



City of Pekin

AGENDA

REGULAR COUNCIL MEETING OF AUGUST 22, 2005
5:30 P.M.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. EXECUTIVE SESSION

Personnel – Employment of a Specific Employee of the Public Body 5 ILCS 120/2 (c.) 1.

V. APPROVAL OF MINUTES

Regular Council Meeting of August 8, 2005

VI. PUBLIC INPUT ON AGENDA ITEMS

VII. CONSENT AGENDA

1. Receive and File Monthly Reports and Minutes: Tazewell County Animal Control, Inspections, Electrical Commission, Liquor Commission, and Combined Revenue/Expenditure Report
2. Proclamations:

Paint the Town Red for the YWCA Day	Saturday, August 27, 2005
Mentally Handicapped Week	September 16, 2005
National Alzheimer's Month	August 27, 2005
National Anthem Project Day	September 14, 2005
3. Resolution No. 119-05/06 - Mayor's Reappointment of James E. Warning to the Loan Review Committee for a Five Year Term until August 31, 2010
4. Receive and File Zoning Board of Appeals Minutes Dated August 10, 2005
5. Receive and File Pekin Planning Commission Minutes Dated August 10, 2005
6. Receive and File Pekin Planning Commission Hearings and Recommendations:
 - a. #1674 – Approval of Rezoning 516 and 518 Market Street from RM-3 to P-1 for Jeffrey Graves upon the condition that a privacy fence be erected between the house and the east side of parking lot
 - b. #1675 – Approval of Site Plan for Jeffrey Graves, JPG Commercial Real Estate LLC owner of property located at 516 and 518 Market Street
 - c. #1676 – Approval of Preliminary Plat for Paul Cross, owner of property known as Gingoteague Section Five

- d. #1677 – Approval of the Zoning Assignment for Paul Cross, owner of property known as Gingoteague Section Five to RT
- e. #1678 – Approval of Special Use Request for Michael Thomas, owner of a Coffee Kiosk on the corner of Court Street and Parkway Drive
- f. #1679 – Approval of Site Plan for Michael Thomas, owner of a Coffee Kiosk on the corner of Court Street and Parkway Drive on the contingent on striping and the traffic more specific than shown on the site plan and a set back of 25’ from the right of way with a total of 27’ from curb
- g. #1680 - Approval of the Special Use Request for Michael Thomas, Proprietor of a Coffee Kiosk 8th Street Center Trust with the condition there is a signed agreement showing accessibility for restroom facilities
- h. #1681 – Approval of the Site Plan for Michael Thomas, Owner of a Coffee Kiosk at the 8th Street Center Trust

VIII. NEW BUSINESS

1. Ordinance No. 1568-A157 - Rezoning of Certain Property – P-1 (Vehicular Parking District) 516 and 518 Market Street/Graves dba JPG Commercial Real Estate (JW)
2. Site Plan 516 and 518 Market Street (JW)
3. Resolution No. 120-05/06 - Preliminary Plat Gingoteague Section Five (JW)
4. Ordinance No. 1568-A158 - Zoning Certain Property - Gingoteague Section Five as RT (JW)
5. Special Use Request for Michael Thomas, owner of a Coffee Kiosk on the corner of Court Street and Parkway Drive (JW)
6. Site Plan for Michael Thomas, owner of a Coffee Kiosk on the corner of Court Street and Parkway Drive on the contingent on striping and the traffic more specific than shown on the site plan and a set back of 25’ from the right of way with a total of 27’ from curb (JW)
7. Special Use Request for Michael Thomas, Proprietor of a Coffee Kiosk 8th Street Center Trust with the condition there is a signed agreement showing accessibility for restroom facilities (JW)
8. Site Plan for Michael Thomas, Owner of a Coffee Kiosk at the 8th Street Center Trust (JW)
9. Resolution No. No. 121 – 05/06 – Final Plat Marigold Estates Phase Ten and Phase Eleven (JW)
10. Ordinance No. 2443 - Annexation of Deerfield Estates Section 4 (JW)
11. Ordinance No. 1568-A159 - Zoning Certain Property Deerfield Estates Section 4 (JW)
12. Pekin Visitors Bureau Application for Hotel/Motel Assistance ISA Men’s Championship (DK)
13. License Agreement with Illinois Department of Natural Resources
Pekin Lake Conservation Area (DK)
14. Resolution No. 122-05/06 - Mayor’s Appointment of Charles Renner City Treasurer (WM)
15. Resolution No. 123-05/06 – Adopting Revised Employee Personnel Policy (DK)
16. Charitable Solicitation: International Life Church of Indianapolis
August 23, 2005 9-5 @ Court and Parkway (LH)
17. Set Special Council Meeting - Southside Business Association September 27, 2005 (DD)

IX. ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Public Questions

Press Time

X. ADJOURNMENT

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF THE CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, AUGUST 8, 2005 AT 5:30 O'CLOCK P.M.
LYNDELL N. HOWARD * MAYOR * PRESIDING**

PRESENT: COMMISSIONERS, BLANCHARD, MADDOX, DAGIT, AND JONES

ABSENT: NONE

The Pledge of Allegiance was led by Mayor Howard.

Mayor Howard expressed appreciation to U.S. Representative Ray LaHood for being instrumental in obtaining 4.8 million for Pekin's Veterans Drive Extension as part of a Federal Surface Transportation Bill signed by President Bush.

Roll was called and all commissioners were present.

Agenda

Motion by Com'r. Maddox, seconded by Com'r. Dagit that the **agenda be approved**. Motion by Com'r. Maddox, seconded by Com'r. Dagit that the **agenda be amended by removing the following: III. Executive Session – Personnel and IX. 6. New Business – Discussion Regarding Appointment to the Position of Treasurer**. On roll call vote, all present voted Aye. On roll call vote, all present voted Aye.

Motion by Com'r. Maddox, seconded by Com'r. Jones, that the **Minutes of the Regular City Council Meeting of July 25, 2005 be approved as written**. Motion by Com'r. Jones, seconded by Com'r. Maddox that the minutes be corrected to reflect a Nay vote by Com'r. Jones on Resolution No. 114-05/06 and a Nay vote on Resolution No. 115-05/06. On roll call vote, all present voted Aye.

Consent Agenda

City Clerk Sue McMillan presented the following items under consent Agenda.

Motion by Com'r. Jones, seconded by Com'r. Dagit, that the Consent Agenda **be approved as presented**.

1. Receive and File Reports and Minutes: Police, Fire, T/PCCC, Tazewell County Animal Control, and LADD
2. Charitable Solicitation: Benefit Robert Hilst September 17, 2005
3. Receive and File request from Pekin Park District Board to appoint Robert Blackwell to replace Terri Gambetti as district's representative to Pekin Tourism Commission.
4. Resolution No. 117-05/06 - Appointment of the Robert Blackwell to the Pekin Area Convention and Visitors Committee (Tourism) to fill the unexpired term of Terry Gambetti until April 30 2006
5. Receive and File Petition for Disconnection from Deppert for Territory in Peoria County
6. Receive and File Petition for Disconnection from Amedeo, LLC (Cupi) for Territory in Peoria County
7. Receive and File Certification from Peoria County Clerk as to No Delinquent Taxes Due on Parcels Pertaining to Annexation Ordinance 2419
8. Resolution No. 118- 05/06 - Reaffirm Appointment of Sue McMillan City Clerk and Dennis Kief City Manager

On roll call vote, all present voted Aye.

Communications, Petitions, Reports

A Public Hearing was opened at 5:38 p.m. by Mayor Howard for the purpose of contemplating the adoption of an ordinance authorizing the annexation to the City of Pekin property known as Deerfield Estates Section 3. Legal Notice was published in the *Pekin Daily Times* on July 21, 2005. Public Works Director Joe Wuellner told Council this was the remaining piece of property in completing Deerfield Estates. The Council was informed that the ordinance would be presented at a later date along with a Developer Agreement with Gary Allen. It was explained that there was some confusion on the legal description and the documents were being prepared describing less acreage than was published for the hearing, thereby not requiring a new hearing. The public was given the opportunity to be heard. There were no additional comments. Mayor Howard closed the hearing at 5:39 p.m.

New Business

ILLINOIS DEPARTMENT OF TRANSPORTATION PEKIN MUNICIPAL AIRPORT

IL Proj. C 15-3434

AIP Proj. 3-17-0078-B8

REHABILITATE AND MARK THE PARALLEL TAXIWAY AND CONNECTING TAXIWAYS

Motion by Com'r. Jones, seconded by Com'r. Dagit, that the **AGREEMENT WITH IDOT FOR TAXIWAY IMPROVEMENTS** be approved. Public Works Director Joe Wuellner recommended the project be accepted and the City's share in the amount of \$11,996.00 be approved. On roll call vote, all present voted Aye.

Motion by Com'r. Jones, seconded by Com'r. Dagit that the **AGREEMENT WITH HEARTLAND CONTRACTORS, INC.** for Street Construction and Cost Sharing in the amount of \$52,694.36 be approved. Public Works Director Joe Wuellner told Council that cost estimates for portions of Velde Drive included in Marigold Sections 10 and 11 were received from Developer Michael Hadden. The costs were based on upgrading from standard residential in anticipation that Velde will act as arterial street connecting Parkway with Route 29. On roll call vote, all present voted Aye.

ORDINANCE NO. 2441

AMENDING TITLE 6, CHAPTER 8A, SECTION 7 OF THE CODE OF THE CITY OF PEKIN 1995

IMPOSES FEES FOR FIRE FIGHTING SERVICES PROVIDED TO NON-RESIDENTS

Motion by Com'r. Dagit, seconded by Com'r. Jones that Ordinance No. 2441 be adopted. Motion by Com'r. Dagit, seconded by Com'r. Jones that "and Fire Protection Districts" be added after City of Pekin in 3 locations: 2nd Whereas of page 1; Paragraph A on page 2 after City of Pekin; Paragraph B after City of Pekin in both locations. On roll call vote, all present voted Aye. Discussion followed and questions asked of Fire Chief Chuck Lauss. Com'r. Maddox questioned the specifics of getting an accident victim out of a vehicle verses charges for response only. Com'r. Maddox requested that the ordinance be tabled until a definition of extrication was received. Motion to table Ordinance No. 2441 received no second. On roll call vote, Ayes; Jones, Blanchard, Dagit and Howard; Nay, Maddox. Motion carried.

Motion by Com'r. Dagit, seconded by Com'r. Jones that the **SITE LEASE WITH VOICESTREAM LLC** for property at 606 Front Street be approved. Corporation Counsel Sue Bosich advised Council that VoiceStream GSM I, an operating Company of T-Mobile, was re-presenting a request for a lease agreement for the property at the Wastewater Treatment Plant to locate a cell tower. An original agreement was approved by Council in March but the company had some difficulties with mergers in completing the construction. Ms. Bosich noted this was the first cell tower agreement without third party management. On roll call vote, all present voted Aye.

ORDINANCE NO. 2442

AMENDING SECTION 1-6B-1, ET SEQ, OF CHAPTER 6B OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING THE OFFICE OF THE TREASURER

Motion by Com'r. Blanchard, seconded by Com'r. Maddox that Ordinance No. 2442 be adopted. Council was advised by City Manager Dennis Kief that the provisions of the ordinance separated the treasurer and finance director positions. Council received a request from Com'r. Jones to require the

applicant have an accounting degree as part of the established criteria for the job. Motion by Com'r. Jones to amend the qualifications of the Treasurer to include a degree in accounting received no second. On roll call vote, Ayes; Maddox, Blanchard, Dagit and Howard; Nay, Jones. Motion carried.

Other Business

Com'r. Maddox told Council the Treasurer search committee, comprised of himself, City Manager Dennis Kief and former Pekin Community High School Superintendent Jack Wilt, would recommend a candidate after reviewing 14 applications for the Mayor appointment. He also informed Council the committee removed the names, age and gender of the applicants to eliminate any bias in the selection process.

Com'r. Blanchard brought to Council's attention the fact that the City's application for a SAFER Grant was only request received from a municipality in the surrounding area. The grant would be utilized to fund the hiring of firefighters.

Com'r. Jones encouraged everyone to attend the Puttin On Pekin Breakfast on Friday morning in appreciation of the support of Representative LaHood who was instrumental in Pekin's funding of the Transportation Bill.

Com'r. Dagit expressed appreciation for the successful Night Out Against Crime and encourage staff to attend the season picnic on Friday of Cops for Kids.

Com'r. Jones reminded the public of the Council Retreat at 9:00 a.m. on Saturday, August 13, 2005. There would be a press briefing following the morning's discussions.

Reporters from the *Peoria Journal Star* and *Pekin Daily Time* were given the opportunity to ask questions.

Motion by Com'r. Blanchard seconded by Com'r. Maddox that Council move to **Executive Session** at 6:10 P.M. to discuss Collective Bargaining 5 ILCS 120/2 (c) 2. On roll call vote, all present voted Aye.

No further business to come before the Council, a motion was made by Com'r. Blanchard, seconded by Com'r. Maddox that Council adjourn. On roll call vote, all present voted Aye.

COUNCIL ADJOURNED AT 6:20 P.M.

Sue E. McMillan
City Clerk

City: PEKIN

Date: 8-1-05

Billing For Month of *July*

\$3,175.00

PEKIN CITY CLERK
111 S CAPITOL ROOM 242
PEKIN IL 61554

Animal Counts Brought in by Individuals between July 1, 2005 and July 31, 2005

City	In By	Origin	PickUp Site	PickUp Dat	Species	Breed	Disposition	Days	Log #
Pekin									
	Individua	City	1507 CHARLOTTE	7/12/2005	Cat	DSH	E	1	51130
	Individua	City	1203 VEERMAN	7/5/2005	Cat	DSH	E	3	51073
	Individua	City	117 N. 19TH ST	7/6/2005	Cat	DSH	E	0	51078
	Individua	City	117 N. 19TH ST	7/7/2005	Cat	DSH	E	1	51090
	Individua	City	1502 HENRIETTA	7/7/2005	Cat	DMH	E	1	51093
	Individua	City	330 CARLOINE APT #2	7/8/2005	Cat	DMH	E	3	51098
	Owner R	City	330 CAROLINE ST	7/12/2005	Cat	DSH	E	1	51123
	Owner R	City	330 CAROLINE ST	7/12/2005	Cat	DSH	E	1	51124
	Owner R	City	330 CAROLINE ST	7/12/2005	Cat	DSH	E	1	51125
	Individua	City	1405 BUSH	7/1/2005	Cat	DSH	A	11	51052
	Individua	City	1507 CHARLOTTE	7/12/2005	Cat	DSH	E	1	51129
	Owner R	City	26 CATHERINE	7/27/2005	Cat	DSH			51235
	Individua	City	2130 MARIGOLD DR.	7/14/2005	Cat	DSH	E	6	51145
	Individua	City	1224 BROADWAY	7/19/2005	Cat	DSH	E	1	51167
	Individua	City	1224 BROADWAY	7/19/2005	Cat	DSH	E	1	51168
	Owner R	City	2208 GLENDALE AVE	7/20/2005	Cat	DSH	E	2	51183
	Individua	City	1410 N. 4TH	7/21/2005	Dog	MIN PIN	R	0	51191
	Owner R	City	1532 SARA LANE APT B	7/25/2005	Cat	DSH	E	2	51207
	Individua	City	511 1/2 N. 2ND	7/27/2005	Cat	DSH			51227
	Owner R	City	26 CATHERINE	7/27/2005	Cat	DLH			51234
	Owner R	City	330 CAROLINE	7/12/2005	Cat	DSH	E	1	51126

Total Dogs picked up in Pekin: 1

Total Cats picked up in Pekin: 20

Total Others picked up in Pekin: 0

Animal Counts Brought in by Wardens between July 1, 2005 and July 31, 2005

City	Warden	Origin	PickUp Site	PickUp Dat	Species	Breed	Disposition	Days	Log #
Pekin									
	Mooney	City	1532 SARA LANE	7/10/2005	Cat	DSH	E	5	51103
	Mooney	City	110 DAVID APT 1	7/10/2005	Cat	DSH	E	3	51101
	Mooney	City	235 HERGET	7/9/2005	Dog	FRENCH MASTIFF	R	9	51099
	Mooney	City	1532 SARA LANE	7/10/2005	Cat	DSH	E	5	51102
	Vogel	City	916 MARKET	7/7/2005	Dog	ROTT	R	1	51095
	Vogel	City	1322 GEORGIANNE	7/1/2005	Dog	TERR X	REL	11	51057
	Vogel	City	1520 CAPITAL	7/26/2005	Dog	HEELER	R	1	51223
	Vogel	City	906 SHERIDAN	7/23/2005	Dog	SHIH TZU	R	3	51206
	Vogel	City	320 CATHERINE	7/3/2005	Cat	DLH	A	16	51065
	Vogel	City	401 N. 4TH	7/25/2005	Dog	PIT X	R	1	51210
	Vogel	City	904 THURMAN	7/6/2005	Dog	GRM SHORTHAIR	R	1	51089
	Vogel	City	FAMILY VIDEO ON BROADWAY	7/26/2005	Cat	DSH			51218
	Vogel	City	100 BLK FRANKLIN	7/23/2005	Dog	MIX			51205
	Vogel	City	911 STATE	7/26/2005	Dog	MIX			51220
	Vogel	City	1524 S. 8TH	7/25/2005	Dog	LAB X			51208
	Vogel	City	1419 S. 12TH	7/27/2005	Dog	CORGI X			51233
	Vogel	City	1502 HENRIETTA	7/28/2005	Cat	DSH			51236
	Vogel	City	1326 S. 6TH	7/28/2005	Cat	DSH			51237
	Hoyland	City	650 S. 11TH	7/15/2005	Other	OPPOSUM	REL	0	51152
	Hoyland	City	1211 1/2 S. 14TH	7/16/2005	Dog	HUSKY	E	2	51155
	Hoyland	City	1206 BLACK	7/21/2005	Dog	PIT			51195
	Vogel	City	422 CATHERINE	7/26/2005	Cat	DSH			51219
	Vogel	City	315 CATHERINE	7/11/2005	Dog	LAB	E	9	51104
	Vogel	City	PARKWAY/BROADWAY	7/3/2005	Dog	LAB	R	2	51067
	Vogel	City	308 LAKESIDE	7/5/2005	Cat	DSH	E	8	51071
	Vogel	City	911 ROYAL	7/5/2005	Dog	AUSSIE X	R	6	51075
	Vogel	City	904 THURMAN	7/6/2005	Dog	GRM SHORTHAIR	R	1	51088
	Vogel	City	FAMILY VIDEO ON BROADWAY	7/26/2005	Cat	DSH			51217
	Vogel	City	PEKIN HOSPITAL	7/7/2005	Dog	MASTIFF	R	1	51094
	Vogel	City	100 BLK FRANKLIN	7/23/2005	Dog	MIX			51204
	Vogel	City	8TH AND ST. JULIAN	7/11/2005	Other	OPPOSUM	D	0	51105
	Vogel	City	ATLAS SUPPLY	7/11/2005	Other	DOVE	REL	0	51106
	Vogel	City	GEORGEANNE	7/17/2005	Dog	COLLIE X	E	8	51157
	Vogel	City	220 CATHERINE	7/18/2005	Cat	DSH	E	9	51159
	Vogel	City	612 S. 12TH	7/18/2005	Cat	DSH	R	3	51164
	Vogel	City	TAPS	7/19/2005	Dog	SHEP	REL	8	51165
	Vogel	City	1224 S. 6TH	7/19/2005	Dog	LAB X	E	9	51166

Total Dogs picked up in Pekin: 22

Total Cats picked up in Pekin: 12

Total Others picked up in Pekin: 3

Inspection Meeting
August 3, 2005

Following are the minutes of the meeting with follow up comments if any (in red):

1. Mark – stated there are seven people interested in taking the Electrical Test for Licensing through the City. The resumes will be presented before the Electrical Commission on August 4, 2005. He also commented on the Council minutes referring to complaints and added that at least 70% of the complaints are neighborhood disputes. Discussed a complaint on Catherine where the resident does have a car for recreation. Said it was on a licensed dolly. (Ron stated that all cars for recreation need to be stored on a trailer or removed and placed in storage.)
2. Jack – everything going fine.
3. Dave- everything going fine.
4. Juanita – stated she is trying to get tasks completed so her desk is clean.
5. Joe stopped by to hand the inspectors their vehicle maintenance schedule.
6. Ron – stated that the complaints received through the council members need to be referred to the Zoning Department so the Inspectors are aware of the problem and can take care of the problems according to the code.

NOTE:

Next meeting August 17, 2005

MINUTES ELECTRICAL COMMISSION

8/04/05

Members present at the meeting, Mr. Chuck Lauss, Mr. Ed Ghelardini, Mr., Gene Lindholm, Mr. Mike Fisher, Mr. Don Erps, Mr. Pete Lard and Mr. Mark Reeder.

The commission has received 8 resumes to consider for Electrical Contractor License testing. The applicants are, Mr. Gary Clark, Mr. Curt Tanner, Mr. Ray Trapp, Mr. Kenneth Cubilo, Mr. Bud Moore, Mr. Steve Headley, Mr. Terry Taylor, and Mr. Sean Sindle.

All applicants were interviewed on an individual basis. It was the decision of the commission that Mr. Gary Clark, Mr. Bud Moore, Mr. Kenneth Cubilo, and Mr. Curt Tanner meet the standards for testing for an Electrical Contractor License. Mr. Reeder will contact these applicants to set up a date and time to administer the tests.

The commission decided that Mr. Ray Trapp, Mr. Steve Headley, Mr. Terry Taylor and Mr. Sean Sindle did not currently meet the standards for testing at this time. Mr. Reeder will contact these applicants and inform them of the commission's findings.

City of Pekin

LIQUOR COMMISSION MINUTES

THURSDAY, JULY 28, 2005

4:00 P.M.

CITY HALL CONFERENCE ROOM

The meeting was called to order at 4:00 p.m. Chairman Roy Bockler led the Pledge of Allegiance.

Roll Call

Roll was called and the following members were present: Chairman Roy Bockler, David Eitenmiller, Gary Allen, John McCabe, Holly Brown, Deputy Fire Chief Rick Bowman, and Deputy Police Chief Jim Brecher.

Also present: Attorney Sue Bosich, Public Works Director Joe Wuellner, and City Clerk Sue McMillan.

Chairman Bockler introduced Holly Brown, appointed by Mayor Howard to fill the unexpired term of Don Nell until February 28, 2008. Holly Brown told committee members that she had retired from a teaching career after 34 years and wished to contribute to the community by serving on the board. Each member and person present introduced himself or herself to Holly Brown and explained a little about their jobs.

Approval of Agenda

Motion by Eitenmiller, seconded by McCabe, to approve the Agenda as presented. On roll call vote all present voted Aye. Motion carried.

Approval of Minutes

Motion by Allen, seconded by Eitenmiller, that the minutes of the Liquor Commission for the meeting of July 14, 2005 be approved as written. On roll call vote, all present voted Aye. Motion carried.

NEW BUSINESS

City Attorney Report – Sue Bosich informed the committee

- a letter of reprimand had been sent to the licensee of Ol' Dad's after review of the police reports with the Liquor Commissioner.
- Police report on a matter at Nik's Place did not rise to an issue of violation after review by corporation council and the Liquor Commissioner
- Listened to and reviewed the meeting tape at which the applicants for Dragon's Dome Ball fields presented their intentions for security when serving alcohol. Bosich's opinion was that the tape clearly indicated when Deputy Chief Miller

expressed security concerns even with the hiring of Federal Corrections off duty patrol, that the Dome manager would provide police presence. She felt even though the motion when read back for the commission's vote, did not contain in the recommendation for approval, the contingency that the police department be contacted for each event serving alcohol, that in the discussion by members it clearly indicates the requirement. She advised that the licensee could be held to the requirement.

Chairman Bockler noted that discussion included:

- level of hiring at major events
- that the police department would be notified
- assured by owner and managers of the Dome that they would cooperate
- commission strongly urged manager to utilize city officers
- managers expressed concerns for cost of police
- Bob Adams also agreed at a prior meeting to the requirement

Chairman Bockler informed commission members that City Attorney Report and Police Liaisons Officers Report would be first items of New Business at each meeting.

Liaison Officer Report –

Brecher advised that it was Officer Von Rhor's opinion that the license owner, Louie Eertmoed, of Hole in the Wall was not going to complete much more than he has done to comply with provisions for "view from the street." Chairman Bockler requested that Eitenmiller, Wuellner, and McCabe inspect the premises and for the commission to take action in notifying the owner that he had 6 months from May 1, 2005 to complete the construction. Members to report back at next commission meeting.

License Applications

Eitenmiller read off of old notes on the Concorde Inn & Suites. Discussion was held on a preliminary application for the Concorde Inn & Suites. It was noted that no permits have been pulled from the Building Department. There have been 2 large windows placed on the Court Street side that would comply for view from the street. Questions arose on the patio to serve alcohol outside, nothing at this time. Monitor progress by staff. Manager would be the contact person or the owner that is on the application.

Check List Procedures:

Send the copy of the check list to the appropriate departments, they sign off, then send back to Clerk's Office. Each new and renewal application will have a check list attached to the application. Last applications of May 05 have 6 months to comply. Need to go through applications to check. Need to review applications. Get list to Liquor Commission. Then letters need to go out for licensee to comply.

Code Revisions:

Urge everyone by September to have a finalized list of items that need to be looked at in the Code for consideration or modifications or revisions. December to send to Council to act on them. Email items to Paula and bring them to next months meeting.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Dragon's Dome ball fields pulled their building permits. August 16th date to start construction. Pump is on order.

Sue McMillan, need to update list of liquor licensee holders. Dragons Dome, two applications, subject came up on the Corporation. Confusion on Dragon's Dome Inc and Dragons Dome II, LLC. No notaries had signed on the applications. Everything straightened out now. 2nd installments are due on November 1st. Sue to get list of the licensee holders that are due November 1st for next meeting.

Chairman Bockler heard radio commercials that the Dragon's Dome is having a big Elvis Event on August 20th. Has this been discussed with the Police Department or Liaison Officers? Safety issue and liquor issue is of concern. Be very proactive on what goes on out there.

Pekin Mainstreet was issued a one day liquor license for their Cruise Inn on July 30th. Two Police Officers are working that event.

- Next meeting scheduled for Thursday, August 11th @ 4:00 p.m.

No further business, motion was made by Eitenmiller, seconded by Allen to adjourn. On roll call vote, all present voted Aye.

Meeting adjourned at 4:50 P.M.

Respectfully submitted by Sue McMillan, City Clerk and Paula Gensel

AVAILABLE IN THE OFFICE OF THE CITY CLERK

FUND 944 FIRE PENSION FUND

CITY OF PEKIN, ILLINOIS
COMBINED REVENUE/EXPENDITURE REPORT
PERIOD ENDING 7/31/05
FISCAL MONTH 03 25.00%

REPORT PRINT DATE- 8/12/05

DEPT 944 FIRE PENSION

PAGE 81

	ANNUAL BUDGET	THIS PERIOD ACTUAL	YEAR TO DATE ACTUAL	%BUDGET	BALANCE
REVENUES					
REVENUES					
101.00 REAL ESTATE TAX - TAZEWE	1,382,201	663,262.64	664,410.06	48.07	717,790.94
120.00 REPLACEMENT P/P TAX - STA	39,000				39,000.00
790.00 EMPLOYEE PENSION DEDUCTIO	237,042	19,609.98	68,181.54	28.76	168,860.46
810.00 TRANSFER FROM GENERAL FUN		131,000.00CR			
901.00 INTEREST EARNINGS	350,000		191.85	.05	349,808.15
902.00 GAIN ON SECURITIES SOLD					
919.00 INCR/DECR INVESTMENT VALU	700,000				700,000.00
998.00 MISCELLANEOUS RECEIPTS		.48	12.28		12.28CR
TOTAL REVENUES	2,708,243	551,873.10	732,795.73	27.06	1,975,447.27
TOTAL REVENUES	2,708,243	551,873.10	732,795.73	27.06	1,975,447.27
EXPENDITURES					
EXPENDITURES					
190.00 TRAINING AND EDUCATION					
201.00 OFFICE SUPPLIES					
204.00 POSTAGE	200	7.03	95.09	47.55	104.91
510.00 PRINTING AND PUBLICATIONS					
516.00 DUES AND SUBSCRIPTIONS	400		400.00	100.00	
542.00 TRAVEL AND MEALS					
570.00 FILING FEES	2,500				2,500.00
590.00 MEDICAL EXPENSE/SUPPLIES					
594.00 PENSION PAYMENTS	1,613,903	139,590.63	419,477.06	25.99	1,194,425.94
595.00 REFUND OF EMPLOYEE PENSIO					
601.00 AUDITING FEES	10,000				10,000.00
606.00 CORPORATE COUNSEL FEES					
610.00 LEGAL FEES					
690.00 OTHER CONTRACTUAL SERVICE					
902.00 LOSS ON SECURITIES SOLD					
906.00 BANK CHARGES					
906.10 ASSET ADMIN FEES	8,000		9,967.00	124.59	1,967.00CR
990.00 MISCELLANEOUS					
998.00 ACTUARIAL UNFUNDED LIABIL					
999.99 CONTINGENCY					
TOTAL EXPENDITURES	1,635,003	139,597.66	429,939.15	26.30	1,205,063.85
TOTAL EXPENDITURES	1,635,003	139,597.66	429,939.15	26.30	1,205,063.85
EXCESS REVENUES/EXPENDITURES	1,073,240	412,275.44	302,856.58	28.22	770,383.42
TOTAL FUND-	1,073,240	412,275.44	302,856.58	28.22	770,383.42
GRAND TOTAL-	1,825,098	6,800,907.54	1,438,017.60	78.79	387,080.40

WHEREAS, The YWCA of Pekin is sponsoring their 3rd Annual "Paint the Town Red" Fundraiser on Saturday, August 27th, 2005; and

WHEREAS, Our finale event will be held at the Mineral Springs Park Lagoon on Saturday the 27th from 11:30am to 1:30pm; and

WHEREAS, Wear something RED and you will be helping to support quality, beneficial programs for everyone in the community at your local YWCA; and

WHEREAS, YWCA has Child Care Programs, Literacy Programs, Aquatics with the Special Olympics Team, Land and Fitness Programs, Coalition for Equality and sponsors the annual Martin Luther King, Jr. Breakfast each January; and

WHEREAS, RED will be the color to wear on August 27th! Have fun, wear red, and your kind donation will help the Pekin YWCA; and

WHEREAS, Meet us at the Mineral Springs Park Lagoon for Food, Fun, and Festivities on Saturday, August 27th, 2005; and

NOW, THEREFORE, BE IT RESOLVED that I, LYN HOWARD, Mayor of the City of Pekin, Tazewell County, Illinois, do hereby proclaim that Saturday, August 27th, 2005 is to be known as

"PAINT THE TOWN RED FOR THE YWCA DAY"

in the City of Pekin, Tazewell County, Illinois, and urge all the citizens of our community to join the YWCA in this fundraising event.

