section 11 of the Code of the City of Pekin and in accordance with State Statute 625 ILCS 5/11-208.7;

**WHEREAS**, the City determines that it is in the best interest of the City to adopt an ordinance for the impounding of vehicles.

**WHEREAS**, the City Council has determined that it is in the best interests of the City to enact and amend the City Code regarding such.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS**, in the exercise of its home rule powers, as follows:

1. That Title 6 Chapter 2 Section 11 is hereby adopted and entitled "IMPOUNDMENT OF VEHICLES" as the following:

**6-2-11 IMPOUNDMENT OF VEHICLES**

**6-2-11-1 DEFINITIONS**



For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. The term "Controlled Substance" means any substance as defined and included in the schedule contained in Article II of the Illinois Controlled Substance Act (720 ILCS 570/201 *et seq.*) and cannabis as defined in the Cannabis Control Act (720 ILCS 550/11 *et seq.*)

B. The term "Driving Under the Influence" means any violation as defined in § 11-501 of the Illinois Vehicle Code (625 ILCS 5/11-501).

C. The term "Driving While License, Permit or Privilege to Operate a Motor Vehicle is Suspended or Revoked" means any violation as defined in §6-303 of the Illinois Vehicle Code (625 ILCS 5/6-303).

D. The term "Hearing Officer" means an attorney licensed to practice law in this State for a minimum of three years who is not an officer or employee of the City.

E. The term "Operation of a Motor Vehicle without a Valid Driver's License" means a violation of §6-101 of the Illinois Vehicle Code, as amended from time to time (625 ILCS 5/6-101).

F. The term "Owner of Record" means the record title holder or agent of that owner to a motor vehicle as registered with the Secretary of State, State of Illinois.

G. The term "Unlawful Use of Weapons" means a violation of §24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).

H. The term "Methamphetamine Control and Community Protection Act" means any violation as defined in (720 ILCS 646/1 *et seq.*)

I. The term "Fleeing/Eluding Police" means any violation of the Illinois Vehicle Code (625 ILCS 5/11-204).

J. The term “Leaving the Scene of an Accident” means any violation of the Illinois Vehicle Code as defined in (625 ILCS 5/11-401).

K. The term “Reckless Driving” means any violation of the Illinois Vehicle Code as defined in (625 ILCS 5/11-503).

L. The term “Street Racing” means any violation of the Illinois Vehicle Code as defined in (625 ILCS 5/11-506).

M. The term “Soliciting a Prostitute” means a violation of the Criminal Code under (720 ILCS 5/11-14).

N. The term “Any Felony” means any violation of the Criminal Code of 1961 or the Criminal Code of 2012.

#### **6-2-11-2 VEHICLES SUBJECT TO IMPOUND**

A motor vehicle shall be subject to impoundment under this Chapter where such motor vehicle is used in any of the following:

- A. Driving Under the Influence
- B. Driving while License, Permit or Privilege to Operate a Motor Vehicle is Suspended or Revoked
- C. Unlawful use of Weapons
- D. Possession or delivery of a Controlled Substance
- E. Possession of Cannabis (felony violations only)
- F. Violations of the Methamphetamine Control Act
- G. Fleeing/Eluding Police
- H. Leaving the Scene of an Injury Accident
- I. Reckless Driving

J. Street Racing

K. Soliciting a Prostitute

L. Any Felony (Burglary, Robbery, etc.)

### **6-2-11-3 IMPOUNDMENT OF VEHICLES**

Whenever a police officer has probable cause to believe that a vehicle is subject to impoundment pursuant to this Chapter, the police officer may cause the motor vehicle to be towed to an impound facility pursuant to the approval by an on-duty supervisor. When the vehicle is towed, the police officer shall notify any person identifying himself or herself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, if there is such a person, of the fact of the impoundment and of the vehicle owner's right to request a hearing as provided in this Chapter.

#### **6-2-11-3-1 EXCEPTIONS**

The provisions of this Section shall not apply if at the time of the offense, the vehicle was found to have been stolen and the theft was reported to the appropriate police authority within twenty-four (24) hours after the theft was, or reasonably should have been discovered, or if the vehicle is a common carrier, ie. A taxi carrying paying passengers or bus.

