**REGULAR COUNCIL MEETING MONDAY,
SEPTEMBER 12, 2011 5:30 P.M.**

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE *Mayor Laurie L. Barra*		
3.0 ROLL CALL *Clerk to Call the Roll*		
4.0 APPROVAL OF AGENDA ***ACTION:*** *Motion to approve the meeting agenda.* ***VOTE REQUIRED***		
5.0 APPROVAL OF MINUTES ***ACTION:*** *Motion to approve minutes of the Regular Council Meeting of August 22, 2011, the Special Work EDAC Session of August 15, 2011, and the Special Meeting of August 30, 2011.* ***VOTE REQUIRED***		
6.0 PUBLIC INPUT ON AGENDA ITEMS *Speakers to state name, address, and spell last name. Speakers will be given 5 minutes to address the Council. Questions unrelated to agenda items are accepted during "Public Questions" near the end of the meeting.*		
7.0 CONSENT AGENDA		
7.1 Receive and File Monthly Reports and Minutes: Liquor Commission Minutes July 28, 2011.		
7.2 Proclamation: Knights of Columbus Mentally Handicapped Week – September 22, 2011.		
7.3 Resolution No. 13-11/12 – Mayor's Appointment of John Kennedy to the Zoning Board of Appeals to fill an unexpired term until May 31, 2012		
7.4 Receive and Approve - Letter of Resignation of Council Member John E. Neumann		
7.5 Receive and File Pekin Planning Commission Special Meeting Minutes dated July 20, 2011.		
7.6 Receive and File Pekin Planning Commission Hearings and Recommendations: a. Hearing #11-1838 – Recommends the approval of the Annexation of four tracts of property at this time as described in Exhibit "A" as presented by Attorney Scott Kriegsman to the City Council.		

ACTION: *Motion to approve all items listed on the Consent Agenda by Omnibus Vote.* ***VOTE REQUIRED TO APPROVE CONSENT AGENDA***		
8.0 COMMUNICATIONS, PETITIONS, REPORTS Labor Study Presentation by Economic Development Council		1
9.0 NEW BUSINESS		
9.1 Tazewell County Historical Places Society **DESCRIPTION:** Request to renew governmental membership. **ACTION:** Motion to approve the expenditure of $25.00. **VOTE REQUIRED**	M	4
9.2 Repayment of Herget Bank Loan Financing **DESCRIPTION:** The Treasurer expects the interest earnings on City investments to remain at unprecedented low rate into mid 2013. Present spread between borrowed rate of 3.9% and average yield is 1.5%. The ample reserves in the General Fund for loan repayment of $722,837 are warranted. Net savings of $35,000 over remaining two years. **ACTION:** Motion to repay the loan prior to maturity. **VOTE REQUIRED**	JSW	5
9.3 Repayment of Morton Community Bank Loan Financing **DESCRIPTION:** The Treasurer expects the interest earnings on City investments to remain at unprecedented low rate in to mid 2013. Present spread between borrowed rate of 5.1% and average yield is 2.0%. The ample reserves in the General Fund for loan repayment of $448,000 are warranted. Net savings of $30,000 over remaining four years. **ACTION:** Motion to repay the loan prior to maturity. **VOTE REQUIRED**	JSW	5
9.4 Illinois Department of Transportation Participation Agreement **DESCRIPTION:** Agreement with IDOT for federal funding of Petri Lane Extension. The funding is divided with STU funds received from PPUATS for 70%. The 30% City share is $412,500 covered by Motor Fuel Tax. **ACTION:** Motion to approve the agreement. **VOTE REQUIRED**	MG	3
9.5 Tri County Region Planning Commission PPUATS Revised Joint Funding Agreement **DESCRIPTION:** Distribution of Illinois Department of Transportation additional FY 2012 federal transportation planning funds of $77,731.00. Pekin's share of local match is $1,512.75. **ACTION:** Motion to approve the Agreement **VOTE REQUIRED**	JW	3

9.6 Resolution No. 14 - 11/12 – Illinois Department of Transportation (IDOT) Resolution for Streets and Highways **DESCRIPTION:** Appropriation of Motor Fuel Tax Funds for the revised PPUATS Joint Funding Agreement FY 2012 for additional federal transportation planning funds awarded. Funding for Pekin's share of local match of previous item. **ACTION:** Motion to adopt the resolution in the amount of $1,512.75. **VOTE REQUIRED**	MG	3
9.7 City of Pekin Policy No. 4R - Sanitary Backwater Valve Program **DESCRIPTION:** Amendment to Backflow Valve Policy to update language to current technology and cost in the program. **ACTION:** Motion to adopt the Policy Amendment. **VOTE REQUIRED**	RS	5
10.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL **10.1** Council Members **10.2** Staff **10.3** Five Minute Public Questions **10.4** Press Time		
11.0 EXECUTIVE SESSION **5 ILCS 120/2 (c) (6)** The sale of municipally owned property.		
12.0 ADJOURN **NO VOTE REQUIRED**		

Column 1 Key:

JW	City Manager Joseph Wuellner	M	Mayor Laurie Barra
JSW	Treasurer James Wolf	GN	Police Chief Greg Nelson
MG	City Engineer Michael Guerra	LM	ED Director Leigh Ann Matthews

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.

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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 MONDAY, AUGUST 22, 2011 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, NEUMANN, SCHMIDGALL. HENDRICKS, AND MASSAGLIA

ABSENT: NONE

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

Roll was called and all Council Members were physically present. A quorum was present.

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

MINUTES
Motion by Council Member Abel, seconded by Council Member Hendricks, that the **minutes of the Regular City Council Meeting of Monday, August 8, 2011 be approved as written.** On roll call vote, all present voted Aye.

CONSENT AGENDA
Motion by Council Member Abel, seconded by Council Member Hendricks that the **CONSENT AGENDA be approved as presented.** Mayor Barra presented the following for consideration of the Consent Agenda items by Omnibus Vote.

	7.1 Receive and File Monthly Reports and Minutes: Building and Inspections Departments June and July Reports, Traffic Safety Committee Minutes August 5, 2011, and Fire Department July Report.
	7.2 Receive and File Bids for Annual Street Seal Coat Project opened August 11, 2011 at 2:00 p.m.
	7.3 Receive and File Bids for 320 Court Street Parking Lot Rehabilitation Project opened August 9, 2011 at 10:00 a.m.
	7.4 Proclamation Joining the Nation Moment of Remembrance 10th Anniversary of September 11th
*	**7.5 Resolution No. 11-11/12 –** Appointment of Dennis R. Kief to the TIF Joint Review Board as at-large representative

Motion by Council Member Blanchard, seconded by Council Member Schmidgall to remove from Consent item 7.5 the appointment of Dennis Kief to the Tax Increment Finance (TIF) Joint Review Board (JRB). On roll call vote all present voted Aye. Mayor Barra noted the item would move to the end of New Business for discuss. Vote was taken to approve amended Consent Agenda. On roll call vote, all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

BUDGET/REVENUES REPORT
City Treasurer James Wolf distributed Major Revenue Sources Twelve Months Ended April 30, 2011, Investment Earnings, and Revenues Over Expenses – All City Funds (Pre-Audit) Reports. He highlighted for Council note worry comparisons of budget figures to actual expenses items in key departments. Revenues indicated taxes were up and the economy was slowly improving. Interest income on bank investments dropped from 1.56% to 1.03%. He reported the State was still 4 months behind in payments. To answer Council Member Abel’s question, the figures as of the June 30 did not reflect the effect rescinding the Impound Ordinance would have on the budget.