***ADOPTED** this 22nd day of August, in the Year of Our Lord, Two Thousand and Five.*

LYN HOWARD
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

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 Annual Tootsie Roll Drive the weekend of September 16th, 17th and 18th, 2005; and

WHEREAS, ninety percent of these proceeds stay in the Pekin area to support Schramm School, Tazewell County Resource Center, Holiday School and the Ann Benjamin Handicapped Children's Summer Camp Trust Fund, as well Special Olympics.

NOW, THEREFORE, BE IT RESOLVED that I, LYN HOWARD, Mayor of the City of Pekin, Illinois, do hereby proclaim the week of September 16th, 2005, 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 Five.

LYN HOWARD
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

*WHEREAS, There are approximately 21,500 Alzheimer's patients in Central Illinois;
and*

*WHEREAS, Alzheimer's disease produces physical, emotional, and financial stress
for patients, families and caregivers; and*

*WHEREAS, the Alzheimer's Association, Central Illinois Chapter, provides many
services, including a 24-hour telephone helpline, monthly support groups, Safe Return ID
bracelet, educational programs, research, advocacy activities, and referrals for needed
services; and*

*WHEREAS, the Alzheimer's Memory Walk will be held at the Pekin Park Lagoon,
Pekin IL, Tazewell County on Saturday, August 27, 2005 to fund continuing support for
families and caregivers;*

*NOW, THEREFORE, BE IT RESOLVED that I, Lyn Howard, Mayor of the City of
Pekin, Tazewell County, Illinois, do hereby proclaim Saturday, August 27th, 2005, as*

" NATIONAL ALZHEIMER'S DAY"

in the City of Pekin, Tazewell County, Illinois.

*ADOPTED, this 22nd day of August, in the Year of Our Lord, Two Thousand and
Five.*

LYN HOWARD
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

WHEREAS, the study of American heritage through music inspired by important moments in our nations history is basic to a complete education and the future of our country and its citizens; and

WHEREAS, school music education ensures that students learn to take pride in all for which our nation stands through the use of songs that teach the history and heritage of the United States; and

WHEREAS, the study of music provides increased opportunities for valuable educational experiences, engages students in individual and group activities, develops, creativity, problem-solving, and critical thinking skills; and

WHEREAS, the city of Pekin is concerned with maintaining and improving high quality school programs for all students and teaching the importance of the historical events that created our great nation; and

NOW, THEREFORE, BE IT RESOLVED that I, LYN HOWARD, Mayor of the City of Pekin, Tazewell County, Illinois, do hereby proclaim September 14th, 2005, as

"NATIONAL ANTHEM PROJECT DAY"

As an opportunity to support music education and promote American traditions, and encourages all citizens to participate.

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

LYN HOWARD
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

RESOLUTION No. 119-05/06

PEKIN, ILLINOIS, August 22, 2005

RESOLUTION BY COMMISSIONER _____

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

the Mayor's appointment of James E. Warning to the Loan Review Committee
for a term until August 31, 2010 is approved.

202 De Soto Court

347-3152 (office)



SIGNED BY _____

MAYOR.

Pekin Zoning Board of Appeals
August 10, 2005

Present:

Ron Boehm
Bob Barra
Mary Lanane, Chairman
Gary Sciortino
Marilyn Kelso

Absent:

David Moehring
Curtis Eeten

Staff Present: Attorney Dancey, Joe Wuellner and Ron Sieh

Chairman Mary Lanane led the pledge of allegiance.

Chairman Mary Lanane stated the first item was to elect officers of the Zoning Board of Appeals.

MOTION by Marilyn Kelso, seconded by Ron Boehm to elect Bob Barra as Chairman of the Board for the year 2005-2006. On roll call vote, all present voted **AYE**. **MOTION APPROVED**.

MOTION by Marilyn Kelso, seconded by Ron Boehm to elect Curtis Eeten as Vice Chairman of the Board for the year 2005-2006. On roll call vote, all present voted **AYE**. **MOTION APPROVED**.

Chairman Bob Barra called the regular meeting of the Zoning Board of Appeals to order.

Roll call was taken and a quorum declared.

Chairman Bob Barra stated a correction of the agenda, needs to read approval of the July minutes not May.

MOTION by Marilyn Kelso, seconded by Gary Sciortino to approve the Agenda as corrected. On roll call vote, all present voted **AYE**. **MOTION APPROVED**.

MOTION by Gary Sciortino, seconded by Mary Lanane to approve the minutes from the July 13, 2005 meeting. On roll call vote, all present voted **AYE**. **MOTION APPROVED**.

Correspondence: There were five letters sent to neighboring residents. One was returned on August 5, 2005 and two responded.

August 3, 2005, Tammy Donath called to say she would be present at the meeting and opposed the erection of the fence for safety issues where the Kaufmann's desired to place the fence.

August 10, 2005, Donna Rikkenbach called to say she would be on vacation the night of the meeting and stated the fence would look terrible and she was denied the erection of a fence on the opposite corner. She accepted the decision and said the Kaufmann's should not be allowed the same.

Hearing #1:

Troy D & Carlie Kaufmann, 1400 N Parkway Drive, requesting a variance to allow an extension of 13' 5" beyond the required boundaries of the code for a fence in a side front yard in a residential district.

Open Public Hearing: 5:08PM

Carlie Kaufmann was present for questions and stated her case.

Tammy Donath presented a petition signed by neighbors that are not for the erection of the fence. She also stated her case against the erection.

Clarification was made on the difference between a decorative and privacy fences in front yards on a corner lot.

Close Public Hearing: 5:28PM

MOTION by Mary Lanane, seconded by Ron Boehm to deny the variance request. On roll call vote, all present voted **AYE**.
MOTION APPROVED.

MOTION by Marilyn Kelso, seconded by Bob Barra to adjourn the meeting. On roll call vote, all present voted **AYE**. **MOTION APPROVED.**

Juanita VanBuskirk, Secretary
Zoning Board of Appeals

Pekin Planning Commission Minutes
August 10, 2005

Present:

Sue Ramirez
Jim Bradshaw
Ralph Brower
Doug Payne
Dick Jost
Ron Knautz
Don Hild, Chairman
Bob Schroeder
Michelle Holder

Absent:

Staff Present: Attorney Dancey, Joe Wuellner and Ron Sieh

Chairman Don Hild led the Pledge of Allegiance.

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

Chairman Don Hild asked for approval of the Agenda.

MOTION by Bob Schroeder, Seconded by Michelle Holder to approve agenda as presented. On roll call vote, all present voted **AYE**. **MOTION APPROVED**.

Chairman Don Hild asked for approval of the minutes.

MOTION by, Ron Knautz seconded by Jim Bradshaw that the minutes be approved for the June 8, 2005 meeting. On roll call vote, all present voted **AYE**. **MOTION APPROVED**.

City Council Action Report: Pekin City Council approved the submitted recommendation for the following Hearings:
#1672 to deny the Special Use for a Roadside Stand in the NW corner of the Parking lot of County Market submitted by Michael Thomas for Mountain Mudd and
#1673 to approve the Zoning Assignments of Lots 79-91 and 104 RT and Lots 92-103 R-2 pending annexation of Deerfield Estates Section 4.

PPC Correspondence: There were 3 letters sent to neighboring residents regarding Application #1 for the rezoning of 516 & 518 Market Street.

Only one response was received on August 10, 2005 from Louis Eertmoed. He stated he has no problem with his property being rezoned if needed nor with the other Lots being rezoned under the conditions that a screening fence be erected next to the house and his lot be black topped.

Applications and Hearings:

Application #1: Jeffrey P Graves, JPG Commercial Estate, LLC, Owner

Hearing #1: Rezoning of property with Tax I.D. #04-04-35-328-003 & #04-04-35-328-004 located at 516 & 518 Market Street from RM-3 (Multiple Family Residential District) to P-1 (Vehicular Parking District)

Open Public Hearing: 6:35PM

Jeffrey Graves was present for questions and gave a statement for the reason of the request.

Close Public Hearing: 6:43PM

Review Rezoning, Chairman, Doug Payne turned it over to the commission.

Bob Schroeder questioned if the property was rezoned to P-1 would it meet the criteria for spot zoning.

Joe Wuellner clarified that the required conditions establishing a lot into P-1 has to be contiguous to a RM or other non-residential districts. P-1 was considered for Multi-family districts because apartment complexes need extra parking.

Jeffrey Graves agreed to install a privacy fence between the house and the parking lot. He felt that Black topping Mr. Eertmoed's lot was not a proper request. He however stated he was willing to work with Mr. Eertmoed by sharing the cost of black topping all of the parking lots.

MOTION by Jim Bradshaw, seconded by Dick Jost to recommend approval for the Rezoning of property with the Tax I.D. #04-04-35-328-003 & #04-04-35-328-004 located at 516 & 518 Market Street to P-1 (Vehicular Parking District) upon condition that a privacy fence be erected between the house and parking lot on the East side to the Pekin City Council On roll call vote, All present voted **AYE**. **MOTION APPROVED**.

Site Plan Review, Chairman, Bob Schroeder turned it over to the commission.

MOTION by Michelle Holder, seconded by Ron Knautz to recommend approval of the Site Plan for property located at 516 & 518 Market Street to the Pekin City Council On roll call vote, All present voted **AYE**. **MOTION APPROVED**.

Chairman Don Hild recommended the petitioner attend the City Council meeting on August 22, 2005 at 5:30PM in the Council Chambers, as the Planning Commission is only a recommending body.

Application #2: **Zumwalt & Associates, Inc,**
 Representative

Hearing #2: **Preliminary Plat for Gingoteague**
 Section Five and Zoning Assignment.

Open Public Hearing: 6:57PM

Paul Cross was present for questions.

Close Public Hearing: 7:04PM

Subdivision Plat Review, Chairman, Dick Jost turned it over to the Commission.

Jim Bradshaw asked about Lot 64.

Paul Cross responded that has not been designated for building yet. The other lots were divided so they would be established for duplexes.

The property is currently zoned as County R-1
Ron Sieh stated the zoning being requested is RT (Two
Family Residential).

Paul Cross stated that RT on the entire Section would
give the most flexibility if changes in building were
made on any of the lots.

Dick Jost asked if the storm drainage would be going
into Lake Remington.

Paul Cross stated yes it would and the process of
cleaning up Lake Remington and sealing it is in the
works.

MOTION by Doug Payne, seconded by Ron Knautz to
recommend approval of the preliminary plat for
Gingoteague Section 5. On roll call vote, all present
Voted **AYE**. **MOTION APPROVED**.

Review Rezoning, Chairman, Doug Payne turned it over
to the commission.

MOTION by Dick Jost, seconded by Michelle Holder to
recommend approval of zoning assignment for
Gingoteague Section 5 to be RT (Two Family
Residential). On roll call vote, all present voted
AYE. **MOTION APPROVED**.

Chairman Don Hild recommended the petitioner attend
the City Council meeting on August 22, 2005 at 5:30PM in
the Council Chambers, as the Planning Commission is only a
recommending body.

Application #3: **Michael E Thomas, Mountain Mudd Inc.,
Owner**

Hearing #3: **Special Request for placement of a
Coffee Kiosk on the corner of Court Street and Parkway
Drive.**

Open Public Hearing: 7:08PM

Michael Thomas was present for questions and gave
a statement as to his return to the commission
for approval after taking the suggestions
recommended.

Close Public Hearing: 7:10PM

Bob Schroeder expressed concern over the empty business buildings that would be tax paying and hooked up to sewers, along with safety issues, sending wrong messages to the surrounding businesses.

Don Hild stated the existing buildings that are empty couldn't accommodate Mr. Thomas's business of a drive-up other than the old taco bell, which is larger than what is needed.

MOTION by Ralph Brower, seconded by Ron Knautz to recommend approval for Special Use for placement of the Coffee Kiosk on the corner of Court Street and Parkway Drive. On roll call vote, Seven present voted **AYE**. Two present voted **NAYE**. **MOTION APPROVED**.

Site Plan Review, Chairman, Bob Schroeder had questions on the striping to direct the traffic. The copies did not show the striping that was on the original site plan.

Don Hild asked what the set back was on that corner.

MOTION by Michelle Holder, seconded by Ron Knautz to recommend approval of the Site Plan for the Coffee Kiosk on the corner of Court Street and Parkway Drive contingent on striping and traffic flow more specific than what was currently shown and the 25' setback from the right of way giving a total of 27' from the curb. On roll call vote, Eight present voted **AYE**. One Present voted **NAYE**. **MOTION APPROVED**.

Application #4: **Michael E Thomas, Mountain Mudd Inc.,**
 Owner

Hearing #4: **Special Request for placement of a**
Coffee Kiosk at the 8th Street Center Trust.

Open Public Hearing: 7:28PM

Michael Thomas was present for questions and gave a statement of appreciation for the suggestion of someone on the commission for recommending this site.

Close Public Hearing: 7:29PM

Special Use Review, Chairman, Ralph Brower recommended approval.

Don Hild stated issues of restroom facilities had come into question at the County Market Site and asked what type of arrangements are available at this site.

Michael Thomas stated arrangements were being arranged with Sara Lee Bakery. If that does not work contact is being made with the Barbershop across the street to use their facilities. Normally a key is issued so the times of business do not conflict. The County monitors and maintains the requirements of the State of Illinois. The department of public Health also insures that they meet the requirements. Michael also stated he is comfortable with the City if they desire to also monitor the situation.

MOTION by Ron Knautz, seconded by Ralph Brower to amend the current motion to include a signed agreement for use of restroom facilities. On roll call vote, Eight present voted **AYE**. One present voted **NAYE**. **MOTION APPROVED**.

MOTION by Ralph Brower, seconded by Ron Knautz to recommend approval for Special Use for placement of the Coffee Kiosk at the 8th Street Center Trust. On roll call vote, Eight present voted **AYE**. One present voted **NAYE**. **MOTION APPROVED**.

Site Plan Review, Chairman, Bob Schroeder stated he has reservations about the site plan. Felt the traffic flow presented a hazard.

Michael Thomas clarified the site plan.

MOTION by Doug Payne, seconded by Michelle Holder to recommend approval of the Site Plan for the Coffee Kiosk at the 8th Street Center Trust. On roll call vote, Eight present voted **AYE**. One present voted **NAYE**. **MOTION APPROVED**.

Chairman Don Hild recommended the petitioner attend the City Council meeting on August 22, 2005 at 5:30PM in the Council Chambers, as the Planning Commission is only a recommending body.

General Business:

Review of the Subdivision Code for Cul-de-sacs

Discussion took place and concern was expressed about the length of cul-de-sacs for safety reasons. Samples were given as to why the maximum size is needed. The first sentence was removed from the code. The Subdivision Code for Cul-de-sacs will be publicly presented at the next meeting.

Informal:

Everett Reed withdrew from the agenda.

MOTION by Michelle Holder to adjourn the meeting.

Meeting adjourned at 8:20pm.

Juanita VanBuskirk, Secretary
Pekin Planning Commission

Pekin Planning Commission
August 10, 2005

HEARING #05-1674

The Pekin Planning Commission recommends to approve, the rezoning for Jeffrey P Graves, JPG Commercial Real Estate, LLC, Owner of property with the Tax I.D. #04-04-35-328-003 & #04-04-35-328-004 located at 516 & 518 Market Street to P-1 (Vehicular Parking District) upon condition that a privacy fence be erected between the house and the East side of parking lot to the Pekin City Council.

Don Hild, Chairman

Dick Jost, Vice-Chairman

Pekin Planning Commission

August 10, 2005

HEARING #05-1675

The Pekin Planning Commission recommends to approve, the Site Plan for Jeffrey P Graves, JPG Commercial Real Estate, LLC, Owner of property located at 516 & 518 Market Street to the Pekin City Council.

Don Hild, Chairman

Dick Jost, Vice-Chairman

Pekin Planning Commission

August 10, 2005

HEARING #05-1676

The Pekin Planning Commission recommends to approve, the Preliminary Plat for Paul Cross, Owner of property known as Gingoteague Section Five to the Pekin City Council.

Don Hild, Chairman

Dick Jost, Vice-Chairman

Pekin Planning Commission

August 10, 2005

HEARING #05-1677

The Pekin Planning Commission recommends to approve, the Zoning Assignment for Paul Cross, Owner of property known as Gingoteague Section Five to RT (Two Family Residential) to the Pekin City Council.

Don Hild, Chairman

Dick Jost, Vice-Chairman

Pekin Planning Commission
August 10, 2005

HEARING #05-1678

The Pekin Planning Commission recommends to approve, the Special Use request for Michael Thomas, Owner of a Coffee Kiosk on the corner of Court Street and Parkway Drive to the Pekin City Council.

Don Hild, Chairman

Dick Jost, Vice-Chairman

Pekin Planning Commission

August 10, 2005

HEARING #05-1679

The Pekin Planning Commission recommends to approve, the Site Plan for Michael Thomas, Owner of a Coffee Kiosk on the corner of Court Street and Parkway Drive on the contingent on striping and the traffic More specific than shown on the site plan and a set back of 25' from the right of way with a total of 27' from the curb to the Pekin City Council.

Don Hild, Chairman

Dick Jost, Vice-Chairman

Pekin Planning Commission

August 10, 2005

HEARING #05-1680

The Pekin Planning Commission recommends to approve, the Special Use request for Michael Thomas, Proprietor of a Coffee Kiosk 8th Street Center Trust with the condition there is a signed agreement showing accessibility for restroom facilities to the Pekin City Council.

Don Hild, Chairman

Dick Jost, Vice-Chairman

Pekin Planning Commission

August 10, 2005

HEARING #05-1681

The Pekin Planning Commission recommends to approve, the Site Plan for Michael Thomas, Owner of a Coffee Kiosk at the 8th Street Center Trust to the Pekin City Council.

Don Hild, Chairman

Dick Jost, Vice-Chairman

ORDINANCE NO. 1568-A157

**AN ORDINANCE PROVIDING FOR THE
REZONING OF CERTAIN PROPERTY**

WHEREAS, Jeffrey P. Graves, d/b/a JPG Commercial Real Estate, LLC., is the owner of the parcel herein described, hereinafter referred to as "Petitioner", and has heretofore requested the rezoning of certain property hereinafter described in this ordinance; and

WHEREAS, the Petitioner has requested that the property hereinafter described be rezoned from its current zoning of RM-3 (Multiple Family Residential District) to P-1 (Vehicular Parking District); and

WHEREAS, the Petitioner has given due notice to all interested parties; and notice of a public hearing was duly published according to the law on July 27, 2005, in the Pekin Daily Times, Pekin, Tazewell County, Illinois; and

WHEREAS, pursuant to notice duly published according to law, the Planning Commission held a public hearing at 6:30 p.m. on August 10, 2005, and subsequent to said hearing duly transmitted its recommendations to the City Council recommending the zoning of said property.

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

1. That the following described property is hereby zoned as P-1 (Vehicular Parking District):

TRACT I: The West 30 feet of Lot 4 in Block 88 in the Original Town, now City of Pekin, as shown on Plat recorded in the Office of the Recorder of Deeds of Tazewell County, in Plat Book "C", Page 2, situated in Tazewell County, Illinois.

TRACT II: The Easterly 20 feet of even width of Lot 4 and the Westerly Half of Lot 5 in Block 88 of the Original Town, now City of Pekin, as shown on Plat recorded in the Office of the Recorder of Deeds of Tazewell County, in Plat Book "C", Page 2, situated in Tazewell County, Illinois.

PIN 04-04-35-328-003 and 04-04-35-328-004

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage and approval.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this _____ day of _____, 2005; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

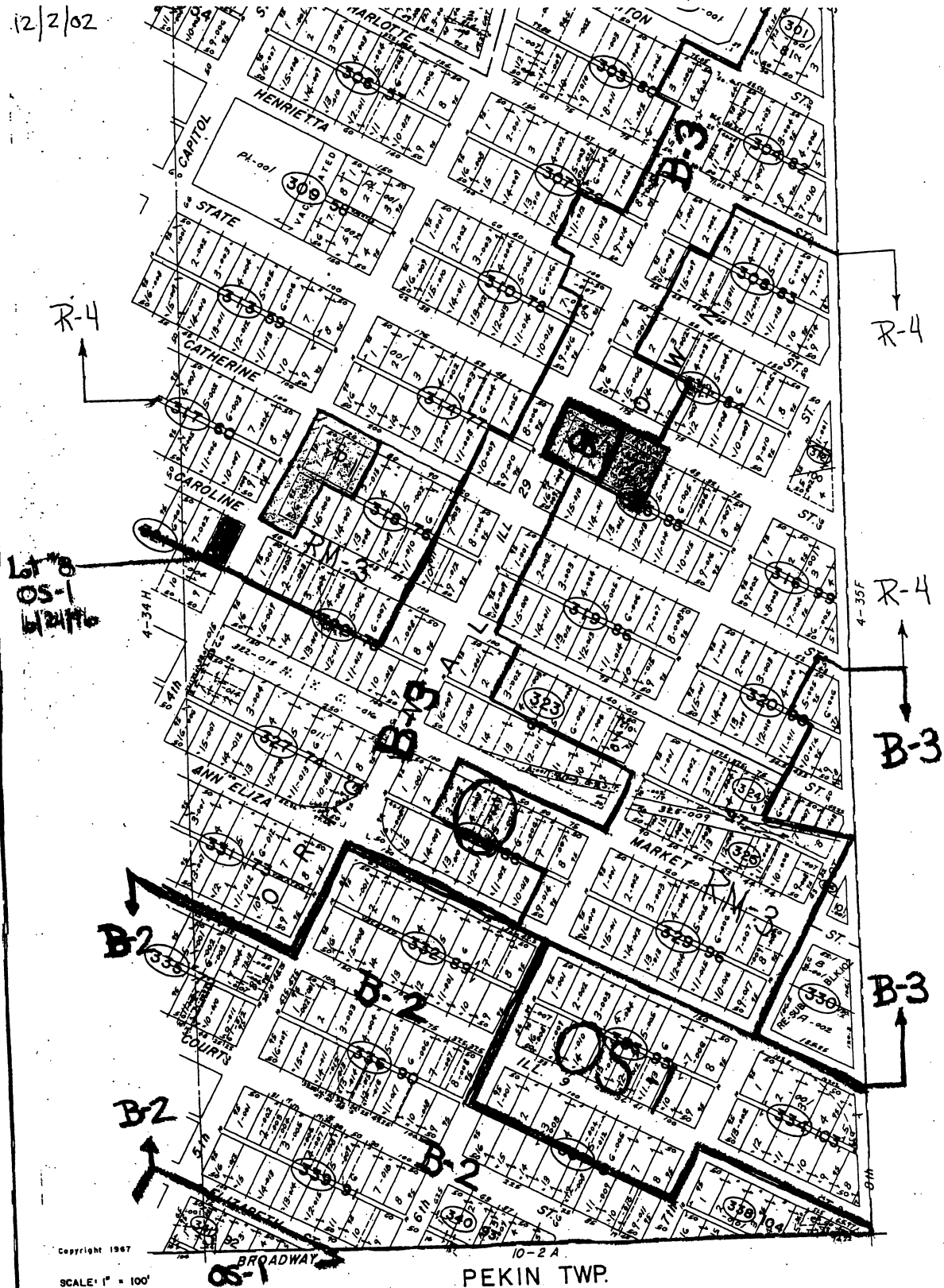
APPROVED this _____ day of _____, 2005.

MAYOR

ATTEST:

CITY CLERK

12/2/02



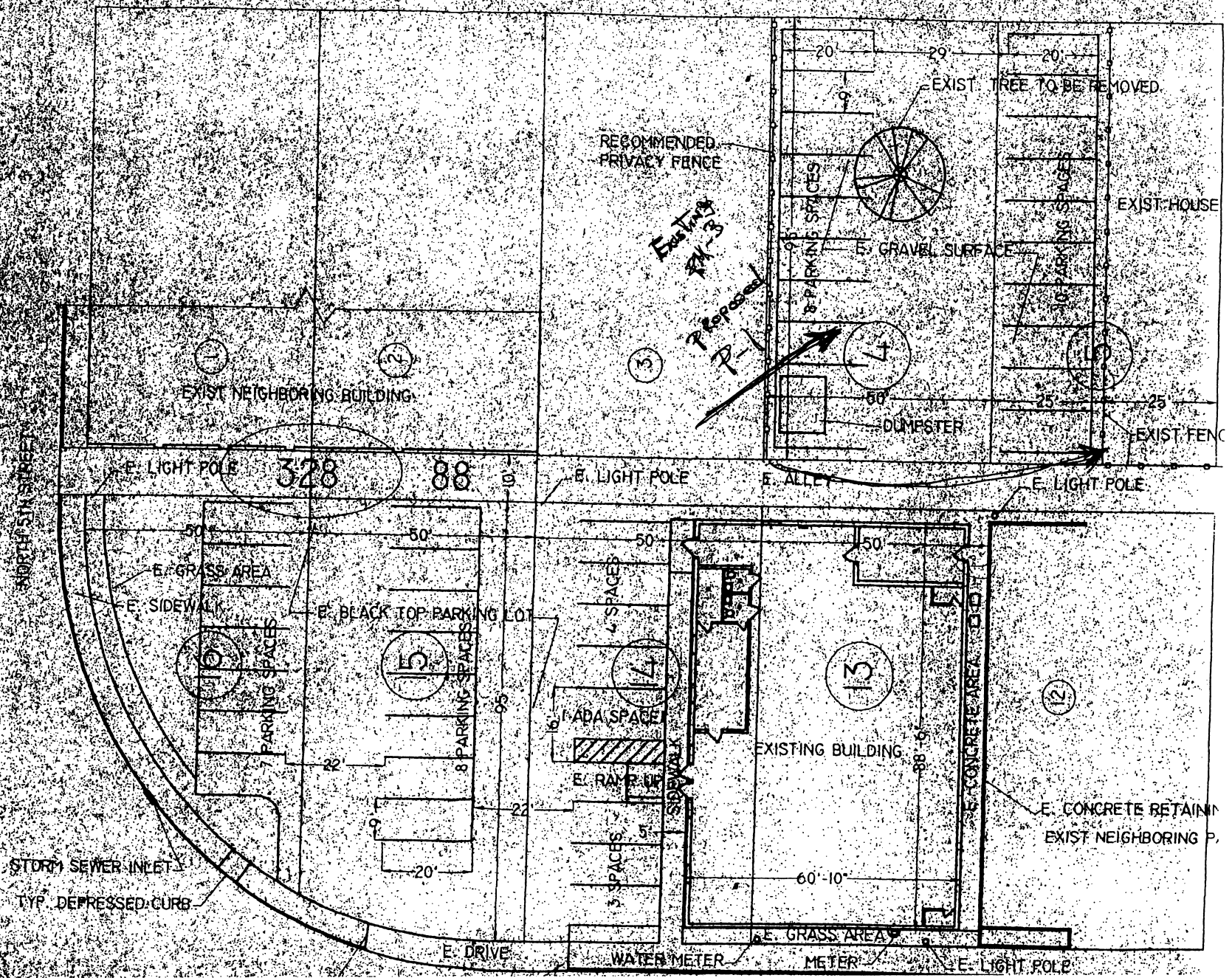
Copyright 1967

SCALE: 1" = 100'

4-35 E

PEKIN TWP.