#### **6-2-11-4 POSTING OF BOND**

If a bond in the amount of Five Hundred Dollars (\$500.00) is posted with the City, the impounded vehicle will be released to the owner, lessee or lienholder of record upon the payment of the towing and storage costs. If a penalty is imposed for a violation of this Chapter, the bond will be forfeited to the City; provided, in the event that a violation of this Chapter is not proven, the bond along with the towing and storage charges will be returned to the person posting the

bond. All bond money posted pursuant to this Chapter will be held by the City until the hearing officer issues a decision, or, if there is a judicial review, until the court issues its final decision.

#### **6-2-11-5      OWNER'S HEARING**

A.      Notice of Hearing. Within three business (3) days of the vehicle's impoundment, the City shall notify the owner, lessee or any lienholder of record of the motor vehicle by certified mail, return receipt requested, and first class mail, postage prepaid, to the interested parties' address as registered with the Secretary of State of his/her right to a full hearing before the hearing officer to determine whether the subject vehicle is eligible for impoundment; and that, in the event that the owner, lessee or lienholder of record would like a hearing, he/she must file a request for such hearing in writing with the City of Pekin Police Department at 111 S. Capitol Street, Pekin IL, within fifteen (15) days of the posted date of the notice. If a written request is not received within fifteen (15) days of mailing the notice, then the owner is defaulted and the impoundment fee will be kept by the City, or if no fee is posted, then the vehicle shall be deemed abandoned and disposed of in accordance with the provisions of the Illinois State Statute, thirty-five (35) days after the default.

B.      Hearing. For purposes of this Section, the following shall apply to the owner's hearing:

1.      Unless continued by order of the hearing officer, the hearing shall be held within twenty (20) days after a request for hearing is received by the City of Pekin Police Department.
2.      All interested persons will be given a reasonable opportunity to be



heard at the hearing.

3. If, after the conclusion of the hearing, the hearing officer determines by a preponderance of the evidence that the vehicle was used as hereinabove provided in 6-2-11-2, the hearing officer shall order the continued impoundment of the vehicle until the owner of the vehicle pays to the City a penalty in the amount of Five Hundred Dollars (\$500.00), plus the towing and storage costs. The penalty shall be a debt due to the City.

4. If the owner, lessee or lienholder of record fails to appear at the hearing, the hearing officer shall enter an order of default in favor of the City, which order shall require the payment to the City of an administrative penalty of Five Hundred Dollars (\$500.00).

5. If the hearing officer determines that the vehicle was not used as hereinabove provided in 6-2-11-2, the motor vehicle will be returned to the owner of record of the vehicle without any penalty or other costs, and, if a cash bond had previously been posted, the cash bond shall be returned along with any outstanding towing and storage fees.

#### **6-2-11-6 UNCLAIMED VEHICLES**

If the administrative penalty and applicable towing and storage fees are not paid within thirty-five (35) days after the expiration of time in which administrative review of the Hearing Officer's determination may be sought, or within thirty-five (35) days after an action seeking administrative review has been resolved in favor of the City, whichever is applicable, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for

the disposition of unclaimed vehicles under the Illinois Vehicle Code.

**6-2-11-7      LIABILITY FOR PENALTY AND COSTS.**

A.      The owner of record of a motor vehicle that is impounded shall be liable to the City for a penalty of Five Hundred Dollars (\$500.00) in addition to any fees for the towing and storage of the motor vehicle.

B.      Fees for towing and storage are established by the towing company, and not by the City. If, subsequent to the impoundment of a vehicle, on the basis of a license validity violation, either driving on a revoked license or driving on a suspended license, it is established by the owner, or found to be the case by the City, that in fact, the license of the driver of the vehicle was not suspended or revoked, the City shall reimburse the owner for the costs of the tow and storage if a hearing was requested.

C.      A vehicle impounded pursuant to this Chapter shall remain impounded until the earlier of the following to occur:

1.      the penalty is paid to the City, and all towing and storage costs are paid to the towing company; and
2.      a bond, in an amount equal to the liability of the Owner as herein provided in paragraph A. above, is posted with the City and all applicable towing and storage costs are paid to the towing company; and
3.      the vehicle is deemed abandoned, in which case the vehicle shall be disposed of in the manner provided by law for the disposition of abandoned or unclaimed vehicles.