NEW BUSINESS

Motion by Council Member Massaglia, seconded by Council Member Schmidgall, that the **BID FOR THE ANNUAL STREET SEAL COAT PROJECT** in the amount of $258,386.00 be approved and the contract awarded to R.A. Cullinan and Son, Inc. City Engineer Michael Guerra advised Council the project was to seal coat 5.64 miles of streets west of the river to 5th Street from Sheridan Road to Willow Street and 5th Street from Koch Street to Petri Lane/Hanna Drive. Council Member Neumann expressed concern that the work would be taking place at the beginning of the school year. Council Member Abel asked that the public be made aware of the location on Channel 22. Mr. Guerra noted the entire program was being revamped for streets in need of immediate attention to receive the funding rather than an annual rotation of areas of the City. On roll call vote, all present voted Aye.

RESOLUTION NO. 11-11/12
ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT)
RESOLUTION FOR STREETS AND HIGHWAYS
11-00000-01-GM

Motion by Council Member Massaglia, seconded by Council Member Blanchard, that Resolution No.11-11/12 appropriating Motor Fuel Tax Funds for a portion of the Annual Street Seal Coat Project in the amount of $175,000.00, be adopted. City Engineer Michael Guerra requested approval of the MFT appropriation for the payment of the contract. Community Development Block Grant (CDBG) dollars would also be utilized. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Abel, that the **BID FOR 320 COURT STREET PARKING LOT REHABILITATION PROJECT** in the amount of $346,355.00 be approved and the contract awarded to P.A. Atherton Construction, Inc. The City Engineer next reported to Council on the project to rehabilitate the existing city owned parking lot to excavate, fill, grade and place aggregate base 3" HMA surface. The work would include removal of unacceptable fill that was placed when the buildings were demolished. Council Member Neumann offered a substitute motion that all bids be refused, seconded by Council Member Blanchard. On roll call vote, all present voted Aye. Discussion followed on the high cost to improve a lot used for the adjacent Department of Family Services employees owned by Tim Tobin. Council expressed concern for the amount of responsibility and liability of the City. Motion by Council Member Neumann, seconded by Council Member Massaglia, that the 320 Court Street Parking Lot Rehabilitation Project be rebid.
On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Schmidgall, that the **INTERGOVERNMENTAL AGREEMENT WITH TAZEWELL COUNTY FOR THE GRANT RECYCLING PROGRAM** in the amount of $67,000.00 be approved and accepted. The agreement provides for terms to receive the annual funds to be used in support and connection with the County program. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A310-11/12
AMENDING TITLE 8, CHAPTER 3 OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING SPEED CONTROL
HANNA DRIVE

Motion by Council Member Hendricks, seconded by Council Member Blanchard, that Ordinance No.1462-A310-11/12 be adopted. Police Chief Greg Nelson informed Council that the present speed of the new section of roadway was the statutory urban speed of 30 mph. It was recommended by the Traffic Safety Committee to set the speed limit to a safe and appropriate speed of 40 mph from the railroad tracks to South 5th Street. On roll call vote, all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Schmidgall, that the **SERVICE AGREEMENT WITH GOOD ENERGY, L.P.** to perform electricity consultant and procurement services be approved. City Manager Joseph Wuellner provided Council with background information regarding legislation passed allowing communities, residential and small commercial to take advantage of bulk purchasing power at reduced rates. Council discussed a referendum that would be needed to setup opting out with residential approval. The service agreement provided consultant to educate, answer questions, and broker the price for electricity. Phillip Carr, representative of Good Energy addressed questions from the Council.

Council expressed concern that without research other companies made be able to offer a better deal. Motion by Council Member Hendricks, seconded by Council Member Massaglia that item 9.6 be tabled and Request for Qualifications (RFQ) be sent out. Ayes, Blanchard, Abel, Schmidgall, Neumann, Hendricks, Massaglia; Nay, Barra. Motion carried.

Motion by Council Member Neumann, seconded by Council Member Blanchard, that the **FRANCHISE AGREEMENT AMENDMENT WITH BITWISE COMMUNICATIONS, INC. dba OMNILEC** (the Company) to include iTV-3 as an entity doing business in the City of Pekin, be approved. Provision of the amendment included parties agreeing to addition of a dba to the original terms of the October 2009 franchise. On roll call vote, all present voted Aye.

Motion by Council Member Neumann, seconded by Council Member Massaglia that a **SPECIAL MEETING OF THE COUNCIL** to consider bids for the Wastewater Treatment Plant WWTP Phase II be set for Tuesday, August 30, 2011 @ 5:30 p.m. On roll call vote, all present voted Aye.

RESOLUTION NO. 12-11/12 *(corrected duplicate number)*

Motion by Council Member Blanchard, seconded by Council Member Massaglia that the appointment of Dennis R. Kief to the TIF Joint Review Board as at-large representative be adopted. Council Member Blanchard felt there was conflict of interest to appoint a former employee of the City. Other Members spoke of Mr. Kief's knowledge of the TIF Programs and was considered as an at-large member. It was the opinion of Attorney Dancey that Mr. Kief would not be able to control the decisions of voting members of a board and that there was no conflict in the appointment. On roll call vote, Ayes, Abel, Schmidgall, Neumann, Hendricks, Massaglia, Barra; Nay, Blanchard. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Hendricks encouraged the community to visit the Genealogic Society facility.

Council Member Abel asked staff if progress had been made in addressing the residents of Cambridge Court waster issue. It was reported that with personnel available, camera equipment was used and sewers cleaned but there was not sufficient funds in the budget line item to replace the lines.

Economic Development Director Leigh Ann Matthews informed the Council of the half marathon Rapid Running event to take place on the streets of Pekin on Sunday, August 28, 2011. She advised that route maps were available and urged citizens to use caution.

George Ohnemus 1417 Willow addressed the Council regarding the money spent by the City and several other repeated concerns to him.

Dale Kuntz 5 Fox Point, distributed photos of unappealing and sometimes unreadable banners in all areas of the City that needed to be addressed.

EXECUTIVE SESSION

Motion by Council Member Blanchard, seconded by Council Member Hendricks, that the Council move to Executive Session at 7:20 P.M. to discuss 5 ILCS 120/2 (c) (11). Threatened or pending litigation. On roll call vote all present voted Aye.

No further business to come before the Council, Mayor Barra adjourned the meeting in open session.

COUNCIL ADJOURNED AT 7:35 P.M.

Sue E. McMillan

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**PROCEEDINGS OF A SPECIAL WORK SESSION MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, AUGUST 15, 2011 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING**

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, MASSAGLIA, HENDRICKS, AND BARRA

ABSENT: SCHMIDGALL

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Council set a work session for the purpose of meeting with the Economic Development Advisory Committee EDAC to discuss economic development objectives for the City of Pekin. Notice was properly posted and Council received notice of the special meeting on Friday, August 12, 2011.

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

Roll was called and all Council Members were physically present except Council Member Schmidgall.

AGENDA

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

NEW BUSINESS

Economic Development

Mayor Barra welcomed everyone. She informed the Council that the members of the Economic Development Advisory Committee (EDAC) were to address how the committee works and what the committee members do to advise the Council.

The committee members were introduced by Chairman Andy Sparks: Gregg Ratliff, Timm Schwartz, Paula Davis, Bill Fleming, Steven Martin, Drew Leman, Andy Sparks, Dennis Kief, Carol Shields, Skip Schermerhorn, and John Fordham. Resources Staff and Ex-officio members included City Manager Joseph Wuellner, Economic Development Director Leigh Ann Matthews, Mayor Laurie Barra, Tony Rolando, Illinois Department of Commerce and Economic Opportunity, and former member Frank Mackaman.