W. 1/2 S.W. 1/4 SEC. 35 T.25 N. R.5 W.



120- 05/06

RESOLUTION No. _____

August 22,

2005

PEKIN, ILLINOIS, _____

RESOLUTION BY COMMISSIONER _____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS, THAT:
The Preliminary Plat Gingoteague Section Five is hereby approved.



SIGNED BY _____

MAYOR.

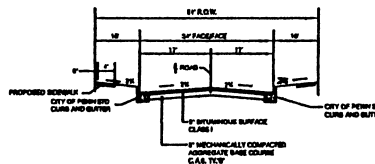
A SUBDIVISION OF PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 11, T. 24 N., R. 5 W., OF THE 3RD P.M., TAZEWELL COUNTY, ILLINOIS

A PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 11 T. 24 N., R. 3 W., OF THE 3RD P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

GENERAL NOTES

-
- A map of Illinois with a circle in the southeast corner indicating the location of the 'SITE'. The word 'ILLINOIS' is written across the center of the state.

SITE LOCATION MAP



TYPICAL ROAD SECTION

	DEPOT'S DUPLEX LOT
	STREETS CONTOUR ELEVATION
	STREET LIGHT LOCATION
	PROPOSED WATER MAIN
	EXISTING SANITARY SEWER MAIN
	PROPOSED SANITARY SEWER MAIN
	POINT OF BEGINNING
	PROPOSED FIRE HYDRANT
	PROPOSED 12' WIDE UTILITY EASEMENT
	PROPOSED STORM SEWER

STATE OF KANSAS)
COUNTY OF TAZEWELL)

I HEREBY CERTIFY THAT BY RESOLUTION NO. _____, ADOPTED BY THE CITY COUNCIL OF THE CITY OF PEORIA, TAZEWELL COUNTY, ILLINOIS, AT A REGULAR MEETING HELD ON THE _____ DAY OF _____, A.D. 2006, THE ABOVE PRELIMINARY PLAN OF UNINCORPORABLE SECTION FIVE WAS APPROVED

STATE OF ILLINOIS)
COUNTY OF FERRIS)

CITY CLUB

WE, JARWALT & ASSOCIATES, INC. DO HEREBY CERTIFY THAT THE ABOVE PLAN IS A TRUE AND CORRECT REPRESENTATION OF A PRELIMINARY PLAN OF GROUNDWATER SECTION FIVE BEING A SUBDIVISION OF PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 11 T 34 N R. 2 W. OF THE 2ND P.M. TAZEWELL COUNTY, ILLINOIS, AS DRAWN TO A SCALE OF 1" = 80 FEET.

DATE THIS FIFTH DAY OF JULY, A.D. 2001

ELPHANT & ASSOCIATES, PC

BY Ray R. Zurek
ELPHIS PROFESSIONAL LAND SURVEYOR #2388
LICENSE EXPIRATION DATE: 11-01-05



1
SUNSET HILLS EXT. 27

DRAWN BY: DOB
APPROVED BY: GRZ
DATE: JULY 10, 2005
DWG: 19169-P-001.D

ZUMWALT & ASSOCIATES, INC.
PROFESSIONAL ENGINEERS • REGISTERED LAND SURVEYORS
1040 W. OLYMPIA DRIVE
PEORIA, ILLINOIS 61615 • (309) 692-3874
DESIGN FIRM REGISTRATION NO. 184-803189

PRELIMINARY PLAT
FOR
GINGOTEAGUE SECTION FIVE

1/1

JOB NO. 19,168

ORDINANCE NO. 1568-A158

**AN ORDINANCE PROVIDING FOR THE
ZONING OF CERTAIN PROPERTY**

WHEREAS, Paul Cross, is the owner of the parcel herein described, hereinafter referred to as "Petitioner", and has heretofore requested the zoning of certain property hereinafter described in this ordinance; and

WHEREAS, the Petitioner has requested that the property hereinafter described be zoned as RT (Two Family Residential District); and

WHEREAS, the Petitioner has given due notice to all interested parties; and notice of a public hearing was duly published according to the law on July 27, 2005, in the Pekin Daily Times, Pekin, Tazewell County, Illinois; and

WHEREAS, pursuant to notice duly published according to law, the Planning Commission held a public hearing at 6:30 p.m. on August 10, 2005, and subsequent to said hearing duly transmitted its recommendations to the City Council recommending the zoning of said property.

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

1. That the following described property is hereby zoned as RT (Two Family Residential District):

See attached legal for Lots 45 - 66 of Gingoteague Section 5

PIN

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage and approval.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this _____ day of _____, 2005; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2005.

MAYOR

ATTEST:

CITY CLERK

LEGAL DESCRIPTION

A PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 11, T. 24 N., R. 5 W., OF THE 3RD P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF OUTLOT "D" OF GINGOTEAGUE SECTION THREE, BEING A SUBDIVISION OF PART OF THE NE 1/4 OF SAID SECTION 11, AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE S87°26'45"E ALONG THE SOUTHERLY LINE OF SAID GINGOTEAGUE SECTION THREE, A DISTANCE OF 19.23 FEET; THENCE S30°34'19"E ALONG THE SOUTHERLY LINE OF SAID GINGOTEAGUE SECTION THREE, A DISTANCE OF 25.00 FEET; THENCE S87°26'45"E ALONG THE SOUTHERLY LINE OF SAID GINGOTEAGUE SECTION THREE, A DISTANCE OF 761.00 FEET; THENCE IN A NORTHEASTERLY DIRECTION ALONG THE SOUTHEASTERLY LINE OF SAID GINGOTEAGUE SECTION THREE, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET FOR AN ARC DISTANCE OF 78.54 FEET; THENCE N2°33'15"E ALONG THE EASTERLY LINE OF SAID GINGOTEAGUE SECTION THREE, A DISTANCE OF 19.88 FEET; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE EASTERLY LINE OF SAID GINGOTEAGUE SECTION THREE, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 109.85 FEET FOR AN ARC DISTANCE OF 80.58 FEET; THENCE N58°42'47"E ALONG THE SOUTH LINE OF LOT 43 OF SAID GINGOTEAGUE SECTION THREE, A DISTANCE OF 55.60 FEET; THENCE S89°13'17"E ALONG THE SOUTH LINE OF LOT 43 OF SAID GINGOTEAGUE SECTION THREE, AND THE EXTENSION THEREOF, A DISTANCE OF 190.94 FEET TO A POINT ON THE WEST LINE OF LOT 44 OF SAID GINGOTEAGUE SECTION THREE; THENCE S0°46'43"W ALONG THE WEST LINE OF SAID LOT 44, A DISTANCE OF 10.60 FEET; THENCE S89°13'17"E ALONG THE SOUTH LINE OF SAID LOT 44, A DISTANCE OF 130.72 FEET TO A POINT ON THE WEST LINE OF LOT 8 OF GINGOTEAGUE SECTION ONE, BEING A SUBDIVISION OF PART OF THE SE 1/4 OF SAID SECTION 11; THENCE S26°42'55"W ALONG THE WEST LINE OF SAID GINGOTEAGUE SECTION ONE, A DISTANCE OF 21.37 FEET; THENCE S4°14'24"E ALONG THE WEST LINE OF SAID GINGOTEAGUE SECTION ONE, A DISTANCE OF 282.00 FEET; THENCE S32°43'19"E ALONG THE WEST LINE OF SAID GINGOTEAGUE SECTION ONE, A DISTANCE OF 108.00 FEET TO A POINT ON THE NORTHERLY LINE OF SUNSET HILLS EXT. NO. 26, BEING A SUBDIVISION OF PART OF THE SE 1/4 OF SAID SECTION 11; THENCE S57°16'50"W ALONG THE NORTHERLY LINE OF SAID SUNSET HILLS EXT. NO. 26, A DISTANCE OF 172.37 FEET; THENCE N87°26'45"W ALONG THE NORTHERLY LINE OF OUTLOT "A" OF SUNSET HILLS EXT. NO. 27, BEING A SUBDIVISION OF PART OF THE SE 1/4 OF SAID SECTION 11, A DISTANCE OF 1121.04 FEET TO A POINT ON THE EAST R.O.W. LINE OF N. 14TH STREET; THENCE N1°02'02"E ALONG THE EAST R.O.W. LINE OF N. 14TH STREET, A DISTANCE OF 334.52 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF TAZEWELL AND STATE OF ILLINOIS.

A SUBDIVISION OF PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 11, T. 24 N., R. 5 W., OF THE 3RD P.M., TAZEWELL COUNTY, ILLINOIS

KDB NO 18.168

McMillan, Sue

From: Sieh, Ron
Sent: Thursday, August 11, 2005 11:12 AM
To: Howard, Lyn; Commissioners
Cc: Kief, Denny; Wuellner, Joe; McMillan, Sue
Subject: mountain mudd

This is a follow-up on the Pekin Planning Commission meeting of August 10, 2005 which will be before you at the August 22, 2005 Council Meeting. The planning commission approved the site plan and special use for both locations that were requested for mountain mudds' roadside stands. The only issue left for these two sites before I can allow the permit to be issued is the connection to the sanitary sewer.

State of Illinois; 77IL Adm. Code 890; State Plumbing Code; Section 890.170: Each building which is intended for human habitation or occupancy shall have a connection to a ... public sewer system or private sewage disposal system constructed to the requirements of the Illinois Private Sewage Disposal Code 977 IL Adm. Code 905).

State of Illinois; 77IL Adm. Code 905; Private Sewage Disposal Code; Section 905.140 Holding Tanks: General. Holding Tanks are approved for private sewage disposal only under the following circumstances:

2). as a temporary measure while awaiting the availability of a municipal sewer extension. This temporary condition shall not exceed 1 year in length.

City Code 4-4A-4: Use of Public Sewer Required; Connection: Where a public sanitary sewer is accessible in a street, alley or thoroughfare to a building or premises abutting thereon, the sanitary or domestic sewage from any plumbing system in said building shall be discharged into the public sanitary sewer.

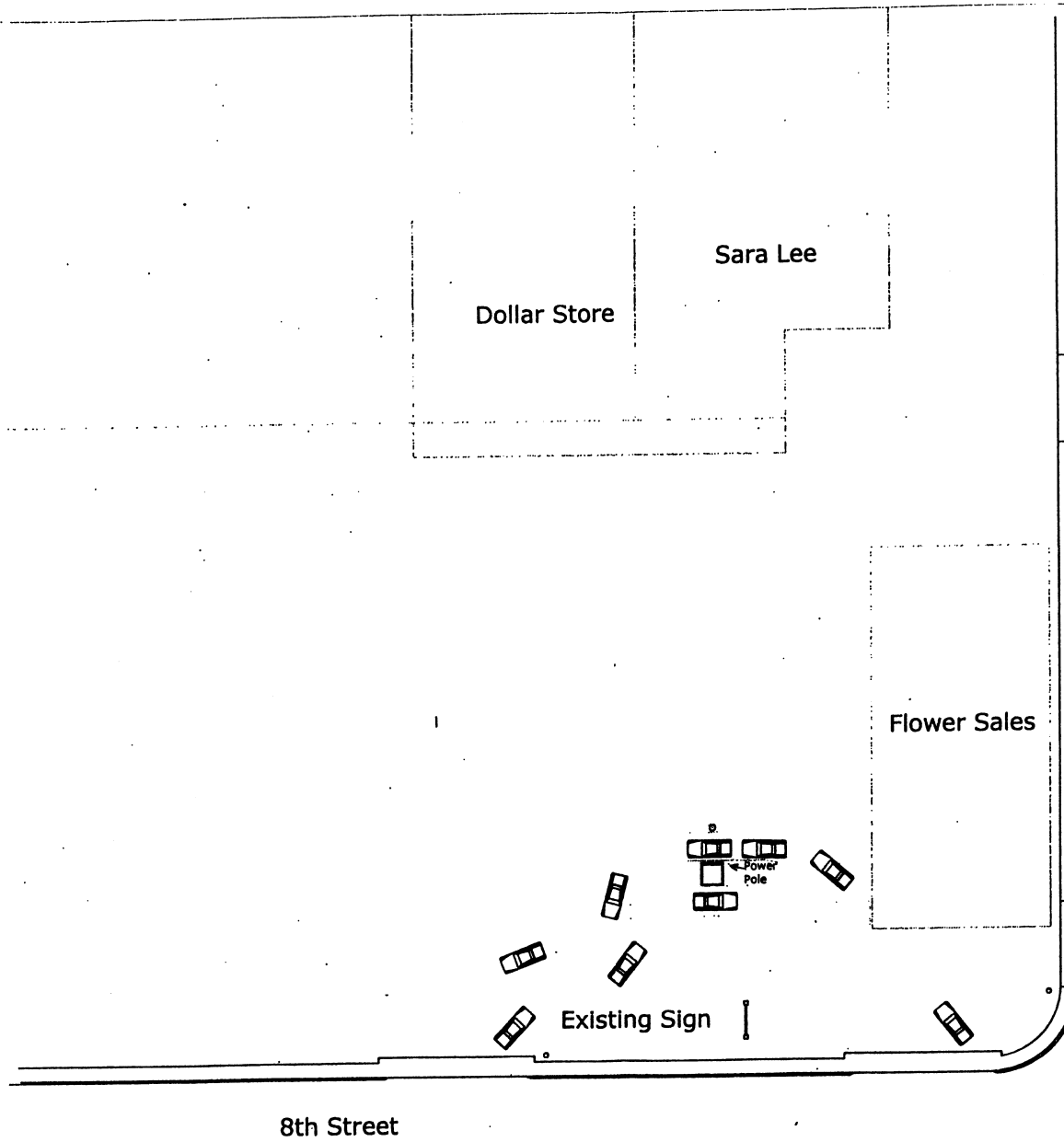
In the case of annexations and other cases, we have determined that accessible is considered to be within 300 feet.

The State of Illinois Public Health sent a letter addressing the Mountain Mudd stands and following were there comments to Mr. Thomas:

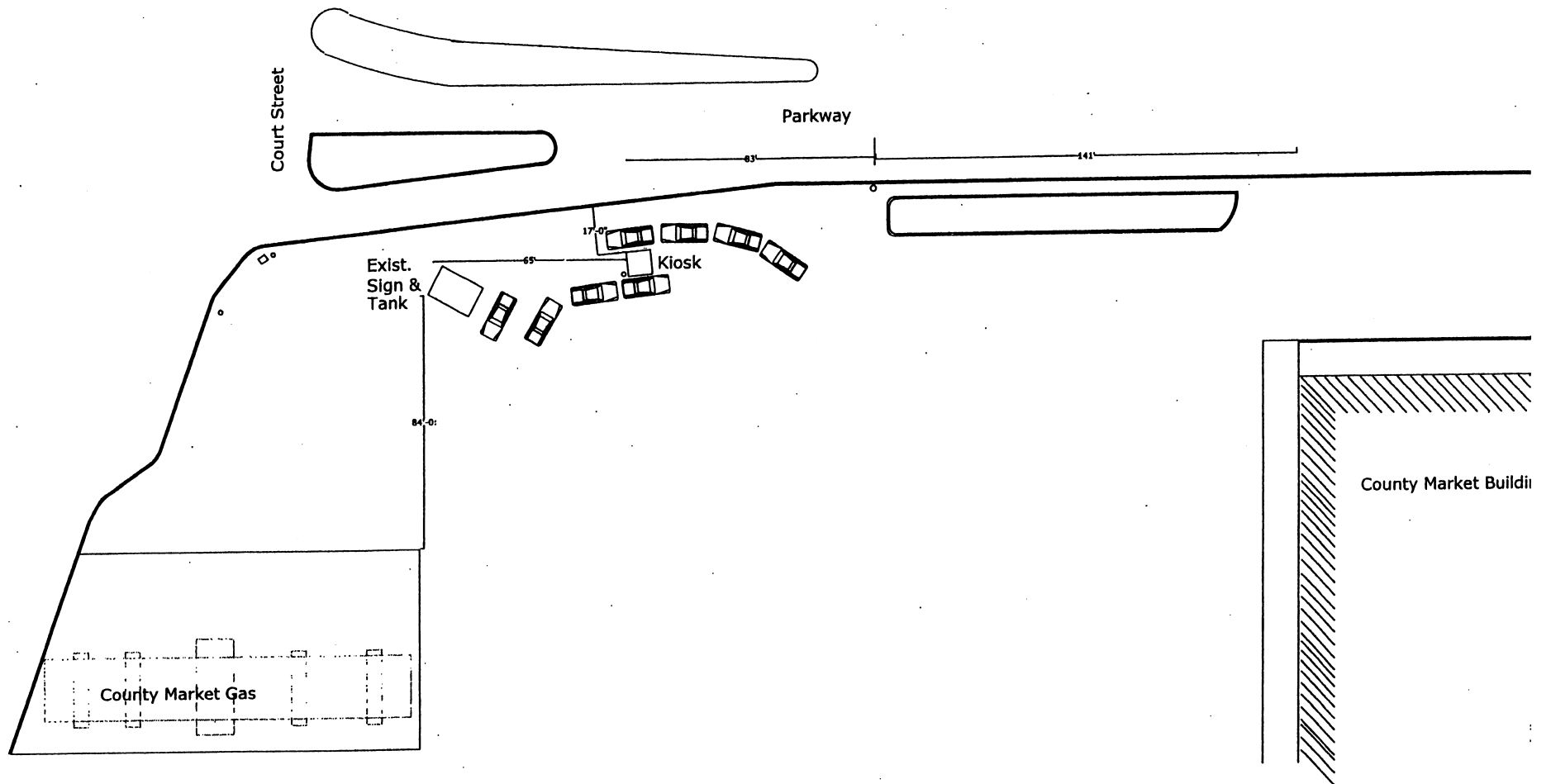
- 1). Kiosks must have access to restrooms and drinking fountains at all times and they must be within 300 feet.
- 2). The intent of a kiosk, as determined by the Plumbing Code Advisory Commission, was that they were to be used as a freestanding place of employment, on a seasonal or temporary basis.
- 3). Holding tanks shall comply with any other state or local requirements.
- 4). Local governments have jurisdiction and their requirements may be more restrictive than ours.

My recommendation is to not change or even consider changing the city code for this specific operation. As all other businesses that come into the City, they are required to connect to the sewer, pay a sewer tap and follow the codes and ordinances that were established many years ago. I believe that this will set a precedence if we continue to bend and change the codes and ordinances to anybody that whines loud enough.

If you have any question, please feel free to contact me. Ron Sieh



Mountain Mudd Espresso Suite 17 4-L Plaza Galesburg, IL 61401 309-343-9200 Site Plan - 8th Street Center Pekin, IL.			
SIZE	FSM NO.	DWG NO.	REV
SCALE			SHEET



Mountain Mudd Espresso			
Suite 17 4-L Plaza Galesburg, IL 61401 309-343-9200			
Preliminary site layout County Market Plaza			
SIZE	FSCM NO.	DWG NO.	REV
SCALE			SHEET

RESOLUTION No. _____

121 - 05/06

PEKIN, ILLINOIS, August 22, 2005

RESOLUTION BY COMMISSIONER _____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS, THAT:
The Final Plat Lake Marigold Estates Phase Ten and Phase Eleven are hereby approved.



SIGNED BY _____

MAYOR.

A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION TWENTY-FIVE (25),
TOWNSHIP TWENTY-FIVE (25) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS

LEGAL DESCRIPTION OF TRACT TO BE RECORDED AS "MARIGOLD ESTATES, PHASE TEN"

A PART OF THE NORTHWEST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP TWENTY-FIVE (25) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF PECK, TAZEWELL COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

beginning at the northwest corner of lot one hundred (100) of PARAGOLD ESTATES, PHASE FIVE (5), A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SAID SECTION TWENTY-THREE (23), AS RECORDED IN PLAT BOOK 187, PAGE 157 IN THE BARAGOLI COUNTY RECORDERS' OFFICE, THENCE SOUTH 01°-45'-57" WEST, (BEARING ALONG FOR PURPOSE OF DESCRIPTION ONLY), ALONG THE NORTH LINE OF SAID PARAGOLD ESTATES, PHASE FIVE (5), 126.00 FEET; THENCE NORTH 01°-17'-00" WEST, 17.00 FEET; THENCE NORTH 01°-17'-00" WEST, 16.00 FEET; THENCE NORTH 01°-17'-00" WEST, 16.78 FEET; THENCE NORTH 00°-48°-20" WEST, 17.47 FEET; THENCE NORTH 01°-16°-48" EAST, 78.00 FEET; THENCE NORTH 01°-16°-48" EAST, 113.83 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION TWENTY-THREE (23); THENCE SOUTH 01°-55'-27" EAST, ALONG SAID NORTH LINE, 618.90 FEET; THENCE SOUTH 00°-43°-40" WEST, 211.3 FEET; THENCE SOUTH 00°-39°-50" WEST, 19.00 FEET; THENCE SOUTH 00°-29°-58" EAST, 24.84 FEET; THENCE SOUTH 00°-29°-58" WEST, 429.84 FEET; THENCE NORTH 00°-39°-58" EAST, 5.06 FEET; THENCE SOUTH 00°-17°-00" EAST, 179.89 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 90.00 ACRES, MORE OR LESS.

STATE OF ILLINOIS)
COUNTY OF PEORIA) ss.

COUNTY OF PEORIA -

WE, THE ALSTON ENGINEERING CO., INC., CIVIL ENGINEERS AND LAND SURVEYORS, DO HEREBY CERTIFY THAT WE HAVE SUBDIVISION THIS PARCELS INTO LOTS AND STRIPS TO BE KNOWN AS "HARDING ESTATES, PHASE TWO", A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION TWENTY-TWO (22), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN CITY OF PEORIA, ILLINOIS, COUNTY, ILLINOIS. WE FURTHER CERTIFY THAT THE ABOVE FINAL PLAN IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION AS DRAWN TO A SCALE OF ONE (1) INCH EQUALS SIXTY (60) FEET.

WE FURTHER CERTIFY THAT NO PART OF THIS SUBDIVISION IS LOCATED WITHIN A SPECIAL LOCAL HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

WE FURTHER CERTIFY THAT THIS SUBDIVISION IS LOCATED WITHIN AN INCORPORATED CITY WHICH HAS ADOPTED A CITY PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY SECTION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS NOW OR HEREAFTER AMENDED.

WE FURTHER CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS PHYSICAL STANDARDS FOR A BOUNDARY SURVEY.

DATED AT PEORIA, ILLINOIS THIS SEVEN DAY OF JULY, 2005.

ALSTON ENGINEERING CO., INC.

ALSTON ENGINEERING CO., INC.
1000 N. UNIVERSITY AVE., SUITE 100
PEORIA, ILLINOIS 61604
(309) 691-1111
www.alstoneng.com

AUSTIN ENGINEERING CO., INC.

BY: JAMES R. FRANKLIN
JAMES R. FRANKLIN
NIMROD PROFESSIONAL LAND SURVEYOR No. 1842



WJW:DPW:KMP:JL:24, 2006

STATE OF ILLINOIS) ss.
COUNTY OF McLEAN)

DECLARATION AND DEDICATION OF "HARBOLD ESTATES, PHASE TEN" TO THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS

[illegible]

NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHEDS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENTS FOR PUBLIC UTILITY PURPOSES.

NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GRAPES, STRAWBERRY, CUCUMBERS AND OTHER FRUIT TREES AND FOR THE PLANTING OF TREES AND SHRUBS.

EACH LOT OR PART HEREOF IN THIS SUBDIVISION SHALL BE SUBJECT OF RESTRICTIONS AS RECORDED IN A DECLARATION OF RESTRICTIONS PLACED ON RECORD FOR "MARSHALL ESTATES, PHASE TWO" IN THE TAYLOR COUNTY RECORDER'S OFFICE. EACH CONTRACT FOR SALE, CONVEYANCE OR LEASE OF ANY LOT OR PART HEREOF SHALL BE MADE HEREAFTER SUBJECT TO THESE RESTRICTIONS, AND EACH PURCHASER, GRANTEE OR LESSEE IN THE ACCEPTANCE OF SUCH CONTRACT, CONVEYANCE OR LEASE, SHALL THEREBY SUBJECT HIMSELF, HIS HEIRS, EXECUTORS, ADMINISTRATORS AND ASSAIGNS TO THESE RESTRICTIONS.

ALL TRADING, SELLING, RENT, OR THE GIFT OF OUR KNOWLEDGE AND BELIEF, THIS PROPERTY IS LOCATED WITHIN THE PEKIN HIGH SCHOOL DISTRICT 303 AND THE PEKIN GRADE SCHOOL DISTRICT 100.

DATED AT PEKIN, ILLINOIS THIS _____ DAY OF _____, 2009.

HEATLAND CONTRACTORS, INC.

BY: MICHAEL S. HADDEN, PRESIDENT

STATE OF ILLINOIS) ss.
COUNTY OF McLEAN)

1. THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE OF MISSISSIPPI, DO HEREBY CERTIFY THAT MICHAEL S. JACKSON IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY, IN PERSON AND ACKNOWLEDGED THAT HE SIGNED, READ AND DELIVERED THE SAID INSTRUMENT AS HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES SET FORTH, AND HAS ONY STATED THAT HE IS FULLY AUTHORIZED TO EXECUTE SAID INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2005.

STATE OF ILLINOIS) ss
COUNTY OF TAZEWELL)

I, PLAT APPROVAL OFFICER FOR THE CITY OF PEKIN, ILLINOIS, DO HEREBY APPROVE THE ACCOMPANYING FINAL PLAT OF "HARBOLD ESTATES, PHASE TEN" IN ACCORDANCE WITH THE PROVISIONS OF THE STATE OF ILLINOIS REVENUE STATUTES CHAPTER 120, SECTION 516.

DATED THIS _____ DAY OF _____, 2005.

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) ss

I, JUNE C. MC WILLIAM, HEREBY CERTIFY THAT BY RESOLUTION NO. _____ ADOPTED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, 2009, THE ABOVE FINAL PLAT OF "HARBOLD ESTATES, PHASE TEN" WAS APPROVED AND THE SUBJECTS SHOWN THEREON WERE ACCEPTED.

STATE OF ILLINOIS) ss.

1. CHOOSE A NEARBY COUNTY CLERK OF THE FORESAID COUNTY, DO HEREBY CERTIFY THAT I HAVE THIS DAY EXAMINED THE TAX RECORDS OF THE PROPERTY SHOWN ON THE ATTACHED FINAL PLAT, AND FIND NO DELINQUENT GENERAL TAXES, UNPAID CURRENT GENERAL TAXES, OR DELINQUENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND SHOWN ON SAID FINAL PLAT OF "HARGOLD ESTATES, PHASE TWO."

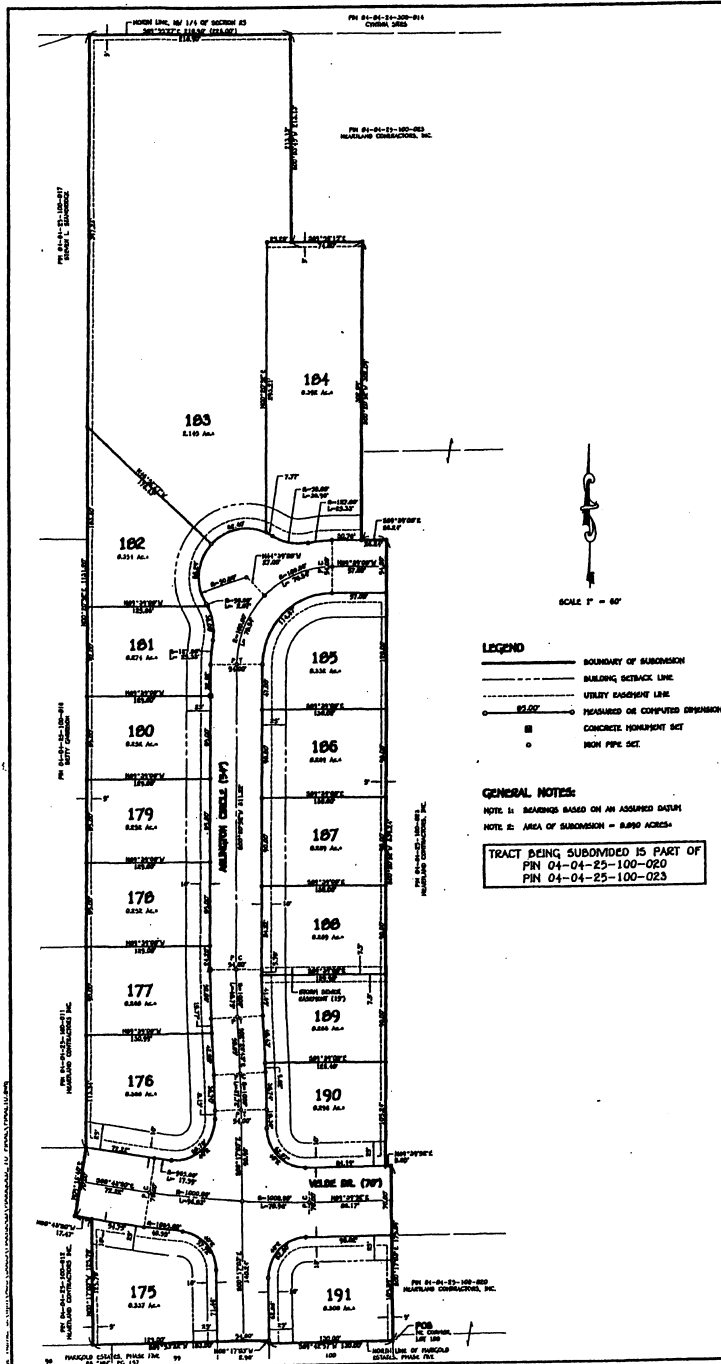
CHIEF CLERK UNDER MY HAND AND SEAL OF THE SAID COUNTY, THIS _____ DAY OF _____, 2005.