4. Except as otherwise specifically provided by law, no owner, lienholder, lessee or any other person shall be legally entitled to take possession of a motor vehicle impounded under this Chapter until the penalty and all towing and storage costs applicable under this Chapter have been paid in full.

5. Whenever a person or other entity with a lien of record against an impounded vehicle has proof of commenced foreclosure or repossession proceedings, and also provides the City with a Hold Harmless Letter, possession of the vehicle shall be given to that lienholder upon payment of bond and all towing and storage costs.

#### **6-2-11-8 HEARING OFFICER**

The Hearing Officer shall be appointed by the City Manager. The Hearing Officer shall be an attorney licensed to practice law in the State of Illinois for a minimum of three (3) years next preceding the date of his appointment.

#### **6-2-11-9 DECISION REVIEW**

Any party aggrieved by a final decision of the Hearing Officer may appeal that decision pursuant to the provision of the Illinois Administrative Review Act unless stayed by a Court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this section which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review may be enforced in the same manner as a judgment entered by a Court of competent jurisdiction (735 ILCS 5/1-101 *et seq.*)

**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 and approval and publication as required by law, effective March 4, 2014

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Pekin, this 24 day of February, 2014; and upon roll call the vote was as follows:

AYES: Gillespie, Abel, and Barra  
NAYS: Golden, Orrick, McCabe, and Hendricks  
ABSENT: None  
ABSTAINING: None

**APPROVED** this 24 day of February, 2014.

Motion Failed  
MAYOR

ATTEST:

See V. McMillan  
CITY CLERK



*CITY OF PEKIN*  
POLICE DEPARTMENT



January 7, 2014

To: Mayor and Council Members  
From: Greg Nelson, Chief of Police  
Subject: Vehicle Impound Ordinance Proposal

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Since its enactment, and subsequent repeal, many past and present members of the City Council have felt that the vehicle impoundment ordinance was a good ordinance but one that simply needed to be adjusted. Indeed, vehicle impoundment ordinances are commonplace in communities in Illinois and a state statute has since been enacted to ensure that they are legally defensible. With new members on the Council, I'd like to briefly explain the purpose of vehicle impoundment ordinances and how they function.

Vehicle impoundment ordinances exist to make vehicle *owners* responsible for their vehicles, whether they are driving or not. Owners should not escape responsibility from allowing their vehicles to be used by others who they reasonably should know are likely to violate the law with them. In such cases, the driver or passenger of the vehicle faces sanctions as he/she normally would, *and* the vehicle impoundment ordinance would cause the vehicle involved to be held until the *owner* posts a cash bond for its release. The owner can attend a hearing and, if found not responsible, will have the cash bond returned. However, if the owner does not contest the impoundment, or is found responsible at the hearing, the cash bond is applied as a fine and the vehicle may be retrieved from the tow company. Pekin does not operate a towing operation, so all towing is performed by private companies. Therefore any costs associated with towing and storage are separate from those under the ordinance. Our past experience with this ordinance showed a correlation with a reduction in certain offenses.

Despite many positive aspects of the prior ordinance, the main criticisms were that it was too strictly applied and that some relatively minor offenses triggered a vehicle impoundment. Previously, when a triggering offense occurred, a vehicle impoundment strictly followed. While this provided the most consistency, there was less opportunity for discretion. There is always a trade-off between consistency and discretion. The previous ordinance triggered an impound when an arrest was made from the vehicle for misdemeanor amounts of cannabis and for drug paraphernalia (usually cannabis smoking devices).

Before bringing you this proposal, we drew upon the past experience of our prior ordinance, a survey of other area communities with vehicle impoundment ordinances and a survey of our

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*Greg Nelson, Chief of Police*  
111 S. Capitol Street, Pekin, Illinois 61554 \* Phone (309) 477-2336 \* Fax (309) 346-5328





**CITY OF PEKIN**  
**POLICE DEPARTMENT**



officers and employees who worked with our prior ordinance. With this information, we have crafted a revised ordinance that (1) allows more instant discretion on the street, (2) removes some of the minor offenses from triggering a vehicle impoundment, and (3) adds some serious offenses that were not previously included.