Mr. Mackaman stated the committee's mission to advise the City on economic issues that sustain, enhance and diversify the community's economy. Council was informed that the committee recommends programs to help stimulate business activity, retain existing business, facilitate expansion of existing businesses, and encourage new business to locate within the City. He spoke of ways of being competitive and tools that produce investment return, jobs, and diversification.

Mr. Kief informed the Council of the successes of developer proposals seeking City financial incentives such as Cuattro, Avanti's Dome, Big R, East Court Village, 14th Street Hardware.

Mr. Kief and Mrs. Matthews addressed the matters of tools and strategies used for Economic Development projects such as:

- Tax Increment Financing (TIF)
- Enterprise Zone (EZ)
- Pekin Economic Development Investment Fund (PEDIF) funding source
- New Development Proposal/Agreement form – due diligence
- Economic Development Financial Assistance program (EDFAP)
- Riverway Business Park (RWBP) –infrastructure ready
- EDAC Business Leaders Forum for potential and existing businesses
- Technology and ED website

Mr. Sparks presented a case study for attendees to work through and discuss. The "what if" scenario told of a big box store interested in the Pekin market and wanting the City to assist them financially in return for investing in the community. The committee members discussed with Council the due diligence that would take place in evaluating estimated sales, number of employees, average wages, economic impact of the payroll dollars, generated sales and real estate taxes. The committee members addressed questions and statements of Council Members regarding head of household jobs, stipulating local hiring, and the use of the two million dollar PEDIF account. It was noted by Council that big box stores, as in East Peoria development, tend to have other businesses follow.

City Manager Joe Wuellner felt the work session was beneficial to the City for strategic planning and budgeting. He thanked the Council and the Economic Advisory Committee

Council took no formal action.

No further business to come before the Council Mayor Barra adjourned the meeting.

COUNCIL ADJOURNED AT 7:00 P.M.

Sue E. McMillan
City Clerk

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**PROCEEDINGS OF A SPECIAL MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD AT CITY HALL COUNCIL CHAMBERS
111 SOUTH CAPITOL STREET
ON TUESDAY, AUGUST 30, 2011 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING**

PRESENT: COUNCIL MEMBERS, ABEL, HENDRICKS, SCHMIDGALL, MASSAGLIA, BLANCHARD, AND BARRA

ABSENT: NEUMANN

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Council Members called a special meeting for the purpose of considering the bids for the Wastewater Treatment Plant Phase II Project and to award a contract. Notice and Agenda were properly posted on August 24, 2011.

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

Roll was called and all Council Members were physically present except Council Member Neumann. A quorum was present.

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

NEW BUSINESS
Motion by Council Member Blanchard, seconded by Council Member Massaglia, that the bid for the **WASTEWATER TREATMENT PLANT (STP #1) IMPROVEMENTS PHASE 2A IN THE LUMP SUM BASE BID AMOUNT OF $20,670.000, BE APPROVED AND THE CONTRACT AWARDED TO WILLIAMS BROTHERS CONSTRUCTION, INC.** City Manager Joseph Wuellner advised the Council that four bids were opened on Friday, August 26, 2011 at 2:00 p.m. A Bid Tabulation Sheet was furnished the Council Members with lump sum base bids and 1-7 alternates. Discussion followed with Mr. Wuellner, Patrik Sheridan Farnsworth Group, Inc. Project Engineer, and Council Members on key issues:

- Williams Brothers Construction, Inc. was low bidder
- Base Lump Sum Bid of $20,670,000 exceeded engineer's estimate of $19,109,000 and IEPA FY 2011 $20 million dollar loan program maximum
- Portions of Phase 2A engineer's budget were estimated based on percentages
- Farnsworth's recommendation to proceed with project and a potential $20 million dollar IEPA loan with $2.5 million in principal forgiveness
- Consideration for FY 2011 IEPA by-pass funding for the $670 thousand in contract bid, a 3% contract contingency ($1,165,500) and 50% of the contracted Phase 2 engineering budget fees ($1,165,500) total $2,455,500 at anticipated 2.5% approximate loan rate
- In the event by-pass funding would not be available the City would need to fund the construction. The City must provide written verification that the $2,455,500 can be paid
- Time was of the essence in forwarding documents due to Federal Fiscal Year deadlines of September 30

Mr. Wuellner told Council that he had spoken with Treasurer Jim Wolf who assured there were amble funds in the growing sewer line item. Council expressed some concern of receiving the funds from the federal government through the state. On roll call vote, all present voted Aye.

No further business to come before the Council, Member Massaglia motioned to adjourn the meeting. Approved viva voce vote.

COUNCIL ADJOURNED AT 5:45 P.M.
Sue E. McMillan
City Clerk

Pekin
ILLINOIS

LIQUOR COMMISSION MINUTES
THURSDAY, JULY 28, 2011
4:00 P.M.
CITY HALL COUNCIL CHAMBERS

Deputy Liquor Commissioner Rick VonRohr called the meeting to order at 4:09 p.m.

PLEDGE of ALLEGIANCE
Commission Member Dale Vonderheide led the Commission in the Pledge.

ROLL CALL
The following members were present for roll call: Liquor Commissioner Laurie Barra, Police Chief Greg Nelson, Fire Chief Kurt Nelson, Deputy Liquor Commissioner Rick VonRohr, Commissioner Dale Vonderheide and Commissioner Buster Hanley.

Also present: Attorney Sue Bosich - Corporation Counsel and City Clerk Sue McMillan

APPROVAL OF AGENDA
Motion made by Liquor Commissioner Barra to approve the Agenda of July 28, 2011, seconded by Commission Member Buster Hanley. On roll call vote all present voted Aye. Motion Carried.

APPROVAL OF MINUTES
Motion made by Police Chief Nelson to approve the Liquor Commission Minutes dated June 26, 2011, seconded by Liquor Commissioner Laurie Barra. On roll call vote all present voted Aye. Motion carried.

PUBLIC INPUT/COMMENTS/QUESTIONS
There were comments or questions heard.

NEW BUSINESS
AGR Group, LLC – Sunset Hills Golf Club – Beer Garden application

Discussion: The new Beer Garden passed the Inspections Department and Fire Departments' Inspections.

Commission Member Vonderheide made a motion to approve the Beer Garden for Sunset Hills Golf Club, seconded by Fire Chief Kurt Nelson. On roll call vote all present voted Aye. Motion carried.

Paula to get Sue Bosich a copy of the Beer Garden application.

One Day Liquor License Application changes.

Discussion: Police Chief Greg Nelson made a few changes for review. There has been a lot of confusion on the applications and this will simplify them. One application for a One Day Liquor License and one application for the Special Events application. Sue McMillan also had our GIS person make up maps of the areas that are allowed to have events downtown to make it easier, rather than them drawing their own maps.

Police Chief Nelson and Sue McMillan will draft a letter to send out to all Liquor Licensee regarding the new One Day Liquor License application and include the Special Events application along with the maps.

Sue McMillan to check the code to see what it says about the $25.00 Special Events Application Fee. They should all be consistent.

Sue McMillan and Rick VonRohr to look at Code and the Liquor Fee's and will bring up at next meeting.

Liquor Commissioner Laurie Barra made a motion to accept the new One Day Liquor and Special Events Application, seconded by Fire Chief Kurt Nelson. On roll call vote all present voted Aye. Motion carried.

ANY OTHER BUSINESS

Deputy Liquor Commissioner VonRohr wanted to discuss the Proof of Dram Insurance that is required by the Clerk's office to hold a liquor license and that it shows it has expired in our files. Paula has an Excel file and sends to Rick when they have expired. Rick calls them and reminds them that it is their responsibility to get the new insurance to the City Clerk's office immediately.