COUNTY CLERK

CHRISTINE A. NEALA, COUNTY CLERK

DEPUTY CLERK

CHRISTINE A. WARD, COUNTY CLERK



FINAL PLAT OF MARIGOLD ESTATES PHASE ELEVEN

A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION TWENTY-FIVE (25),
TOWNSHIP TWENTY-FIVE (25) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS

AUSTIN ENGINEERING CO., INC.
8100 N. UNIVERSITY STREET
PEORIA, ILLINOIS 61615
LICENSE NO. 104-001145
SCALE 1" = 60'

LEGAL DESCRIPTION OF TRACT TO BE RECORDED AS "MARIGOLD ESTATES, PHASE ELEVEN"

A PART OF THE NORTHWEST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP TWENTY-FIVE (25) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT ONE HUNDRED FIFTY-FOUR (157) OF MARIGOLD ESTATES, PHASE EIGHT (8), A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SAID SECTION TWENTY-FIVE (25), AS RECORDED IN PLAT BOOK "00", PAGE EIGHTY-FIVE (85) IN THE TAZEWELL COUNTY RECORDER'S OFFICE, THENCE NORTH 01°-12'-22" WEST, (BEARING ASSIGNED FOR PURPOSE OF DESCRIPTION ONLY), 395.73 FEET; THENCE NORTH 89°-24'-02" EAST, 314.73 FEET; THENCE SOUTH 80°-04'-37" EAST, 119.43 FEET; THENCE EASTWARD, ON A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET FOR AN ARC DISTANCE OF 13.32 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING OF SOUTH 88°-54'-36" EAST AND A LENGTH OF 13.32 FEET; THENCE SOUTH 04°-29'-18" WEST, 78.00 FEET; THENCE SOUTH 80°-04'-37" EAST, 179.09 FEET TO THE NORTH LINE OF SAID MARIGOLD ESTATES, PHASE EIGHT (8); THENCE SOUTH 88°-18'-36" WEST, ALONG SAID NORTH LINE, 132.50 FEET; THENCE NORTH 01°-12'-22" WEST, ALONG SAID NORTH LINE, 18.86 FEET; THENCE SOUTH 80°-04'-37" WEST, ALONG SAID NORTH LINE, 174.50 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 2.827 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF PEORIA } ss

WE, THE AUSTIN ENGINEERING CO., INC., CIVIL ENGINEERS AND LAND SURVEYORS, DO HEREBY CERTIFY THAT WE HAVE SURVEYED AND SUBMITTED INTO LOTS AND STREETS, TO BE KNOWN AS "MARIGOLD ESTATES, PHASE ELEVEN", A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP TWENTY-FIVE (25) NORTH, RANGE FIVE (5) WEST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS. WE FURTHER CERTIFY THAT THE ABOVE FINAL PLAT OF "MARIGOLD ESTATES, PHASE ELEVEN" IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION AS DRAWN TO A SCALE OF ONE (1) INCH EQUALS 300' FEET.

WE FURTHER CERTIFY THAT NO PART OF THIS SUBDIVISION IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

WE FURTHER CERTIFY THAT THIS SUBDIVISION IS LOCATED WITHIN AN INCORPORATED CITY WHICH HAS ADOPTED A CITY PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY SECTION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS NOW OR HEREAFTER AMENDED.

WE FURTHER CERTIFY THAT THIS PROFESSIONAL SURVEY CONFORMS TO THE CURRENT ILLINOIS HIGHEST STANDARDS FOR A BOUNDARY SURVEY.

DATED AT PEORIA, ILLINOIS THIS 1ST DAY OF AUGUST, 2005.

OWNER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF PEORIA } ss

DECLARATION AND DECLARATION OF "MARIGOLD ESTATES, PHASE ELEVEN" TO THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS

WE, HEARTLAND CONTRACTORS, INC., DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN ON THE ACCOMPANYING FINAL PLAT, AND DO HEREBY CERTIFY THAT WE HAVE CAUSED THE SURVEY AND SUBDIVISION THEREOF TO BE MADE AS SHOWN ON THE ACCOMPANYING FINAL PLAT TO BE KNOWN AS "MARIGOLD ESTATES, PHASE ELEVEN" IN THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, AND ACKNOWLEDGE SAID SURVEY TO BE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, AND WE HEREBY DEDICATE THE RIGHTS AND UTILITY EASEMENTS SHOWN ON SAID PLAT TO THE PUBLIC USE FOREVER. EASEMENTS AS SHOWN BY SHARED LINES AND MARIGOLD UTILITY EASEMENT ON SAID PLAT ARE HEREBY RESERVED FOR THE USE OF ALL PUBLIC UTILITY COMPANIES TO INSTALL, MAINTAIN, OPERATE, REPAIR, RENEW AND/OR REMOVE UNDERGROUND WATER MAINS, SEWER PIPES, GAS PIPELINES, ELECTRIC AND TELEPHONE CABLES OR CONDUITS WITH ALL NECESSARY ABOVE GROUND TRANSMISSION AND SERVICE FACILITIES, WITH THE FURTHER RIGHT TO INSTALL AND MAINTAIN OVERHEAD ELECTRIC AND TELEPHONE POLES AND WIRE-LINE INSTALLATIONS WITH ALL NECESSARY MASTS, GUY WIRES, ANCHORS AND OTHER APPURTENANCES FOR THE PURPOSE OF SERVING THE SUBDIVISION AND ADJOINING PROPERTIES WITH WATER, SEWER, GAS, ELECTRIC, TELEPHONE SERVICE AND CABLE TELEVISION, INCLUDING THE RIGHT TO USE THE STREETS WHERE NECESSARY AND TO OVERLAP OR BURY ACROSS ALL LOTS, SERVICE LINES, PIPELINES AND/OR CABLES TO SERVE ADJACENT LOTS, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES TO INSTALL, OPERATE AND MAINTAIN SAID UTILITY FACILITIES AND TO TEND OR REMOVE ANY TREES, SHRUBS OR SPLINGS THAT INTERFERE OR THREATEN TO INTERFERE WITH SAID UTILITY FACILITIES. EASEMENTS INDICATED AS "SAFETY SENSE EASEMENT" ARE RESERVED FOR THE CITY OF PEKIN FOR THE CONSTRUCTION AND MAINTENANCE OF SAFETY SENSES AND APPURTENANCES.

NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAID EASEMENTS MAY BE USED FOR GARDENS, SHEDS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENTS FOR PUBLIC UTILITY PURPOSES.

EACH LOT OR PART THEREOF IN THIS SUBDIVISION SHALL BE SUBJECT TO RESTRICTIONS RECORDED IN A "DECLARATION OF RESTRICTIONS" PLACED ON RECORD IN THE TAZEWELL COUNTY RECORDER'S OFFICE FOR "MARIGOLD ESTATES, PHASE ELEVEN"

EACH CONTRACT FOR SALE, CONVEYANCE OR LEASE OF ANY SUCH LOT OR PART THEREOF, SHALL BE MADE EXPRESSLY SUBJECT TO THESE RESTRICTIONS, AND EACH PURCHASER, GRANTEE OR LESSEE IN THE ACCEPTANCE OF SUCH CONTRACT, CONVEYANCE OR LEASE, SHALL THEREBY SUBJECT HIMSELF, HIS HEIRS, EXECUTORS, ADMINISTRATORS AND ASSIGNS TO SAID RESTRICTIONS.

WE FURTHER CERTIFY THAT, TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THIS PROPERTY IS LOCATED WITHIN THE PEKIN HIGH SCHOOL DISTRICT 303 AND THE PEKIN GRADE SCHOOL DISTRICT 10A.

DATED AT PEKIN, ILLINOIS THIS _____ DAY OF _____, 2005.

OWNER'S NOTARY CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF PEORIA } ss

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT MICHAEL S. HADDOCK IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY, IN PERSON AND ACKNOWLEDGED THAT HE SIGNED, SEALED AND DELIVERED THE SAID INSTRUMENT AS HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES SET FORTH, AND ON HIS OATH SEALED THAT HE IS DULY AUTHORIZED TO EXECUTE SAID INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2005.

CITY PLAT APPROVING OFFICER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF TAZEWELL } ss

I, PLAT APPROVING OFFICER FOR THE CITY OF PEKIN, ILLINOIS, DO HEREBY APPROVE THE ACCOMPANYING FINAL PLAT OF "MARIGOLD ESTATES, PHASE ELEVEN" IN ACCORDANCE WITH THE PROVISIONS OF THE STATE OF ILLINOIS REVENUE STATUTES CHAPTER 180, SECTION 214, DATED THIS _____ DAY OF _____, 2005.

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF TAZEWELL } ss

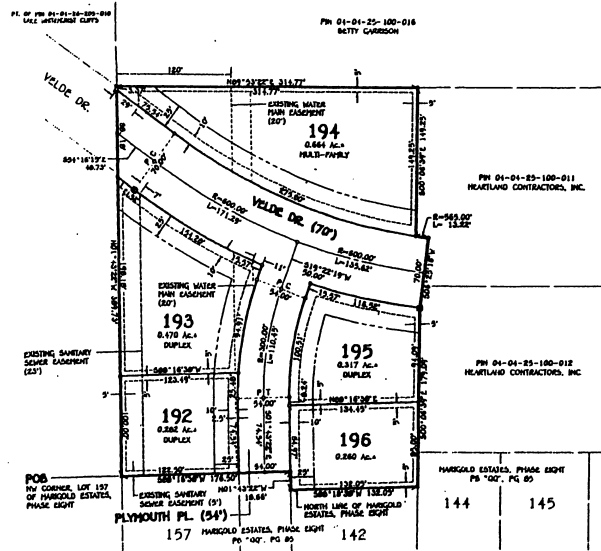
I HEREBY CERTIFY THAT BY RESOLUTION NO. _____ ADOPTED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, AT ITS REGULAR MEETING HELD ON THE _____ DAY OF _____, 2005, THE ABOVE FINAL PLAT OF "MARIGOLD ESTATES, PHASE ELEVEN" WAS APPROVED AND THE STREETS SHOWN THEREON WERE ACCEPTED.

TAZEWELL COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF TAZEWELL } ss

I, CHRISSA A. WEA, COUNTY CLERK OF THE AFORESAID COUNTY, DO HEREBY CERTIFY THAT I HAVE THIS DAY EXAMINED THE TAX RECORDS OF THE PROPERTY SHOWN ON THE ATTACHED FINAL PLAT, AND FIND NO DELINQUENT GENERAL TAXES, UNPAID CURRENT GENERAL TAXES, OR DELINQUENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND SHOWN ON SAID FINAL PLAT OF "MARIGOLD ESTATES, PHASE ELEVEN".

GIVEN UNDER MY HAND AND SEAL OF THE SAID COUNTY, THIS _____ DAY OF _____, 2005.



SCALE 1" = 60'

LEGEND

- BOUNDARY OF SUBDIVISION
- BUILDING SETBACK LINE
- UTILITY EASEMENT LINE
- 85.00' MEASURED OR COMPUTED DIMENSION
- CONCRETE PERMANENT SET
- IRON PIPE SET

GENERAL NOTES:

- NOTE 1: BEARINGS BASED ON AN ASSIGNED DATUM
- NOTE 2: AREA OF SUBDIVISION = 2.827 ACRES

TRACT BEING SUBDIVIDED IS PART OF
PIN 004-04-25-100-011
PIN 04-04-25-100-012

ORDINANCE NO. 2443

**AN ORDINANCE PROVIDING FOR THE ANNEXATION
OF CERTAIN TERRITORY TO THE CITY OF PEKIN,
TAZEWELL COUNTY, ILLINOIS
(Allen - Deerfield Estates - 11.341Acres)**

WHEREAS, there has been filed with the City Council of the City of Pekin, Illinois, a Petition for Annexation of the herein described tract of real estate, wherein it is recited that the Petitioner, GARY L. ALLEN, is the owner and contract purchaser of all of the land within such territory and that there are no other electors residing therein; and

WHEREAS, said tract is contiguous with the boundary of the City of Pekin, Illinois; and

WHEREAS, said tract is not within any other municipality and no petition is pending pertaining to any annexation of said land, other than herein set forth; and

WHEREAS, a notice of filing of said petition was duly served on July 27, 2005; and

WHEREAS, it is the duty of the City Council of the City of Pekin to determine and consider the request for such annexation; and

WHEREAS, the Mayor and City Council, after due consideration, has recommended that the property described herein be annexed and zoned as herein set forth; and

WHEREAS, on the 8th day of August, 2005, the Mayor and City Council of the City of Pekin, pursuant to Notice of Public Hearing duly published in the Pekin Daily Times on July 21, 2005, conducted a public hearing for the purpose of considering the annexation of the property herein; and

WHEREAS, it is deemed to be in the best interests of the City of Pekin, Illinois, that the herein described tract of real estate be annexed to and made a part of the City of Pekin.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, AS FOLLOWS:

SECTION I: That the property described below is hereby annexed to and made a part of the City of Pekin, and the same is hereby included within the corporate limits of the City of Pekin:

A part of the West Half of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the 3RD P. M., being more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter of said Section 11; thence N 0° 29' 26" West along the West line of the West Half of the Northwest Quarter of said Section 11, a distance of 37.00 feet to a point on the extension of the North R.O.W. line of Petri Lane as recorded in Document No. 696008, in Book "FF", Page 73 in the Tazewell County Recorder's Office; thence S 89° 45' 44" East along the North R.O.W. line of Petri Lane as recorded in Book "FF", Page 73, a distance of 539.83 feet to the Point of Beginning of the tract to be described; thence N 0° 56' 28" West along the East line and extension thereof, of Outlot "A" of Deerfield Estates Section 3, a subdivision being a part of the Northwest Quarter of said Section 11, a distance of 612.66 feet to the Northeast corner of said Outlot "A"; thence N 89° 03' 54" East along the South line of said Deerfield Estates Section 3, a distance of 559.95 feet to a point on the East R.O.W. line of Fawnridge Lane; thence N 01° 09' 53" W along the East R.O.W. line of said Fawnridge Lane, a distance of 14.00 feet; thence N 89° 03' 54" East along the South line of Lot 64 of said Deerfield Estates Section 3, a distance of 231.00 feet to a point on the East line of the West Half of the Northwest Quarter of said Section 11; thence S 0° 53' 36" East along the East line of the West Half of the Northwest Quarter of said Section 11, a distance of 642.83 feet to a point on the North R.O.W. line of Petri Lane as recorded in Book "FF", Page 73; thence N 89° 45' 44" West along the North R.O.W. line of said Petri Lane as recorded in Book "FF", Page 73, a distance of 790.53 feet to the Point of Beginning, containing 11.341 acres, situate, lying and being in the County of Tazewell and State of Illinois.

PIN: 10-10-11-105-009

SECTION II: That the plat hereunto attached and marked Exhibit "A", being a true, correct and exact plat of the territory heretofore described in this ordinance, showing the relation of the existing boundary of the City of Pekin with the land being annexed, be made an express part of this ordinance.

SECTION III: That the Notices and Affidavit of Mailing of Notice to the Trustees of

Cincinnati Fire Protection District, the Director of the Pekin Park District, Cincinnati Township Supervisor, Cincinnati Township Road Commission and Cincinnati Township Trustees, marked Exhibit "B" be made an express part of this ordinance.

SECTION IV: That, upon the taking effect of this ordinance, together with the attached Exhibits "A" and "B", the City Clerk shall file a certified copy of this ordinance in the Office of the Tazewell County Recorder of Deeds, and further the City Clerk shall file a document of annexation with the County Clerk and County Election Authority.

SECTION V: That this ordinance shall be in full force and effect upon its passage, approval and publication as may be required by law.

PASSED AND APPROVED at a regular meeting of the Mayor and City Council of the City of Pekin, this _____ day of _____, 2005; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2005.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT "B"

AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
) S.S.
COUNTY OF TAZEWELL)

PENNY A. PENNELL, being first duly sworn, on oath deposes and says that she did cause the attached Notice to be served upon the following:

Robert Blackwell, Director Pekin Park District 250 Red Bud Dr. Pekin, IL 61554	Carol Shields Cincinnati Township Trustee 1817 Highwood Pekin, IL 61554
Ron Hawkins Cincinnati Township Road Commissioner 204 E. Main Street, P.O. Box 507 South Pekin, IL 61564	Fred Eertmoed Cincinnati Township Assessor 12427 14 th St. Pekin, IL 61554
Karl Jordan Cincinnati Township Supervisor 1827 Valle Vista Blvd. Pekin, IL 61554	James Fairchild Cincinnati Township Trustee 2009 Alhambra Ct. Pekin, IL 61554
Duane A. Gray Cincinnati Township Trustee 2103 Alhambra Ct. Pekin, IL 61554	John Beck Cincinnati Township Fire Protection District 13489 Illinois Route 29 Pekin, IL 61554
John H. Fuelberth Cincinnati Township Trustee 2125 Highwood Pekin, IL 61554	

Phyllis Privet
Cincinnati Township Fire Protection
District
11751 Wagonseller Road
Pekin, IL 61554

Marvin Lohnes
Cincinnati Township Fire Protection
District
13881 Glenmar Dr.
Pekin, IL 61554

by mailing a true and correct copy of the same by certified mail at the addresses set forth above on the _____ day of July, 2005, by depositing the same in the United States Mail at Pekin, Illinois, postage prepaid.

PENNY A. PENNELL

2005 SUBSCRIBED AND SWORN TO before me, a Notary Public, this _____ day of July,

Notary Public

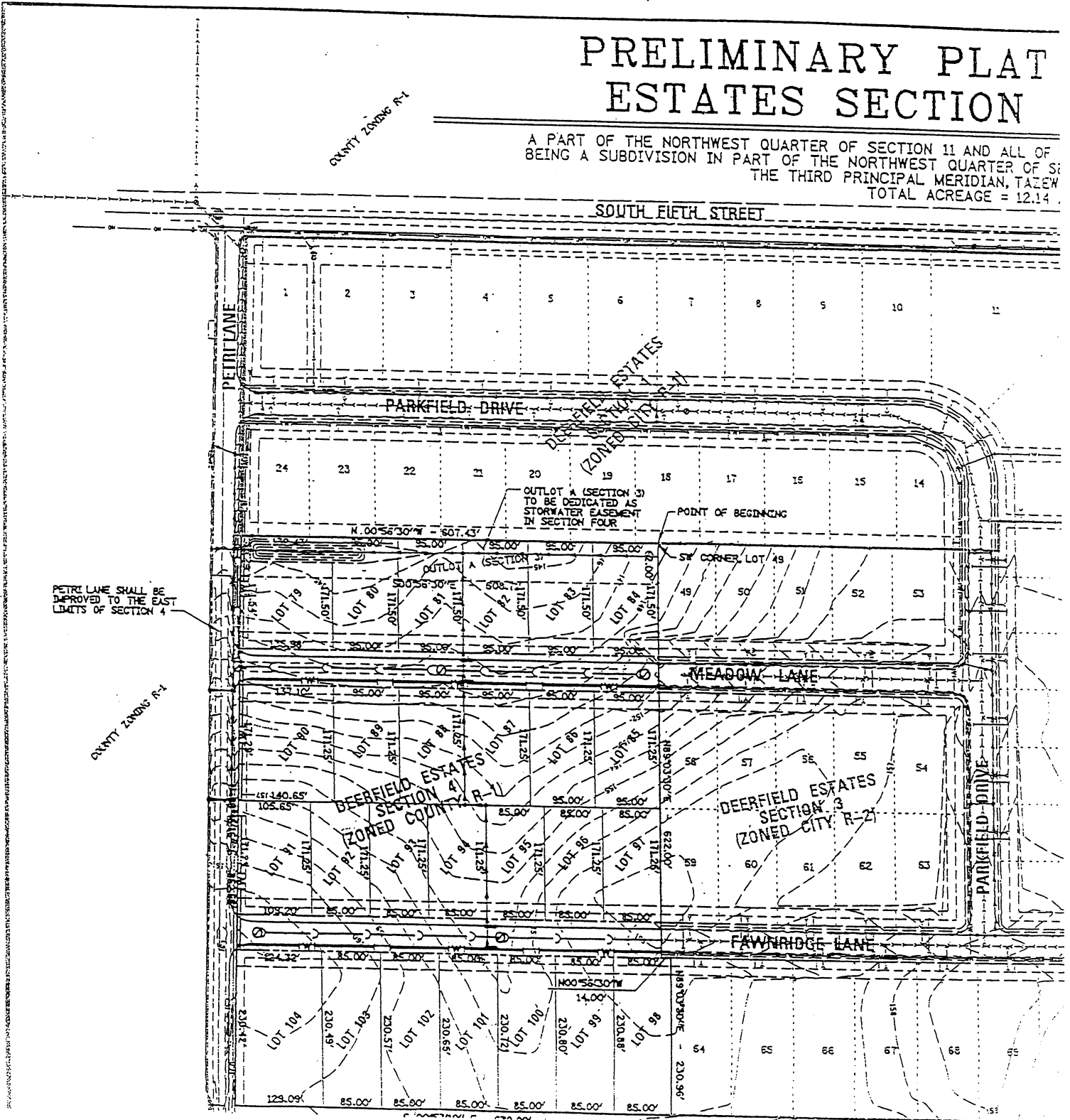
This Instrument Prepared By:

Sue E. Bosich
PO Box 873
109 S. Fourth Street
Pekin, IL 61555-0873

Exhibit C

PRELIMINARY PLAT ESTATES SECTION

A PART OF THE NORTHWEST QUARTER OF SECTION 11 AND ALL OF
BEING A SUBDIVISION IN PART OF THE NORTHWEST QUARTER OF SECTION 11
THE THIRD PRINCIPAL MERIDIAN, TAZEW
TOTAL ACREAGE = 12.14



ORDINANCE NO. 1568-A159

**AN ORDINANCE PROVIDING FOR THE
ZONING OF ANNEXED PROPERTY**

WHEREAS, GARY ALLEN is the owner of parcels comprising the parcel to be annexed herein described, hereinafter collectively referred to as "Petitioner", and Petitioner has heretofore requested the zoning of certain property hereinafter described in this ordinance; and

WHEREAS, the Petitioner has requested that the property hereinafter described be zoned as follows: Lots 79 through 91 and Lot 104 as RT (Two Family Residential District); and Lots 92 through 103 as R-2 (Multiple Family Residential District); and

WHEREAS, the Petitioner has given due notice of all interested parties, and a notice of a Public Hearing before the Planning Commission was duly published in the Pekin Times on May 25 2005; and

WHEREAS, pursuant to notice duly published according to law, the Planning Commission held a public hearing at 6:30 p.m. on June 8, 2005, and subsequent to said hearing duly transmitted its recommendations to the City Council recommending the zoning of said property as set forth herein; and

WHEREAS, the Mayor and City Council after due consideration have recommended that the property described herein be zoned as herein set forth.

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

1. That the following described property is hereby zoned as follows: Lots 79 through 91 and Lot 104 as RT (Two Family Residential District); and Lots 92 through 103 as R-2 (Multiple Family Residential District):

See Attached Legal Description
PIN: 10-10-11-105-009

2. That the plat hereunto attached and marked as Exhibit "A", is a true, correct and exact plat of the territory heretofore described in this ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage and approval.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this _____ day of _____, 2005; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2005.

LEGAL DESCRIPTION

A part of the West Half of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the 3RD P. M., being more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter of said Section 11; thence N 0° 29' 26" West along the West line of the West Half of the Northwest Quarter of said Section 11, a distance of 37.00 feet to a point on the extension of the North R.O.W. line of Petri Lane as recorded in Document No. 696008, in Book "FF", Page 73 in the Tazewell County Recorder's Office; thence S 89° 45' 44" East along the North R.O.W. line of Petri Lane as recorded in Book "FF", Page 73, a distance of 539.83 feet to the Point of Beginning of the tract to be described; thence N 0° 56' 28" West along the East line and extension thereof, of Outlot "A" of Deerfield Estates Section 3, a subdivision being a part of the Northwest Quarter of said Section 11, a distance of 612.66 feet to the Northeast corner of said Outlot "A"; thence N 89° 03' 54" East along the South line of said Deerfield Estates Section 3, a distance of 559.95 feet to a point on the East R.O.W. line of Fawnridge Lane; thence N 01° 09' 53" W along the East R.O.W. line of said Fawnridge Lane, a distance of 14.00 feet; thence N 89° 03' 54" East along the South line of Lot 64 of said Deerfield Estates Section 3, a distance of 231.00 feet to a point on the East line of the West Half of the Northwest Quarter of said Section 11; thence S 0° 53' 36" East along the East line of the West Half of the Northwest Quarter of said Section 11, a distance of 642.83 feet to a point on the North R.O.W. line of Petri Lane as recorded in Book "FF", Page 73; thence N 89° 45' 44" West along the North R.O.W. line of said Petri Lane as recorded in Book "FF", Page 73, a distance of 790.53 feet to the Point of Beginning, containing 11.341 acres, situate, lying and being in the County of Tazewell and State of Illinois.

PIN: 10-10-11-105-009



1. CONSTRUCT DETENTION BASIN
2. STRIP TOPSOIL
3. CONSTRUCT DETENTION BASIN
4. COMPLETE EARTHWORK
5. TEMPORARY SEED ALL DISTURBED AREAS
6. INSTALL UNDERGROUND UTILITIES
7. CONSTRUCT INLET PROTECTION
8. MAINTAIN INLET PROTECTION AND SILT FENCE AS REQUIRED
9. CONSTRUCT CURB & GUTTERS, COMPLETE PAVING
10. FINAL GRADE AND PERMANENT SEED DETENTION BASIN AND REMAINING DISTURBED AREAS
11. REMOVE EXCESS SEDIMENT FROM DETENTION BASIN AFTER SEEDING IS ESTABLISHED ON IF SEDIMENT OBSTRUCTS FLOW THROUGH BASIN
12. REMOVE INLET PROTECTION AND SILT FENCE AFTER PERMANENT SEEDING IS ESTABLISHED

- EROSION CONTROL NOTES:**
1. ALL EROSION CONTROL MEASURES WILL BE INSPECTED ONCE A WEEK FOLLOWING ANY STORM EVENT OF 1/2" OR GREATER. ALL EROSION CONTROL MEASURES SHALL BE FUNCTIONAL. ANY REPAIR SHALL BE MADE AS SOON AS IT IS REASONABLE. ANY ACCUMULATED SEDIMENT SHALL BE REMOVED.
 2. SEDIMENT SHALL BE REMOVED WHEN SEDIMENT REACHES ONE HALF THE HEIGHT OF THE INLET PROTECTION OR SILT FENCE OR IF IT IS BLOCKING DRAINAGE OF THE DETENTION BASIN. AFTER ALL SEDIMENT PRODUCED AREAS HAVE ESTABLISHED VEGETATION THE INLET PROTECTION SILT FENCES AND SEDIMENT SHALL BE REMOVED.
 3. EROSION CONTROL SHALL BE MAINTAINED ON SITE UNTIL FINAL VEGETATION IS ESTABLISHED.
 4. NO ADDITIONAL PAYMENT SHALL BE MADE TO MAINTAIN OR REMOVE TEMPORARY EROSION CONTROL MEASURES.
 5. TOTAL DISTURBED AREA = 4.48 ACRES

SEEDING SPECIFICATIONS

PERMANENT SEEDING (WHERE REQUIRED):
 KENTUCKY BLUEGRASS, USE AT LEAST 3 ADAPTED VARIETIES, APPLY AT 100 LBS./ACRE. CONSTRUCT FERTILIZER AND MULCH IN ACCORDANCE WITH SCS CONSERVATION PRACTICE STANDARD CODE 660.

TEMPORARY SEEDING (WHERE REQUIRED):
 TREAT, APPLY AT 50 LBS./ACRE. CONSTRUCT FERTILIZER AND MULCH IN ACCORDANCE WITH SCS CONSERVATION PRACTICE STANDARD CODE 660.

ALTERNATIVE MIXES WILL BE CONSIDERED DUE TO VARIATIONS IN PLANTING SEASONS.