| Triggering Offenses                     |                                                 |
|-----------------------------------------|-------------------------------------------------|
| Prior Ordinance                         | Proposed Ordinance                              |
| DUI                                     | DUI                                             |
| Driving While License Suspended/Revoked | Driving While License Suspended/Revoked         |
| Unlawful Use of Weapons                 | Unlawful Use of Weapons                         |
| Possession of a Controlled Substance    | Possession of a Controlled Substance            |
| Possession of Cannabis (all amounts)    | Possession of Cannabis (felony violations only) |
| Possession of Drug Paraphernalia        | Violations of the Methamphetamine Control Act   |
|                                         | Fleeing/Eluding Police                          |
|                                         | Leaving the Scene of an Injury Accident         |
|                                         | Reckless Driving and Street Racing              |
|                                         | Soliciting a Prostitute                         |
|                                         | Any Felony (Burglary, Robbery, etc.)            |

The proposed ordinance allows on-the-street discretion to impound or not, but uses on-duty supervisors to approve any exceptions. This allows for common sense exceptions, but maintains some consistency in how those exceptions are applied.

Given their relatively minor criminal class, and changing social norms, this proposal excludes misdemeanor amounts of cannabis and drug paraphernalia from the list of triggering offenses. Felony offenses involving cannabis would still trigger an impoundment, however.

To help illustrate the differences, I have created two process maps that show how an arrest from a vehicle is processed with and without this proposed ordinance. I am available to you for questions, comments or concerns and am very interested in your feedback.

Respectfully,

Greg Nelson  
Chief of Police

# Typical Arrest from a Vehicle Without an Impoundment Ordinance



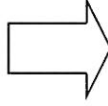
Arrest for a Triggering Offense



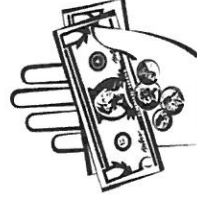
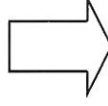
Occupant of vehicle arrested  
and charged



Vehicle usually towed from  
the roadway



Cash bond posted for release  
from jail if possible



Owner pays Tow Company for  
Towing and Storage Fees

# Typical Arrest from a Vehicle

## With an Impoundment Ordinance



Arrest for a Triggering Offense



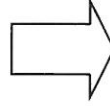
Occupant of vehicle arrested  
and charged



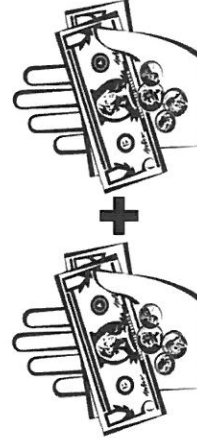
Vehicle towed from the  
roadway



Vehicle Impounded Unless  
Circumstances  
Dictate Otherwise



Cash bond posted for release  
from jail if possible



Owner pays tow company for  
towing and storage fees

Owner posts bond to city for  
release of vehicle. A hearing  
can be requested and if the  
owner is not found responsi-  
ble under the ordinance, the  
bond is refunded.

## **McMillan, Sue**

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**To:** McCabe, John; Girdler, Darin; bldancey1948@gmail.com; Baxter, Donald; Kaminski, Jim  
**Subject:** FW: IMPOUND ORDINANCE HISTORY  
**Attachments:** ORIGINAL IMPOUND ORD.pdf; LAST CODE SECTION FOR IMPOUNDMENT.pdf

Attached is the original impound ordinance adopted April 28, 2008. Also attached is the last section of the code repealed. Below are sections of the Council minutes where amendments were adopted or review took place.

April 28, 2008

### **ORDINANCE NO. 2552-07/08**

#### **AMENDING TITLE 6, CHAPTER 2, OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING OFFENSES/MISDEMEANORS**

Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that Ordinance No.2552-07/08 be adopted. Police Chief Gillespie recommended the ordinance providing for impoundment fee recovery when motor vehicles were involved in certain criminal offenses such as possession of drugs, DUI, revocation of license, It was indicated by Mayor Tebben that in response to a police community survey the proposal was an aggressive means of DUI enforcement. On roll call vote, all present voted Aye.