Discussion: The City could revoke their liquor license, but there is a 5 day notice to have a hearing. This would be difficult to get everyone together. Sue Bosich stated we could send them a letter stating it is their responsibility to get their Dram Insurance policy to us the day that it expires. The day the insurance expires, they are operating without a City of Pekin Liquor License and it can be revoked. Sue will draft a letter along with the other letter regarding the One Day Liquor License and send to all Liquor Licensee's. Paula will keep sending the Insurance list to Rick VonRohr.

Sue Bosich asked the Commission if Jeff Nizzia with Ole Dad's can continue to operate on his license while this is in Probate. Attorney Burt Dancey is working with Jeff Nizzia on this.

No other business to come before the Commission, a motion was made by Deputy Liquor Commissioner VonRohr to adjourn, seconded by Commissioner Hanley.

Meeting adjourned 5:00 P.M.

Next Meeting August 25, 2011 at 4:00 P.M.

Respectfully submitted by Paula Gensel

WHEREAS, the Knights of Columbus in the State of Illinois have undertaken a project of assistance for the treatment and care of the mentally handicapped; and

WHEREAS, the local Councils of Knights of Columbus have annually conducted a statewide campaign in the communities in Illinois; and

WHEREAS, Archbishop Schlarman Council No. 3507 of Pekin will hold their 43rd Annual Tootsie Roll Drive the weekend of September 16th, 17th and 18th, 2011; and

WHEREAS, ninety percent of these proceeds stay in the Pekin area to support Schramm Educational School, the Ann Benjamin Handicapped Children's Summer Camp Trust Fund, the Miller Home, the U of I Extension MR Program, the Pekin Park District Special Recreation Association, the YWCA Adaptive Aquatics/Special Olympics Swim Program, as well as Special Olympics.

NOW, THEREFORE, BE IT RESOLVED that I, LAURIE BARRA, Mayor of the City of Pekin, Illinois, do hereby proclaim the week of September 22nd, 2011, to be

"MENTALLY HANDICAPPED WEEK"

in the City of Pekin, Tazewell County, Illinois and I urge all citizens to take cognizance of and cooperate in the campaign.

ADOPTED, this 22nd day of August, in the Year of Our Lord, Two thousand and Eleven.

LAURIE BARRA
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

Knights of Columbus

ARCHBISHOP SCHLARMAN COUNCIL, No. 3507
715 North 11th Street
Pekin, Illinois 61554

August 10, 2011

Mayor Laurie Barra
City of Pekin
111 S. Capitol Street
Pekin, IL 61554

Dear Mayor Barra,

For 42 years the Knights of Columbus throughout the State of Illinois and in Pekin have conducted an annual Intellectual Disabilities Tootsie Roll Drive. All of the proceeds are used to benefit mentally handicapped children and adults. NINETY PERCENT (90%) of our proceeds remain locally here in the Pekin area to be distributed to the Schramm Education Center, the Ann Benjamin Handicapped Children's Summer Camp Trust Fund, the Schramm Educational Center, the Miller Home, the U of I Extension MR Program, the Pekin Park District Special Recreation Association, the YWCA Adaptive Aquatics/Special Olympics Swim Program, as well as Special Olympics.

In this, our 43rd ID Drive, the weekend set aside by our state officers this year is Friday, September 16, 2011 through Sunday, September 18, 2011. We ask you and the Pekin City Council for permission to distribute tootsie rolls and collect donations at locations in front of business establishments in the community. We also ask that you set aside that week by proclaiming it as Intellectual Disabilities Week in Pekin.

Thank you for your consideration and support of our efforts.

Sincerely,

Stephen L. Sutton

Stephen L. Sutton
ID Tootsie Roll Drive Chairman
Knights of Columbus
Archbishop Schlarman Council #3507 of Pekin

RESOLUTION NO. 13-11/12

PEKIN, ILLINOIS, September 12, 19 2011

RESOLUTION BY COMMISSIONER

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS, THAT:

The Mayor's appointment of John Kennedy to the Zoning Board of Appeals for a term until May 31, 2012 to fill the unexpired term of Michael Walker is here by approved.

740 E. Shore Drive Apt 3

Pekin, Illinois

SIGNED BY

MAYOR.

ILLINOIS

City of Pekin

Application for Appointment to a City Commission, Board, or Committee

The City of Pekin welcomes your interest in an appointment to a commission, board, or committee. These organizations are intended to help city government deliver high quality programs and services to the residents of our community and to our visitors. Broad community representation on these groups is crucial to their effectiveness.

Your Name:

JOHN KENNEDY

Your Address:

740 E, SHORE DR Apt3 Pekin Il. 61554

Your Telephone Number:

346-9703

Your E-Mail Address:

FKENN2 @ G-MAIL . Com

Your Work Telephone Number:

347-4101

You are interested in serving on which commission, board, or committee?

ZBA.

Why are you interested in serving?

To give something to the city. Because this is a great place to live.

What qualifications do you have to serve? A resume in not required, but if you have one please attach it to this application.

Former Mem. Pekin Chamber of Commerce
Treasurer SBA.
Various St. Jude Committees
Member Save James Field Committee
Former Kiwanis member, St Paul UCC Board.

What happens next?

Your application will be evaluated by the Mayor, the City Manager, and the department head who works most closely with the commission, board, or committee. If you are selected, the Mayor will propose your appointment at a meeting of the Council subject to ratification by the Council. We will let you know of our decision before the meeting takes place.

City of Pekin
111 South Capitol Street
Pekin, Illinois 61554
309-477-2300 * 309-346-2095 fax

September 1, 2011

Honorable Lori Barra
Mayor - City Hall

Madam Mayor:

I hereby tender my resignation as a member of the city counsel ... effective immediately. Without discussing details I regret that the City of Pekin's image has in any way been damaged.

Respectfully,

John E. Neumann

JOHN NEUMANN

Special Pekin Planning Commission Minutes
July 20, 2011

Present:
Bill Craig, Chairman
Steve Huey
Jim Jones
Ron Knautz
Don Hild, Vice Chairman
Jeff Dupage
Steve Thompson

Absent:
Daryl Dagit
Dick Cohenour

Chairman Bill Craig led the Pledge of Allegiance.

The Special meeting of the Pekin Planning Commission was called to order and a quorum was declared.

Chairman Bill Craig asked for the Approval of the Agenda as presented.

MOTION BY Ron Knautz, seconded by Steve Huey to Approve the Agenda as Presented. All Present, Voted AYE.

HEARING #11-1838: City of Pekin, Attorney Scott Kriegsman

Annexation of four tracts of property and approximately 235.65 acres as described in Exhibit "A" located in Tazewell County.

Open Public Hearing: 6:33PM

Steve Johnson, Pekin resident, Superintendent of Rankin School District 98 asked as to the purpose of the annexation being requested.

Scott Kriegsman stated the purpose is to facilitate the creation of a TIF District that will overlap the properties being discussed for annexation which is also a part of a requirement of a TIF District for the Veteran's Road Project.

Steve Johnson asked if the City has received any commitments from businesses or industries.

Scott Kriegsman stated yes, one business Quattro is planning on a building a facility and there is going to be an Expansion of the Federal Prison. Creating this TIF District will allow for City to pursue other businesses.