LEGEND

⊕ INLET PROTECTION

— SF — SILT FENCE

DRAINAGE SUMMARY

FOR BOTH SECTION 3 & SECTION 4

DRAINAGE AREA = 21.74 ACRE

UNDEVELOPED CN = 45.0 25 = 6.49 CFS

DEVELOPED CN = 54.0 25 = 13.73 CFS

DETENTION VOLUME REQ'D = 4.425 CU FT

25 0 50 100
 SCALE IN FEET

CB CHRISTOPHER B. BURKE ENGINEERING LTD. 202 NE Madison Street, Suite 101 Peoria, Illinois 61602 (309) 676-9000 Design Firm Registration # 184-001175	CLIENT: ALLEN & ASSOCIATES 430 STATE STREET PEKIN, ILLINOIS 61554	PROJECT NO. 00-299 SHEET 3 OF 3 DRAWING NO. ECD-1
	TITLE: STORM WATER POLLUTION PREVENTION PLAN DEERFIELD ESTATES SECTION 4 OVERALL SITE & EROSION CONTROL PLAN	DESIGNED BY: [] CHECKED BY: [] DATE: []

PEKIN VISITORS BUREAU APPLICATION FOR HOTEL/MOTEL TAX FUND ASSISTANCE

1) Name of applicant organization INDEPENDENT SOFTBALL ASSOCIATION
 Address 1114 S. 6th Street
 Phone 309-267-8772 Fax _____ e-mail jjackson@ntslink.net

2) Name of person completing form Jerry Jackson
 Position in/with applicant organization ISA State Director
 Address Same
 Phone Same Fax _____ e-mail Same

3) Is applicant organization certified not-for-profit? ☒ Yes ☐ No

4) Event name ISA Men's 35 & Over World Championship
 Dates of Event Sep 9-10-11 Event Times _____ To _____
 General purpose, intent or theme of event World tournament

Event Site (include address) Dragon's Dome 3401 Griffin Av Pekin, IL 61554
 How long has the event been held _____ Years
 Is the event dependent on weather conditions ☒ Yes ☐ No
 Will alcoholic beverages be served ☒ Yes ☐ No
 What meals or food services will be provided to attendees Concessions for Games
Managers Lunch
 How will the event help promote a positive image of Pekin? Draw attention to Pekin
Softball history and facilities

5) Attendees
 Projected total number of attendees 1500
 Projected number of attendees staying in hotels 750
 Distance attendees will travel 450 Miles
 What, if any, 'spin off' events resulting overnight visitors to Pekin do you expect to be generated by this event Regional Tournaments
 How widely, and by what method(s) is the event being publicized Websites, ISA - Dragon's Dome - National e-mail mailings - press releases
 What kind of media coverage do you expect to attract (check all that apply)
 Local (☒) Regional (☒) State-wide (☒) National (☒) International (☐)

6) List all sources of event financing
Team Registration - Sponsorship - Gate Receipts

 How was or will this money be raised Team Registrations; Gate Receipts; Sponsors

Estimated total cost of 'putting on' event \$10,850.00 / \$ 11,750 Expenses
 Estimated net profit made by this event \$-2750.00

Purposes for these proceeds Make It possible to host future tournaments,.

Provide major line item budget for event \$2,500 Bid Fee
\$ 900 Field Rental + any lighting charges
\$4,800 Umpire Fees

Total amount requested from City of Pekin \$ 3,900
(*amount not to exceed 1/3 total cost of event, or \$5,000 whichever is less)

Uses for funds being requested (specific) Bid Fee, Field Rental, Umpire Fees

Submitted By: *James J. [Signature]*

(Signature)

ISA STATE Director

Date: 8-11-05

✕

(This section to be completed by staff)

Application Denied: _____ Date: _____

Application Approved in the amount of \$ _____ Date: _____

Signed by: _____ Date: _____

Pekin Visitors Bureau Comments: _____



Pekin Visitors Bureau
111 S. Capitol
Pekin, Illinois 61554
309-477-2300 ~ 877-669-7741
www.pekintourism.com

BUDGET

Expenses

	\$	
Bid Fee	2,500.00	
	\$	
Umpires	4,800.00	
Umpire Lodging &	\$	
Food	1,250.00	
	\$	
Managers Lunch	1,000.00	
	\$	
Ticket Takers	500.00	* NFP organiz
	\$	
Awards	500.00	
	\$	
Field Rental	900.00	
	\$	
Softballs	300.00	
	\$	
	11,750.00	

Income

	\$	
Registration Fees	5,000.00	
	\$	
Sponsorship	2,000.00	
	\$	
Gate	2,000.00	
	\$	
	9,000.00	
	\$	
Balance	(2,750.00)	



Illinois Department of Natural Resources

One Natural Resources Way • Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

Joel Brunsvold, Director

August 4, 2005

City of Pekin
Attn: Dennis Kies
111 South Capitol
Pekin, Illinois 61554

Re: Pekin Lake Conservation Area
License No. 6299

Dear Dennis Kies:

A renewal has been prepared which will extend your License Agreement No. for a parcel of land at Pekin Lake Conservation Area. Please have all three copies of the License Agreement signed by an authorized representative of the City of Pekin and complete the Signature Authorization Form attached to the agreement as Exhibit A. Include your phone number and an emergency phone number in paragraph 18 of the license, and enter your FEIN Number in the space provided.

Return all copies together with your first annual payment of \$75.00, or a full-term payment of \$375.00. The payment should be made payable to the "Illinois Department of Natural Resources" and forwarded to the Department of Natural Resources, Division of Concessions, Leases and Services, One Natural Resources Way, Springfield, IL 62702-1271. Once the signed agreements and your payment have been received and approved, a fully executed agreement will be returned to you.

If you have any questions regarding the enclosed agreement, please contact this office at 217/782-0179.

Sincerely,

Patrick Johnson
Division of Concession and Lease Management

Enclosures

cc: Stan Weimer, Site Superintendent

PJJ

6299-covlet-lic.jul05.wpd

Agreement Number: 6299
Site Name: Pekin Lake Conservation Area
Location Code: 50-1691-1

STATE OF ILLINOIS
DEPARTMENT OF NATURAL RESOURCES
LICENSE AGREEMENT

THIS AGREEMENT is entered into by and between the STATE OF ILLINOIS, DEPARTMENT OF NATURAL RESOURCES, hereinafter referred to as "IDNR," and CITY OF PEKIN, hereinafter referred to as "LICENSEE";

WITNESSETH:

WHEREAS, IDNR has jurisdiction over the real estate hereinafter described; and

WHEREAS, the property herein described is not otherwise needed immediately or in the near future for development by IDNR; and

WHEREAS, both parties understand that the transfer or assignment of this Agreement in any manner, by operation of law or otherwise, or the subletting of the subject property may not be accomplished without the written consent of IDNR; and

WHEREAS, IDNR is authorized and empowered to enter into this License Agreement pursuant to and under the Statutory authority of 20 ILCS 805/805-260; and

WHEREAS, LICENSEE is authorized and empowered to enter into this Agreement and to perform the covenants and promises herein made and undertaken by virtue of the signature authorization attached hereto as Exhibit A:

NOW THEREFORE:

For and in consideration of the mutual covenants and undertakings herein contained, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, IDNR hereby licenses to LICENSEE the IDNR land shown on the attached Exhibit B and hereinafter designated the PREMISES, which is legally described as follows:

A strip of land sixty (60) feet in width, extending along, twenty (20) feet northerly of, and forty (40) feet southerly of the westerly prolongation of the centerline of Jane Street from the westerly edge of blocks 220 and 223 for a distance of one hundred seventy-five (175) feet, in the Northeast Quarter of Section 34, Township 25 North, Range 5 West of the Third P.M., Pekin Township, Tazewell County, Illinois, containing 0.241 acres more or less, being a part of Pekin Lake Conservation Area.

It is understood and agreed that IDNR is not making any representations with respect to the condition of the title or boundaries of the PREMISES, and, accordingly, IDNR shall not be held liable for any damages or liabilities resulting from any actions, legal or otherwise, that arise because of any adverse claims concerning the title or boundary of the PREMISES.

The term of this License Agreement shall be for a period of five (5) years, beginning on the 1st day of December, 2005, and ending on the 30th day of November, 2010, unless otherwise terminated or revoked as provided for herein.

LICENSEE, for the use and occupancy of the PREMISES, does hereby agree to pay a license fee of Seventy-five and no/100 Dollars (\$75.00) per year, payable annually in advance of the anniversary date of this Agreement to "Illinois Department of Natural Resources" and remitted to the Department of Natural Resources, Division of Concession and Lease Management, One Natural Resources Way, Springfield, Illinois 62702-1271. IDNR reserves the right to charge 10 percent interest compounded monthly on any arrearage after a 30-day grace period until the license fee is paid by LICENSEE. IDNR has the authority, upon written request from LICENSEE, to waive said interest if in the best interest of IDNR.

IT IS FURTHER AGREED BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. PURPOSE: LICENSEE may use and occupy the PREMISES to operate, maintain and remove a 42-inch storm sewer and outfall structure only, it being specifically understood that the PREMISES shall not be used for the burning of refuse, deposition of debris or other material, or for any unsanitary or unhealthful purposes by LICENSEE in the use or occupancy of the PREMISES. Any other uses of the PREMISES, and all plans in connection herewith, shall be subject to the prior written approval of IDNR. An unauthorized or impermissible use of the PREMISES may be deemed by IDNR to be a material breach of this Agreement.

2. OPERATION AND MAINTENANCE: LICENSEE shall in no way alter or modify any existing structure(s) located on the PREMISES, nor shall LICENSEE modify the land within the PREMISES, except for ongoing tillage and cultivation, without the prior express written consent of IDNR. If LICENSEE wishes to make any such alterations and/or modifications, LICENSEE shall first contact IDNR's Division of Planning to ensure compliance with applicable statutes and regulations including, but not limited to, consultation requirements of the Illinois Endangered Species Protection Act, 520 ILCS 10/11, and the consultation, mitigation and compensation provisions of the Interagency Wetland Policy Act of 1989, 20 ILCS 830/1-1 *et seq.*, and with the State Agency Historic Resources Protection Act. Nothing herein contained shall be construed to mean that IDNR shall be responsible for compliance with all applicable State or Federal statutes and regulations; that responsibility shall remain with LICENSEE.

LICENSEE shall not, in any manner, obstruct the programs of IDNR. It is understood and agreed that IDNR reserves the right to require LICENSEE to remove, relocate or modify any structures, improvements or facilities upon, under or across the PREMISES, at LICENSEE's sole expense, if IDNR determines, in its sole discretion, that such actions are appropriate and necessary to preserve the integrity, character, function or use of the PREMISES. To the extent IDNR has surplus, vacant land available, IDNR shall provide suitable replacement lands for use by LICENSEE in the event of any relocation pursuant to this Section.

Maintenance of LICENSEE's facilities within the PREMISES and repair of any damage caused by LICENSEE to the PREMISES shall be the responsibility of LICENSEE and shall be subject to the reasonable direction and approval of IDNR. Any maintenance activities of LICENSEE, including all excavation and vegetation management activities, shall be preceded by advance notice to the IDNR Emergency Contact and shall be done in a manner which complies with any special concerns of IDNR. Such concerns may include, but are not limited to, requiring the scheduling of such activities to be compatible with anticipated activities of IDNR or its invitees or licensees and restricting the seasons, types, extent and methods of vegetation control employed by LICENSEE. LICENSEE shall be responsible for the prompt payment of any and all utility bills for services provided to LICENSEE at the PREMISES.

3. CONDITIONS OF PREMISES: IDNR makes no guarantees or assurances regarding the condition of any improvements situated on the PREMISES.

4. SITE INSPECTION FOR UTILITIES: LICENSEE acknowledges that it has inspected the PREMISES for transmission of oil, gas, utilities, etc. by other persons across said PREMISES, and is accepting the PREMISES with no representation or warranty as to prior or existing use or condition of said PREMISES.

5. RESERVED RIGHTS: This Agreement is nonexclusive and IDNR reserves the right of ingress, egress and usage of the PREMISES, and the right to grant leases, permits, or rights-of-way in and to the PREMISES to the extent that they are not incompatible with the uses authorized herein.

6. LAWS AND REGULATIONS: LICENSEE, in the use and occupancy of the PREMISES, shall comply with all applicable requirements of all laws, ordinances, rules and regulations.

7. INDEMNIFICATION: LICENSEE will indemnify and hold harmless, protect and defend, at LICENSEE's own cost and expense, IDNR, its property, agents, employees, assigns, successors, transferees, licensees, invitees, or other persons or property standing in the interest of the State of Illinois, from any and all risks, suits, damages, expenses or claims to the extent caused by the negligence of LICENSEE or arising in any way from the granting of this License, except to the extent caused by the negligence of IDNR. This shall not be construed to limit the legal remedies otherwise available to LICENSEE in defense against damage claims brought by third parties. If this Agreement is with a governmental unit only, it is understood and agreed that neither party to this Agreement shall be liable for any negligent or wrongful acts either of commission or omission of the other party unless such liability is imposed by law.

8. TAXES: Upon notice to LICENSEE of the amount(s) due, LICENSEE shall pay and discharge, when due and payable, LICENSEE's proportionate share of any real estate taxes, assessments, and other governmental charges which may be levied, assessed or become liens upon the PREMISES or any part thereof, and any taxes and licenses growing out of or in connection with LICENSEE's operation of its facilities upon the PREMISES during the term of this Agreement with respect to any tax year, or any portion thereof; provided, however, that no law or regulation postponing the date of payment of such taxes, assessments, or charges until after any termination of this Agreement shall relieve LICENSEE of LICENSEE's obligation to make such payment. LICENSEE shall, at any time upon request of IDNR, exhibit to IDNR for examination receipts of payments of all such taxes, assessments and charges.

9. DISCRIMINATION: IDNR and LICENSEE shall not discriminate unlawfully on the basis of race, color, sex, national origin, age or handicap in admission to, or treatment or employment in, programs or activities.

10. CERTIFICATIONS: LICENSEE certifies that neither LICENSEE nor its officers nor employees have been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor has LICENSEE made an admission of guilt of such conduct which is a matter of record, nor is LICENSEE otherwise barred from being awarded a contract or subcontract under Section 10.1 or 10.3 of the Illinois Purchasing Act. LICENSEE certifies that neither LICENSEE nor its officers nor employees have been barred from bidding on this contract as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961. LICENSEE certifies that neither LICENSEE nor its officers nor employees are in default on an educational loan as provided in Public Act 85-827.

11. ENVIRONMENTAL: LICENSEE shall not trim or cut any trees or shrubs, alter or impede water flowage, apply chemicals or disturb the terrain in any manner without prior approval of IDNR.

12. RESTORATION OF PREMISES: LICENSEE shall restore any disturbances of the PREMISES caused by LICENSEE, or resulting from the granting of this License, to the reasonable satisfaction of IDNR.

13. SUCCESSORS: All the covenants and conditions of this License Agreement shall be binding on and extend to the successors, assigns, contractors, and legal representatives of the parties hereto.

14. CANCELLATION: Should it be determined by IDNR that the PREMISES are required for public purposes incompatible with this Agreement, LICENSEE shall, upon demand by IDNR, surrender the PREMISES and remove LICENSEE's personal property therefrom within ninety (90) days of said demand. This Agreement shall be revokable for noncompliance by LICENSEE with any of the terms herein within thirty (30) days of notice of noncompliance and failure to cure, or cessation of use or abandonment by LICENSEE, or bankruptcy of LICENSEE, either voluntary or involuntary, whether through discharge or restructuring of debt. LICENSEE shall have the right to terminate this Agreement prior to the expiration date by giving IDNR sixty (60) days of advance written notice of the date of termination. LICENSEE may properly abandon all or any portion of its facilities upon expiration or early termination of this Agreement upon the prior written consent of IDNR.

15. PUBLIC SAFETY: Should it be determined reasonably by IDNR that a particular use of the PREMISES by LICENSEE is, or will be, hazardous to the public or the property, LICENSEE upon notice by IDNR, shall install safety devices or make modifications at LICENSEE's sole expense to render the PREMISES safe for, and compatible with, public use. In the event LICENSEE fails to install such safety devices or make required modifications within thirty (30) days, or, if such modifications cannot be completed within said time frame, LICENSEE fails to begin working expeditiously to render the PREMISES safe for the public, IDNR may install such safety devices or make such modifications at LICENSEE's expense, and may cancel this Agreement, and all rights of LICENSEE hereunder shall be forfeited.

16. RENEWAL AND RATE ADJUSTMENT: This Agreement may be renewed at the end of its term, providing that sixty (60) days advance notice to IDNR has been given. However, any renewal shall be at the express written consent and approval of both parties hereto, and IDNR reserves the right to adjust rental rates on an annual basis to reflect current land values and/or conditions and circumstances. No holding over by LICENSEE shall operate to renew this License.

17. MARKING: During any trench or plow installation or relocation of any underground utility line, LICENSEE shall install marking tape at least twelve (12) inches above and directly over the utility and not more than twenty-four (24) inches below normal grade. Said tape shall be identified by permanent lettering and color coding as follows:

- Red - Electric power
- Yellow - Gas, oil, hazardous materials
- Orange - Telecommunications, signals
- Blue - Water
- Green - Sewer

Such markers, except as otherwise agreed or specified herein, shall meet applicable standards of the American Public Works Association.

18. NOTIFICATION: All notices shall be addressed as follows:

IDNR:

Department of Natural Resources
Concession & Lease Management
One Natural Resources Way
Springfield, IL 62702-1271
Telephone: 217/782-0179

Emergency Contact:

Location: Spring Lake Conservation Area
Telephone: 309/968-7135

LICENSEE:

City of Pekin
111 South Capitol
Pekin, IL 61554
Telephone: 309/477-2300

Emergency Contact:

Location: _____
Telephone: _____

19. SUPERSESSON: This Agreement supersedes all previous agreements between the parties hereto regarding the subject PREMISES and purposes, and any such previous agreements shall be of no further force or effect, relative to the rights or privileges granted by IDNR therein, as of the effective date of this Agreement.

20. AMENDMENTS: This Agreement sets forth all agreements between the parties. No change, modification or amendment shall be valid and binding unless set forth in writing and signed by all parties.

21. APPLICABILITY AND SEVERABILITY: IDNR and the LICENSEE mutually acknowledge that various standard provisions of this Agreement may or may not be pertinent to the proposed purpose, and that each such provision shall be interpreted as it reasonably pertains to the PREMISES. If any provision of this Agreement should be found illegal, invalid or void, said provision shall be considered severable. The remaining provisions shall not be impaired and the Agreement shall be interpreted to the extent possible to give effect to the parties' intent.

Agreement Number: 6299
Site Name: Pekin Lake Conservation Area
Location Code: 50-1691-1

IN WITNESS WHEREOF, the foregoing Agreement is hereby executed this _____ day of _____, 20____.

LICENSEE:

CITY OF PEKIN

STATE OF ILLINOIS

DEPARTMENT OF NATURAL RESOURCES

BY: _____

Title: _____

Date: _____

BY: _____

Title: Director

Date: _____

Social Security (or) FEIN No.

Agreement Number: 6299
Site Name: Pekin Lake Conservation Area
Location Code: 50-1691-1

EXHIBIT A

SIGNATURE AUTHORIZATION

As an official agent of CITY OF PEKIN,
(Lessee or Licensee - Company / Corporation / Municipality)

I certify that _____ is an authorized representative
(Name of executive or official who will sign the agreement)

of said organization and is legally empowered to act on its behalf in executing this agreement.

Signed: _____
(Person affirming signature authority of above official;
must not be the same individual)

Title: _____

Date: _____

EXHIBIT "B"

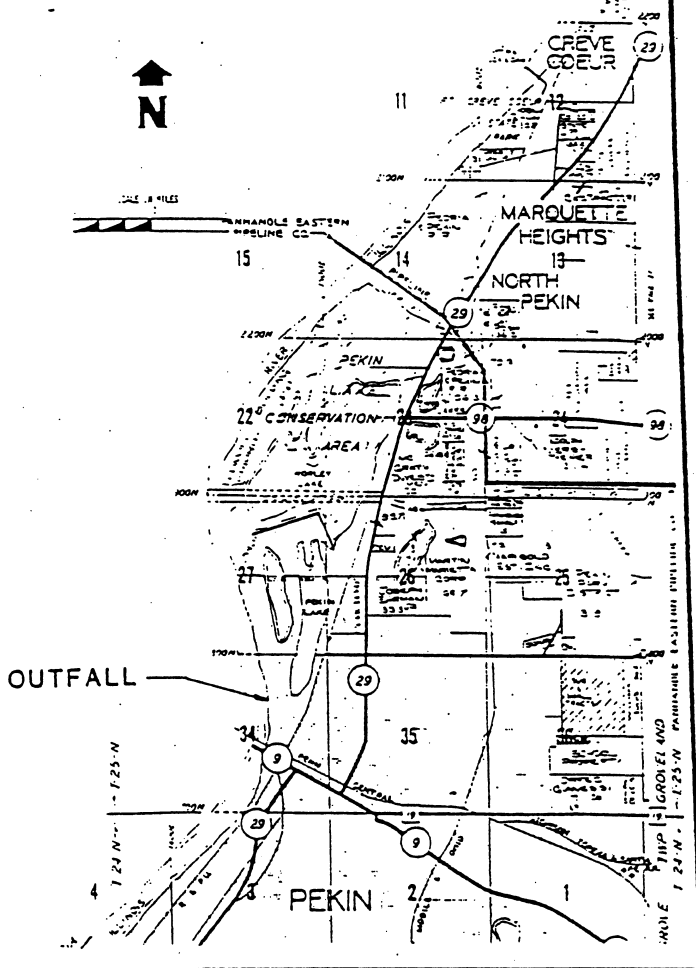
PEKIN

TOWNSHIP 24 & 25-N. RANGE 5-W

- Section of State Highway
- County of Louisiana Route
- Boundary
- Boundary of Farm land



Scale 1/4 Miles



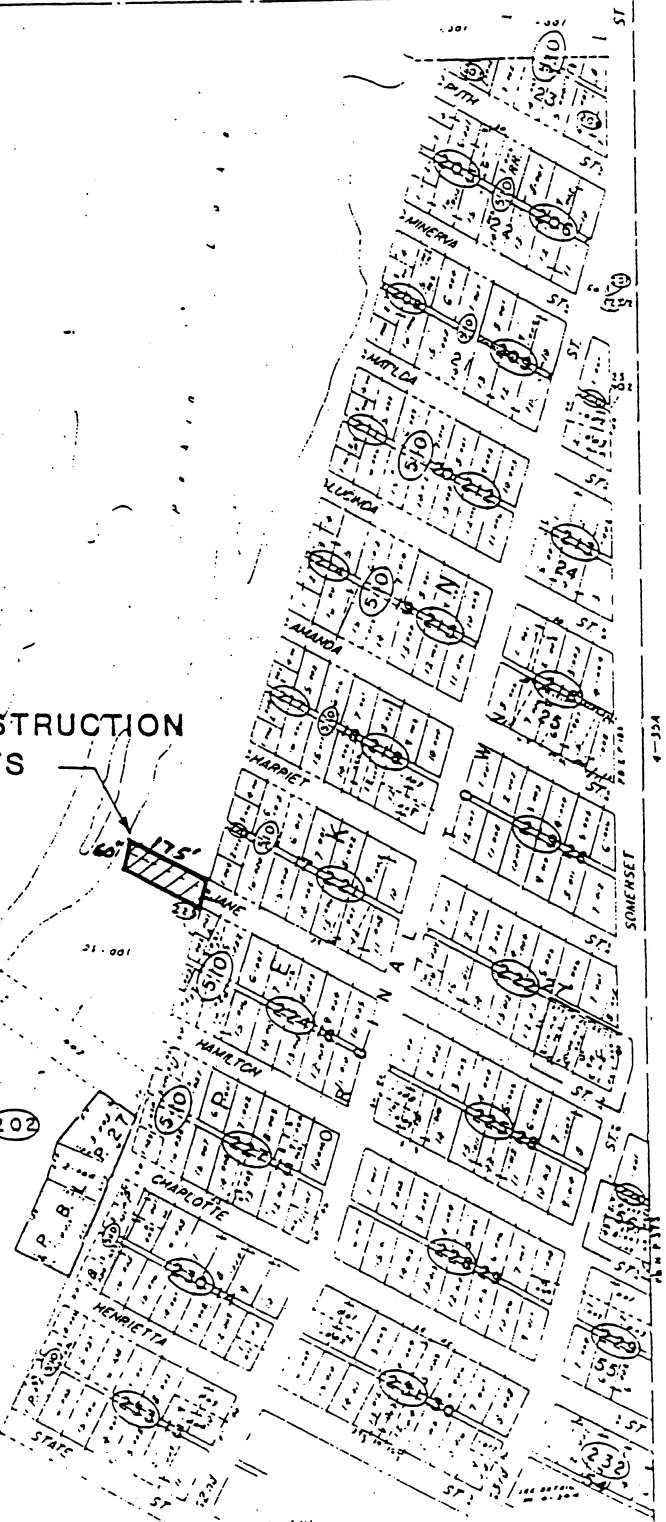
PEKIN LAKE S.A.
TATZEWELL CO.
LICENSE NO. 6299

(200)

21 001
21 1500

CONSTRUCTION
LIMITS

(202)



PEKIN TWP.

E. 1/2 NE. 1/4 SEC. 34 T.25N. R.5W.



LEASE CERTIFICATIONS

- I. The Contractor certifies that it is not barred from being awarded a contract or subcontract under Section 50 of the Illinois Procurement Code (30 ILCS 500/50).
- II. The Contractor certifies that it has not been barred from contracting with a unit of State or local government as a result of a violation of Section 33-E3 or 33-E4 of the Criminal Code of 1961 (720 ILCS 5/33E-3, 720 ILCS 5/33E-4).
- III. The Contractor certifies that it is not in default on an educational loan as provided in Public Act 85-827 (5 ILCS 385/1) (a partnership shall be considered barred if any partner is in default on an educational loan).
- IV. The Contractor is not prohibited from selling goods or services to the State of Illinois because it pays dues or fees on behalf of its employees or agents or subsidizes or otherwise reimburses them for payment of their dues or fees to any club which unlawfully discriminates (775 ILCS 25/1).
- V. Under penalties of perjury, I certify that the name, taxpayer identification number, and legal status listed below are correct.

Name: _____

Taxpayer Identification Number:

Social Security Account Number _____

or

Federal Employer Identification Number _____

(If you are an individual, enter your name and SSAN as it appears on your Social Security Card. If completing this certification for a sole proprietorship, enter the owner's name followed by the name of the business and the owner's SSN. For all other entities, enter the name of the entity as used to apply for the entity's FEIN and the FEIN.)

Legal Status (Check one):

- | | |
|--|---|
| ☐ Individual | ☐ Governmental Entity |
| ☐ Owner of Sole Proprietorship | ☐ Nonresident alien individual |
| ☐ Partnership | ☐ Estate or legal trust |
| ☐ Tax-exempt hospital or extended care facility | ☐ Foreign corporation, partnership, estate, or trust |
| ☐ Corporation providing or billing medical and/or health care services | ☐ Other: _____ |
| ☐ Corporation NOT providing or billing medical and/or health care service | |

- VI. This certification is required by the Drug Free Workplace Act (30 ILCS 580/1) for contracts and grants effective January 1, 1992. The Drug Free Workplace Act requires that no grantee or Contractor shall receive a grant or be considered for the purposes of being awarded a contract from the State for the procurement of any property or services unless that the grantee or Contractor will provide a drug free workplace and that individuals must not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the performance of the contract or grant. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of the contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but not more than five (5) years.

CONTRACTOR/GRANTEE: For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership, or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division, or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State.

EXHIBIT C

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

(a) Publishing a statement:

- (1) Notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
- (2) Specifying the actions that will be taken against employees for violations of such prohibition.
- (3) Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
 - (A) abide by the terms of the statement; and
 - (B) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

(b) Establishing a drug free awareness program to inform employees about:

- (1) the dangers of drug abuse in the workplace;
- (2) the grantee's or contractor's policy of maintaining a drug free workplace;
- (3) any available drug counseling, rehabilitation, and employee assistance programs;
- (4) the penalties that may be imposed upon employees for drug violations.

(c) Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.

(d) Notifying the contracting or granting agency within ten (10) days after receiving notice under part (B) of paragraph (3) of subsection (a) above from an employee or otherwise receiving actual notice of such conviction.

(e) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted as required by section 5 of the Drug Free Workplace Act.

(f) Assisting employees in selecting a course of action in the event drug counseling, treatment, and rehabilitation is required and indicating that a trained referral team is in place.

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.

INDIVIDUALS: If Contractor is an individual, or an individual doing business in the form of a sole proprietorship, the individual certifies that the individual will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the performance of the contract. Contractor certifies that it will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the performance of the contract. This requirement applies to contracts of more than \$5,000.

VII. In compliance with the State and Federal Constitutions, the Illinois Human Rights Act, the U.S. Civil Rights Act, and Section 504 of the Federal Rehabilitation Act, the Department of Central Management Services does not unlawfully discriminate in employment, contracts, or any other activity.

Contractor, its employees and subcontractors, agree not to commit unlawful discrimination and agree to comply with applicable provisions of the Illinois Human Rights Act, the Public Works Employment Discrimination Act, the U.S. Civil Rights Act and Section 504 of the Federal Rehabilitation Act, and rules applicable to each. The equal employment opportunity clause of the Department of Human Rights' rules is specifically incorporated herein.

The Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and the regulations thereunder (28 CFR 35.130) (ADA) prohibit discrimination against persons with disabilities by the State, whether directly or through contractual arrangements, in the provision of any aid, benefit or service. As a condition of receiving this contract, the undersigned contractor certifies that services, programs and activities provided under this contract are and will continue to be in compliance with the ADA.

EXHIBIT C

- VIII. Contractor certifies he/she has informed the director of the agency in writing if he/she was formerly employed by that agency and has received an early retirement incentive under Section 40 ILCS 5/14-108.3 or 40 ILCS 5/16-133.3 of the Illinois Pension Code. Contractor acknowledges and agrees that if such early retirement incentive was received, this contract is not valid unless the official executing the contract has made the appropriate filing with the Auditor General prior to execution.
- IX. **RETENTION OF RECORDS:** The Contractor or subcontractor shall maintain books and records relating to the performance of the contract or subcontract and necessary to support amounts charged to the State under the contract or subcontract. The books and records shall be maintained by the Contractor for a period of 3 years from the later of the date of final payment under the contract or completion of the contract and by the subcontractor for a period of 3 years from the later of the date of final payment under the subcontract or completion of the subcontract. However, the 3-year period shall be extended for the duration of any audit in progress at the time of that period's expiration. All books and records shall be available for review and audit by the Auditor General and the purchasing agency. The Contractor agrees to cooperate fully with any audit conducted by the Auditor General and to provide full access to all relevant materials. Failure to maintain the books and records 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 required books and records are not available. (30 ILCS 500/20-65).
- X. **SEXUAL HARASSMENT:** Pursuant to 775 ILCS 5/2-105(A)(4), contractor shall have written sexual harassment policies that shall include, at a minimum, the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment, utilizing examples; (iv) the Contractor's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Department of Human Rights and the Human Rights Commission; (vi) directions on how to contact the Department and Commission; and (vii) protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act. A copy of the policies shall be provided to the Department upon request.
- XI. For contracts exceeding \$10,000, the Contractor certifies that neither it nor any substantially-owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act.
- XII. Contractor shall notify the Department's Ethics Officer if Contractor solicits or intends to solicit for employment any of the Department's employees during any part of the procurement process or during the term of the contract.
- XIII. **WAGES OF LABORERS, MECHANICS AND OTHER WORKMEN:** If applicable, the Contractor shall be required to observe and comply with provisions of the "Prevailing Wage Act," 820 ILCS 130/1 *et. seq.*, which applies to the wages of laborers, mechanics and other workers employed in any public works.
- XIV. The Contractor or bidder certifies that it, or any affiliate, is not barred from being awarded a contract under 30 ILCS 500. Section 50-11 prohibits a person from entering into a contract with a State agency if he knows or should know that he, or any affiliate, is delinquent in the payment of any debt to the State as defined by the Debt Collection Board. Section 50-12 prohibits a person from entering into a contract with a State agency if he, or any affiliate, has failed to collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use Tax Act. The Contractor further acknowledges that the contracting State agency may declare the contract null and void if this certification is false or if the Contractor, or any affiliate, is determined to be delinquent in the payment of any debt to the State during the term of the contract.
- XV. The Contractor certifies in accordance with Public Act 93-0307 that no foreign-made equipment, materials, or supplies furnished to the State under the contract have been produced in whole or in part by forced labor, convict labor, or indentured labor under penal sanction.
- XVI. The Contractor certifies in accordance with 30 ILCS 500/50-10.5 that no officer, director, partner or managerial agent of the contracting business has been convicted of a felony under the Sarbanes-Oxley Act of 2002 or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953, 815 ILCS 5/1 *et seq.*, for a period of five years prior to the date of the bid or contract. The Contractor acknowledges that the contracting agency shall declare the contract void if this certification is false.
- XVII. The Contractor certifies this agreement is in compliance with the requirements of the Corporate Accountability for Tax Expenditure Act (PA 93-0552).
- XVIII. The Contractor certifies in accordance with 30 ILCS 500/50-12 that the bidder or contractor is not barred from being awarded a contract under this Section. The Contractor acknowledges that the contracting agency may declare the contract void if this certification is false.

EXHIBIT C

The undersigned acknowledges and agrees that each of the certifications or amendments shall be incorporated into and made a part of the invitation for bids, request for proposals, agreement, contract, amendment, renewal or other similar document to which these certifications are attached.

CONTRACTOR:

BY: _____

TITLE: _____

DHR Public Contract Number*: _____

Approved by DNR Legal Counsel June 2003
as revised by Comptroller Accounting Bulletin 116 in January 2004

(*) Department of Human Rights Public Contract Number.
Each Contractor having 15 or more employees must have a current Public Contract number or have proof of having submitted a completed application for one. Application forms may be obtained by contacting the Department of Human Rights, Public Contracts Section, 100 W. Randolph, 10th Floor, Chicago, Illinois 60601 or calling 312/814-2431 (TDD 312/263-1579). In the space provided, show your Public Contract Number or, if not available, the date a completed application for the number was submitted to the Department of Human Rights. Contractors with less than 15 employees may indicate "not applicable".

RESOLUTION No. 122-05/06

August 22,

2005

PEKIN, ILLINOIS, _____

RESOLUTION BY COMMISSIONER _____

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

the following named person is hereby appointed to the position of Treasurer
for an indefinite term.

CITY TREASURER

Charles Renner



SIGNED BY _____

MAYOR.



To: Mayor Lyn Howard
From: The Treasurers Selection Committee
Re: Treasurer recommendation
Date: August 18, 2005

Sir,

As per your instructions, the Treasurers Selection Committee developed criteria for and published, through the City Clerk, the job description and duties for the position of Treasurer for the City of Pekin.

As a result, fourteen applicants submitted applications and or resumes for the position. The Committee met, reviewed all applications, and based upon their qualifications, created a short list of 4 applicants who were then interviewed.

It was during the interviews that the identities of each applicant were formally revealed. Upon completion of the interviews, the applicants were rated on a scale of 1 through 4 with a 1 being the highest recommendation.

Subsequent to the interviews, one applicant advised the Committee that he was withdrawing his name, for personal and business reasons, from the process.

The Committee rates Charles Renner as the highest rated candidate for the position of Treasurer of the City of Pekin.

Respectfully,
William A.R. Maddox, Chairman
Dennis Kief
Jack Wilt

2.9 RESIDENCY REQUIREMENT

All existing employees, except Department Heads, hired prior to May 1, 2005, must live within the following boundaries: Interstate 474 (north), Springfield Road (east), Townline Road (south), and Manito Blacktop north from Townline Road to the Illinois River (west).

Department Heads, and all employees hired after May 1, 2005, shall reside within the corporate limits of the City of Pekin. Residency requirements for employees covered under collective bargaining agreements shall be governed by those agreements. **Residency requirements for non-union sworn police and fire personnel shall also be governed by the police and fire collective bargaining agreements.** Employees hired after May 1, 2005, who do not reside in Pekin, may have up to twelve (12) months from their date of hire to establish residency. Exception to this policy may only be temporary, for personal hardship reasons, and must be authorized by the City Manager. An employee who fails to meet this requirement shall be terminated. Those employees hired prior to the adoption of this policy, and pursuant to a policy permitting residency outside the City limits, may retain that residence without penalty, provided that any relocation they may make during their employment shall only be into the City limits.

4.9 SICK PAY PLAN

All Regular full-time employees, will earn 1 day per month (12 days per year) to a maximum accrual of 240 days, for the purpose of protecting them from loss of income due to their inability to work because of personal illness or injury, or the employee's and/or immediate family member's recuperation from illness or injury, or surgery. Immediate family members shall consist of mother, father, brother, sister, mother-in-law, father-in-law, child (adopted, biological or step), maternal and fraternal grandparents. Employees covered by collective bargaining agreements, should refer to the respective contract or written agreement language. Accumulated sick leave will not be paid off when an employee changes from a benefit eligible classification status, or at any termination of employment.

All sick leave absences, regardless of their expected length, must be communicated to the employee's immediate supervisor as soon as known and possible to allow sufficient time to plan for the employee's duties and responsibilities to be met during the employee's absence. Employees are to inform their supervisor of their impending absence, the best estimate of the expected length of the absence, and the reason for the absence no later than the beginning of their scheduled shift. Extenuating circumstances will be taken into consideration.

Department heads may, at their discretion, require a physician's certification of the need to take sick leave. ~~and/or to return to work.~~ **A physician's certification to return to work must be provided to the immediate supervisor if the employee is off 3 (three) or more days.** Failure to provide such certification may be the basis for denial of sick leave and the equivalent reduction in pay for the time absent from work.

6.6 PURCHASING CARD PROGRAM

The purpose of the City's Purchasing Card Program is to establish a more efficient, cost-effective method of purchasing and paying for small dollar transactions. The program is designed, in part, to replace department purchase orders, and eliminate the use of petty cash fund reimbursements for small dollar purchases including office supplies, subscriptions, computer software and accessories, maintenance and repair materials, and other petty cash type items.

Cardholder Use Only – The purchasing card may be used **only** by the employee to whom the card has been issued or employees who have been authorized to do so. The cardholder is responsible and accountable for all transactions that occur on his or her card. **The cardholder may be held personally responsible for inappropriate charges.**

City Purchases Only – The purchasing card is to be used for City authorized purchases only. **The purchasing card cannot be used for any personal use and any such use will require immediate reimbursement and may result in disciplinary action which may include dismissal. Note: ~~No disciplinary action will result when unauthorized purchases are inadvertently included on approved out-of-town travel expenses, however, immediate reimbursement is required.~~ When unauthorized purchases are inadvertently included on approved out-of-town travel expenses, immediate reimbursement is required with explanation included.**

6.8 COMPENSATORY TIME OFF (COMP TIME)

Comp time for employees covered under collective bargaining agreements are governed by and described within the respective contracts. Additionally, the City provides comp time for non-exempt, non-union employees and for employees who are exempt from the overtime provisions of the Fair Labor Standards Act. Regular full-time exempt employees may accrue up to forty (40) hours of comp time each calendar year. Regular full-time non-exempt, non-union employees may accrue up to forty (40) hours at time and one-half (60 hours total). Each individual employee is responsible for maintaining written accrual and utilization records on their time sheet in accordance with the terms of this policy.

It is anticipated by the City that such comp time will be used for personal commitments, rest and recuperation after particularly heavy work loads or allow for additional time in conjunction with scheduled vacation time. It is not to be used on Mondays and Fridays to extend the weekend or immediately before or after a holiday without department head or City Manager approval. **Such approval to be withheld only on a showing of undue hardship on departmental operations.**

Non-union employees shall not be compensated, either during or upon separation of employment from the City, for any accumulated but unused comp time.

Page 27 - **8.1.2 Grievance Procedure**

Step 3: The employee shall submit his or her complaint in writing to the ~~City Manager~~ **Personnel Director**. A thorough investigation shall be completed and a conference shall be scheduled among the employee, his or her immediate supervisor and/or department head, and the City Manager. A ruling on the matter will be delivered in writing to the employee within fourteen (14) calendar days following the conference, and the decision of the City Manager shall be final and binding.

Time Limits: A complaint may not be considered under the Procedure if the time elapsed between its occurrence and the initial discussion with the supervisor equals or exceeds thirty (30) calendar days.

An employee wishing to appeal a decision rendered at any of the steps must do so within three (3) working days after notification of the decision. Should three (3) working days pass without notification by the employee of his or her intentions to appeal, the matter shall be considered settled.

In cases that require extensive investigation, time limits specified in the steps may be extended as mutually agreed by the parties, who will attempt in good faith to reach a decision as promptly as possible.

~~Right of Employee to Proceed Directly to Step 2 or Step 3: If the subject of an employee's complaint concerns his or her immediate supervisor or department head, the employee may proceed directly to the next step of this procedure.~~

Page 27 and 28

8.2 THEFT AND FRAUDULENT ACTIVITIES POLICY

The purpose of this policy is to provide an effective and efficient means of reporting and handling suspected fraudulent acts involving the property or resources of the City. Fraudulent transactions ordinarily involve a willful or deliberate action with the intent to obtain an unauthorized personal benefit for the party to the fraudulent transaction or for a third party. Fraudulent transactions may include but are not limited to: misappropriation of City funds, theft of the City property, or falsification of records or reports.

The City will not tolerate theft, waste, or abuse of funds, property, or other resources through fraudulent means. Employees should report suspected irregularities or possible fraudulent activities to the City Manager. All reported allegations will be fully reviewed; substantiated fraudulent activities will be discussed with the City's attorney and a decision whether or not to prosecute will be determined, **unless covered by state statutes.**

CITY OF PEKIN PERSONNEL POLICY



Revised
August 22, 2005

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1. INTRODUCTION

1.1 WELCOME

It is a pleasure to welcome you as an employee of The City of Pekin. This Personnel Policy is provided for your personal use. We encourage you to read it and keep for your future reference. If you have any questions about the contents of this Policy, or about anything that pertains to your job, please discuss these issues with your immediate supervisor, department head, or the Personnel Director.

The City Manager and other management staff have faith in their employees, and a real interest in them, their concerns, thoughts and ideas. Our primary aim is to serve the public, and we are proud of our reputation for providing quality service in an effective and efficient manner. We recognize the credit for this distinction goes to everyone in the organization.

Thank you for joining us. We look forward to working with you and will strive to provide a fair and enjoyable work environment for all staff.

1.2 PURPOSE

This Personnel Policy is provided to all employees of the City of Pekin, which will also be referenced throughout this Policy as the “the City”. It is intended to serve as a guideline for reference to the day-to-day administration of the human resources policies, practices, and work rules, and also outlines various programs developed by the City to benefit employees. All statements herein are designed to increase understanding, and provide direction to allow accomplishment of our objectives, and permit interpretations of policies in a fair and consistent manner. These provisions supersede the existing Personnel Policy. Existing departmental policies and procedures necessary for the operations of a specific department shall not be affected by this policy. This Policy is not an employment contract and does not establish contractual rights. The City Manager may modify, change, or eliminate the policies and/or procedures listed in these guidelines at any time, with the approval of our City Council. All changes and

modifications will be communicated to employees through the City's usual channels of communication: mailings, newsletters, payroll stuffers, employee meetings, city website, channel 22, and internal postings.

It is the responsibility of all employees to become familiar with and adhere to all policies and provisions of the Policy. It is the responsibility of all department heads and supervisory personnel to administer these policies in a consistent and impartial manner. Day-to-day interpretations of policy statements and their intent fall under the authority of the Personnel Director, with final approval by the City Manager.

The official copy of this document is kept and maintained in the Personnel Department. This policy is also part of the official records maintained by the City Clerk. For further clarification regarding the full rights, benefits and obligations of employees and of the City, please contact the Personnel Director.

Note: This Policy describes policies, practices, benefits, and work rules for all non-represented employees and for employees covered under collective bargaining agreements; however, current collective bargaining agreements and applicable statutes take precedence over policies, practices, benefits and work rules when conflicting statements exist. Employees covered by collective bargaining agreements should refer to their specific contract language when appropriate.

1.3 EMPLOYEE RESPONSIBILITIES

Each of us, as an employee, is an "Ambassador" of the City. It is hoped and even expected that you are proud to be a member of our team, and will always refer to the City of Pekin in a positive manner.

Our ability to successfully provide the level of service the citizens of our community (our customers) expect and deserve depends upon the quality of our staff and their commitment to excellence. It is expected that all City employees strive to understand, appreciate, commit to, and exemplify the following:

- A. Respect each other, and support the City's goals and philosophies;**
- B. Provide QUALITY work at a productive pace;**
- C. Treat others with courtesy and respect their rights;**
- D. Demonstrate the highest standards of personal integrity, truthfulness, honesty and fortitude in all public activities;**
- E. Show genuine team effort while participating in work activities;**
- F. Display a positive attitude and a smile to the people we serve no matter how challenging the day has been;**
- G. Take initiative within your authority; and**
- H. Perform your responsibilities to the best of your ability.**

All complaints from the public shall be handled courteously and promptly. The employee who receives a complaint should attempt to resolve the complaint if possible, or immediately refer the

complaining party to the appropriate department head or the City Manager. All complaints shall be properly documented.

1.4 BUSINESS PRACTICES

The following guidelines are to be adhered to in day-to-day conduct. Violations are subject to disciplinary action.

1. COMPLIANCE WITH LAWS AND REGULATIONS

The City shall conduct all activities in compliance with all applicable federal, state, and local laws and regulations.

2. PROPER RECORDING OF ASSETS AND DISBURSEMENTS

Making false or factitious entries in the City books and records and/or issuing false or misleading reports about the City operations, are prohibited. No employee shall engage in any transaction that requires or contemplates such prohibited activities.

3. PURCHASING POLICIES

All suppliers, seeking or participating in business dealings with the City, will be accorded fair and impartial treatment. Soliciting, or accepting, monetary or non-monetary kickbacks, fees, or commissions from a supplier is expressly forbidden. Accepting normal business courtesies with a value of \$25 or less is permissible. (Also see Conflict of Interest policy below, and refer to current State mandated ethics, gift ban, etc. policies).

4. POLITICAL CAMPAIGN POLICY

The City encourages individuals to participate in civic and political activities in their own way during their personal time. In doing so, individuals must never act as a representative of the City or give the appearance that the City is supporting their activity without the expressed consent of the City Manager. Participation in political activity of any kind is prohibited during the employee's working hours.

5. OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as they meet the performance standards of their job with the City, and such outside employment is disclosed to the immediate supervisor and the City Manager. All employees will be judged by the same performance standards and will be subject to the City scheduling requirements, regardless of any existing outside work requirements. If an employee's outside work interferes with his or her performance or ability to meet the requirements of their job as it is modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the City. Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the City for materials sold, or services rendered, while performing their jobs with the City.

6. ON/OFF DUTY MORALS, EFFICIENCY, IMAGE, PUBLIC CONFIDENCE

No employee shall engage in conduct, on or off duty, which adversely affects the morale or efficiency of the organization, or, engage in conduct, on or off duty, which has a tendency to destroy public respect for the employee and/or the City, and/or destroy confidence in the

operations of the City. Insure that all actions and statements, whether made publicly or privately, are such as to promote the execution of City ordinances, regulations, policies and programs.

7. CONFLICT OF INTEREST

Employees are expected to avoid any outside interest or activity which is in conflict or incompatible with the conduct of official duties. Employees must decline from participating in any business activity with the City, or participating in any decision on any such activity when the employee either has an ownership interest in the business with which the City is dealing or stands to receive personal outside gain from such dealings.

Employees are also expected to take precautions to avoid any appearance of conflict of interest, or raise suggestions of impropriety. To this end, the City expressly precludes any City employee from soliciting, or accepting, any gift, gratuity, service, favor or valuable service(s) in exchange for, or as a result of, or which might influence, the performance of their duty as City employees. The sole exceptions are that employees may:

- accept (but may not solicit or request) gifts of normal business courtesies with a nominal value; or
- may, with prior approval of the City Manager, participate in activities / events (e.g., seminars, conventions, golf tournaments) sponsored by an entity with which the City does business or might do business.

2. EMPLOYMENT

2.1 EMPLOYMENT AT WILL

If you are offered and accept employment with the City, your employment will be employment “at will”, which means employment with the City is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, the City may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law or contractual agreement.

2.2 EMPLOYEE RELATIONS

The City believes that the work conditions and wages, it offers to employees are fair and competitive with those offered by other employers in this area and other municipalities. If employees have concerns, they are strongly encouraged to voice these concerns openly and directly to their immediate Supervisor, Department Head, Personnel Director or City Manager.

Direct communication is always the best route to take to resolve issues.

2.3 EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the City will be based on merit, qualifications, and abilities. The City does not discriminate in any aspect of employment opportunities or practices on the basis of race, color, creed, sex, sexual orientation, national origin, ancestry, veteran status, age, disability, or any other characteristic protected by law.

The City will comply with the rules and regulations of the Americans with Disabilities Act of 1990 and make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship for the City or other employees. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of their immediate Supervisor, Personnel Director, or the City Manager. Employees can raise concerns and make reports without fear of retaliation. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

2.4 EMPLOYMENT PROCESS

The Personnel Department will advertise for position openings through various resources and methods including, but not necessarily limited to newspaper advertisement, professional journal advertisement, the City's website, other appropriate websites, and Channel 22. In addition, position openings shall be posted in every City department, and on the information board for official announcements which is located in the lobby near the entrance to the Council Chambers for a minimum of five (5) consecutive working days.

The job vacancy announcement shall be in a consistent format for all City jobs, and include at minimum the job title, rate or range of pay, work hours, a summary of duties, the essential qualifications, and the basic procedure to be followed in hiring.

Applications for regular full-time and regular part-time employment, and all applications and resumes received in response to advertised vacancies, will be kept on file for one (1) year. All applicants previously employed by the City must submit a new application if they have been off the payroll for more than one (1) year or were subsequently employed by another employer.

Employees are selected on the basis of their qualifications to fulfill established specifications for the job, or as outlined in collective bargaining agreements. General selection criteria includes knowledge, experience, education, training, skills, and willingness to work in a specified environment. No applicant shall be hired without an interview.

Hiring of Department Head personnel shall be the responsibility of the City Manager. When a non-management vacancy exists in a department, the respective department head will notify the

City Manager to obtain authorization for filling the position before taking any other steps. The department head will screen all applicants and interview a sufficient number of qualified candidates, and select the most qualified candidate. Participation in the interview/selection process may include the City Manager if he/she elects to participate or is requested to participate by the department head. The department head or City Manager may request participation by the Personnel Director at any step of the employment process. All applicants interviewed shall be notified by the responsible department head or the Personnel Department by written letter when the vacancy is filled.

2.5 EMPLOYMENT PROCESS FOR POLICE AND FIRE

Procedures and specific provisions for hiring members of the Police and Fire Departments will be followed as set forth in the Rules and Regulations of the Board of Fire and Police Commissioners of the City of Pekin.

2.6 PROMOTIONS

The City values the talents and expertise of their employees and will make every effort to promote from within when possible. Current employees of the City will be considered if they possess the necessary qualifications and/or experience that are equal to or would exceed others who make application, and when it is in the best interest of the City to do so.

2.7 EMPLOYMENT OF RELATIVES

Relatives and/or personal acquaintances will be given offers of employment over other candidates only when they are clearly the best candidate for the job. Employees may not work under the direct or indirect supervision of a relative as defined in this policy. For the purpose of this policy “relatives” includes spouses, sons or daughters, grandchildren, brothers or sisters, brothers or sisters-in-law, mothers or fathers, mother or father-in-law, or “step” relatives of the same level.

2.8 FITNESS FOR DUTY

Offers of employment by the City will be conditional upon the candidate successfully completing medical examination which includes a drug screen, and employment will not begin until the employment medical examination is successfully completed. Successful completion of the exam requires a negative drug screen and the physician’s certification that minimal physical standards established for the specific job are met. The City will provide reasonable accommodations, when necessary and requested, for qualified individuals with disabilities, in accordance with the Americans with Disabilities Act of 1990. Subsequently, a fitness for duty examination by a reputable physician, psychiatrist or psychologist approved by the City, may be required as a condition for continued employment, when the need for such examination is brought about by significant absenteeism, a work-related accident, as a guide for reasonable accommodation, prior to a “light duty” assignment, or when such examination is determined to be in the best interest of the employee and the City.

Individual departments may, with City Manager approval, establish additional testing requirements to evaluate the capacity and fitness of candidates to effectively and efficiently perform the duties of the specific job for which they have applied. For example, the Board of Fire and Police Commissioners may establish testing for strength, dexterity, agility, etc. beyond the basic employment physical examination for specific positions in the fire and police departments. In no case will such job or department specific rules or procedures be inconsistent or in conflict with City policies.

2.9 RESIDENCY REQUIREMENT

All existing employees, except Department Heads, hired prior to May 1, 2005, must live within the following boundaries: Interstate 474 (north), Springfield Road (east), Townline Road (south), and Manito Blacktop north from Townline Road to the Illinois River (west).

Department Heads, and all employees hired after May 1, 2005, shall reside within the corporate limits of the City of Pekin. Residency requirements for employees covered under collective bargaining agreements shall be governed by those agreements. Residency requirements for non-union sworn police and fire personnel shall also be governed by the police and fire collective bargaining agreements. Employees hired after May 1, 2005, who do not reside in Pekin, may have up to twelve (12) months from their date of hire to establish residency. Exception to this policy may only be temporary, for personal hardship reasons, and must be authorized by the City Manager. An employee who fails to meet this requirement shall be terminated. Those employees hired prior to the adoption of this policy, and pursuant to a policy permitting residency outside the City limits, may retain that residence without penalty, provided that any relocation they may make during their employment shall only be into the City limits.

2.10 LICENSING AND PERMITTING

Various permits, licenses and certificates are required of employees by State and National agencies, as a prerequisite to performing various municipal tasks. The City will insure that all such licenses and certificates are in the possession of the applicable department or the employee before authorizing the employee to perform such regulated work.

Costs for such permits, licenses and certificates may be paid by the City (except regular vehicular drivers' licenses), together with any specialized training required to achieve such permits, licenses or certificates, on approval of the department head or City Manager.

2.11 EMPLOYEE ORIENTATION

We all know how critical first impressions are. They establish a foundation for everything that follows. A New Employee Orientation procedure has been established to provide new staff with the initial information and tools they need to be successful. It provides a comprehensive introduction to employment with the City of Pekin.

The orientation will cover a variety of topics including: policies and procedures, expectations, and management style; the new employee's role in the overall picture; benefit programs; rules

and regulations; safety information; and more. The immediate supervisor, department head, Personnel Director, and others will participate by communicating information on material and activities for which they are responsible. The new employee's orientation will be concluded as soon as possible following his or her employment date, and no later than after the first thirty (30) days of employment.

3. EMPLOYMENT STATUS and RECORDS

3.1 EMPLOYMENT CATEGORIES

It is the intent of the City to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

DEFINITIONS OF CLASSIFICATIONS

Employees may be designated as either Non-Exempt or Exempt from federal and state wage and hour laws. Non-Exempt employees are paid for the actual number of hours they work, and are entitled to overtime pay under certain provisions of federal and state laws, and/or collective bargaining agreements. Exempt employees are paid annual salaries which are divided into set bi-weekly payments without regard to the number of hours worked, and are excluded from specific provisions of federal and state wage and hour laws.

DEFINITIONS OF CATEGORIES

Regular Full-time: Employees who are beyond their initial probationary period and are regularly scheduled to work **40 hours** or more per week on a continuing basis. Generally, they are eligible for the City benefit package, subject to the terms, conditions, and limitations of each benefit program.

Regular Part-time: Employees who are beyond their initial probationary period and are regularly scheduled to work less than **40 hours** per week on a continuing basis. They do receive all legally mandated benefits (such as Social Security and Workers' Compensation insurance), and they may be eligible for other benefits as outlined in their respective contracts.

School Year: Employees hired for a specific "not to exceed" period of time of less than one year. Seasonal employees' rates of pay may differ from regular employees in similar positions. They receive legally mandated benefits, may receive other benefits as stated in their contracts.

Contractual: Contracted personnel are not employees of the City of Pekin, and therefore, not eligible to participate in the City's benefit programs.

- * **NOTE: Occasionally, FULL-TIME employees may work less than their normal schedules, or PART-TIME employees may work more than their normal schedules. These variations do not change the status of the employee or the position.**

3.2 ACCESS TO PERSONNEL FILES

The City maintains a confidential personnel file on each employee. The personnel file includes, but is not limited to, such information as the employee's job application, resume, records of training, documentation of performance evaluations, disciplinary records, salary history and other confidential records. Official personnel files are kept and maintained in the Personnel Department. Personnel information kept by individual departments is limited to information needed for day-to-day operations.

Personnel files are the property of the City, and access to the information they contain is restricted on a need-to-know basis, limited to the respective department head, (or their designee), or the City Manager. With reasonable advance notice (up to 24 hours), employees may review their own personnel files in the Personnel Office and in the presence of the Personnel Director.

Employees may request copies of material contained within their own personnel file, and the City reserves the right to charge a reasonable fee for copying the material.

3.3 EMPLOYMENT REFERENCE CHECKS

The City will respond only to those reference check inquiries that are submitted in writing. No employment data beyond dates of employment and eligibility for re-hire will be released without a written authorization and release form signed by the individual who is the subject of the inquiry.

3.4 PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify the Personnel Department of any changes in personnel data. Personal mailing addresses, telephone numbers, citizenship, marital status, number and names of dependents, and individuals to be contacted in the event of an emergency must be accurate and current at all times. If any personnel data has changed, the employee must advise the Personnel Department of the new information.

3.5 EMPLOYMENT APPLICATIONS

The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, may result in disciplinary action, including but not limited to, termination of employment.

3.6 PROBATIONARY PERIOD

The initial Probationary Period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance, and to determine whether the new position meets their expectations. The City utilizes this period to evaluate employee capabilities, work habits, and overall performance. An employee may be terminated by the department head, with prior approval of the City Manager, during or at the end of this period if it is determined the employee will not meet the expectations of the job.