May 27, 2008

### **ORDINANCE NO. 2556 OA-08/09**

#### **AMENDING TITLE 6, CHAPTER 2, SECTION 11 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING OFFENSES/MISDEMEANORS IMPOUNDING VEHICLES**

Motion by Council Member Jones, seconded by Council Member Blanchard, that Ordinance No. 2556 OA-08/09 be adopted. Police Chief Timothy Gillespie and Attorney Burt Dancey informed Council that in working with the recent implementation of the "towing ordinance" it was necessary to change the provision for a preliminary hearing from 24 hours to 72 hours in order to practically retain the hearing officer. Council Member Blanchard suggested additional review and tweaking to include provisions for stolen vehicles. On roll call vote, all present voted Aye.

June 23, 2008

### **ORDINANCE NO. 2559-08/09**

#### **AMENDING TITLE 6, CHAPTER 2, SECTION 11 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING OFFENSES / MISDEMEANORS**

Motion by Council Member Jones, seconded by Council Member Abel, that Ordinance No. 2559-08/09, be adopted. Attorney Burt Dancey spoke to the changes provided for in amending the provisions of the Code regarding the impoundment of vehicles and the procedures for hearings. Discussion followed in clarifying the \$500.00 forfeiture of the towing expense if found innocent. On roll call vote, all present voted Aye.

October 27, 2008

#### **COMMUNICATIONS, PETITIONS, REPORTS SEIZURE AND IMPOUNDMENT OF VEHICLES**

A general discussion and explanation of the ordinance, amendments and content of the towing ordinance were presented by Deputy Chief Ted Miller, Officer Rick Von Rohr, and Officer Andrew Thompson as requested by the Council. General points presented after 5 months of enforcement and collecting data were:

- Originally created in response to the community's surveyed top concerns of drugs, dui arrest, and underage drinking
- Ordinance used as tool to balance those concerns for which the towing is specific only to those violations
- Statistics reported from May 9 – Oct 21 8205 traffic stops 261 resulted in impoundment of vehicle.

- Officer discretion to make the traffic stop, once arrest made ordinance goes into effect, steps following judgment of the court system.
- Not new concept, found in surrounding municipalities, Pekin's tailored to fit community

It was the opinion of the police department that the ordinance was working in that there have been fewer stops made.

Council Members expressed their comments and concerns including:

- Safety needs weighted against individual interest of being unfair or to generate cash
- It was the opinion of Council Member Blanchard that the ordinance was flawed and lacked common sense when it came to the registered owner's responsibility for payment when they were not the violators in the vehicle stop.
- Recognition given the police for the noticeable decrease in dui s
- Ordinance written to be prudent on the violators not the taxpayers.

Council Member Strand asked that the statistics be added to the monthly Police Report for Council review.

May 26, 2009

## **REVIEW OF ORDINANCE NO. 2559-08/09**

### **DISCUSSION OF SEIZURES AND IMPOUNDING VEHICLES**

City Attorney opened discussion by presenting an overview of a proposal by Council Member Kortkamp that would modify the ordinance to reimburse an owner of a vehicle for impoundment from an established fund if no basis for erroneous stop was proven. Example: State records for suspended license were incorrect. Police Chief Timothy Gillespie expressed concern in modifying the ordinance. He advised Council that the department had internal policies for using discretion and modifications. He stated no other municipality had an "innocent victim" clause that the petitioners were seeking. He felt the ordinance was an important tool for deterring the criminal acts that were sighted in the provisions and that any revision would take the "teeth out" of enforcement.

Each Council Member expressed their thoughts or opinions of what had been discussed. Council Member Blanchard distributed a written proposal for modifications to incorporate into the language of the ordinance providing for 1.) fairness by reimbursing fines to those found innocent and 2.) providing officers personal discretion on case by case stops. Mayor summarized the discussion by stating a variety of options were offered and gave direction to Attorney Dancey to take the couple of important objectives to continue to work on the ordinance. Revisions were to be brought back to Council for further discussion.