Ronald Hawkins, 806 Allen Street, S Pekin, Road Commissioner of Cincinnati Township asked for Clarification of the boundaries of the properties being annexed. He continued to state from conversation with Attorney Scott Kriegsman that not all of the Parcels are going to be annexed because of distance away which is in Section 35 only those in 14 & 15 will be annexed. He continued with the understanding of what was going to be annexed as follows: The annexation would start on the Westside of S 5th Street from the current City Limits to about a ¼ of a mile South of VFW, proceed to the RR tracks all the way down to VFW, then down close to St Joseph Cemetery and then going all the way down East of where the OG&MO RR tracks used to be which is behind Glorianne Acres with the exclusion of two residential properties. That is because they cannot be included in a TIF District.

Attorney Scott Kriegsman confirmed his clarification and understanding.

Attorney Scott Kriegsman proceeded to say the basic agreements have been signed by the individuals with the exception the greater details due to time constraints would be agreed upon after the City Council meeting on August 8, 2011 at 5:30pm for the annexation. He stated the properties would be annexed in as I-2 General Industrial with Special Use of Agricultural for continued farming by the owners for the season.

Close Public Hearing: 6:43PM

Annexation & Classification Review: Ron Knautz, Chairman

Ron Knautz stated there was no Sub-Committee meeting and turned the Hearing over to the Commission for discussion.

Jim Jones commented that this would be a plus for these properties as they would be covered by City Services.

Don Hild questioned what the Comprehension Plan stated and when the last update was.

Ron Sieh responded that there were some changes that the Planning Commission approved in October of 2010.

MOTION BY Ron Knautz, seconded by Steve Huey to Approve the Annexation of four tracts of property at this time as described in Exhibit "A" as presented by Attorney Scott Kriegsman to the City Council. All Present, Voted AYE.

MOTION By Steve Thompson, seconded by Steve Huey to Adjourn the meeting. All Present, Voted AYE.

Meeting adjourned at 6:52PM.

Juanita K VanBuskirk, Secretary
Pekin Planning Commission

Special Pekin Planning Commission
July 20, 2011

HEARING #11-1838

The Pekin Planning Commission recommends the Approval of the Annexation of four tracts of property at this time as described in Exhibit "A" as presented by Attorney Scott Kriegsman to the City Council in Tazewell County, Illinois.

Bill Craig, Chairman

Don Hild, Vice-Chairman

Tazewell County Historic Places Society

Tazewell County Museum and Educational Center
2950 Court St.
Pekin, Illinois 61554
1-309-347-8375 or 1-309-346-1889

August 11, 2011

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

Dear Pekin City Council,

Tazewell County Historic Places Society, the parent organization of the Tazewell County Museum and Educational Center would like to invite you to renew your governmental membership.

The cost of an governmental membership is $25.00 a year. Your membership requires nothing of the City of Pekin, but is a show of support for the Tazewell County Museum and Educational Center. The museum's mission is to further and preserve our heritage and educate our citizens about our long and valuable service to our state and nation.

Other governmental sponsors are: the City of East Peoria, the City of Marquette Heights, Boynton Township and Washington Township as well as other governmental bodies in Tazewell County.

May we count on your governmental support to further our mission to serve the citizens of Pekin and Tazewell County.

Sincerely,

Christal E. Dagit

Christal E. Dagit, President and Director

Tazewell County Historic Places Society
Tazewell County Museum & Educational Center
2950 Court St., Sunset Shopping Plaza, Pekin, Il.

2011 Membership Application

Name____
Address______________________________________
City____________________**State**______**Zip**__________
Phone________________________
Type of Membership______________________________
E-Mail Address__________________________________
Donation to Museum for Operating Expenses___________
(We are a federally recognized not-for-profit organization, all donations will be recognized with a tax exempt donation form. We are also set up to receive matching funds with Caterpillar) * PLEASE include your email address. Thank you

2011 Dues Structure

Student: $5.00 per individual (Children under 18)
Charter: $10.00 per individual (Individuals who joined in 1997 & 1998 only)
Regular: $15.00 per individual
Contributing: $25.00
Family: $35.00 (One or two adults & children under 21)
Individual Life Member: $300.00 per individual or $500.00 per couple
Business Member: $100.00
Organizations: $25.00
Governmental: $25.00

Purpose of the Tazewell County Historic Places Society

Dedicated to the preservation and protection of historic sites, buildings and artifacts important in the development of Tazewell County. We are also dedicated to the education of the public about the early history of Tazewell County and its importance in the development of the State of Illinois and the United States and also, to help in the development and promotion of tourism in Tazewell County.

Mail Dues To: **Christal E. Dagit, President**
Tazewell County Historic Places Society
2950 Court St.
Pekin, Il. 61554

Pekin
ILLINOIS

REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk

From: James Wolf, City Treasurer

AGENDA ITEM: Repayment of Herget Bank Loan Financing

AGENDA DATE REQUESTED: September 12, 2011

ACTION REQUESTED: Approve repayment of loan prior to maturity

DESCRIPTION: It can be expected that interest earnings on City investments will remain at unprecedented low rates into mid-2013. As a result, the spread between the borrowing interest rate of 3.9% and an average investment yield of 1.5% is anticipated to continue. Since there are ample reserves in the General Fund, repayment of the loan balance of $722,837 is warranted.

FINANCIAL IMPACT: Savings should amount to $35,000 over the remaining roughly two years that the loan is outstanding.

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: As indicated above, net interest savings of $35,000 should result.

IMPACT IF DENIED: Cost savings will not be realized.

ALTERNATIVES: None

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

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

REQUIRED SIGNATURES

Department Director: James D. Wolf

Date: 8/15/11

Finance Department (Certification of Availability of Funds):

Date:
Corporation Counsel: Date: 8/18/11 Bert Darry
City Manager: Date:

Pekin
ILLINOIS

REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk

From: James Wolf, City Treasurer

AGENDA ITEM: Repayment of Morton Community Bank Loan Financing	
AGENDA DATE REQUESTED: September 12, 2011	
ACTION REQUESTED: Approve repayment of loan prior to maturity	
DESCRIPTION: It can be expected that interest earnings on City investments will remain at unprecedented low rates into at least mid-2013. As result, the spread between the borrowing interest rate of 5.1% and an average investment yield of 2.0% is anticipated to continue. Since there are ample reserves in the General Fund, repayment of the current balance of $448,000 is warranted.	
FINANCIAL IMPACT: Savings should amount to approximately $30,000 over the remaining four years that the loan is outstanding.	
NEIGHBORHOOD CONCERNS: None	
IMPACT IF APPROVED: As indicated above, net interest savings of $30,000 should result.	
IMPACT IF DENIED: Cost savings will not be realized.	
ALTERNATIVES: None	
RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: [check no more than 2 boxes. Copy this check mark √ and paste it to the left of the relevant theme.]	
√	**A Prosperous Community.** To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.
	A Safe Community. To protect community life and property by providing effective, principled police and fire services.
	A Strong Foundation. To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
	A High Quality of Life. To support or provide services that improve the quality of life for Pekin's residents.
	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.
REQUIRED SIGNATURES	
Department Director: James D. Wolf Date: 8/15/11	
Finance Department (Certification of Availability of Funds):	

Date:
Corporation Counsel: Date: 8-18-11
City Manager: Date:

Pekin
ILLINOIS

REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & City Manager

From: Michael Guerra, City Engineer

AGENDA ITEM: Participation Agreement with Illinois Department of Transportation for Petri Lane Extension to 14th St.

AGENDA DATE REQUESTED: September 12, 2011

ACTION REQUESTED: To approve the agreement with IDOT for the 30% local share of the construction costs.

DESCRIPTION: This request is to enter into an agreement with Illinois Department of Transportation for the funding of Petri Lane Extension. The funding for the construction of the roadway is divided with STU funds that were received from PPUATS for 70% (or not to exceed $962,500.00) and 30% (or the remainder) from the City. The estimated 30% city share is $412,500.00 which would be covered with Motor Fuel Funds. The actual cost can't be determined until the final construction cost has been determined.