All new and rehired employees, as well as current employees who transfer to a new position, shall be subject to a probationary period for the first **six (6) months** after their date of hire or job change, or as outlined in their collective bargaining agreement. At the end of the six (6) month period, the responsible department head will make a recommendation to retain or terminate the employee; or to extend the introductory period. Extending the initial probationary period will only be considered if there are strong indications that more time will bring the required improvement. There is no employee right to grieve or appeal a termination made in conjunction with the probationary period. The Personnel Department shall be notified of action taken after the probationary period has expired.

Upon satisfactory completion of the Probationary Period, employees enter the “**regular**” employment classification. Successful completion of the Probationary Period **does not** change the “employment-at-will” status.

3.7 PERFORMANCE EVALUATION

Managers and employees are strongly encouraged to discuss job performance on an informal, day-to-day basis. A written performance evaluation will be conducted for each employee near the end of, or shortly after they complete, the probation period. Written evaluations will provide an assessment of the employee’s capabilities, work habits, and overall performance. Additional performance evaluations are periodically conducted to provide both managers and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for performance improvement. **NOTE: Contracted employees will receive performance evaluations in accordance with the terms of their contract.**

All employees are entitled to receive a written and associated verbal performance review at least annually. The employee is to acknowledge the review by dating and signing the evaluation form. The signature does not imply agreement with the evaluation, but only that it was completed and reviewed. If the employee is not in agreement with any part of the review, he / she may provide a written response to the evaluation to be attached to the completed written evaluation form. A copy of the completed and signed evaluation form and any attachments will be included in the employee’s personnel file.

4.0 EMPLOYEE BENEFIT PROGRAMS

Note: Employees covered by collective bargaining agreements should refer to their specific contract language where appropriate. Contract language shall take precedence over statements found in the Policy.

4.1 BENEFITS IN GENERAL

The City recognizes the importance of providing a full range of benefits to its employees and takes pride in the benefit packages available for its union represented and unrepresented employees. Everyone should share in the effort to use these benefits wisely and appropriately to help keep the costs in line so that we can maintain quality and affordable benefits. Periodic changes to various benefits are necessary from time to time as contracts are renegotiated and business conditions dictate. An updated schedule is distributed periodically outlining the current benefits for the employees of the City.

4.2 INSURANCE BENEFITS

Full-time employees are eligible to participate in the City of Pekin health insurance programs the first day of the month following their date of hire or date they attain full-time status.

A Summary Plan Document of the City of Pekin Employee Health Benefit Plan will be provided to all eligible employees. Along with other pertinent information, this document provides a summary of the plan options available, deductibles, co-insurance levels, out-of-pocket levels, major medical benefits, prescription drug program co-payments, life insurance benefits, and dental benefits. **Specific Plan coverages, benefits, and eligibility requirements are determined by and may be found in the Summary Plan Document. Benefit information provided in this Personnel Policy is only summary information and not binding or controlling.**

The City of Pekin has in place a joint Health Insurance Committee comprised of two members from each bargaining unit, two members who are non-bargaining employees, and two members from the City of Pekin management staff. The purpose of this committee is to consider and develop health savings strategies with respect to the health plan.

The City of Pekin also conducts an Annual Open Enrollment. During this period, employees are given the opportunity to update their insurance information for the new year. Full-time employees must attend the Annual Open Enrollment.

4.3 CONTINUATION OF BENEFITS (COBRA)

The federal Consolidated Omnibus Reconciliation Act (COBRA) gives the employee and his/her qualified beneficiaries the opportunity to continue health insurance coverage under the employer's health plan when a "qualifying event" would normally result in the loss of eligibility.

Some common qualifying events are resignation, termination of employment, death, leave of absence, reduction in an employee's hours, divorce, legal separation, and a dependent child no longer meeting eligibility requirements.

A notification of health care continuation rights will be mailed to the employee at his or her last known address within the timeframe specified by law. If continued coverage is elected and the proper premium is paid and received within the designated time frame, there will be no break in coverage.

Employees should refer to the Continuation of Benefits (COBRA) section of the Plan document or the Summary Plan Description for a more thorough explanation of this subject. The information shown in this manual is only summary in nature.

IN ADDITION TO THOSE COBRA BENEFITS DESCRIBED OR REFERRED TO ABOVE, THE CITY HAS ADOPTED THE FOLLOWING:

- If an employee resigns or is terminated prior to retirement, the employee will only have the rights, if any, provided by federal and state law.
- If an employee retires under the retirement requirements of IMRF, Fire Pension or Police Pension, the employee and the employee's spouse may continue their health insurance at the employee's cost until the employee becomes eligible for Medicare.
- Employees should refer to their Summary Plan Description (SPD) for additional information regarding continuation of benefits when: an employee retires but dies before the employee becomes eligible for Medicare, if an employee who has successfully completed his or her probationary period becomes disabled, and continuation under other scenarios.

4.4 RETIREMENT PLAN

Illinois State law requires participation in the Illinois Municipal Retirement Fund (IMRF) by employees who work in an IMRF qualified position. An IMRF qualified position is one that is intended to be over 1,000 hours per year. As a member of IMRF making contributions toward a Regular IMRF pension you contribute 4.5% of your salary; 3.75% for your pension and 0.75% for a surviving spouse pension. Your contributions are tax deferred; you do not pay either federal or Illinois income tax on the money used to make your contributions. IMRF benefits include retirement benefits, disability benefits, and death benefits. The Personnel Director will provide to you an IMRF Benefit Booklet which summarizes these and other IMRF benefits and the requirements to be eligible for those benefits.

Illinois state law requires participation in the Police Pension Fund or Fire Pension Fund for those individuals who work as a fire fighter or sworn police officer. Employee contributions are set by the Illinois Pension Code periodically.

4.5 SECTION 125 FLEXIBLE SPENDING ACCOUNT

The City provides employees with the opportunity to participate in a Section 125 Flexible Spending Account (FSA). Section 125 refers to the section of the IRS Code that allows eligible employees to deduct pre-tax dollars for qualified expenses under the health plan and for child care. The City also provides employees with the opportunity to participate in a Health Savings Account (HSA).

4.6 ADDITIONAL VOLUNTARY BENEFITS

Employees may choose to purchase additional benefits on a voluntary basis. These currently include Long-Term Care, Cancer, additional life insurance, and 457 Deferred Compensation. Other plans are available from time to time. It is each employee's responsibility to contact the insurance broker directly to discuss these coverages, and all premiums (costs) are paid by the employee. Payroll deduction may be utilized on approved programs. Information about what is available and who to contact may be obtained from the Personnel Department.

4.7 WELLNESS PROGRAMS

In addition to the Employee Assistance Program, employees are encouraged to participate in various other City-sponsored wellness programs and activities that are designed to maintain or improve employee health before problems arise. The City sponsors programs from time to time to educate employees and encourage healthy behavior through participation in our annual health fair, smoking cessation, athletic club membership, and other programs.

4.8 VACATION (ANNUAL LEAVE)

The City provides a vacation benefit to its eligible regular full-time employees for time away from work for rest, relaxation, or for personal needs. Vacations are accrued (earned) based on anniversary date to anniversary date, and are scheduled during the calendar year following the period in which they were earned. In those years the employee progresses to a new level of benefit accrual (after completing 1, 5, or 10 years of service), the additional week earned at that time is to be taken between the anniversary date and the end of the calendar year. Vacation hours must be scheduled in advance with the approval of the department head, and then approval shall be based on the operating requirements of the department. Vacation hours will be paid based on the employee's base rate of pay at the time the vacation is taken.

Employees shall accrue vacation for use in the following year based on their anniversary date according to the following schedule (unless outlined differently in collective bargaining agreements):

1 Year of Completed Service	2 Weeks or 80 Hours
5 Years of Completed Service	3 Weeks or 120 Hours
10 Years of Completed Service	4 Weeks or 160 Hours

Where an employee does not possess one (1) year of completed service on January 1st for that calendar year, the employee, upon completion of one (1) full year of service with the City, shall be eligible for one (1) week of vacation time during the remainder of that calendar year. If, at the anniversary date, there are less than 45 days left in the calendar year, then for that individual, his/her vacation time will be extended for a 30-day period beyond December 31st.

Where an employee would become eligible for an additional week of vacation because of his/her years of service after the start of the calendar year on January 1st, the employee shall be eligible for the additional week of vacation during the remainder of the calendar year. If, at the anniversary date, there are less than 45 days left in the calendar year, then for that individual, his/her vacation time will be extended for a 30-day period beyond December 31st.

If an employee becomes ill while on vacation, he/she can use sick leave time instead of vacation if a statement from their doctor is provided to the department head.

FLSA exempt employees shall be reimbursed up to one week each year for unused vacation at a rate of one-half their value not to exceed twenty (20) hours.

Eligible employees who change status (full-time to part-time or vice-versa) may retain the vacation they have already accrued, however, no vacation hours will accrue while the employee is classified in part-time or any other status other than full-time unless their contract states the contrary. If the employee does not plan to return to covered-status, they may wish to be paid for their accrued vacation benefit. When an employee retires or otherwise ends their employment with the City, they will be paid off of all earned but unused vacation.

4.9 SICK PAY PLAN

All Regular full-time employees, will earn 1 day per month (12 days per year) to a maximum accrual of 240 days, for the purpose of protecting them from loss of income due to their inability to work because of personal illness or injury, or the employee's and/or immediate family member's recuperation from illness or injury, or surgery. Immediate family members shall consist of mother, father, brother, sister, mother-in-law, father-in-law, child (adopted, biological or step), maternal and fraternal grandparents. Employees covered by collective bargaining agreements, should refer to the respective contract or written agreement language. Accumulated sick leave will not be paid off when an employee changes from a benefit eligible classification status, or at any termination of employment.

All sick leave absences, regardless of their expected length, must be communicated to the employee's immediate supervisor as soon as known and possible to allow sufficient time to plan for the employee's duties and responsibilities to be met during the employee's absence. Employees are to inform their supervisor of their impending absence, the best estimate of the expected length of the absence, and the reason for the absence no later than the beginning of their scheduled shift. Extenuating circumstances will be taken into consideration.

Department heads may, at their discretion, require a physician's certification of the need to take sick leave. ~~and/or to return to work.~~ A physician's certification to return to work must be provided to the immediate supervisor if the employee is off 3 (three) or more days. Failure to

provide such certification may be the basis for denial of sick leave and the equivalent reduction in pay for the time absent from work.

Abuse of the sick leave policy in any manner including but not limited to: failure to take sick leave when needed, taking sick leave for purposes other than its intended use, and/or falsifying illness or injury shall be the basis for disciplinary action up to and including termination.

4.10 SICK PAY UPON RETIREMENT

For non-bargaining employees who retire, fifty percent (50%) of the value of accrued sick leave, computed at their current rate at time of retirement, shall be placed in the City of Pekin Insurance Fund to pay health insurance premiums after retirement. This benefit shall apply to those retirees who choose to remain on the City of Pekin Health Plan. Such account will not have cash value or bear interest and shall expire upon depletion of the sick leave value placed therein.

4.11 HOLIDAYS

All non-exempt employees are entitled to holiday pay from the initial date of hire. The recognized

Holidays are:

- New Year's Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day / Day after Thanksgiving
- Christmas Day

Holidays falling on a Saturday are recognized on the Friday before, and holidays falling on a Sunday are recognized on the following Monday. All nonexempt employees who must work on a designated holiday, or on the day the holiday is recognized, will receive double their normal rate of pay for any holiday hours worked, or as outlined in collective bargaining agreements. All nonexempt employees required to take off on the day a holiday is recognized, and for which they would otherwise normally be scheduled to work, will receive regular pay (base pay) for the holiday. If a recognized holiday falls during an eligible employee's leave of absence from work or during a period of sick leave, the employee will be ineligible for holiday pay. If the holiday falls during an employee's approved vacation time, holiday pay will be paid.

Exempt employees receive the same salary they would have received for the week had the holiday not occurred. This is the case regardless of whether or not they worked on a holiday.

4.12 OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime. When possible, advance notification of these

mandatory assignments will be provided, and effort should be made to equalize the burden imposed upon employees within particular job groups or classifications. All overtime work must receive the department head's prior authorization.

Overtime compensation will be paid to all NONEXEMPT employees at one and one-half times the employee's regular hourly rate of pay. Overtime pay is based on actual hours worked unless otherwise stated. Sick time will not be considered hours worked for the purpose of calculating overtime. Vacation time, personal days, and holidays shall be considered as hours worked for the purpose of computing overtime.

Overtime worked without prior authorization from the department head, or failure to work scheduled overtime, may result in disciplinary action, up to and including possible termination of employment.

4.13 PERSONAL DAYS

The City of Pekin grants its regular full-time employees two paid days each calendar year for personal time. These days require the prior approval of the supervisor or department head and may be taken to observe a religious holiday or to conduct personal business. Personal days are not cumulative from year to year and no compensation will be paid for unused time. Personal days may be taken in half-day increments if approved by the department head.

4.14 WORKERS COMPENSATION INSURANCE

The City carries and pays the full cost for workers compensation insurance for the benefit of employees who are injured or become ill during the performance of their duties. All accidents or injuries, no matter how minor, must be immediately reported to the Risk Manager and to the employee's immediate supervisor if available or to a supervisor on duty at the time the injury happened. The supervisor is to be informed about how the injury happened, the nature of the injury, time of the incident, and if and where the employee is going for treatment.

When the illness or injury arises out of or in the course of the performance of the employee's duties, the employee is to be sent to the City Physician immediately, if it is not an emergency. In the case of an actual emergency, the employee should go, or be taken, to the nearest available clinic or hospital emergency room depending on the severity and/or time the action is taken.

According to the State of Illinois Workers Compensation Act, if you are injured at work or suffer an illness which is determined to be occupationally related, the City shall provide and pay for all the necessary first aid, medical and surgical services thereafter, limited, however, to that which is reasonably required to cure or relieve from the effects of the accident or injury.

Eligibility: This coverage is provided to all employees, and paid for by the City.

Neither the City, nor the insurance carrier, will be liable for the payment of workers compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City.

4.15 BEREAVEMENT LEAVE

Employees may be granted up to three (3) working days off with pay to make arrangements for and/or attend the funeral of a member of his/her immediate family. Immediate family includes spouse, parent, natural or adoptive child, brother, sister, grandparent, grandchild, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, or legal guardian. Funerals of “step” relatives of the same relationship may be approved.

4.16 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Employee Assistance Program (EAP) is a confidential service designed to help employees resolve personal and workplace problems that have the potential of affecting job performance and personal well being. Any employee or their immediate family members may contact the designated EAP counselors, on a strictly confidential basis and at no cost to the employee, to seek evaluation and help to deal with the employee’s personal problems including, but not limited to: marriage and family problems, excessive stress at work or home, alcohol, drug and other dependencies, financial issues, etc.

5. TIME KEEPING and PAYROLL

5.1 TIME KEEPING

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. “Time worked” is all the time actually spent on the job performing assigned duties.

All employees must accurately record each day’s activity on their time sheet. All other time is to be documented with an explanation on the time sheet. Employees are required to sign their time sheet, and by signing, certify to the accuracy of the records submitted. All employees are to be given copies of their time sheet upon request. No employee may record or sign another employee’s time record under any circumstances. **Overtime work must always be approved by the immediate supervisor before it is performed.**

Since worked hours are recorded to the nearest quarter hour, hourly employees should begin their workday no more than seven (7) minutes prior to their scheduled starting time or continue working more than seven (7) minutes after their scheduled stop time without expressed, prior authorization from their supervisor.

Altering, falsifying, tampering with time records, or recording time in a deceiving manner in order to receive pay inappropriately may result in disciplinary action including, but not limited to, termination of employment.

5.2 PAYROLL PERIODS

The pay period consists of fourteen (14) consecutive days beginning with the first shift on Sunday and ending with the last shift on the second Saturday. Starting and ending times of shifts may vary depending on the job assignment.

All employees are paid bi-weekly (every other week) and the paychecks are distributed on the Friday following the end of the pay period. A designated employee from each department will be allowed to pick up paychecks for their department. The bi-weekly pay schedule is made up of twenty-six (26) pay periods per year. Changes will be made and announced in advance whenever the City's holidays or closings interfere with the normal pay schedule. The City offers the convenience of direct deposit. The employees are encouraged to participate in this benefit.

6. WORK CONDITIONS and HOURS

6.1 SAFETY

Overview

To assist in providing a safe work environment, the City has established a workplace safety program. This program is a top priority for all employees. The City Safety Committee, comprised of representatives from various City departments, has responsibility for implementing, administering, monitoring, and evaluating the safety program. Safety Committee members shall hold 2-year staggered terms. Its success depends on the alertness and personal commitment of all.

The City provides information to employees about workplace safety issues through regular internal communication channels. Employees receive periodic workplace safety training. The training covers potential safety hazards and safe work practices and procedures to eliminate or minimize hazards.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with the City's Safety Committee. Reports of workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of retaliation. The Safety Committee has in place a Safety Suggestion Program and an Employee Safety Award Program.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

Safety Policy

The City has a formal Safety Manual which is attached to and a part of this Personnel Policy. It also recognizes individual departments have unique issues and safety needs and may have their own department-specific policies in place. Employees shall refer to and familiarize themselves with both the City Safety Manual and those policies put into place within their respective departments.

Your job may have additional safety guidelines which are established for your protection, and the protection of others. If so, you will be required to know and follow them carefully. Any questions regarding safety guidelines should be directed to your supervisor, department head, or the City Manager.

6.2 INCLEMENT WEATHER

Generally, all employees are expected to report to work during inclement weather conditions unless major thoroughfares have been closed due to extreme weather. Quite often, bad weather conditions are localized in our area and, simply by waiting, you may be able to safely arrive at work later in the day. Under these circumstances, you should call your immediate supervisor to advise them of the poor weather conditions in your area and your expected time of arrival. Depending on the circumstances, your supervisor may tell you simply to remain at home that day.

Every attempt should be made to come to work. If conditions exist that prevent any employee from coming to work, and the City Manager determines that travel would be detrimental to his or her safety, the employee will be paid for that day, or, for the entire day in the case of late arrival.

On occasion, bad weather occurs during the day after you have arrived at work. Depending upon the circumstances, if approved by the City Manager, employees may be sent home with no loss of pay for the day. On those occasions where the employee leaves early with their supervisor's approval due to inclement weather conditions, and the City Manager does not approve the early release, the employee will not be paid beyond the actual time worked for the day.

6.3 WORK SCHEDULES

Work schedules for employees may vary due to the needs of the City. Department heads will establish, subject to approval of the City Manager, the working schedule for employees within their department, unless otherwise outlined in a collective bargaining agreement. Department heads shall have authority to vary the working hours for employees to meet operational needs of the department and, when possible and appropriate, meet employee needs, so long as it does not create overtime or other unnecessary expense. Any change in a work schedule desired by an employee must be approved by his/her department head. Staffing needs and operational demands may necessitate changes in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. The standard work week, for all employees that are not salaried personnel, shall be forty (40) hours from the first shift on Sunday to the last shift on the second Saturday, as scheduled by the respective supervisors. Some employees may be scheduled to work less than the standard forty hours. Salaried and management personnel shall spend the time necessary to properly perform their duties and responsibilities.

6.4 EMPLOYEE MEETINGS and TRAINING

All employees, as a condition of employment, must attend scheduled orientation and training sessions as assigned.

Periodic employee meetings scheduled by management provide an opportunity to inform employees of the City policies, provide training, and to disseminate information. It also provides the employee an opportunity to express his or her views and make contributions for improvements.

All meetings and seminars will be classified as either optional or mandatory. Mandatory meetings are considered to be important to the employees as well as to the City, and are considered as hours worked for pay and overtime purposes. Failure to attend mandatory meetings will result in disciplinary actions similar to other violations of company policies. Optional meetings are highly encouraged, but no disciplinary action will be taken.

6.5 CONFERENCE AND MEETING EXPENSES

The City Manager or department heads may approve travel to conferences and meetings for persons in their departments to represent the City, and are responsible to approve all such related expenses in accordance with departmental budgets and established policy and procedure.

The City will only pay out of town expenses as defined in this policy for those conferences and meetings that are determined to be advantageous to the conduct of City business. Employees are encouraged to travel together when more than one individual is attending the same event in order to reduce costs.

Transportation: It is expected that the shortest and most direct route and the least expensive method of transportation will be used. If air travel is selected, it will be at coach-class fair. The City will pay the cost of round trip air fair, the cost of employee travel to and from the employee's home and the air terminal, the cost of employee parking at the air terminal, and the cost of transportation to and from the point of arrival/departure and the conference/meeting center. If private vehicle is used for travel, the transportation allowance shall be at the current allowable Internal Revenue Service rate. If a city-owned vehicle is used, there will be no allowance except that out-of-pocket operating expenses will be reimbursed. When feasible, employees are expected to car pool on out-of-town travel.

Lodging: The City will pay for conference and meeting related out-of-town lodging. Employees are expected to stay at the conference center hotel/motel, any hotels/motels affiliated with the conference, or at a hotel/motel with rates not in excess of the conference hotel/motel. Whenever appropriate, employees are encouraged to share rooms in order to save on travel expenses. Employees are eligible for lodging on the evening before a conference which is scheduled to begin before noon the following day and on the evening of a conference which ends after 5:00 p.m. if the event is more than 120 miles from the City of Pekin.

Meals and Incidental Expenses: Reimbursement shall be made for the reasonable cost of meals and incidental expenses. The City Manager shall establish from time to time the maximum allowance per day for meals and incidental expenses. Reimbursements will only be made for actual expenses incurred. Incidental expenses shall be defined as: local taxi fares for transport to and from meeting, business telephone calls, local parking, tolls, and tips. Tipping shall not exceed 20%. Car rental expenses related to meeting or business purposes may be approved if unusual situations so require such rental.

Conference Expenses: The City will pay for all necessary conference fees, registration, and materials charges.

Procedures: Travel, lodging, and registration arrangements should be made as far in advance as possible, and at least two weeks in advance, to allow for securing the lowest rates and obtaining the required approval from the department head or City Manager. No travel expenses shall be reimbursed without receipts. Certain situations may require prior approval of the City Manager. Travel advances may be made, by approval of the responsible department head, to cover estimated expenses of the travel; reconciliation of the advance with the actual expense receipts shall take place within 30 days after the travel is completed, by submittal to the department head and the Finance Department for the accounting of travel expenses. If an employee has received cash in advance, and total expenses are less than the amount of the advance, a check in the amount of the difference must be submitted to the Finance Department.

6.6 PURCHASING CARD PROGRAM

The purpose of the City's Purchasing Card Program is to establish a more efficient, cost-effective method of purchasing and paying for small dollar transactions. The program is designed, in part, to replace department purchase orders, and eliminate the use of petty cash fund reimbursements for small dollar purchases including office supplies, subscriptions, computer software and accessories, maintenance and repair materials, and other petty cash type items.

Cardholder Use Only – The purchasing card may be used **only** by the employee to whom the card has been issued or employees who have been authorized to do so. The cardholder is responsible and accountable for all transactions that occur on his or her card. **The cardholder may be held personally responsible for inappropriate charges.**

City Purchases Only – The purchasing card is to be used for City authorized purchases only. **The purchasing card cannot be used for any personal use and any such use will require immediate reimbursement and may result in disciplinary action which may include dismissal. Note: No disciplinary action will result when unauthorized purchases are inadvertently included on approved out-of-town travel expenses, however, immediate reimbursement is required.** When unauthorized purchases are inadvertently included on approved out-of-town travel expenses, immediate reimbursement is required with explanation included.

Spending Limits – The person using the card must attain their supervisor's approval for the purpose and approximate amount of purchase prior to use.

Prohibited Uses of Purchasing Cards – The following types of items will **not** be purchased with a purchasing card, regardless of the dollar amount:

- Cash advances.
- Telephone charges; except during travel, to be included in lodging charges.
- Any additional goods or services specifically restricted by the departments.
- Personal items.
- Unauthorized entertainment expenses.

Cardholders must review detailed Finance Department Purchasing Card policies and procedures and sign Cardholder Agreement form prior to receiving a purchasing card.

6.7 MEAL and BREAK PERIODS

Meal periods of not less than twenty (20) minutes duration are provided to all employees working a shift of at least seven (7) hours. Department heads will schedule meal periods to accommodate operating requirements. Break periods not to exceed fifteen (15) minutes per four hours worked may be scheduled or approved by department heads if needed and not disruptive to operations. Break times cannot be combined, and cannot be used for reporting late or leaving work early.

6.8 COMPENSATORY TIME OFF (COMP TIME)

Comp time for employees covered under collective bargaining agreements are governed by and described within the respective contracts. Additionally, the City provides comp time for non-exempt, non-union employees and for employees who are exempt from the overtime provisions of the Fair Labor Standards Act. Regular full-time exempt employees may accrue up to forty (40) hours of comp time each calendar year. Regular full-time non-exempt, non-union employees may accrue up to forty (40) hours at time and one-half (60 hours total). Each individual employee is responsible for maintaining written accrual and utilization records on their time sheet in accordance with the terms of this policy.

It is anticipated by the City that such comp time will be used for personal commitments, rest and recuperation after particularly heavy work loads or allow for additional time in conjunction with scheduled vacation time. It is not to be used on Mondays and Fridays to extend the weekend or immediately before or after a holiday without department head or City Manager approval. Such approval to be withheld only on a showing of undue hardship on departmental operations.

Non-union employees shall not be compensated, either during or upon separation of employment from the City, for any accumulated but unused comp time.

7.0 UNPAID LEAVES OF ABSENCE

7.1 LEAVES OF ABSENCE IN GENERAL

Leaves of absence, other than for FMLA, are considered for satisfactorily performing employees on the basis of length of service, the nature of the request, and the service needs of the City. Leaves of absence without pay for non-management personnel may be granted by the department head, with final approval by the City Manager, while leaves for management personnel may be granted by the City Manager. When a leave of absence is granted, it is considered time off without pay. Leaves of absence of up to twelve (12) weeks duration may be requested by any regular full or part-time employee with at least twelve (12) months of consecutive service. While on leave, employees do not forfeit any accrued benefits but neither do they accrue benefits during the leave. Except for emergency situations, requests for leaves of absence shall be submitted in writing at least four (4) weeks prior to the date requested for the leave of absence. This language shall not conflict with collective bargaining language.

So that an employee's return to work can be properly scheduled, an employee on leave is requested to provide his/her supervisor with at least two weeks advance notice of the date he or she intends to return to work. When a leave ends, the employee will be reinstated to the same position, if it is available. If an employee fails to report to work promptly at the end of the approved leave, the City will assume that the employee has resigned.

Because of the need for replacement personnel, the City cannot guarantee that at the end of the leave the employee's prior position, or any other position which the employee is capable of performing, will be open. At the end of the leave, if such an opening exists, the City will offer it to the employee before filling that position by outside hiring. If another position is not found for the employee within thirty (30) days from the date the leave expires, the employee shall be deemed terminated. Any employee returning to work after the leave shall receive the rate of pay in effect at the time for the job to which he/she returned.

7.2 MILITARY LEAVE

USERRA, The Uniformed Services Employment and Reemployment Rights Act, protects the job rights of individuals who voluntarily or involuntarily leave employment positions to serve in the military service. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

Any employee who is a member of any military reserve force or inducted into the U.S. Armed Forces will be granted leaves of absence for military service, training, or other obligations in compliance with USERRA.

7.3 EDUCATIONAL LEAVE & FINANCIAL ASSISTANCE

The City encourages employees to continue their education and professional development whenever possible. Employees should take advantage of worthwhile educational opportunities to help improve job performance in their current positions.

Employees may request a leave of absence without pay for educational purposes for up to 12 months duration when absence from work is needed to attend classes at a junior college, college, or trade school. Such leave shall require recommendation by the department head and approval by the City Manager. The Personnel Director should be contacted regarding how seniority, health insurance, vacation and other benefits are affected during and after the leave of absence. Approved employees are eligible for reimbursement of up to 100% of course tuition, book and lab fees for courses that are job or promotion related, and for which the employee/student completes the course with a grade of “C” or better. If no grade is given, the instructor must certify in writing the employee completed the course satisfactorily. The maximum reimbursement for tuition is limited to the current tuition rate per hour for courses at Illinois Central College.

Department heads or the City Manager may approve time off for employees to attend approved workshops or seminars to improve job performance or prepare for advancement or promotion opportunities. Time off for these purposes can be with or without pay depending on the program content, and fees may be reimbursed depending on the availability of budgeted dollars.

7.4 FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act of 1993 (FMLA) provides for up to 12 weeks of unpaid leave time during a consecutive 12-month period (rolling year) for you to care for yourself or a family member in case of a serious health condition that makes you unable to perform your job, or for care of a child through birth or adoption.

You must have worked for the City for at least one year and have worked a minimum of 1,250 hours over the previous 12 months to be eligible for this leave. If you have any questions or if you feel that you have a need to apply for a FMLA leave, contact the Personnel Director.