July 13, 2009

## **ORDINANCE NO. 2589-09/10**

### **AMENDING TITLE 6 OF THE CODE OF THE CITY OF PEKIN 1995**

### **REGARDING SEIZURE AND IMPOUNDMENT OF MOTOR VEHICLES**

Motion by Council Member Barra, seconded by Council Member Abel, that Ordinance No. 2589-09/10 be adopted. Deputy Chief Ted Miller explained that the Deputies and the Chief followed the directive of the Council and reviewed the concerns for the innocent voiced by the public regarding possible amendments to the language of the ordinance. It was felt the original Ordinance was in the spirit of the law as intended but on rare occasions where the Secretary of State Office, due to clerical or computer errors, had provided inaccurate driver's license validity a small number of vehicles were impound. The proposed amendment would allow reimbursement if such an error occurred. The department had also adopted internal policy in regards to the discretion of the officers in determining the owner's accountability for the conduct-giving rise to the impoundment. Council discussed the ordinance at length. Members commented on the intent to deter DUI drivers and the owner as the responsibly party. It was generally felt it was not the job of the Council to mandate police policy or set a bad precedent of including internal department policy in the Code. Council Member Schmidgall stated he was supportive of an amendment where reimbursement of innocent party was paid by restitution of the guilty party. Council Member Blanchard felt the proposed amendment did nothing to remedy the request that had been recommended for a more fair ordinance for the innocent victims. He then made the motion to amend the Ordinance to incorporate herein by this reference the police procedure policy into the



Code, seconded in the interest of discussion by Council Member Schmidgall. On roll call vote, Nays, Strand, Kortkamp, Barra, Abel, Schmidgall, and Dunn; Aye, Blanchard. Motion Failed

On roll call vote to adopt Ordinance No. 2589-09/10 as presented, Ayes, Strand, Kortkamp, Barra, Abel, and Dunn; Nays, Schmidgall and Blanchard. Motion Carried.

August 9, 2011

**ORDINANCE NO. 2643-11/12**

**REPEALING THE SEIZURE AND IMPOUNDING OF VEHICLES ORDINANCE**

Motion by Council Member Massaglia, seconded by Council Member Blanchard, that Ordinance No.2643-11/12 be adopted. Mayor Barra extended time to each Council Member to speak to their decision before voting. Council Member Massaglia stated he was the member who asked that the impoundment ordinance be repealed. He felt the provisions were unconstitutional in that they implied a person was guilty and fined before being hearing. He felt the expense to retrieve an impounded vehicle was unacceptable in the present economy. Council Member Blanchard stated he voted in favor of the original ordinance when it was sold as a tool to fight against drunk drivers. He requested several time that the provisions be amended for the innocent vehicle owner. He stated he was told by retired officers that it was a revenue generator. He would now support the repeal. Council Member Hendricks read from a prepared statement. He felt there was no proof in the reports that the ordinance deterred driving without a license or under the influence of drugs or alcohol. He agreed with Blanchard and Massaglia that it was created to be a revenue generator. Council Member Neumann supported the Impound Ordinance on its merits but felt also there were issues that could be fixed. He countered previous comments as to its constitutionality being up held. Its purpose was not a revenue generator but offset the extra services of the police by those that violate the law. He advised the City did not set the towing rate but asked that Council consider amending the ordinance as to the \$500 fine being a bondable fee.

Council Member Neumann then made a motion, seconded by Council Member Abel, that Ordinance No.2643-11/12 be tabled until the 2<sup>nd</sup> meeting in October. He requested also the Council meet as a Committee of the Whole with strategic staff members to review suggested changes. Council Member Schmidgall questioned the use of a City employed Hearing Officer determining guilt or innocence. He was not in favor continual revisions and would vote to repeal the present ordinance. Council Member Abel was willing to lessen the burden of the fine by paying only 10% upfront and the remainder on the basis of guilt and also to provide for the innocent owner of a vehicle. He stated the ordinance was not meant as a revenue enhancer.

Mayor Barra called for the vote to table. On roll call vote, Ayes, Abel, Neumann, Barra; Nays, Blanchard, Schmidgall, Hendricks, Massaglia. Motion failed.

On roll call vote to repeal the Seizure and Impound Ordinance, Ayes, Blanchard, Schmidgall, Hendricks, Massaglia; Nays, Abel, Neumann, Barra. Motion carried.

Council Member Schmidgall asked the Police Chief to research Mr. Mans contentions that he was unjustly charge for towing of his tractor by an unlicensed driver. He also expressed appreciation to the Chief for his well explained report to Council regarding the facts of the Seizure and Impoundment Ordinance.

**ORDINANCE NO. 2732-15/16**

**AN ORDINANCE AMENDING TITLE 5, CHAPTER 2, ARTICLE A.  
OF THE CODE OF THE CITY OF PEKIN 1995  
REGARDING GARBAGE, REFUGE, AND LITTERING**

**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 has determined that it is in the best interest of the City to amend the code regarding City collection of residential garbage, establishing a fee, and required receptacles.