I recommend that this agreement be approved.

FINANCIAL IMPACT: $412,500.00 of Motor Fuel Funds

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: The project can advance to be let out for Bids

IMPACT IF DENIED: Then project can't be let out for Bids unless alternate funding is used to cover the construction cost

ALTERNATIVES: none

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

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

REQUIRED SIGNATURES

Illinois Department of Transportation	Local Agency	State Contract	Day Labor	Local Contract	RR Force Account
Local Agency Agreement for Federal Participation	City of Pekin	X			
	Section	Fund Type		ITEP Number	
	10-00183-00-FP	STU			

Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-94-021-11	M-5093(154)				

This Agreement is made and entered into between the above local agency hereinafter referred to as the "**LA**" and the state of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "**STATE**". The **STATE** and **LA** jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans approved by the **STATE** and the **STATE**'s policies and procedures approved and/or required by the Federal Highway Administration hereinafter referred to as "**FHWA**".

Location

Local Name Petri Lane Route FAU 6698 Length 0.69 miles

Termini From 5th Avenue to 14th Avenue

Current Jurisdiction City of Pekin Existing Structure No

Project Description

Install new pavement, including drainage, grading and shaping, (2) 12 ft lanes with bicycle accomodations, sidewalks, and curb & gutter.

Division of Cost

Type of Work	STU	%	STATE	%	LA	%	Total
Participating Construction	962,500	(*)		( )	412,500	(Bal)	1,375,000
Non-Participating Construction		( )		( )		( )	
Preliminary Engineering		( )		( )		( )	
Construction Engineering		( )		( )		( )	
Right of Way		( )		( )		( )	
Railroads		( )		( )		( )	
Utilities		( )		( )		( )	
Materials							
TOTAL	$ 962,500		$		$ 412,500		$ 1,375,000

* 70% STU FUNDS NTE $962,500

NOTE: The costs shown in the Division of Cost table are approximate and subject to change. The final **LA** share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursment.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

The Federal share of construction engineering may not exceed 15% of the Federal share of the final construction cost.

Local Agency Appropriation

By execution of this Agreement, the **LA** is indicating sufficient funds have been set aside to cover the local share of the project cost and additional funds will be appropriated, if required, to cover the **LA**'s total cost.

Method of Financing (State Contract Work)

METHOD A---Lump Sum (80% of **LA** Obligation) ______

METHOD B--- ______ Monthly Payments of ______

METHOD C---**LA**'s Share Balance divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)

Agreement Provisions

THE LA AGREES:

(1) To acquire in its name, or in the name of the state if on the state highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established state policies and procedures. Prior to advertising for bids, the **LA** shall certify to the **STATE** that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the **LA**, and **STATE** and the **FHWA**, if required.

(2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.

(3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.

(4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.

(5) To maintain or cause to be maintained, in a manner satisfactory to the **STATE** and **FHWA**, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.

(6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.

(7) To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the **LA** agrees to cooperate fully with any audit conducted by the Auditor General and the department; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the **STATE** for the recovery of any funds paid by the **STATE** under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.

(8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.

(9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the **FHWA**.

(10) (State Contracts Only) That the method of payment designated on page one will be as follows:

Method A - Lump Sum Payment. Upon award of the contract for this improvement, the **LA** will pay to the **STATE**, in lump sum, an amount equal to 80% of the **LA**'s estimated obligation incurred under this Agreement, and will pay to the **STATE** the remainder of the **LA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.

Method B - Monthly Payments. Upon award of the contract for this improvement, the **LA** will pay to the **STATE**, a specified amount each month for an estimated period of months, or until 80% of the **LA**'s estimated obligation under the provisions of the Agreement has been paid, and will pay to the **STATE** the remainder of the **LA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.

Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the **LA** will pay to the **STATE**, an amount equal to the **LA**'s share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.

(11) (Day Labor or Local Contracts) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.

(12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the **LA** will repay the **STATE** any Federal funds received under the terms of this Agreement.

(13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which this Agreement is executed, the **LA** will repay the **STATE** any Federal Funds received under the terms of this Agreement.

(14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval be the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.

Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.

The **LA** is responsible for the payment of the railroad related expenses in accordance with the **LA**/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.

Engineer's Payment Estimates in accordance with the Division of Cost on page one.

(15) And certifies to the best of its knowledge and belief its officials:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;

(b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;

(c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and

(d) have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.

(16) To include the certifications, listed in item 15 above and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.

(17) (State Contracts) That execution of this agreement constitutes the **LA**'s concurrence in the award of the construction contract to the responsible low bidder as determined by the **STATE**.

(18) That for agreements exceeding $100,000 in federal funds, execution of this Agreement constitutes the **LA**'s certification that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;

(c) The **LA** shall require that the language of this certification be included in the award documents for all subawards at all ties (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(19) To regulate parking and traffic in accordance with the approved project report.

(20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.

(21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.

(22) That the **LA** may invoice the **STATE** monthly for the **FHWA** and/or **STATE** share of the costs incurred for this phase of the improvement. The **LA** will submit supporting documentation with each request for reimbursement from the **STATE**. Supporting documentation is defined as verification of payment, certified time sheets, vendor invoices, vendor receipts, and other documentation supporting the requested reimbursement amount.

(23) To complete this phase of the project within three years from the date this agreement is approved by the **STATE** if this portion of the project described in the Project Description does not exceed $1,000,000 (five years if the project costs exceed $1,000,000).

(24) Upon completion of this phase of the improvement, the **LA** will submit to the **STATE** a complete and detailed final invoice with all applicable supporting supporting documentation of all incurred costs, less previous payments, no later than one year from the date of completion of this phase of the improvement. If a final invoice is not received within one year of completion of this phase of the improvement, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

(25) (Single Audit Requirements) That if the **LA** receives $500,000 or more a year in federal financial assistance they shall have an audit made in accordance with the Office of Management and Budget (OMB) Circular No. A-133. **LA**'s that receive less than $500,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the **STATE** with 30 days after the completion of the audit, but no later than one year after the end of the **LA**'s fiscal year. The CFDA number for all highway planning and construction activities is 20.205.

(26) That the **LA** is required to register with the Central Contractor Registration (CCR), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. If you do not have a CCR number, you must register at https://www.bpn.gov/ccr. If the **LA**, as a sub-recipient of a federal funding, receives an amount equal to or greater than $25,000 (or which equals or exceeds that amount by addition of subsequent funds), this agreement is subject to the following award terms: http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf and http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf.

THE STATE AGREES:

(1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the **LA**'s certification of compliance with Titles II and III requirements.

(2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the **STATE** (and **FHWA**, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.

(3) (Day Labor) To authorize the **LA** to proceed with the construction of the improvement when Agreed Unit Prices are approved and to reimburse the **LA** for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.

(4) (Local Contracts) That for agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:

(a) To reimburse the **LA** for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the **LA**;

(b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by **STATE** inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the **STATE**.

IT IS MUTUALLY AGREED:

(1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction.

(2) That this Agreement and the covenants contained herein shall become null and void in the event that the **FHWA** does not approve the proposed improvement for Federal-aid participation or the contract covering the construction work contemplated herein is not awarded within three years of the date of execution of this Agreement.

(3) This Agreement shall be binding upon the parties, their successors and assigns.

(3) For contracts awarded by the **LA**, the **LA** shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The **LA** shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The **LA**'s DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.). In the absence of a USDOT – approved **LA** DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the **STATE**'s USDOT approved Disadvantaged Business Enterprise Program.

(4) In cases where the **STATE** is reimbursing the **LA**, obligations of the **STATE** shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.

(5) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application

ADDENDA

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1 Location Map

(Insert addendum numbers and titles as applicable)

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all exhibits indicated above.

APPROVED

Local Agency

Laurie Barra

Name of Official (Print or Type Name)

Mayor of the City of Pekin

Title (County Board Chairperson/Mayor/Village President/etc.)

(Signature) Date

The above signature certifies the agency's TIN number is 37-6002169 conducting business as a Governmental Entity.

DUNS Number 060859394

NOTE: If signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.

APPROVED

State of Illinois
Department of Transportation

Gary Hannig, Secretary of Transportation Date

By:

(Delegate's Signature)

(Delegate's Name - Printed)

Christine M. Reed, Director of Highways/Chief Engineer Date

Ellen J. Schanzle-Haskins, Chief Counsel Date

Matthew R. Hughes, Acting Director of Finance and Administration Date

Pekin
ILLINOIS

REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk

From: Joseph W. Wuellner, City Manager

AGENDA ITEM: Addition to Annual Joint PPUATS Funding Agreement

AGENDA DATE REQUESTED: September 12, 2011

ACTION REQUESTED: Approve the additional fee for the annual Joint PPUATS Funding Agreement in the amount of $1,512.75 with the Tri County Regional Planning Commission.

DESCRIPTION: At the June 27th meeting the annual fee for our participation with the PPUATS Group was approved. Since that time, Tri County Regional Planning Commission was given additional funds from IDOT for this year's operations. Funding from IDOT requires a match and that is what every member's fee covers. Our share to cover this additional funding is $1,512.75.

I recommend that this addition to the agreement be approved.

FINANCIAL IMPACT: $1,512.75 funding from MFT

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: Continued access to available Federal Highway funding

IMPACT IF DENIED: Loss of the access to Federal Highway funding

ALTERNATIVES: N/A

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

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

REQUIRED SIGNATURES
Department Director: Date: 8/19/11
Finance Department (Certification of Availability of Funds): Date: 8-22-11
Corporation Counsel: Date:
City Manager: Date: 8/19/11

TRI-COUNTY REGIONAL PLANNING COMMISSION
211 FULTON STREET • SUITE 207 • PEORIA, IL 61602
PHONE: 309-673-9330 • FAX: 309-673-9802
www.tricountyrpc.org

July 31, 2011

Honorable Laurie Barra
City of Pekin
111 South Capitol
Pekin, Illinois 61554

Dear Mayor Barra:

Earlier this year I reported that the Illinois Department of Transportation may be able to distribute additional FY 2012 federal transportation planning funds to all the Metropolitan Planning Organizations. Fortunately, IDOT has confirmed that the Peoria/Pekin Urbanized Area Transportation Study (PPUATS) will receive an additional $77,731.00. The PPUATS Policy Committee and the Tri-County Regional Planning Commission have approved a Revised Joint Funding Agreement to provide the local match of $19,433.00 for these additional funds, of which Pekin's share is $1,512.75.

It is requested that your unit of government approve the attached Revised Agreement. The period covered by the Agreement begins July 1, 2011, and extends to June 30, 2012. Your representatives on the PPUATS Technical and Policy Committees can advise you on the Agreement, or if you desire, I will be available to answer any questions you or your board may have.

I have attached two (2) copies of the Revised Agreement as already signed by the Chairman of the Tri-County Regional Planning Commission and the Chairman of the Peoria/Pekin Urbanized Area Transportation Study Policy Committee. Please sign both copies and return one to me. Also attached is an invoice for your unit of government's additional share of the FY 2011 PPUATS local match of the Federal Planning, FTA Section 5303, FTA Section 9 funds, and up to $50,000 in other federal transportation planning funds.

Thank you for your continued support of our area transportation planning program. If you have any questions, please contact me at (309) 673-9330 or tkohlbuss@tricountyrpc.org

Sincerely,

Terry D. Kohlbuss
Executive Director

RESOLUTION 12-03
AMENDMENT
JOINT PPUATS FUNDING AGREEMENT
ANNUAL ELEMENT OWP FY 2012

This agreement amends the Joint PPUATS Funding Agreement for FY 2012 adopted May 4, 2011 by the PPUATS Policy Committee. It is hereby amended by the members of the participating agencies and the Tri-County Regional Planning Commission as the designated MPO under Section 134 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) for the Peoria/Pekin Urbanized Area transportation planning process. It is intended to set forth the procedures and methods agreed upon to provide sufficient local matching funds enabling the Peoria/Pekin urbanized area to receive an additional $77,731 in Federal Planning (PL) funds. All funding sources require a 20% local match; requiring a total local match of $19,433.00 for Fiscal Year 2012.

The federal planning funds and local matching monies will be utilized for the work and services performed in accordance with the Amended Overall Work Program for Fiscal Year 2012. The work and services and their associated costs as contained in the Amended Overall Work Program, adopted by both the PPUATS Policy Committee and the Tri-County Regional Planning Commission.

Each participating agency identified herein, hereby agrees to pay its additional share to the MPO (Tri-County Regional Planning Commission) not later than November 1, 2011. The MPO is hereby designated to deposit local funds in a special bank account. Withdrawals from this account shall be for reimbursement for work accomplished on the appropriate work tasks designated in the Amended Overall Work Program to the responsible agency. The MPO shall make a monthly report to the PPUATS Policy Committee accounting for the expenses incurred on the work tasks identified in the Amended Overall Work Program. Federal and State funds shall be requested by and dispersed directly to the MPO in accordance with agreements of the State of Illinois and the Greater Peoria Mass Transit District.

The additional local matching money for FY 2012 shall be provided by each of the participating agencies noted herein by the contributing percentage of MFT funds each such agency received in Calendar Year 2010.

Agency	Local Agency Share
Peoria County	4,064.78
Tazewell County	3,924.22
City of Peoria	5,413.95
Pekin	1,512.75
East Peoria	1,033.91
Morton	744.83
Washington	588.31
Peoria Heights	296.46
Bartonville	281.93
West Peoria	212.77
Creve Coeur	243.42
Woodford County	1,115.68
TOTAL	19,433.00

Any surplus of local matching money with accumulated interest will remain on deposit in the special bank account managed by the MPO (Tri-County Regional Planning Commission) along with any excess from previous years and may be used for such purposes and projects as designated by the PPUATS Policy Committee.

This agreement is approved as indicated by signature of an agent of the undersigned participating agency represented on the PPUATS Policy Committee and the Tri-County Regional Planning Commission.

Bartonville	______________________	Date	______________________
Creve Coeur	______________________	Date	______________________
East Peoria	______________________	Date	______________________
Morton	______________________	Date	______________________
Pekin	______________________	Date	______________________
Peoria	______________________	Date	______________________
Peoria Heights	______________________	Date	______________________
Washington	______________________	Date	______________________
West Peoria	______________________	Date	______________________
Peoria County	______________________	Date	______________________
Tazewell County	______________________	Date	______________________
Woodford County	______________________	Date	______________________

The foregoing agreement setting forth the procedures and methods for the reimbursement of local matching funds to the MPO (Tri-County Regional Planning Commission) for work performed in accordance with the <u>Amended Overall Work Program</u> for FY 2012 is hereby agreed to by the Tri-County Regional Planning Commission this 25h day of August, 2011.

Michael E. Phelan, Chairman
Tri-County Regional Planning Commission

Greg Sinn, Chairman
Peoria/Pekin Urbanized Area
Transportation Study

ATTEST:

Terry D. Kohlbuss, Executive Director
Tri-County Regional Planning Commission

F:/PPUATS/OWP/OWP2012/Revised Joint Funding Agreement 2012

Illinois Department of Transportation

Resolution for Improvement by Municipality Under the Illinois Highway Code

BE IT RESOLVED, by the Council of the
Council or President and Board of Trustees

City of Pekin Illinois
City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
PPUATS Assessment			

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of covering the City of Pekin's share of the additiion to the annual funding agreement with the Peoria-Pekin Urban Area Transportation Study (PPUATS)

and shall be constructed wide

and be designated as Section 75-00107-15-ES

2. That there is hereby appropriated the (additional ☒ Yes ☐ No) sum of one thousand five hundred twelve dollars and seventy-five cents Dollars ($1,512.75) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and,
Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved

Date

Department of Transportation

Regional Engineer

I, Sue McMillan Clerk in and for the

City of Pekin
City, Town or Village

County of Tazewell , hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Council
Council or President and Board of Trustees

at a meeting on September 12, 2011
Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 12 day of September, 2011

(SEAL)

City, Town, or Village Clerk

REQUEST FOR COUNCIL ACTION

To: Mayor Council

CC: City Manager -City Clerk

From: Building Inspector/ Code Enforcement Officer, Ronald Sieh

AGENDA ITEM: Adopt policy 4R to the City of Pekin Sanitary Backwater Valve Program.

AGENDA DATE REQUESTED: September 12, 2011

ACTION REQUESTED: Recommendation to approve policy 4R of the City of Pekin Sanitary Backwater valve program.

BACKGROUND: The City has modified the Sanitary Backwater Valve Program several times over the past 18 years due to costs, allowable products and procedures to keep current on changing technology and cost. The City always tries to avoid any discrepancies or interpretations in polices, procedures and codes.

FINANCIAL IMPACT: None

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: Improved communication with citizens' on allowable products and permit pricing.

IMPACT IF DENIED: Confusion on what products are acceptable and permit cost.

ALTERNATIVES: None.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Effective Government

REQUIRED SIGNATURES		
Department Director		9/1/2011 Date
Finance Department	(Certification of Availability of Funds)	Date
Corporation Counsel	(Certification of Review)	Date
City Manager		Date

Pekin ILLINOIS

City of Pekin

CITY OF PEKIN POLICY NO. 4R

City of Pekin Sanitary Backwater Valve Program Policy

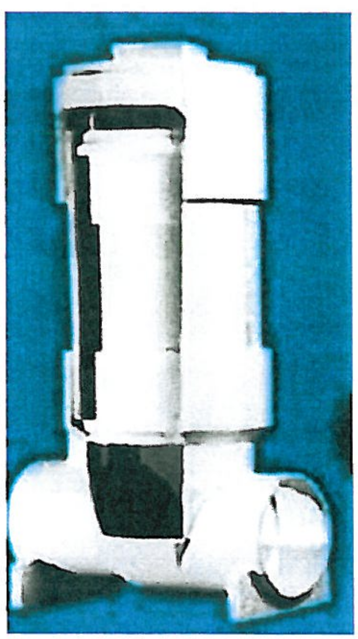
HUD/CDBG Eligible Home Owners:
Pekin homeowners electing to take advantage of the HUD/CDBG Backwater Program should refer to the brochure provided by the HUD CBDG office to see required qualifications.

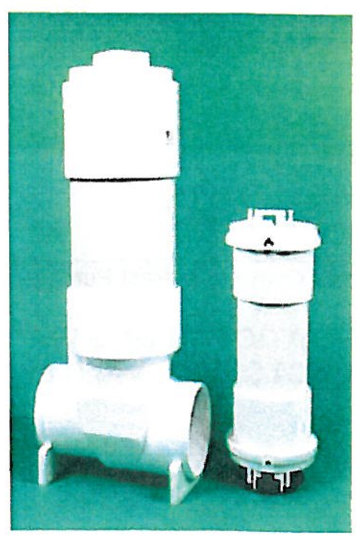
Non-HUD/CDBG Eligible Home Owners and Non-Residential:
Pekin homeowners electing to participate in the backwater valve program will be required to submit the necessary documentation to the Inspections Department in order to prove home ownership. A permit fee will be charged to the resident to install the backflow valve. Work must be performed by a licensed sewer contractor or plumber and must be approved by the City's plumbing inspector before any reimbursement. If the inspector feels that the bill submitted is reasonable based upon the work performed, homeowners may receive 50% of the total cost, not to exceed $750.00. This reimbursement policy is available only once per owner occupant of the resident. Non-Residential customers will be handled similarly.

Purpose

In September 1993 the City Council authorized an informal policy in which the City would assist Pekin home owners financially with the installation of a backwater valve. The program was established in order to respond to basement flooding complaints due to the unusually wet summer and fall seasons that year. The following policy statement has been derived from a discussion at the City Council meeting held on December 14, 1998 and a memo from the Planning & Development Department, dated December 10, 1998. As part of the City Council's discussion, the affected City departments will continue to work toward alleviating significant drainage problems in the community due to unforeseen blockages or severe weather conditions in the sewer lines. This Policy was modified on June 14th to increase maximum amount to be reimbursed as well as clarification of one reimbursement per owner/occupant for the residence.

Adopted this 11th day of January, 1999 and Modified; July 26, 2004 and June 14, 2010. and September 12, 2011





Public Works Department
111 S Capitol Street
Pekin, IL 61554
(309) 477-2300 fax (309-346-2095

SANITARY SEWER BACKWATER PROGRAM APPLICATION FORM

TO BE COMPLETED BY THE APPLICANT (Homeowner):

OWNER'S NAME: ______________________________

PROPERTY TO BE REHABILITATED: ______________________________

PHONE #: ____________________ OTHER PHONE #: ____________________

PROPERTY INFORMATION:

1. Are you the sole owner of the property? ☐ Yes ☐ No

2. Is the property your principal residence? ☐ Yes ☐ No

3. What type of property is your home?

   ☐ Single Family ☐ Mobile Home ☐ Other: ______________

As the owner of the property listed above as the Property to be Rehabilitated and having the power to improve the property and to incur any indebtedness on the property, I/we authorize the City of Pekin to provide any and all technical assistance for the rehabilitation of the above listed property. I/We further agree that the Property to be Rehabilitated will undergo all work necessary, identified by inspection by the City of Pekin, to bring the property in compliance with the BOCA National Building Code, the Illinois State Plumbing Code and the National Electric Code, those sections relating to existing property, whichever code is most stringent. Technical assistance by the City of Pekin can begin as soon as possible following my/our execution of this application. I/We hold harmless the City of Pekin for any damages that may occur during the rehabilitation process.

I/We certify that I/we are the occupant(s) and/or Record Owner(s) of the property listed as the Property to be Rehabilitated in this application. The above statements are true, accurate and correct to the best of my/our knowledge. Permission is hereby granted to the City of Pekin to enter my/our premises, with proper prior notice, for the purpose of providing technical assistance to the rehabilitation of my/our residence. Permission is further given to the City of Pekin to obtain verification of any information contained in this application. I/We hold harmless the City of Pekin for any damages that may occur during the rehabilitation process.

______________________________ ____________________
Signature of Property Owner/Contract Purchaser Date

______________________________ ____________________
Signature of Property Owner/Contract Purchaser Date

SUBMIT THIS APPLICATION ALONG WITH THE PAID RECEIPT OF THE WORK COMPLETED BY THE CONTRACTOR TO: VICKI BASS, 111 S CAPITOL STREET, PEKIN, IL 61554