8. EMPLOYEE PERFORMANCE AND BEHAVIOR

8.1 EMPLOYEE CONDUCT and WORK RULES

To ensure orderly operations and provide the best possible work environment, employees are expected to follow rules of conduct that will protect the interests and safety of all employees and the City. The following are some examples of performance and conduct/behavior that may result in disciplinary action, up to and including termination of employment:

- Willful damage, destruction, theft or inappropriate removal or possession of property
- Deliberate falsification of records, reports, and/or employment application
- Working under the influence of alcohol or illegal drugs
- Boisterous or disruptive activity
- Possession, distribution, sale, transfer, or use of alcohol, illegal drugs, weapons, explosives, and any other dangerous or unauthorized materials
- Insubordination, disobeying supervisor’s instructions, or other disrespectful conduct
- Violation of safety or health rules

- Smoking in prohibited areas
- Sexual and any other unlawful or unwelcome harassment
- Profanity
- Excessive tardiness, absenteeism or any absence without notice
- Inappropriate use of telephones, mail system, computers, or any other equipment
- Fighting, violent behavior, gambling, or any disorderly conduct
- Unsatisfactory performance or conduct
- Conviction of felony
- Negligence of improper conduct leading to damage of property
- Failure to obtain approval for overtime
- Improper use of Leave Time or other benefits
- Gross negligence of job responsibilities and/or obligations
- Unauthorized disclosure of confidential information
- Unauthorized solicitation and/or distribution during work hours

Refer to Disciplinary Action Form

All employees must report to their immediate supervisor the loss of any City property/equipment that has been furnished the individual.

Employees shall immediately report, in writing, all damage to the City vehicles and equipment, and file such reports which contain all known facts surrounding the cause and nature of the damage.

8.1.1 Disciplinary Policy and Procedure

POLICY:

VIOLATION OF THE CITY'S RULES OF CONDUCT, OR OF ANY OF THE POLICIES LISTED IN THIS MANUAL, MAY RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING IMMEDIATE DISMISSAL, BASED UPON THE CITY'S EVALUATION OF THE SEVERITY OF THE VIOLATION AND/OR OFFENSE AT ISSUE.

CONSTRUCTIVE CRITICISM

The purpose of the Constructive Criticism process is to provide a way for the employee and his or her supervisor to solve problems in a positive, constructive manner. Supervisors are to provide direction and counseling about performance and conduct on the job routinely in the course of everyday conversation. However, should an employee's performance or conduct require extra discussion, the supervisor will arrange a private meeting with the employee to assure the employee is aware of the problem or issue, is trained and knows what is expected, no obstacles prevent the employee from doing what is expected, the employee has received adequate feedback of how his/her performance or conduct compares to expectations, and is aware of the consequences of non-compliance.

PROCEDURE:

1. When the conduct or ability of an employee is such that duties are not being performed satisfactorily or the supervisor's expectations are not being met, and satisfactory improvement has not resulted from Constructive Criticism meetings, the supervisor shall record in detail the employee's job performance issues on a Disciplinary Action Form. The supervisor shall specifically state the unsatisfactory performance and the recommended action to be taken. A copy of any written disciplinary report shall be given to the employee with a copy placed in the employee's personnel file, and shall be signed by both the employee and the supervisor. A copy of any disciplinary report that includes suspension and/or dismissal shall be sent to the City Manager prior to the specific action being taken.
2. When a reprimand seems warranted, the supervisor shall meet with the employee, ascertain reasons for the act, and if warranted, reprimand the employee verbally or formally with a written Disciplinary Action Report. A note of any verbal reprimand shall be placed in the employee's personnel file.
3. Suspension is a temporary separation without pay. It is used for infractions not grave enough for dismissal. It is also used during the time an investigation is being conducted. If an investigation finds discipline unwarranted, the employee shall be returned to duty and paid for the time suspended. Suspensions may not be imposed without prior discussion with the City Manager.
4. Dismissal is discharge made for misconduct or other "for cause" issues, performance issues, "at will" terminations, or reductions in force due to changing business operations, and/or program modifications resulting in changes in personnel requirements.

8.1.2 Grievance Procedure

In General – Satisfactory working relationships depend to a great degree on understanding among people. Good relationships are easier to achieve in an open atmosphere where problems and opinions are discussed freely, frankly and sincerely.

To assure prompt and fair consideration of problems that cannot be worked out, a formal procedure has been developed. Each employee is afforded the right to express all complaints without fear of prejudice or reprisal. Acts of prejudice or reprisal against an employee who has filed a complaint shall not be tolerated from any supervisory or management personnel.

Procedures – The grievance procedure may be used by any employee who has a complaint. The procedure is as follows:

Step 1: Any cause of dissatisfaction shall be presented by the employee orally or in writing to his or her immediate supervisor. The supervisor shall give due consideration to the employee's problem and shall attempt to reach a settlement if such settlement is within the scope of his or her authority. The supervisor shall make his or her decision and discuss it with the employee not later than the 14th calendar day after the complaint is made. If the employee fails to receive a reply in fourteen (14) days, if a satisfactory

settlement cannot be reached, or if grounds for settlement are not within the scope of the supervisor's authority, the complaint may proceed to Step 2.

Step 2: The employee shall submit his or her complaint in writing to their department head. The department head shall investigate and evaluate the complaint and attempt to reach a settlement if such settlement is within the scope of his or her authority. The department head shall make his or her decision and discuss it with the employee not later than the 14th calendar day after the written complaint is received. If the employee fails to receive a reply in fourteen (14) calendar days, if a satisfactory settlement cannot be reached, or if grounds for settlement are not within the scope of the department head's authority, the complaint can proceed to Step 3.

Step 3: The employee shall submit his or her complaint in writing to the ~~City Manager~~ Personnel Director. A thorough investigation shall be completed and a conference shall be scheduled among the employee, his or her immediate supervisor and/or department head, and the City Manager. A ruling on the matter will be delivered in writing to the employee within fourteen (14) calendar days following the conference, and the decision of the City Manager shall be final and binding.

Time Limits: A complaint may not be considered under the Procedure if the time elapsed between its occurrence and the initial discussion with the supervisor equals or exceeds thirty (30) calendar days.

An employee wishing to appeal a decision rendered at any of the steps must do so within three (3) working days after notification of the decision. Should three (3) working days pass without notification by the employee of his or her intentions to appeal, the matter shall be considered settled.

In cases that require extensive investigation, time limits specified in the steps may be extended as mutually agreed by the parties, who will attempt in good faith to reach a decision as promptly as possible.

~~Right of Employee to Proceed Directly to Step 2 or Step 3: If the subject of an employee's complaint concerns his or her immediate supervisor or department head, the employee may proceed directly to the next step of this procedure.~~

8.2 THEFT AND FRAUDULENT ACTIVITIES POLICY

The purpose of this policy is to provide an effective and efficient means of reporting and handling suspected fraudulent acts involving the property or resources of the City. Fraudulent transactions ordinarily involve a willful or deliberate action with the intent to obtain an unauthorized personal benefit for the party to the fraudulent transaction or for a third party. Fraudulent transactions may include but are not limited to: misappropriation of City funds, theft of the City property, or falsification of records or reports.

The City will not tolerate theft, waste, or abuse of funds, property, or other resources through fraudulent means. Employees should report suspected irregularities or possible fraudulent

activities to the City Manager. All reported allegations will be fully reviewed; substantiated fraudulent activities will be discussed with the City's attorney and a decision whether or not to prosecute will be determined, unless covered by state statutes.

The prevention of fraud is preferable to the detection of fraudulent activities that have already occurred. The City Manager is responsible for the establishment of an adequate system of internal control that is designed to prevent and detect errors or irregularities that may lead to fraudulent activities, and designed to safeguard company resources.

Employees must cooperate fully with those performing investigations pursuant to this policy. Employees must not confront any individual being investigated; such actions can compromise any ensuing investigation. Employees found to have participated in fraudulent acts will be subject to disciplinary action up to and including termination from employment. Also, criminal or civil actions may be taken against employees who participate in fraudulent acts.

For the purpose of this policy, fraud shall be defined as: The intentional deception by an individual or individuals, either internal or external to the City, which could result in a tangible or intangible benefit to themselves, others, or the City, or could cause detriment to others or the City. Fraud includes a false representation of a matter of fact, whether by words or by conduct, by false or misleading statements, or by concealment of that which should have been disclosed, which deceives and is intended to deceive.

8.3 E-MAIL AND THE INTERNET

The City of Pekin provides access to the information resources of the Internet and the use of E-Mail to help employees do their job and be a more productive employee. The facilities to provide that access represent a considerable commitment on the part of the City of Pekin. The following E-Mail and Internet policy is designed to help you understand our expectations, and to help you use those tools wisely.

The following guidelines are little more than good business practice. When applied to E-Mail and the Internet, these guidelines can help control the cost of the system and maximize its benefits for all the City of Pekin participants.

Acceptable Uses of the City of Pekin E-Mail and the Internet

The City of Pekin encourages the use of the e-mail and the Internet because they make communication more efficient and effective. E-Mail and Internet service are City of Pekin property, and they are to be used primarily to facilitate city business. However, it is permissible to use the City of Pekin e-mail and Internet system for incidental personal purposes on occasion. This does not include uses requiring substantial expenditures of time (not to exceed allowed break times), uses for profit or uses that would otherwise violate City policy with regard to employee time commitments or City equipment. Every employee has a responsibility to maintain and enhance the City of Pekin's public image and to use e-mail and Internet access in a productive manner. Any unauthorized or improper use of e-mail or the Internet is not acceptable and will not be permitted.

Unacceptable Uses of the City of Pekin E-Mail and the Internet

The City of Pekin e-mail and Internet access may not be used for transmitting, retrieving or storing any communications of a discriminatory or harassing nature or materials that are obscene or X-rated. Harassment of any kind is prohibited. (Refer to the City of Pekin Sexual Harassment policy). No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual orientation may be transmitted or forwarded using the City of Pekin system. No abusive, profane or offensive language may be transmitted through the City of Pekin's e-mail or Internet system. The City of Pekin's harassment policy applies in full to e-mail and Internet use. Employees do not have a personal privacy right regarding any matter created, received, stored or sent from or on the City of Pekin's e-mail or Internet system or computers.

The City of Pekin e-mail and Internet system also may not be used for any purpose that is illegal, against company policy or contrary to the City of Pekin's best interest. Solicitation of noncompany business or any use of the City of Pekin e-mail or Internet system for personal gain is prohibited.

Rules for Electronic Communications

Each employee is responsible for the content of all text, audio or images that he or she places on or sends over the City of Pekin's e-mail or Internet system. Employees may not hide their identities or represent that any e-mail or other electronic communications were sent from someone else or from another business entity. Employees must include their name in all messages communicated on the City of Pekin's e-mail and Internet system.

Any messages or information sent by an employee to another individual outside the City of Pekin via the City of Pekin e-mail or Internet system (including bulletin boards, online services or Internet sites) are statements that reflect on the City of Pekin. Despite personal "disclaimers" in electronic messages, any statements may be tied to the City of Pekin. Any communication defaming another person, group or organization is strictly prohibited.

All communications sent by employees via the City of Pekin's e-mail or Internet system must comply with all policies and may not disclose any confidential or proprietary information relating to the City of Pekin.

If employees receive unsolicited e-mail from outside the City that appears to violate this policy, the employee should notify his or her supervisor immediately. Similarly, if any employee accidentally accesses an inappropriate web site in the normal course of business, the employee should notify his or her supervisor immediately.

Downloading Software

To prevent the downloading of computer viruses that could contaminate the e-mail or Internet system, no employee may download software from the Internet without prior authorization. Any and all software that is downloaded from the Internet must be registered with the City of Pekin.

Copyright and Trademark Issues

Copyrighted and trademarked material that does not belong to the City of Pekin may not be transmitted by employees on the City of Pekin's e-mail or Internet system without permission from the holder of the copyright or trademark. Every employee who obtains access to other companies' or individuals' materials must respect all copyrights and trademarks and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy for reference only.

System Security

The City of Pekin reserves the right to monitor how employees use e-mail and the Internet. The City of Pekin will monitor e-mail messages, Internet use and other electronic files created by employees on a random basis, and where there is good cause for such monitoring or some legal obligation to do so. All messages created, sent or received over the City of Pekin's e-mail or Internet system are the City of Pekin's property and should not be considered private information. The City of Pekin reserves the right to access and monitor EVERY message and file on the e-mail or Internet system. Despite the existence of any passwords, employees should not assume that any electronic communication is private. Highly confidential information or data should be transmitted in other ways.

Violations

Any employee who violates these rules or otherwise abuses the privilege of the City of Pekin's e-mail and Internet system will be subject to corrective action up to and including termination. If necessary, the City of Pekin also reserves the right to advise appropriate officials of any illegal activities.

8.4 SEXUAL HARASSMENT POLICY

POLICY STATEMENT

Harassment on the basis of sex is a violation of Section 703 of Title VII of the US Civil Rights Act of 1964. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The City recognizes sexual harassment as a form of unlawful discrimination, and condemns its practice. It is the policy of the City to take affirmative action to eradicate sexual harassment in the workplace. Consequently, employees who act in contravention to this policy shall be subject

to the guidelines as stipulated in this policy. Employees are encouraged to report harassment whenever it occurs, so that it can be expeditiously eliminated from the working environment.

PROCEDURES

Employees encountering harassment shall tell the person that their actions are unwelcome and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation.

Any employee who believes that he or she is being harassed shall report the incident to his or her department head as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigative and disciplinary measures may be initiated. Where this is not practical, the employee may instead file a complaint directly with the Personnel Director or City Manager.

The supervisor to whom a complaint is given shall meet with the employee and document allegations. All complaints, even if perceived as minor or perceived as resolved, shall be reported to the Personnel Director or City Manager, in writing, without delay.

Detailed notes shall be taken to ensure accuracy when preparing the report and recommendation for action. Upon completion of the investigation, the Personnel Director or City Manager shall take appropriate action based upon the findings. If sexual harassment occurred, appropriate action shall be taken to remedy the effects of the harassment and to protect the victim from further harassment and retaliation. In addition, appropriate disciplinary action, up to and including termination of employment, shall be imposed upon any responsible employees.

If the complaint cannot be substantiated, the person making the complaint shall be informed of the determination and the accused party shall again be advised of the department's sexual harassment guidelines. Persons dissatisfied with the Personnel Director or City Manager's decision may appeal that decision to the state and federal commissions listed below.

A file of harassment complaints shall be maintained in a secure location by the Personnel Director.

This policy does not preclude any employee from filing a complaint with another appropriate outside agency. Employees may choose to file a complaint of harassment with either of the following:

Illinois Department of Human Rights	OR	Federal Equal Employment Opportunity Commission
James R. Thompson Center		500 West Madison Street – Suite 2800
100 West Randolph Street, Suite 10-100		Chicago, Illinois 60661
(312) 814-6200		(312) 353-2713

Complaints are entitled to confidentiality and respect by all persons involved during the investigation process. Employees shall not be subjected to harassment or retaliation as a result of having, in good faith, filed a complaint or appealed a decision. Caution must be exercised,

however to accurately state the facts giving rise to the complaint and to avoid groundless complaints. Grossly inaccurate or groundless complaints may result in disciplinary action.

8.5 DRUG and ALCOHOL POLICY

The City is committed to programs that promote safety in the workplace, employee health and well-being, and customer confidence. Employee involvement with drugs and alcohol can adversely affect job performance and employee morale, jeopardize employee safety, and undermine customer confidence. The purpose of this policy is to establish and maintain a healthy and efficient work force free from the effects of drug and alcohol abuse. Consistent with this goal and commitment, and in response to the requirements of the Drug-Free Work Place Act of 1989, the City has developed this policy regarding the use, sale, possession, and distribution of controlled drugs and alcohol by its employees.

The City encourages any employee with a drug or alcohol problem to contact their department head or the Personnel Director for assistance. The City will, at the employee's request, and when it is the first occurrence, refer her or him to an assistance program for information or professional assistance. The City includes such treatment as an eligible expense in its medical insurance program. All communications will be strictly confidential. Employees will not be subject to discipline for voluntarily acknowledging a drug or alcohol problem prior to detection. However, this will not excuse any violation of this drug and alcohol policy for which the employee is subject to disciplinary action, including, but not limited to, termination.

The use, possession, manufacture, sale, transportation, or distribution of controlled drugs or alcohol by any employee while on the City property, **or representing the City**, is cause for termination. An employee found to be under the influence of alcohol, or found to have a detectable concentration of an illegal drug, while on duty or while representing the City, shall be subject to termination. Any employee convicted of any criminal offense involving alcohol or illegal drugs or other controlled substance in connection with or related to their employment with the City in any manner is required to notify their department head in writing of such conviction within five (5) days of the conviction. Failure to provide such notice will result in termination. If an employee has knowledge of the presence or use of drugs, alcohol or other intoxicants or the presence or use of drugs, alcohol or other intoxicants or controlled substance on City property or in City equipment, that employee is required to report such presence as well.

Employees may be required to submit to blood, urine or other diagnostic tests to detect alcohol or drugs in their system upon reasonable suspicion of drug or alcohol use, when an employee is involved in any on-the-job accidents, or reports any injury or illness related to employment and resulting in lost work time. If an initial screening test indicates a positive finding, a confirmation test will be conducted. Any employee who refuses to submit to testing under these circumstances shall be subject to termination.

For the purposes of this policy, an employee shall be deemed to have used, or be under the influence of, or impaired by alcohol when any test demonstrates a blood/alcohol, concentration within the employee's system of or equivalent to .04 percent or more, and by drugs, intoxicants, or other controlled substance whenever any testing confirms the employee has detectable levels

of a drug, intoxicant, or other controlled substance or its components within the employee's system for which the employee has not produced a prescription.

The City reserves the right to carry out reasonable searches of employees and their property, including but not limited to desks, files, clothing, lockers and private vehicles parked on company property. An employee who refuses to submit immediately to such a search shall be subject to termination.

Employees are prohibited from bringing drug paraphernalia onto the City property at any time. An employee who possesses or distributes such paraphernalia while on the City property, **or while representing the City**, shall be subject to termination.

Employees who take over-the-counter or prescribed medications are responsible for being aware of any effect(s) the medications may have on the performance of their duties and must promptly inform their immediate supervisor if any medication may impair their ability to do their jobs. The employee must also maintain the substance in its original container, identifying the drugs, dosage, date of prescription, and prescribing physician, and provide their department head with a statement from the physician indicating the employee is able to work while taking such medications and listing any precautions or safety restrictions that may be advisable for the safety of the employee, co-workers, or the public. An employee who fails to do so shall be subject to disciplinary action, including termination. In addition, employees who take over-the-counter or prescribed medications contrary to the instructions of the label or physician, may be subject to disciplinary action, including termination.

8.6 SMOKING POLICY

The City has a no-smoking policy for the purpose of providing a healthier work environment for all employees and the public. The use of tobacco products is prohibited in any enclosed building where work is performed except in specific areas designated for such use.

8.7 ATTENDANCE and PUNCTUALITY

Employees are expected to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on our ability to serve the public. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor at work or at home as soon as possible in advance of the anticipated tardiness or absence, but no later than prior to the scheduled starting time. If unable to reach the supervisor, the employee should report their inability to report to work on time to the front desk receptionist. The supervisor has the discretion to excuse late notification in the event of unusual or exceptional circumstances. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action up to and including termination. Absence from work without call for a period of three (3) days or more will be considered as a voluntary resignation by the employee.

By definition, any employee who is not at his/her work station (area) prepared to start work at the scheduled starting time for the shift is late. Likewise, an employee who does not return to work in a timely manner after a meal break is considered late.

Any employee who reports to work more than ten (10) minutes after the beginning of the shift must report to his/her immediate supervisor prior to beginning work. The city follows a “no fault” philosophy with respect to tardiness and absenteeism, which means the reason for being late or absent does not have to be explained unless such discussion may be beneficial to the employee to prevent continued problems.

8.8 PERSONAL APPEARANCE and IMAGE

It is the policy of the City that each employee’s dress, grooming, and personal hygiene should be appropriate to the work situation. Employees are expected at all times to present a professional appearance to the public we serve. The City may be judged not only by the quality of its services but by the appearance of those providing the services. Therefore, while freedom of individual expression and changing styles and fashion are recognized, it remains important to meet the expectations of the public while representing the City. Good grooming and appropriate dress reflect employee pride and inspires community confidence.

During business hours and business functions, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Business casual is the accepted dress code, unless circumstances would suggest a more professional image. Collared and/or Henley-style city shirts would be allowed. Polo shirts made of high quality material would also be allowed. Employees who have contact with the public should not wear suggestive attire, sandals, spandex, thong shoes, headbands, tank or halter tops, sweatshirts, shorts or T-shirts with unauthorized printed slogans, excessive or obstructive jewelry (Two earrings per ear allowed), novelty buttons, and similar items of casual attire that do not present a businesslike appearance. Hose and socks should be worn unless the temperature rises above 85 degrees. Hair should be clean, combed, and neatly trimmed or arranged. Employees who do not meet the public should follow basic requirements of safety and comfort, but should still be as neat and businesslike as working conditions permit.

Depending on the nature of their job, certain employees may be required to meet special dress standards, such as wearing uniforms or dressing in designated business attire for specific occasions. Nametags and insignias identifying the City and the employee shall be done in a consistent manner as determined by the City. Employees conducting or attending meetings, seminars, roundtables, etc. with the public are expected to represent the City in a professional manner and dress appropriately for conducting such business.

Any employee whose appearance does not meet these guidelines will be sent home and instructed by their direct supervisor or department head to return to work in proper attire. Consult with your department head if you have questions as to what constitutes appropriate attire.

The image you portray is also affected by the spirit with which you contribute to the team effort. Courtesy, in person, by telephone, or by letter, is expected of each employee when interacting and communicating with other employees, and the public.

8.9 RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all the City property and all equipment, supplies and keys immediately upon request or upon termination of employment. Where permitted by applicable laws, the City may withhold from the employee's check or final paycheck the cost of any items that are not returned when required.

8.10 RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment. To resign from the City in "good standing", an employee must provide written notice to their department head in a reasonable period in advance of the actual day of separation. The City requires thirty (30) calendar days notice for most job categories unless a shorter timeframe is approved by the department head, but in no case will less than two (2) weeks' written notice be considered a termination in good standing. Failure by the employee to give notice may result in forfeiture of future employment rights.

Any employee absent from work without notice for three (3) consecutive work days or longer will be deemed to have voluntarily terminated employment. This method of resignation precludes any reemployment with the City.

9. MISCELLANEOUS

9.1 SOLICITATION AND DISTRIBUTION

Disruptions in the work place can be caused by excessive unauthorized sales of tickets, solicitation of contributions, or the distribution of handbills. Such activities should only be allowed with the prior approval of the department head. In some instances, the collection of money for presents, flowers, parties, donations, or for cases of particular hardship can be considered appropriate. In these exceptional cases, such collections may be permitted with the approval of the department head. All such approved solicitation should normally be made during regularly scheduled rest and meal periods.

Solicitation of, or the distribution of literature to visitors of our facilities is strictly prohibited. Solicitation of employees or the distribution of literature, pamphlets or other materials, by anyone not an employee is strictly prohibited on the City property.

Solicitation of employees by other employees and/or the distribution of any literature between employees is prohibited during working time ("working time" applies not only to the employee

doing the solicitation or distribution, but also to the employee being solicited or receiving the distribution) and in work areas.

9.2 JURY / WITNESS DUTY

Any employee who must be off work to service jury duty shall be paid his or her regular wages or salary during the period of jury service. The employee must surrender to the City Clerk any compensation received for jury duty, except for mileage fees. Any employee off on jury duty shall report for work when released from jury duty during any period the employee would be scheduled for work. Employees are required to notify their supervisor immediately upon receiving a court summons to allow time to cover your absence from work.

If you are subpoenaed as a witness in a court or administrative hearing not involving personal litigation or service as a paid expert witness, you will be granted unpaid time off work if such time off will not be detrimental to the City operations, and you may keep any witness fees. If you are subpoenaed in the line of duty to represent the City as a witness or defendant, your appearance will be considered a part of your job assignment (time worked).

9.3 PERSONAL TELEPHONE CALLS

The City telephones are intended to be used for business and job-related purposes only, and not for personal calls. Personal calls can be counter-productive and disruptive to the receiving employee and co-workers as well. While it is understood some non-business telephone interruptions are going to occur because employees can't always control the caller, it is the individual employee's responsibility to inform friends and relatives that, except in cases of emergencies, they are not to be receiving personal telephone calls at work.

Only local calls may be made on the City telephones. Disciplinary measures up to and including termination may result when personal telephone calls become excessive, disruptive and/or counter-productive to the employee or co-workers.

9.4 USE OF CAMERAS / OTHER RECORDING EQUIPMENT

Caution should be taken with regard to the use of cameras, audio, video and other similar equipment while at work and in work areas. The City has legal nondisclosure and confidentiality obligations and respects the privacy of employees and the public. The City strictly prohibits the taking of photographs and videos, whether by camera phone or any other device, in such areas as restrooms, locker rooms and other "private" places. Violations of this policy may result in actions being taken including confiscation of equipment, initiation of appropriate disciplinary measures, or potential legal action.

RECEIPT ACKNOWLEDGMENT

PLEASE SIGN, TEAR OUT, AND RETURN THIS RECEIPT ACKNOWLEDGMENT TO YOUR SUPERVISOR.

Date _____

I have my copy of The City of Pekin (the City) Personnel Policy which outlines my privileges and obligations as an employee of the City. I will familiarize myself with the information in this book and understand that it constitutes the personnel policies of the City and that I am governed by it.

Since the information in this booklet is necessarily subject to change without notice at the sole discretion of the City, it is understood that any changes in the policies as listed herein that may be made by the City may modify, supersede or eliminate the policies in this booklet, provided that the employees are notified of such changes through the usual channels.

Signature of Employee _____

Aug 22 Agenda

International Life Church of Indianapolis*** 3359 N Ruckle St. * Indianapolis, IN 46205 *****Phone # 317-925-2197 Fax # 317-920-0329**

I am Elder Jerry Hall a volunteer, and the Donation Representative for International Life Ministries, which is the "out-reach Ministry of International Life Church.

We are nondenominational, and a non-profit, organization (Tax ID #20-1240470) assisting the transitional community (battered, dysfunctional, destitute, and etc.) with shelter, clothing, food, and spiritual counseling. These services are provided 24 hrs a day, and are without monetary cost.

Currently we are conducting donation efforts in your area. These "efforts" consist of passive solicitation methods at various intersections. We are requesting your support by assisting us in scheduling an "effort" in your town.

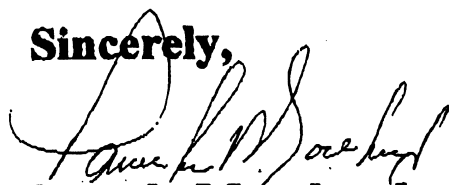
Below is a list of requested time(s), and location(s) for the activity. Should any part of our schedule conflict with your activity calendar do not hesitate to contact me (317-289-1807).

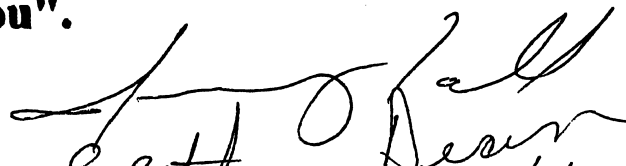
Jerry Hall's Cell phone #
317-289-1807

<u>Date</u>	<u>Time</u>	<u>Location</u>
1. <u>8-23-05</u>	<u>9am + 5⁰⁰pm</u>	<u>Court + Parkway</u>
2. _____	_____	_____
3. _____	_____	_____

**Thank you for your every consideration; and may God
continue to "Bless You".**

Sincerely,


Pamela Morehead
Executive Assistant


Scott Dean
marvin Gofford
emerson cancel

State of Indiana
Office of the Secretary of State

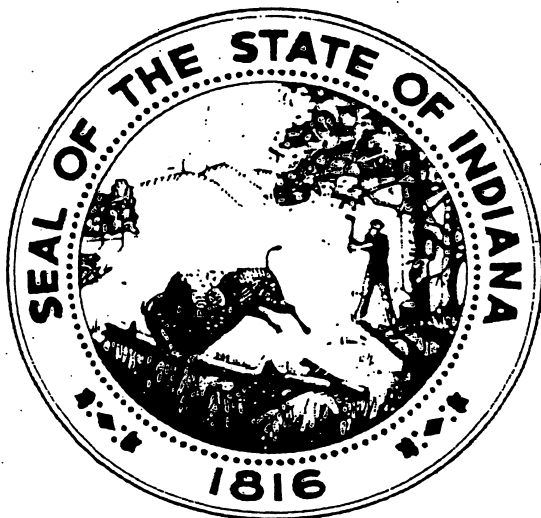
CERTIFICATE OF INCORPORATION

of

INTERNATIONAL LIFE CHURCH OF INDIANAPOLIS, INC.

I, TODD ROKITA, Secretary of State of Indiana, hereby certify that Articles of Incorporation of the above Non-Profit Domestic Corporation have been presented to me at my office, accompanied by the fees prescribed by law and that the documentation presented conforms to law as prescribed by the provisions of the Indiana Nonprofit Corporation Act of 1991.

NOW, THEREFORE, with this document I certify that said transaction will become effective Friday, April 30, 2004.



In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, April 30, 2004.

A handwritten signature in cursive script that reads "Todd Rokita".

TODD ROKITA,
SECRETARY OF STATE