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

1. That Title 5, Chapter 2A, Sections 1-5, be amended by deleting 5-2A-1 thru 5-2A-5 in its entirety and substituting the following:

**5-2A-1: CITY TO COLLECT:** The City shall be the sole provider of residential garbage collection and maintain a collection service for the collecting of garbage, yard waste, recyclables, and refuse matter which shall be under the supervision of the Superintendent of Streets and Solid Waste. (Ord. No. 2323 02/24/03)

All garbage shall be placed at the curb by 5 A.M. the day of collection. Days of collection are established and available from the Street Department Office or on the City web site. The schedule will change during those weeks in which an observed holiday occurs. Holidays observed by the City are:

- New Years Day
- Presidents Day
- Memorial Day
- 4th of July
- Labor Day
- Veterans Day
- Thanksgiving (Thursday and Friday)
- Christmas Day

Holidays that occur on a Saturday or Sunday will be observed either Friday or Monday. (Ord. No. 2698-13/14 04/14/14)

**5-2A-2: GARBAGE FEE:** A fee for the collection of garbage is established that will cover the cost of the collection and disposal. The fee will be included on the quarterly waste water bill as a separate line item.

The term garbage covers the yard waste and recycling collection as well as standard household garbage. The fee schedule will be as follows:

May 1, 2014 - a monthly fee of \$12.00

The costs for this service will be reviewed periodically and the fee adjusted as necessary. (Ord. No. 2698-13/14 04/14/14)

**5-2A-3: RECEPTACLES REQUIRED:** It shall be the duty of every owner or his agent or occupant of any house, building, flat or apartment or tenement in the City where people reside, board or lodge, or where animal or vegetable matter is prepared or served, and at all times, to maintain in good order and repair a covered receptacle for garbage and waste matter. All items shall be in an approved container for collection.

Oversized items will be collected and users are encouraged to notify the Department of such items to allow for assistance to be provided to the driver for the pickup. (Ord. No. 2732-15/16 \$20.00 oversize)

Approved containers shall include:

- A. Carts: Are wheeled carts which have been specifically approved by the City for use with the collection vehicles. Sizes available range from 35 to 95 gallon capacity.
- B. Bundles: Any material such as limbs, branches or wood, which cannot be properly placed in a container for collection, must be tied securely in bundles not to exceed four feet (4') in length or over fifty (50) pounds in weight.
- C. Plastic Bags: Commercial plastic bags sold as trash or garbage bags including biodegradable plastic bags as defined by State statutes shall be collected if the cart is full. Should this become a regular occurrence, then an additional cart will be required.
- D. Weight: No bag or bundle, except those items defined as bulky waste, shall exceed fifty (50) pounds in weight. This limitation shall not apply to carts.

**5-2A-4: PROHIBITED ACTS:**

- A. Deposits: No garbage, refuse, or waste material of any kind shall be deposited in any street, alley or public way, except as is provided in this Article. It shall be unlawful to deposit or leave any refuse or material in such a place or condition that it can be blown by the wind so as to be scattered or cause clouds of dust or particles, and it shall be unlawful to permit the escape of soot, ashes or other solid products or results of combustion so as to be wind-blown or scattered. It shall be unlawful for any person to dump or deposit, or cause to be dumped or deposited any grass, leaves, branches or any other things in the roadway or gutter of any public street in the City.
- B. Storing Combustible Refuse: It shall be unlawful to permit or store any combustible refuse in such a way as to create a fire hazard or to store or throw away any refuse of any kind in any alley, street or other public way in the City.
- C. Anyone convicted of a violation of this Section 5-2A-4 shall be punished by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) for each offense. Each day that there is a violation shall constitute a separate offense. (Ord. No. 2329 5/12/03)

**5-2A-5: PENALTY:** Except as otherwise provided in this Article, any person violating any of the provisions of this Article shall be subject to penalty as provided in Section 1-4-1 of this Code. (Ord. No. 2329 5/12/03)

**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 and approval and publication as required by law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Pekin, this \_\_\_\_ day of \_\_\_\_\_, 2015; and upon roll call the vote was as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAINING: \_\_\_\_\_

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK