



City of Pekin

REGULAR COUNCIL MEETING OF AUGUST 13, 2007
5:30 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Clerk to Call the Roll

IV. APPROVAL OF AGENDA

ACTION: Motion to approve the meeting agenda.

VOTE REQUIRED

V. APPROVAL OF MINUTES

ACTION: Motion to approve minutes of Regular Council Meeting of July 23, 2007.

VOTE REQUIRED

VI. PUBLIC INPUT ON AGENDA ITEMS

Speakers to state name, address, and spell last name. Questions unrelated to agenda items are accepted during "Public Questions" near the end of the meeting.

VII. CONSENT AGENDA

- 1. Monthly Reports and Minutes: July Police Report and Traffic Safety Committee Minutes Dated August 3, 2007.**
- 2. Proclamation: "Pekin's Woman's Club" Month of October 2007
Knights of Columbus "Mentally Handicapped Week" September 16-23, 2007
Save a Life Foundation "Save a Life Month" Month of September 2007**
- 3. Charitable Solicitation: Phyllis McGill medical expenses jars in businesses
Knights of Columbus Tootsie Roll Drive September 21- 23, 2007
Patrick Dollar Benefit September 25, 2007**
- 4. Receive and File IDOT Review and Certification of Land Acquisition Project HS-M-6761 (002) Parkway / Broadway Intersection completed by Public Works Director Joe Wuellner**
- 5. Resolution No. 12-07/08 – Final Plat Osprey Court Subdivision**

6. Receive and File Pekin Planning Commission Hearings and Recommendations:

- a. Hearing #07-1747 – recommends to accept the packet with the following changes, Delete page 30, Delete Front Yard definition on page 17 and replace by moving Front Yard definition from page 8, Page 67 Section D to change all RH to RV, Add paragraph K to Pg 68 starting see diagram attached & following regarding minimum dimensions and setbacks to the City of Pekin City Council.

Action to be taken under New Business. All other hearings of the PPC and actions by Council to be considered at the customary 2nd meeting of the month.

ACTION: Motion to approve all items listed on the Consent Agenda by Omnibus Vote.

VOTE REQUIRED TO APPROVE CONSENT AGENDA

VIII. COMMUNICATIONS, PETITIONS, REPORTS

1. Wastewater Tap-On Fee and User Fee Presentation

DESCRIPTION: a general explanation of slight increase to the present fees to keep up with inflation and to offset revenues lost since the introduction of Winter Averaging and significant increase to tap-on fee for expansion of cost to the treatment plant.

PRESENTATION: City Manager Dennis Kief

ACTION: No Action to be taken.

2. Public Hearing

DESCRIPTION: Opportunity to receive comments on Council's consideration of adopting an ordinance annexing property commonly known as 1606, 1618, 1620 South Fifth Street.

ACTION: Ordinance under New Business

IX. NEW BUSINESS

1. Ordinance No. 2525-07/08 – An Ordinance Providing for the Annexation of Certain Territory to the City of Pekin, Tazewell County, Illinois (South Fifth Street)

(RS)

DESCRIPTION: The corporate boundaries of the City currently surround property on South Fifth Street. Statutes provides for annexation without petitioning for total areas less than 60 acres. Three residential properties will receive the services of the City.

ACTION: Motion to adopt ordinance.

VOTE REQUIRED

2. Tourism/Visitors Bureau Grant Request

(DK)

DESCRIPTION: Recommendation to approve a Community Event Grant in the amount of \$500.00 to YWCA for Paint the Town Red and Run the Town Red. Check to be held until final papers are submitted.

ACTION: Motion to approve the grant request.

VOTE REQUIRED

3. **Ordinance No. 2526-OA-07/08 - Amending Title 9, Chapter 2, and the Schedule of Regulations of the Code of the City of Pekin 1995 Regarding Residential Districts** (JW)
DESCRIPTION: A recommendation of the Planning Commission for changes in districts and regulations of the Zoning Code; definition of duplex; replacing all references to row house with villa; frontage minimum 30 ft; and RV Districts added.

ACTION: Motion to adopt ordinance.

VOTE REQUIRED
4. **Bid Demolition of Commercial Building at 121 South 2nd Street** (RS)
DESCRIPTION: Opening July 30, 2007 10:00 a.m. Walk Through July 23, 2007 8:30 a.m.

ACTION: Motion to award the contract to R. Love Demolition in the amount of \$19,000.00.

VOTE REQUIRED
5. **Bid Parking Lot Expansion 101 N. Parkway Drive Midwest Eye Care** (JW)
DESCRIPTION: As part of the right of way purchase from Farrell Trust for the Parkway/Broadway intersection widening, the City agreed to expand the parking lot of the property owner. Bids were opened July 24, 2007 @ 2:00 p.m. and the Public Works Director recommended the low bid be accepted.

ACTION: Motion to award the contract to Otto Baum Company, Inc. in the amount of \$28,685.00.

VOTE REQUIRED
6. **Resolution No. 13-07/08 – Approving the Transfer of the Cable Franchise** (DK)
DESCRIPTION: the City's acceptance of the terms of the agreement with Insight Communication Midwest, LLC being transferred to Comcast.

ACTION: Motion to adopt resolution.

VOTE REQUIRED
- X. **ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL**
 Council Members

 Staff

 Public Questions

 Press Time
- XI. **EXECUTIVE SESSION**
 5 ILCS 120/2 (c) 6. The setting of price for the sale and/or lease of municipally owned property.

ACTION: Motion to move to executive session for the purpose of discussing the Sale of Municipally Owned Property.

VOTE REQUIRED
- XII. **ADJOURNMENT**
With no further action to come before the Council the Mayor declares meeting closed in open session.

NO VOTE REQUIRED

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, JULY 23, 2007 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING**

**PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, JONES, KORTKAMP, STRAND,
AND DUNN**

ABSENT: NONE

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

Roll was called and all Council Members were present.

Agenda

Motion by Council Member Strand, seconded by Council Member Jones, that the **agenda be approved as amended**. Council Member Blanchard requested that item # 5 Resolution No. 11-07/08 Mayor's Appointment of Treasurer, be removed from Consent Agenda and place as New Business #11. for discussion. On roll call vote, all present voted Aye.

Motion by Council Member Strand, seconded by Council Member Jones, that the **minutes of the Regular City Council Meeting of July 9, 2007 and the Special Work Session July 3, 2007 be approved as written**. On roll call vote, all present voted Aye.

Consent Agenda

Motion by Council Member Strand, seconded by Council Member Kortkamp, that the Consent Agenda be approved as amended.

Mayor Tebben presented the following that he noted now contained 7 items for consideration of the Consent Agenda items by Omnibus Vote.

1. **Monthly Reports and Minutes: Fire June Report, T/PCCC May and June Report, Traffic Safety Committee Minutes July 6, 2007, Mayor's Advisory Committee for Persons with Disabilities Minutes May 10, 2007 and June 14, 2007, Building Report, and Airport Commission Minutes July 11, 2007**
2. **Charitable Solicitation: ABBA MINISTRIES collecting for Sydnee Freeman**
3. **Resolution No. 9-07/08 – for Participation in State of Illinois Federal Surplus Property Program**
4. **Resolution No. 10-07/08 – Final Plat Grandview Estates Subdivision**
5. **Receive and File Zoning Board of Appeals Minutes Dated July 11, 2007**
6. **Receive and File Pekin Planning Commission Minutes Dated July 11, 2007**
7. **Receive and File Pekin Planning Commission Hearings and Recommendations:**
 - a. Hearing #07-1744 – recommends to accept the zoning of properties to be annexed into the City of Pekin as presented on the Plat for Wedge Development

On roll call vote, all present voted Aye.

Communications, Petitions, Reports

PUBLIC HEARING

A Public Hearing was opened by Mayor Tebben at 5:34 p.m. for the purpose of receiving comments on the Council's consideration of adopting an annexation ordinance for the properties known as LeTrout Trust, Veterans Drive Investments, LLC, Wedge Development, LLC, Sangalli, Uehling. Notice was properly

published in the Pekin Daily Times on June 27, 2007. Council was briefed by the City Manager on the project that had been evolving for 2 years. The first piece of annexed property in the area was approved⁵ by the Council in previous months and gave continuity to the Sangalli property. The proposed annexed territory was consistent with the Comprehensive Plan for development. The City would benefit through the agreements in that right of way would be received for extending Veterans Drive; the growth corridor would be consistent with widening of Broadway Road; the developer would participate in over sizing of sewers; and the new housing would generate property taxes.

Developer Bill Lemman addressed Council regarding the details of the Wedge development. Referring to a color-coded map, he explained the zoning, residential, apartment and business layout. Property owners were identified. Council was told property owner Uheling wanted to retain corner lots on Veterans to zone B-3 commercial. Council Member Jones questioned if there would be condominiums as part of the development and was told no. Mr. Lemman then explained the developer's request for new zoning classification of Villas with zero lot lines. He indicated there would be curbs and gutters in this 80 home development. Council Members Jones expressed concern about curb openings. The area was reported to be a large piece of land consistent with Court to Broadway openings. In addressing the concerns regarding zoning mini storage, Council was informed that the CILCO corridor had limited use. Questions of Section 8 Housing were addressed in that the development would be restricted to upscale housing, possibly as a gated community.

Council then discussed the timing for approval of increasing tap-on fees and if they would apply to this development.

The public was given the opportunity to be heard. Fred Meyer 1 Pine Hurst Court felt the City should not purchase the right of way but the developer should give the land needed for Veterans Drive to the City. He expressed concern about the safety of California Road and was told the road had been addressed in planning. Mayor Tebben indicated that details of compensation would be considered when the Council was presented the developer agreement for annexation.

No additional comments were received. Mayor Tebben closed the hearing at 6:02 p.m.

CODE AMENDMENT STORM WATER UTILITY

Public Works Director Joe Wuellner updated Council on the issues in meeting the requirements of the National Pollutant Discharge Elimination System (NPDES) storm water permit. The program mandated by the Environmental Protection Agency through the Clean Water Act imposes stringent storm water regulations that result in increasing cost to manage. Through a PowerPoint presentation Council was informed of the need to create a Storm Water Utility Code in order to meet the goals and requirements of the first permit. The code would assess fees to support the maintenance, repair, and construction of the City's storm water system. Mr. Wuellner set a goal for the end of December to have the program approved for the 2008 deadline. Evaluation would have to be made on out-sourcing the work verses of hiring more personnel for monitoring ditches and street sweeping, He indicated 2 full time employees and a part-time engineer/GIS would be needed and later the fund would support dedicated equipment. Council Member Blanchard suggested the City seek grants for funding. Council then discussed the significant dollars it would take to separate combined sewer flow.

In summary the Mayor commented that the Council needed to recognize the issues, consider the challenges, and respond to the staff for direction.

New Business

Motion by Council Member Abel, seconded by Council Member Blanchard, that the **TWO YEAR VEHICLE MAINTENANCE AGREEMENT WITH TAZEWELL COUNTY in the amount of \$55.00 per hour plus parts**, be approved. Council Member Blanchard expressed concern that the \$5.00 increase that now covered 2 years was not sufficient to cover the expenses and the wage of the contract employees performing the maintenance. City Manager Dennis Kief reported that the department numbers had been reviewed. On roll call vote; Ayes, Dunn, Jones, Strand, Kortkamp, Abel, Tebben; Nay, Blanchard. Motion Carried.

Motion by Council Member Abel, seconded by Council Member Dunn, that the **TWO YEAR VEHICLE MAINTENANCE AGREEMENT WITH TAZEVELL COUNTY HEAD START in the amount of \$55.00 per hour plus parts**, be approved. Council Member Blanchard questioned having only a named individual to authorize the work performed. It was Attorney Bosich opinion that a designee could be added to the agreement. Council Member Strand requested that the named party to the agreement "Schramm Education Center" and mailing address of Head Start be confirmed.

Mayor Tebben called for the vote on the amended agreement. Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that the **AGREEMENT FOR TAZEVELL COUNTY HEAD START BE AMENDED BY ADDING "OR DESIGNEE" AFTER THE WORDS VICKI WILLIS**. On roll call vote, all present voted Aye.

On roll call vote; Ayes, Dunn, Jones, Strand, Kortkamp, Abel, Tebben; Nay, Blanchard. Motion Carried.

Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that the **INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE ANNUAL PAYMENT OF \$68,252.89 FOR MAINTENANCE OF MUNICIPAL STREETS** be approved. The intergovernmental agreement with the State was computed for the period July 1, 2007 to June 30, 2007. Council was informed that that the dollars were used by the Street Department for maintenance and snow removal of Routes 9 and 29. Funding was only 1% higher than last year. Council discussed if the funding was sufficient to cover the City's actual costs. If the check were refused the alternative could be that the timing of snow removal on Court Street would be at the discretion of the State. Staff was directed to analyze the cost through the summer and winter projects and report back to Council in 6 months. On roll call vote, all present voted Aye.

ORDINANCE NO. 2524-07/08
AMENDING TITLE 4, CHAPTER 4, ARTICLE A OF THE CODE OF THE CITY OF PEKIN
REGARDING COMBINATION SEWER AREA

Motion by Council Member Blanchard, seconded by Council Member Kortkamp, that Ordinance No. 2524-07/08 be adopted. Public Works Director Joe Wuellner recommended new retention and discharge requirements of the design of inflow in the combination sanitary sewer system for new construction. The change would accomplish retaining storm water on sight instead of being treated at the plant. On roll call vote, all present voted Aye.

RESOLUTION NO. 6-07/08
IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE
APPROPRIATING MFT FUNDS FOR TRAFFIC SIGNAL UPGRADES
SECTION 02-00167-01-TL

Motion by Council Member Dunn, seconded by Council Member Blanchard, that Resolution No. 6-07/08 in the amount of \$9,588.30 for work by Advanced Electric Co., be adopted. Mr. Wuellner explained to Council that the next three resolutions were a result of closing out local match of old projects that had exceeded the appropriated MFT Funding. On roll call vote, all present voted Aye.

RESOLUTION NO. 7-07/08
IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE
APPROPRIATING MFT FUNDS FOR RESURFACING
SECTION 93-00147-00-RS

Motion by Council Member Dunn, seconded by Council Member Blanchard, that Resolution No. 7-07/08 in the amount of \$17,635.67 for work by RA Cullinan & Son, Inc., be adopted. On roll call vote, all present voted Aye.

RESOLUTION NO. 8-07/08
IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE
APPROPRIATING MFT FUNDS
FOR WIDENING OF EXISTING 14TH STREET FROM EL CAMINO TO VFW
SECTION 94-00153-00-PV

Motion by Council Member Dunn, seconded by Council Member Blanchard, that Resolution No. 8-07/08 in the amount of \$24,628.63 for work by RA Cullinan & Son, Inc., be adopted. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Kortkamp, that the **VISITORS BUREAU GRANT FOR MCNAUGHTON PARK TRAIL RUN in the amount of \$5,000.00** be approved. On roll call vote, all present voted Aye.

7

Motion by Council Member Jones, seconded by Council Member Abel, that the **VISITORS BUREAU GRANT FOR ASA STATE TOURNAMENT in the amount of \$4,000.00** be approved. Council Member Blanchard explained that he would be voting no for the request of Dragon's Dome Inc. in as much as he did not approve of the provision of the Tourism Program to allow a business for profit to be awarded a grant. On roll call vote; Ayes, Strand, Kortkamp, Jones, Dunn, Abel, Tebben; Nay, Blanchard. Motion Carried.

Motion by Council Member Jones, seconded by Council Member Strand, that the **VISITORS BUREAU GRANT FOR PEKIN LETTES WOMEN'S SOFTBALL TOURNAMENT in the amount of \$485.00** be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 11-07/08 **TREASURER APPOINTMENT**

Motion by Council Member Kortkamp, seconded by Council Member Jones, that Resolution No. 11-07/08, the Mayor's Appointment of James S. Wolf CPA to the position of Treasurer effective September 1, 2007 until revoked, be adopted. Mayor Tebben told Council that Mr. Wolf would be working on a fee basis of \$35,000 per year 10 hour a week to meet the current position. During the scheduled Council Retreat the duties may evolve in considering direction for the vacancy in the Finance Director position. Council recognized Treasurer Chic Renner 's job performance since the time the Finance/Treasurer position was split. Mr. Wolf was introduced and addressed the Council regarding his background and anticipation to work for the City in the investment management position. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Stand informed Council of the possibility of a local family being a candidate for the TV. show Extreme Make Over. An Easter Seals child Jacob Grys was nominated and needs improvements to his home in order to be self-reliant. She asked for Council and community support, the biggest deciding factor in being chosen for the project.

Council Member Jones announced his "onion award" to 1011 Gingoteague property that needed to be cleaned up. He praised the property owner at 608 South 5th Street for the improvement made.

Council Member Abel spoke in response to his request for Council to reconsider the parking on streets at night issue. He informed the public that the matter would not go back to the Traffic Safety Committee. The committee to continue its evaluation of problem areas and present their recommendation to the Council when completed as originally planned.

Council reviewed their calendars and set a Retreat Date for Saturday, August 18, 2007.

Council Member Blanchard reported on the press conference where the Attorney General's Office visited Peoria to formally announce the details of an electric rate relief package that would provide refunds and credits to consumers who were hard hit by increases after 10 years of frozen rates.

Mayor Tebben informed members he had met with the Atkins group on their proposal for residential development of Winston Farms Subdivision. He indicated to them that Council was not supportive of the dense land use on Broadway Road.

City Manager Dennis Kief reported to Council that there was miss information that the Traffic Safety Committee was doing nothing in their direction from Council on the parking at night on City streets issue. The committee responded quickly with a 78-page list of "hot spots" to review for safety.

Daniel DeHoog, 619 South 12th Street spoke in support to retain the ability to park on the streets. He then expressed concern regarding the pick-up of extra sacks during his weekly garbage collection.

Reporters from the *Peoria Journal Star*, *Pekin Daily Time*, *WCBU* were given the opportunity to ask questions. 8

Motion by Council Member Kortkamp, seconded by Council Member Abel, that Council move to Executive Session at 7:10 P.M. to discuss the setting of price for the sale and/or lease of municipally owned property
5 ILCS 120/2 (c.) 6. and Litigation, when an action against, affecting or on behalf of the particular public body finds that an action is probable or imminent 5 ILCS 120/2 (c.) 11. On roll call vote, all present voted Aye.

No further business to come before the Council, in open session, the Mayor called the meeting closed.
Voice vote.

COUNCIL ADJOURNED AT 7:53 P.M.

Sue E. McMillan
City Clerk

City of Pekin

Police Department

PEKIN POLICE DEPARTMENT END OF MONTH REPORT FOR JULY 2007

	JULY 2006	JUNE 2007	JULY 2007
TRAFFIC TICKETS	345	369	306
WARNING TICKETS	377	329	370
OFFENSES	532	535	630
ARRESTS	195	181	331
PARKING TICKETS	708	377	261
STOPS	702	860	856

Breakdown of Parking Tickets

Abandoned Vehicle	4	2	0
Fire Lane	2	0	0
No Parking Light	450	0	0
Handicapped	7	10	8
Improper Parking	28	11	5
Restricted Parking	199	336	230
No Parking Zone	13	10	12
Fire Hydrant	0	0	0
Meter Violation	4	8	6
Motor Home on St.	1	0	0
TOTAL	969	377	261

CITY OF PEKIN TRAFFIC SAFETY COMMITTEE MINUTES 10
AUGUST 3, 2007
CITY HALL CONFERENCE ROOM

PRESENT: Tim Gillespie, Dave Pagliaro, Joe Wuellner Chuck Lauss, Will Taylor, Joe Berardi. Also present, Lee Ann Wrhel. In attendance on behalf of the Mayor's Advisory Committee for People with Disabilities were Pamela Anderson, Robert Calvin, Dick Berger and Jeanne Choate.

Old Business:

1. *Parking issues at the end of Buff Street – Update*
The committee will be sending a letter to the homeowner who owns the property at the end of Buff Street. He will be informed that the end of Buff Street will be barricaded within the next 30 days. He will be further informed to contact the Chairman of the Traffic Safety Committee within two weeks to advise his plans regarding paving the rear entrance to his property.
2. *Request for Stop sign at 7th and Prince*
The citizen who made this request will be sent a letter from the Traffic Safety Committee that the intersection does not warrant a stop sign.
3. *Request for Handicapped parking space 25 N. 20th Street*
The signed form has been received. The sign will be installed. Joe Wuellner will contact Dennis Green about the handicapped parking requests in this area.

New Business:

1. *Mayor's Advisory Committee for People with Disabilities*
 - a) *Sidewalks around the schools, Sheridan, Broadway, Koch*
 - b) *14th & Broadway – extended light duration*
 - c) *14th & Koch – flashing light*

Jeanne Choate, 211 Davis Street spoke on behalf of the committee. They are concerned with the poor condition of some sidewalks/lack of sidewalks near schools around town. They are seeking input from Traffic Safety regarding their concerns. The locations mentioned were 14th Street near Edison (sidewalks in bad shape), no sidewalks in some areas on Sheridan Road (same situation on Willow Street and Koch Street), east/west streets near schools don't seem to have sidewalks. The committee noted that there are no sidewalks on 14th Street south of Derby. They also mentioned that there are no ramps at the intersection of Broadway/Parkway for handicapped people on scooters.

Dave Pagliaro addressed the committee on the subject of sidewalks. He asked them to keep in mind the costs involved with both repair/replacement and installation of new sidewalks. He further advised them that it is the responsibility of the homeowner to contribute to installation of sidewalks and that can be a difficult process. In conclusion, a suggestion was made to the Mayor's Advisory Committee for People with Disabilities to put together a priority list, give it to Pamela Anderson who can forward it to the City and their ideas will be taken into consideration as funds become available to progress through the sidewalk issues.

The committee also presented a concern regarding the traffic lights at 14th & Broadway. Jeanne reported barely being able to make it across the intersection while the walk sign was on. Joe Wuellner explained to her that it takes a total of 20 to 30 seconds for the light to change, 20 seconds is considered ample time to get across the intersection. When the light is flashing there is still time to cross the intersection. The lights are timed according to tables set by IDOT. Countdown lights cost approximately \$250 each, not including the cost of installation. Countdown lights do not help blind people. There are some intersections in town with audio (beeps). Consideration could be given to installing audio countdown at 14th & Broadway.

The committee wanted to voice their concerns with the safety of the intersection of 14th Street and Koch Street and would like to suggest that a flashing light be installed there.

2. *Restricted Parking Hot Spots*

Joe Wuellner presented material regarding front yard parking. There is a proposal in the works going before the Planning Commission regarding allowing people to expand their driveways into a portion of their front yards.

The Traffic Safety Committee will be going out to the streets on the preliminary list to assess the traffic safety issues of the individual areas. The needs of the Fire Department will be considered first. A recommendation will be forwarded to City Council. Joe Berardi provided Tim Gillespie with a list of locations that have been reported to him where vehicles have been seen parked in yards or across sidewalks.

3. *Request for parking in front of 1430 Park Avenue*

Due to an agreement with IDOT regarding the intersection upgrade at 14th and Park Avenue, this request will be denied. The Traffic Safety Committee will send a letter of explanation to the homeowner.

4. *Handicapped sign for deaf child – Orr Avenue*

Dave Pagliaro presented the proper form for installation of a “Deaf Child” sign. The sign will be installed at the corner of Roberts and Orr.

5. *City Truck Routes*

Joe Wuellner reported that the truck route code does not reflect that 14th Street from VFW Road to Court Street is a truck route. It was in the code in 1995 and dropped out of the code in 1998. There is nothing in writing indicating that it was to be dropped out. It is going to be added back into the code.

6. *MDA Boot Block locations*

Chuck Lauss reported that the Fire Department will be doing the MDA Boot Drive on August 18, 25 & 26 from 11 to 1 at the intersection of Parkway and Court Street. This year they are not going to collect during Labor Day weekend.

7. *“No Parking Fire Lane” signs for private businesses*

Tammy Martin has talked to Chuck Lauss regarding enforcement of fire lanes in private lots. Fines are being dismissed because the amount of the fine is not posted on the signs. The businesses have been notified to update their signs, but there has been no response. Can the

business be ticketed for failure to post the fine? Joe Wuellner will talk to the City Attorney for the legal aspects of this situation.

12

Around the Table:

Starting August 13th, traffic will be re-routed due to railroad track repairs on Second St. in front of National Rental. Originally the repair was to take one week, now it is set for two weeks. Re-routing traffic via Koch Street to 14th Street to Court Street will become an issue when school starts. The committee recommends that the traffic be re-routed via Derby instead of Koch Street. There was also a request for a temporary sign on 14th at Park Avenue indicating “no left turn”. If needed for the first couple of days, a police officer can be there to monitor the traffic flow. Joe Wuellner will make an announcement at the City Council meeting informing the public of the dates and the details of the re-routing of traffic due to this repair work. An announcement will also be posted on Channel 22.

Chuck Lauss informed the group of the St. Jude Run on Saturday. The runners will leave Pekin Insurance at 11:00 a.m.

Joe Berardi brought up pedestrian right of ways. Many people don’t realize that pedestrians have the right of way. There was a request for a public reminder to be put on Channel 22.

The street currently marked as Front Street from Ann Eliza to Court Street and St. Mary to Broadway will be changed to Main Street. This will have to be changed by ordinance. This will be addressed at the August 27th City Council meeting.

There was a citizen concern regarding truck traffic on Powers Drive. This is an enforcement issue. Trucks will be directed to use Valle Vista.

Respectfully Submitted,
Lee Ann Wrhel

NEXT REGULAR MEETING SEPTEMBER 7, 2007 @ 8:30 A.M.

WHEREAS, the Pekin Woman's Club will be celebrating their 115th Anniversary in October 2007; and

WHEREAS, the Pekin Woman's Club has continuously served Pekin for the entire 115 years with dedicated community service in education, culture and the humanities. The departments served are the arts, conservation, health, home life, international affairs, public affairs serving the veterans and Native Americans; and

WHEREAS, the Pekin Woman's Club is affiliated with the Generation Federation of Women's Club of Illinois and the National General Federation of Women's Clubs based in Washington, D.C.; and

WHEREAS, one of the oldest community organizations, the Pekin Woman's Club began as the Columbian Club, organized in 1892. In October 1893, the group decided to make their purpose a literary one and changed their name back to the Pekin Woman's Club, with Mrs. W.G. Bailey, as first president; and

WHEREAS, the object of the Pekin Woman's Club shall be mutual sympathy and counsel among its members and united action in all movements for the civic betterment of the community.

NOW, THEREFORE, BE IT RESOLVED I, R. DAVID TEBBEN, Mayor of the City of Pekin, do hereby proclaim the month of October, 2007, as

"PEKIN'S WOMANS CLUB"

in the City of Pekin, Tazewell County, Illinois, and encourage our community's citizens to honor the individuals who laid the foundations of the Pekin Woman's Club.

ADOPTED, the 13th of August in the Year of Our Lord, Two Thousand and Seven.

R. DAVID TEBBEN
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 21st, 22nd and 23rd, 2007; and

WHEREAS, ninety percent of these proceeds stay in the Pekin area to support Schramm School, the Ann Benjamin Handicapped Children's Summer Camp Trust Fund, the Miller Home, the U of I Extension MR Program, as well as Special Olympics.

NOW, THEREFORE, BE IT RESOLVED that I, R. DAVID TEBBEN, Mayor of the City of Pekin, Illinois, do hereby proclaim the week of September 16th, 2007, 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 13th day of August, in the Year of Our Lord, Two thousand and Seven.

R. DAVID TEBBEN
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

WHEREAS, Save A Life Foundation's mission is training and developing people, starting with school children, to be active bystanders equipped with basic Life Supporting First Aid skills to aid during emergencies; and

WHEREAS, Save A Life Foundation, utilizes only Emergency Medical Service Professionals as Instructors to teach basic Life Supporting First Aid techniques to school children, grades K-12 and adults; and

WHEREAS, Save a Life Foundation, a national affiliate of the U.S. Department of Homeland Security's Citizen Corps, encourages all municipalities to recognize "Save a Life Month" in conjunction with Homeland Security's National Preparedness Month, a nationwide effort to encourage Americans to prepare for emergencies; and

WHEREAS, basic Life Supporting First Aid Techniques, such as CPR, Heimlich maneuver, and the use of an Automatic External Defibrillators (AED) are essential in maintaining life prior to EMS arrival; and

WHEREAS, Save A Life Foundation works with local, state and federal government organizations and the private sector to highlight the importance of "Pre-EMS", public emergency preparedness and the importance of the Good Samaritan Law; and

WHEREAS, the U.S. Conference of Mayors passed the Community Response System Initiative (CRSI) Resolution and the U.S. Senate Homeland Security and Government Affairs Committee passed the CRSI Act, both inspired by Save a Life Foundation, calling for communities to create CRSI's committees that would encourage citizens, especially children grades K-12, to learn life supporting first aid skills allowing them to aid in emergencies; and

WHEREAS, Save A Life Foundation will coordinate this year a national awareness campaign of activities for Save A Life Month to promote life supporting first aid training along with Citizen Corps and Medical Reserve Corps; and

WHEREAS, the month of September 2007 has been designated as National Save A Life Month, and

NOW, THEREFORE, BE IT RESOLVED that I, R. DAVID TEBBEN, Mayor of the City of Pekin, Tazewell County, Illinois, do hereby proclaim the month of September 2007, as

"SAVE A LIFE MONTH"

and ask that all citizens to participate in and celebrate the month of September.

ADOPTED, this 13th day of August, in the Year of Our Lord, Two Thousand and Seven.

R. DAVID TEBBEN
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

July 20, 2007

Pekin City Council
City Hall
111 S. Capitol
Pekin, IL 61554

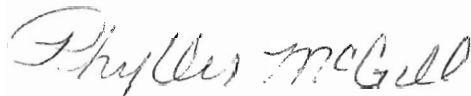
To Whom It May Concern:

I was diagnosed with colon cancer in December 2006 and had surgery to remove the cancer. This spring, my doctor finally released me to go back to work. I accepted a job that, unfortunately, turned out to be temporary. I then found another job, but because my reading skills weren't what they required, I had to leave. I took a 3rd job closer to my home, but this job required a lot of manual labor and by this time I was starting to experience a lot of pain in my lower abdomen. When I went back to my doctor to find out what was causing all the pain, he found out that I had large cysts on each of my ovaries that were causing the pain and my working was not helping the situation. He signed an order stating that I could no longer work. My doctor is talking about surgery as I am in constant pain and have trouble doing just about anything right now.

Since I can't work, I have no money coming in for my bills. I am receiving food stamps, but I have exhausted every avenue that I know about for help with my medical and personal bills (house payments, gas for my car and my phone and utility bills). If you know of any other agencies that I could go to for help, PLEASE let me know. I am also writing to ask your permission to set out jars in local businesses around town to help me with my expenses until my doctor tells me it's okay to go back to work.

Thank you for your help.

Sincerely,

A handwritten signature in cursive script that reads "Phyllis McGill".

Phyllis McGill
1910 American St.
Pekin, IL 61554



Knights of Columbus

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

July 23, 2007

Mayor David Tebben
City of Pekin
111 S. Capitol Street
Pekin, IL 61554

Dear Mayor Tebben,

For 37 years the Knights of Columbus throughout the State of Illinois and in Pekin have conducted an annual Mental Retardation/Learning Disabilities Tootsie Roll Drive. All of the proceeds are used to benefit mentally handicapped children and adults. NINETY PERCENT (90%) of our proceeds remain locally here in the Pekin area to be distributed to the Schramm School, the Ann Benjamin Handicapped Children's Summer Camp Trust Fund, the Miller Home, the U of I Extension MR Program, as well as Special Olympics.

The weekend set aside by our state officers this year is Friday, September 21, 2007 through Sunday, September 23, 2007. We ask you and the Pekin City Council for permission to distribute tootsie rolls and collect donations at locations in front of business establishments in the community. We also ask that you set aside that week by proclaiming it as Mentally Handicapped Week in Pekin.

Thank you for your consideration and support of our efforts.

Sincerely,

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

The family of Patrick Dollar wishes to have a benefit to assist with his final expenses. Patrick passed away on July 9, 2007 as the result of a congenital heart defect. Patrick leaves behind a 10 year old son Dustin of Groveland. Our intentions are to have an auction of donated goods, a spaghetti dinner, ~~and~~ and games. All proceeds will go to Patrick's final expense via a memorial fund which has been established at Red Brand Credit Union - PO Box 4128 Bartonville, IL 61607

August 25, 2007

Friends Tap

200 Derby St Pekin

353-5530

Danny Randleman

MARY & Stephen Dollar
1524 W Callender
Peoria IL 61610
309 678 8701

JAMES & Lisa Dollar
Pekin IL
347 4440



Illinois Department of Transportation

Memorandum

To: Charles J. Ingersoll
From: Joseph E. Crowe, Regional Engineer
Subject: Local Agency, City of Pekin
Date: August 3, 2007

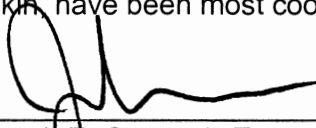
LAND ACQUISITION
FAU Routes 6761 & 6711
Section 00-00164-00-SP
Project No. HS-M-6761 (002)
Job No. C-94-115-01
Tazewell County

On August 1, 2007, Mr. Joe Wuellner, a representative of the City of Pekin, presented this office with documents and parcel files for review and certification on the above-captioned project.

Ms. Jennifer Earleywine, Land Acquisition representative of this office, reviewed the parcel files as evidenced by the Parcel and Project Review Checklists attached.

Nothing else was found which would adversely affect the certification of this project, and it is the opinion that Mr. Wuellner has complied with the requirements of Title III of the Uniform Relocation Assistance and Real Property Act of 1970.

The Local Roads representative, Ken Park, and Mr. Wuellner of the City of Pekin, have been most cooperative in assisting with this review.



Joseph E. Crowe, P.E.
Deputy Director of Highways,
Region Three Engineer

JAE:dem:LR-FAU 6761 City of Pekin

Attachments

cc: Joe Wuellner, City of Pekin
Ken Park, Local Roads
File

RESOLUTION No. 12 - 07/08

VII.5.
20

PEKIN, ILLINOIS, August 13, 2007 19

RESOLUTION BY COMMISSIONER

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

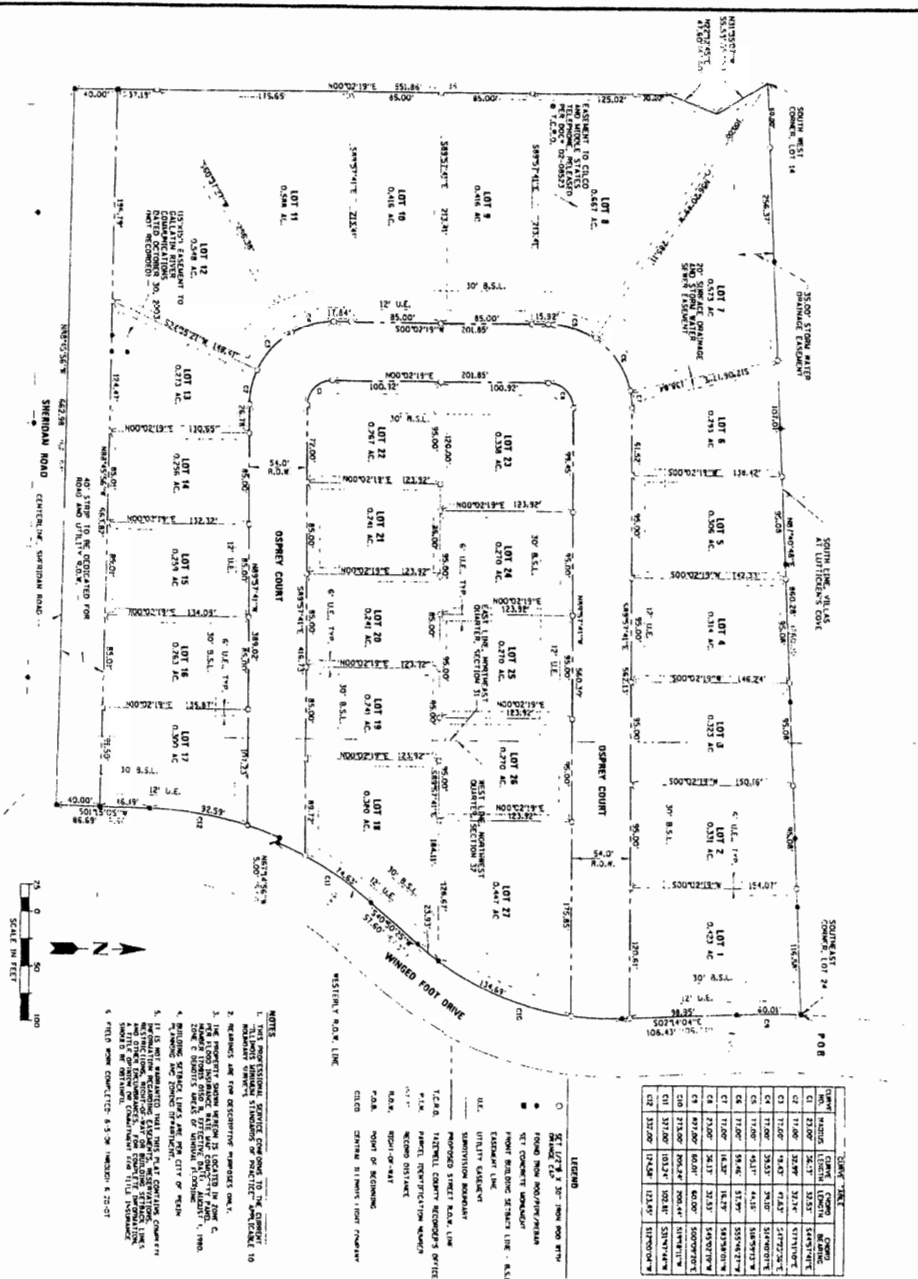
The Final Plat Osprey Court Subdivision is hereby approved.

SIGNED BY

MAYOR.

OSPREY COURT SUBDIVISION

PART OF THE NORTHEAST QUARTER OF SECTION 31 AND PART OF THE NORTHWEST QUARTER OF SECTION 32,
T10N R14E S11E, T10N R14E S11E, T10N R14E S11E, T10N R14E S11E, T10N R14E S11E,
ALL IN TOWNSHIP 25-NORTH, RANGE 14-WEST, 11TH PRINCIPAL MERIDIAN, LAKE COUNTY, ILLINOIS.



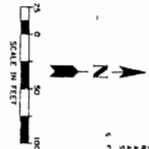
CHRISTOPHER B. BURKE
ENGINEERING LTD
302 N. Madison Avenue, Suite 201
Peoria, Illinois 61602
Phone: (312) 675-0000
Fax: (312) 675-0001
E-Mail: cbburke@cbburke.com

ALLEN & ASSOCIATES
430 STATE STREET
PEKIN, ILLINOIS 61554

NO.	DATE	DESCRIPTION	BY	DATE
1	6/24/2001	PRELIMINARY PLAT	ALLEN & ASSOCIATES	6/24/2001
2	6/24/2001	FINAL PLAT	ALLEN & ASSOCIATES	6/24/2001

OSPREY COURT SUBDIVISION
FINAL PLAT
PEKIN, ILLINOIS

PL-1



- NOTES:**
1. THIS SUBDIVISION WAS PREPARED BY THE ENGINEER AND THE SURVEYOR AND IS SUBJECT TO THE RECORDING ACT.
 2. THE ENGINEER AND SURVEYOR HAVE BEEN LICENSED BY THE STATE OF ILLINOIS.
 3. THE ENGINEER AND SURVEYOR HAVE BEEN LICENSED BY THE STATE OF ILLINOIS.
 4. THE ENGINEER AND SURVEYOR HAVE BEEN LICENSED BY THE STATE OF ILLINOIS.
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 8. THE ENGINEER AND SURVEYOR HAVE BEEN LICENSED BY THE STATE OF ILLINOIS.
 9. THE ENGINEER AND SURVEYOR HAVE BEEN LICENSED BY THE STATE OF ILLINOIS.
 10. THE ENGINEER AND SURVEYOR HAVE BEEN LICENSED BY THE STATE OF ILLINOIS.

- LEGEND:**
- 1. LOT 1 - 0.24 AC.
 - 2. LOT 2 - 0.24 AC.
 - 3. LOT 3 - 0.24 AC.
 - 4. LOT 4 - 0.24 AC.
 - 5. LOT 5 - 0.24 AC.
 - 6. LOT 6 - 0.24 AC.
 - 7. LOT 7 - 0.24 AC.
 - 8. LOT 8 - 0.24 AC.
 - 9. LOT 9 - 0.24 AC.
 - 10. LOT 10 - 0.24 AC.
 - 11. LOT 11 - 0.24 AC.
 - 12. LOT 12 - 0.24 AC.
 - 13. LOT 13 - 0.24 AC.
 - 14. LOT 14 - 0.24 AC.
 - 15. LOT 15 - 0.24 AC.
 - 16. LOT 16 - 0.24 AC.
 - 17. LOT 17 - 0.24 AC.
 - 18. LOT 18 - 0.24 AC.
 - 19. LOT 19 - 0.24 AC.
 - 20. LOT 20 - 0.24 AC.
 - 21. LOT 21 - 0.24 AC.
 - 22. LOT 22 - 0.24 AC.
 - 23. LOT 23 - 0.24 AC.
 - 24. LOT 24 - 0.24 AC.

CITY CLERK
STATE OF ILLINOIS
COUNTY OF LAKE
CITY OF PEKIN
I certify that the foregoing is a true and correct copy of the original as the same appears of record in the City of Pekin, Illinois.

COUNTY CLERK
STATE OF ILLINOIS
COUNTY OF LAKE
I certify that the foregoing is a true and correct copy of the original as the same appears of record in the County of Lake, Illinois.

SURVEYOR'S CERTIFICATE
I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original as the same appears of record in the County of Lake, Illinois.

OWNER'S CERTIFICATE
I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original as the same appears of record in the County of Lake, Illinois.

LEGAL DESCRIPTION
PART OF THE NORTHEAST QUARTER OF SECTION 31 AND PART OF THE NORTHWEST QUARTER OF SECTION 32, T10N R14E S11E, T10N R14E S11E, T10N R14E S11E, T10N R14E S11E, T10N R14E S11E, ALL IN TOWNSHIP 25-NORTH, RANGE 14-WEST, 11TH PRINCIPAL MERIDIAN, LAKE COUNTY, ILLINOIS.

Pekin Planning Commission
August 8, 2007

HEARING #07-1747

The Pekin Planning Commission recommends to accept the packet with the following changes, Delete page 30, Delete Front Yard definition on page 17 and replace by moving Front Yard definition from page 8, Page 67 Section D to change all RH to RV, Add paragraph K to Pg 68 stating see diagram attached & following regarding minimum dimensions and setbacks to the Pekin City Council.

Ron Knautz, Chairman

Bill Craig, Vice-Chairman

**EXCERPT ONLY OF RECORDING OF THE PLANNING COMMISSION RECOMMENDED
ACTION TAKEN ON HEARING REGARDING AMENDMENTS TO ZONING CODE 23**

Pekin Planning Commission Minutes
August 8, 2007

Present:

Chad Schmidgall
Ron Knautz, Chairman
Scott Nichols
Ralph Brower
Bill Craig, Vice Chairman
Don Hild
Steve Huey
Michele Long
Jim Bradshaw

Absent:

MOTION by Michele Long, seconded by Steve Huey to change the Agenda for approval to show a Public Hearing for the Amendments to the Code. On roll Call vote, All present voted **AYE**. MOTION APPROVED.

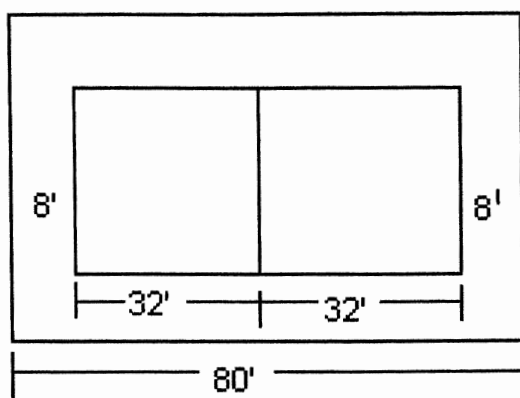
Ron Sieh went through all changes in the ordinances page by Page.

MOTION by Chad Schmidgall, seconded by Ralph Brower to accept the packet with the following changes, Delete page 30, Delete Front Yard definition on page 17 and replace by moving Front Yard definition from page 8, Page 67 Section D to change all RH to RV, Add paragraph K to Pg 68 stating see diagram attached & following regarding minimum dimensions and setbacks On roll Call vote, All present voted **AYE**. MOTION APPROVED.

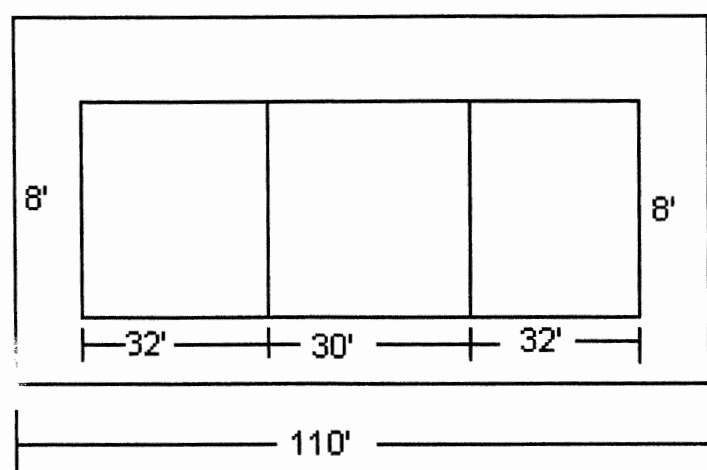
Meeting adjourned at 8:35pm.

Juanita VanBuskirk, Secretary
Pekin Planning Commission

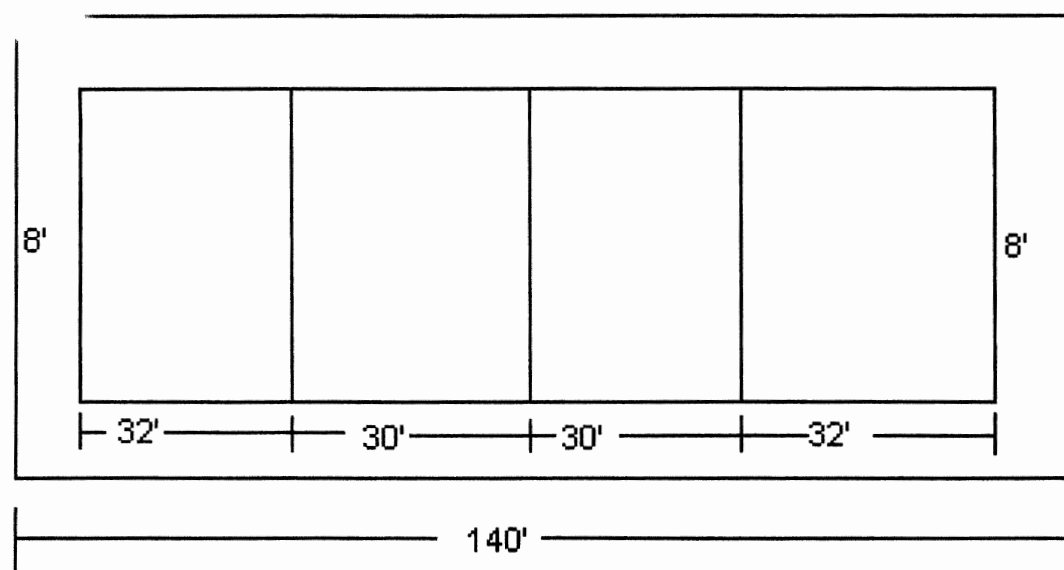
RV-1



RV-2



RV-3



Use District		Lot Size/D.U. (area sq. ft.) Minimum Width:		Maximum Height of Structure Sides in:		Minimum Yard Setback (per lot in) Ratio of Least Total				Maximum Percent of Lot Coverage (Per unit) One
		Avg / Subdiv.	In ft.	Stories	Ft	Front	One	Two	Rear	
RT	Two-family Residential Multiple	10,000	80	2	25	25	10 (c) (b)	20 (c) (b)	30	40%
RM-1	Family Residential District	9 units per acre	--	2	25	25 (e,f,m,)	15 (e,n,m)	30 (e,n,m)	30 (e,m,o)	50%
RM-2	Multiple-Family Residential District	15 units per acre	--	2	25	25 (m)	15 (e,n,m)	30 (e,n,m)	30 (e,m,o)	50%
RM-3	Multiple-Family Residential District	22 units per acre	--	10	120	30 (e,m)	15 (f,e,m)	30 (f,e,m)	35 (o,m,f)	75%
RV-1	Common Lot Line or	10,000	80	2	30	25(c)	Exterior 8/0 (q)	Exterior 8/0 (q)	30 (o,f)	50%
RV-2	Zero Lot	13,750	110				Interior 0	Interior 0		
RV-3	Linen Interior 30' Exterior 32'	17,500	140							

CONGREGATE LIVING CENTER or GUEST HOUSE: A structure providing room and board to the public for compensation, but not providing nursing or medical care.

CONVALESCENT or NURSING HOME: A structure with sleeping rooms where persons are housed or lodged and are furnished with meals, nursing and medical care.

DAY CARE CENTER: A daytime group facility for more than eight (8) children which gives care to children away from their homes.

DAY CARE HOME: A one-family dwelling which receives not more than eight (8) children for care during the day. The maximum of eight (8) children includes the family's natural or adopted children under age sixteen (16) who are in the home full time for care.

DENSITY CONTROL FACTOR (DCF): The factor relating to family population utilized in this Title to control the number of dwellings allowed per acre of land in planned residential developments.

DEVELOPMENT: The construction of a new building or other structure on a zoning lot, the relocation of an existing building on another lot or the use of open land for new use.

DISTRICT: A portion of the incorporated area of the City within which certain regulations and requirements or various combinations thereof apply under the provisions of this Title.

DRIVE-IN: An establishment where food, frozen desserts, or beverages are sold to the customers in a ready-to-consume state and where the customer consumes food, frozen desserts or beverages in an automobile parked upon the premises or at other facilities provided for customers which are located outside the building.

DRIVE-THROUGH: An establishment so developed that some portion of its retail or service character is dependent upon providing a driveway approach and staging area specifically designed for motor vehicles so as to serve patrons while in their motor vehicles, rather than within a building or structure, for carryout and consumption or use after the vehicle is removed from the premises.

FY **DRIVEWAY:** An improved area used as a means of ingress and egress, not exceeding twenty four feet (24') in width at the street right-of-way line, provided that such driveway, along with any parking area on the property, shall not occupy over forty-five percent (45%) of the total required front yard on the lot.

✓ **DUPLEX:** A building designed exclusively for occupancy by two (2) families living independently of each other and being located on the same lot.

DWELLING, MULTIPLE-FAMILY: A building or a portion thereof designed exclusively for occupancy by three (3) or more families living independently of each other.

FENCE: A man-made structure constructed for the purchase of or to have the effect of enclosing the area it is constructed upon.

FENCE, ORNAMENTAL: A man-made structure, the hard surface area of which is at least 100% open. As used herein, "100% open" means that each open space area of the fence is equal to the immediately preceding piece of hard surface area of the fence. No piece of hard surface of an ornamental fence may exceed four inches (4') in width. Ornamental fences do not include chain link fences or fences of wire construction.

FLOOR AREA RATIO: The ratio of the floor area of a building to its lot area. For example: when a floor area ratio of four-tenths (0.4) is specified, the floor area of a building constructed on a lot of ten thousand (10,000) square feet in area is limited to a maximum of four thousand (4,000) square feet. The number of stories being optional, the building area may be four thousand (4,000) square feet for one story, two thousand (2,000) square feet for each of two (2) stories, and so forth. The purpose of this ratio is to control the bulk of buildings.

FLOOR AREA, RESIDENTIAL: For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) dwellings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways and enclosed and unenclosed porches.

FLOOR AREA, USABLE (For the Purpose of Computing Parking): That area used for or intended to be used for the sale of merchandise or services or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways or for utilities or sanitary facilities shall be excluded from this computation of "usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

FY FRONT YARD: An open, unoccupied space on the same lot with a principle building or use, extending the full width of the lot and located between the street right-of-way line and the front line of the building projected parallel to the street. Corner lots shall be considered to have two (2) front yards. *Move to page 17*

GARAGE, PRIVATE: An accessory building or portion of a main building designed or used solely for the storage of motor-driven vehicles, boats and similar vehicles owned and used by the occupants of the building to which it is accessory.

GARAGE SALE: Any sale conducted in a residential zone, or from a residence in an OS-1 zone, where tangible personal property is offered for sale in or out of any building or structure. This term shall include garage sales, yard sales, rummage sales, estate sales or other similar sales.

HOTEL: A building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy and in which one or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial or desk service and bellboy service. A hotel may include a restaurant or cocktail lounge, public banquet halls, ballrooms or meeting rooms.

FY

IMPROVED SURFACE: A driveway and/or parking area constructed of a hard surface of concrete, asphalt or brick pavers for the purpose of accommodating vehicular parking and/or ingress and egress to the property.

IRREGULARLY SHAPED LOTS: Any platted lot whose exterior shape does not form a square or rectangular plane figure.

JUNK YARD: An area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. A "junk yard" includes automobile wrecking yards and includes any open area of more than two hundred (200) square feet for storage, keeping or abandonment of junk.

KENNEL, COMMERCIAL: Any lot or premises on which three (3) or more dogs, cats or other household pets are either permanently or temporarily boarded for remuneration.

LOADING SPACE: An off-street space on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

LODGE: Means a bona fide fraternal association, service organization, club or society whose facilities are available for use only by its dues-paying members and their guests.

LOT: A parcel of land occupied or intended to be occupied by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Title. A lot may or may not be specially designated as such on public records.

LOT AREA: The total horizontal area within the lot lines of the lot.

LOT, CORNER: A lot where the interior angle of two (2) adjacent sides at the intersection of two (2) streets is less than one hundred thirty five degrees (135). A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this Title if the arc is of less radius than one hundred fifty feet (150') and the tangents to the curve, at the two (2) points where the lot lines meet the curve or the straight street line extended form an interior angle of less than one hundred thirty five degrees (135).

LOT COVERAGE: The part or percent of the lot occupied by buildings and/or structures including accessory buildings and structures excluding driveways; walks and paved patios.

LOT DEPTH: The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

LOT, INTERIOR: Any lot other than a corner lot.

LOT LINES: The lines bounding a lot as defined herein:

Front Lot Line: In case of an interior lot, is that line separating said lot from the street. In the case of a through lot, is that line separating said lot from either street.

Rear Lot Line: That lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet (10') long lying farthest from the front lot line and wholly within the lot.

Side Lot Line: Any lot line other than the front line or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

LOT OF RECORD: A parcel of land, the dimensions of which are shown on a document or map on file with the County or in common use by Municipal or County officials, which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.

- ✓ **LOT, EXTERIOR VILLA:** A lot which is or is intended to be a site for a villa dwelling with a similar villa attached on only one (1) side.
- ✓ **LOT, INTERIOR VILLA:** A lot which is or is intended to be a site for a villa dwelling with a similar villa attached on each side.
- ✓ **LOT, VILLA:** A parcel of land occupied or intended to be occupied by a principal residential building and accessory buildings, together with such open spaces as are required by this Code, and which piece or parcel has frontage of thirty (30') or more on an improved public or private street, and ins a previously recorded lot of record.

LOT, THROUGH: Any interior lot having frontage on two (2) more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, all yards of said lots adjacent to streets shall be considered frontage, and front yard setbacks shall be provided as required.

OFFICE: Means a room or suite of rooms used for the practice of a profession or service or for the conduct of a business, which does not involve the sale of goods from the premises. The term does not include a personal service shop. If goods or merchandise are sold for delivery on or from the premises other than as incidental to the principal office use, then the premises shall be considered to be a store rather than an office.

OPEN FRONT STORES: A business establishment so developed that a service to the patron may be extended beyond the walls of the structure, not requiring the patron to enter the structure.

OPEN SPACE RATIO: (abbreviated OSR) means the quotient of the open space on the lot divided by the total gross floor area on the lot.

OPERATOR: The owner of the bed and breakfast establishment, or the owner's agent, who is required by this Ordinance to reside in the bed and breakfast establishment.

PARKING AREA: Any improved area not meeting the definition of a driveway and being used to park or store vehicles, provided that such parking area along with any driveway on the property shall not occupy over forty-five percent (45%) of the total required front yard on the lot. Improved areas and any parking areas shall not occupy more than thirty percent (30%) of the combination of any required side and rear yards.

PARKING SPACE: An area of definite length and width; said area shall be exclusive of drives, aisles or entrances giving access thereto and shall be fully accessible for the parking of permitted vehicles.

PLANNED RESIDENTIAL DEVELOPMENT (PRD): A plan for a specific parcel of land, or several contiguous parcels of land, located entirely within a residential district, of sufficient size to permit development of a planned residential unit and supporting recreational and open space amenities. A planned residential development may include both attached and detached dwelling unit (single-family, multiple-family, town-houses, etc.), as well as all typical accessory uses associated with residential uses, planned and designed in such a manner as to preserve and protect the character of abutting land as well as protecting uses within the PRD by preserving as much natural vegetation and terrain as possible.

PLANNED UNIT DEVELOPMENT: An area for which a comprehensive unitary plan is to be submitted for a single tract of land allowing for flexibility in density, open space, setbacks and uses

PRINCIPAL USE: The main use to which the premises are devoted, and the principal purpose for which the premises exist.

PROPERTY VALUE: The fair market sale value of a property as would be determined through a certified appraisal.

PUBLIC UTILITY: A person, firm or corporation, Municipal department, board or commission duly authorized to furnish and furnishing, under Federal, State or Municipal regulations, to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

RECREATIONAL FACILITY: A privately or publicly owned and maintained site, structure, or complex offering active participatory recreational opportunities to the general public or to private club members. This term does not include land or facilities classified as parkland or open space areas related to a residential development.

RESIDENTIAL SHELTER: A building other than a hotel or restaurant where meals and sleeping quarters are provided (usually not for compensation), to three or more persons, but not more than fifteen who are in need of housing and protective services. Services and shelter are provided on a weekly, or longer, basis but the facility is not open on a daily, overnight or per meal basis to transient guests. This definition shall not include community residences.

RESTAURANT WITH INCIDENTAL LIQUOR SALES: An establishment not containing a bar anywhere within the building, and serving alcohol only in conjunction with the sale of meals that have been prepared in the kitchen of the same establishment.

RETAIL STORE: Means a store, the primary purpose of which is to present and offer goods for delivery on or from the premises to the ultimate consumer.

ROOM: For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom equal to at least eighty (80) square feet in area. A room shall not include the area in a kitchen, sanitary facilities, utility provisions, corridors, hallways and storage. Plans presented showing one, two (2) or three (3) bedroom units and including a "den", "library" or other extra room count such extra room as a bedroom for the purpose of computing density.

✓ **VILLA BUILDING:** A building which contains a row of two (2), three (3) or four (4) single family attached dwelling units, each being connected to the adjoining unit(s) in each story by walls that are fire-rated and are without openings and each unit having independent access to the exterior of the building in the ground story and each unit being located on a separate lot. Each common wall shall serve as a Common/Zero Lot Line.

VARIANCE: A modification of the literal provisions of this Title granted when strict enforcement hereof would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. The crucial points of variance are: (a) undue hardship, (b) unique circumstances, and (c) applying to property. A variance is not justified unless all three (3) elements are present in the case. A variance is not an exception.

↖ **VEHICLE:** Any device used for transportation of goods and people over land or water surfaces and/or licensed by the State of Illinois. The term includes, without limitation, automobile, truck, trailer, bus, motorcycle, tractor, recreational vehicle or boat.

√ **VILLA DWELLING:** A dwelling unit which is part of a villa building.

WALL, OBSCURING: A structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this Title.

YARDS: The open spaces on the same lot with a main building unoccupied and unobstructed from the ground upward except as otherwise provided in this Title and as defined herein:

~~Front Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot and the nearest point of the main building.~~

Rear Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of the corner lot, the rear yard may be opposite either street frontage.

Side Yard: An open space between a main building and the side lot line extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of the main building. (See following pages for corresponding diagrams.)

CHAPTER 2

ZONING DISTRICTS AND MAP

SECTION:

- 9-2-1: Districts Established
- 9-2-2: Zoning Map
- 9-2-3: District Boundaries
- 9-2-4: Zoning of Annexed Areas
- 9-2-5: Zoning of Vacated Areas
- 9-2-6: District Requirements
- 9-2-7: Special Use Petition

9-2-1: **DISTRICTS ESTABLISHED:** For the purpose of this Title, the City is hereby divided into the following districts:

Residential Districts:

- AG Agricultural District
- R-1 One-Family Residential District
- R-2 One-Family Residential District
- R-3 One-Family Residential District
- R-4 One-Family Residential District
- RT Two-Family Residential District
- RM-1 Multiple-Family Residential District
- RM-2 Multiple-Family Residential District
- RM-3 Multiple-Family Residential District
- RV-1 Villa Residential District
- RV-2 Villa Residential District
- RV-3 Villa Residential District

Nonresidential Districts:

- OS-1 Office Service District
- B-1 Local Business District
- B-2 Central Business District
- B-3 General Business District
- I-1 Light Industrial District
- I-2 General Industrial District
- P-1 Vehicular Parking District

CHAPTER 4

RESIDENTIAL DISTRICTS

ARTICLE A. R-1 THROUGH R-3 ONE-FAMILY RESIDENTIAL DISTRICTS

SECTION:

9-4A-1: Intent

9-4A-2: Principal Uses Permitted

9-4A-3: Special Uses

9-4A-4: Area and Bulk Requirements

9-4A-1: **INTENT:** The R-1 through existing R-4 One-Family Residential Districts are designed to be the most restrictive of the residential districts. The intent is to provide for an environment of predominantly low density, one-family detached dwellings along with other residentially related facilities which serve the residents in the district.

9-4A-2: **PRINCIPAL USES PERMITTED:** In a one-family residential district, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this Title:

A. Generally:

Accessory buildings and uses, customarily incident to any of the following permitted uses.

Cemeteries.

Farms on those parcels of land having an area of not less than five (5) acres, all subject to the health and sanitation provisions of the City, and provided further, that no farms shall be operated as piggeries or for the disposal of garbage, sewage, rubbish, offal or rendering plants or for the slaughtering of animals except such animals as have been raised on the premises or have been maintained on the premises for at least a period of one year immediately prior thereto and for the use and consumption by persons residing on the premises.

Municipal buildings and uses necessary to service adjacent residential areas, publicly owned and operated libraries, parks, parkways and recreational facilities.

One-family detached dwellings.

Private Swimming Pools: Private pools shall be permitted as an accessory use within the rear yard only, provided they meet the following requirements:

CHAPTER 4

RESIDENTIAL DISTRICTS

ARTICLE B. RT TWO-FAMILY RESIDENTIAL DISTRICTS

SECTION:

- 9-4B-1: Intent
- 9-4B-2: Principal Uses Permitted
- 9-4B-3: Special Uses
- 9-4B-4: Area and Bulk Requirements

9-4B-1: INTENT: The RT Two-family Residential Districts are designed to afford a transition of use in existing housing areas by permitting new construction or conversion of existing structures between adjacent residential and commercial, office, thoroughfares or other uses which would affect residential character. This District also allows the construction of new two-family residences where slightly greater densities are permitted.

9-4B-2: PRINCIPAL USES PERMITTED: In a two-family residential district, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this Title:

- A. All principal uses permitted as regulated and all special uses except Bed and Breakfast Establishments as regulated in the One-Family Residential Districts. The standards of Section 9-9-1 of this Title, "Schedule of Regulations", applicable to the R-2 zoning district shall apply as minimum standards when one-family detached dwellings are erected.
- B. Two-family dwellings. (Duplex)
- C. Accessory buildings and uses customarily incident to any of the above permitted uses.
- D. Community residences, subject to the following conditions:
 - 1. The residence or operator is eligible or has obtained licensing or certification from the State of Illinois to operate the community residence.
 - 2. The proposed community residence is not located within eight hundred fifty feet (850') of another existing community residence.

CHAPTER 4

RESIDENTIAL DISTRICTS

**ARTICLE C. RM-1 THROUGH RM-3 MULTIPLE-FAMILY
RESIDENTIAL DISTRICTS**

SECTION:

- 9-4C-1: Intent
- 9-4C-2: Principal Uses Permitted
- 9-4C-3: Special Uses
- 9-4C-4: Required Conditions
- 9-4C-5: Area and Bulk Requirements

9-4C-1: **INTENT:**

- A. RM-1, RM-2 and RM-3 Districts: The RM-1, RM-2 and RM-3 Multiple-Family Residential Districts are designed to provide sites for multiple-family dwelling structures and related uses which will generally serve as zones of transition between the nonresidential districts and lower density single-family districts. The multiple-family district is further provided to serve the limited needs for the apartment-type of unit in an otherwise medium density, single-family community.

9-4C-2: **PRINCIPAL USES PERMITTED:** In a Multiple-Family Residential District, no buildings or land shall be used and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this Title:

All principal uses permitted as regulated and all special uses as regulated in the RM Multi-Family Residential District.

Community residence with no more than fifteen (15) residents and no more than four (4) staff persons

Multiple-Family dwellings.

Accessory buildings and uses customarily incident to any of the above permitted uses.

9-4C-3: **SPECIAL USES:** The following uses may be permitted, subject to the review and approval of the site plan and the use by the City Council after a hearing and recommendation is received from the Planning Commission for each use, and subject, further, to such conditions imposed by the City Council and the conditions herein after imposed for each use:

CHAPTER 4
RESIDENTIAL DISTRICTS

ARTICLE D. VILLA

SECTION:

9-4D-1: Special Regulations Regarding Villas

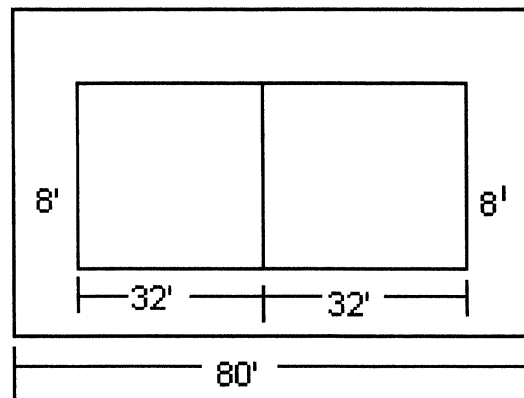
9-4D-1: SPECIAL REGULATIONS REGARDING ROWHOUSES:

- A. Villas shall be permitted only in those districts wherein zero lot lines are permitted, as shown in Section 9-9-1 of this Code, and shall be subject to the provisions of said Section 9-9-1.
- B. The number of villa dwelling units within a single villa building shall not exceed four (4) per lot.
- C. No side yard shall be required along any side lot line, which is common to two (2) attached villa dwellings, whether they are on interior or exterior villa lots. One side yard, a minimum of eight feet (8') in width, shall be required along the side lot line of an exterior villa lot where such lot line is not common to that of any other attached villa dwelling. In no case shall side by side villa buildings be separated by a distance of less than sixteen feet (16'). In any case in which an exterior villa lot abuts or adjoins a lot which is used for any purpose other than other villa building, side yards shall be ten feet (10').
- D. A minimum lot width of thirty feet (30') shall be provided for all interior villa lots within a, RH-2 and RH-3 Zoning District. A minimum lot width of forty feet (40') shall be provided for all exterior villa lots within an RH-1, RH-2 and RH-3 zoning district, unless provisions are provided in said section 9-9-1.
- E. Exterior treatment of attached villa dwelling units shall be compatible with all other villa dwelling units within the same structure.

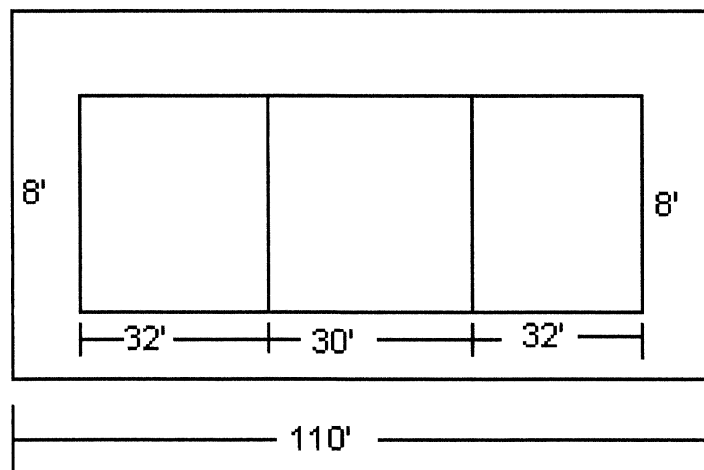
- F. An unobstructed easement shall be provided across the side and rear eight feet (8') adjacent to the building of each exterior villa lot when adjacent to an interior villa lot. An eight foot (8') unobstructed easement shall be provided at the rear of each villa lot. Such easement shall be for ingress/egress and maintenance of adjacent interior villa lot owners. Said access easement shall be unobstructed and physically passable at all times. This easement shall be incorporated into each deed transferring title to the property.
- G. A common wall agreement shall be included in the subdivision covenants for each villa lot setting forth provisions for repair of common walls, repair of common utility service connections, reconstruction of common building in the event of damage or destruction of one or all of the dwelling units and common maintenance and repair of joint facilities.
- H. The coincident property wall (common wall) of each villa dwelling unit shall be constructed in a manner which complies with the standards for common walls established by the City Code.
- I. When one-family detached dwellings are erected, the standards of Section 9-9-1 of this Title, "Schedule of Regulations", applicable to the R-2 zoning district shall apply as minimum standards.
- J. If a lawful use of any subdivided land or of a structure and land in combination exists at the effective date of adoption or amendment of this Title that would not be permitted in the RT residential two-family district under the terms of this Title, the lawful use may be continued so long as it remains otherwise lawful.

K. see diagram attached and following regarding minimum dimensions and setbacks.

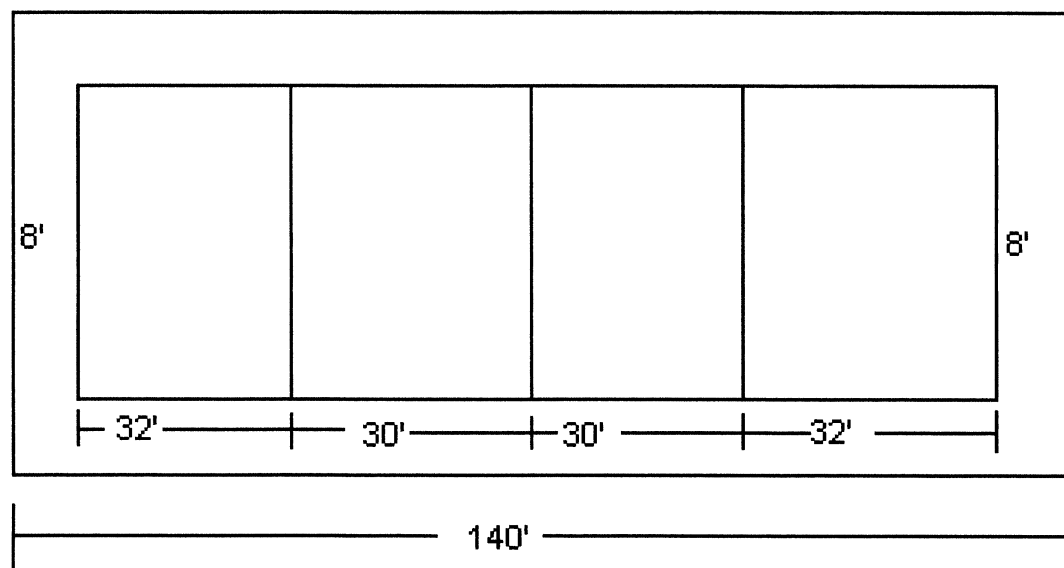
RV-1



RV-2



RV-3



	Use District	Lot Size/D.U. (area sq. ft.) Minimum Width:		Maximum Height of Structure Sides in:		Minimum Yard Setback (per lot in) Ratio of Least Total				Maximum Percent of Lot Coverage (Per unit) One
		Avg / Subdiv.	In ft.	Stories	Ft	Front	One	Two	Rear	
RT	Two-family Residential Multiple Family Residential District	10,000	80	2	25	25	10 (c) (b)	20 (c) (b)	30	40%
RM-1	Multiple Family Residential District	9 units per acre	--	2	25	25 (e,f,m,)	15 (e,n,m)	30 (e,n,m)	30 (e,m,o)	50%
RM-2	Multiple-Family Residential District	15 units per acre	--	2	25	25 (m)	15 (e,n,m)	30 (e,n,m)	30 (e,m,o)	50%
RM-3	Multiple-Family Residential District	22 units per acre	--	10	120	30 (e,m)	15 (f,e,m)	30 (f,e,m)	35 (o,m,f)	75%
RV-1 RV-2 RV-3	Common Lot Line or Zero Lot Linen Interior 30' Exterior 32'	10,000 13,750 17,500	80 110 140	2	30	25(c)	Exterior 8/0 (q) Interior 0	Exterior 8/0 (q) Interior 0	30 (o,f)	50%

- (i) Parking shall be permitted in the front yard after approval of the parking plan layout and points of access by the Planning Commission or City Staff. The setback shall be measured from the nearest side of the existing and/or proposed right-of-way lines, whichever is greater. For new construction with twenty (20) or more parking spaces required, parking shall not be permitted in the minimum front yard setback (ten feet (10'0")).
- (j) A four foot six inch (4'6") obscuring wall or fence or a ten-foot (10') wide greenbelt shall be provided on those sides of the property abutting land zoned for residential use. The greenbelt planting plan shall be reviewed and approved by the Zoning Administrator in conformity with the requirements of Section 9-10-6 of this Title.
- (k) Parking shall be permitted in a required front yard if less than twenty (20) parking spaces are required.
- (l) A four foot six inch (4'6") obscuring wall or fence or twenty foot (20') wide greenbelt or a six foot (6') chain link fence and a heavily planted forty foot (40') wide greenbelt shall be provided on those sides of the property abutting land zoned for residential use. The planting plan shall be reviewed and approved by the Zoning Administrator in conformity with subsection 9-11-2B2b of this Title.
- (m) In those instances where buildings on the same lot or parcel have a front-to-front, rear-to-rear, side-to-side or front-to-rear relationship between buildings, the following minimum spacing shall be thirty feet (30') in a RM-1, RM-2 and I-1 Zone and forty feet (40') in a RM-3 and I-2 Zone.
- (n) In those instances where lots of not more than fifty feet (50') in width exist in platted subdivisions, the side yard minimum setback may be ten feet (10') on each side of such lot.
- (o) If the rear lot line abuts an R1, R2, R3, or R4 district, then the minimum rear yard setback shall be thirty-five feet (35').
- (p) In a block on one side of a street thirty percent (30%) or more occupied, the depth of the rear yard shall not be less than and need not be more than the average depth of rear yards of existing buildings.
- (q) If housing units are divided into condominium units having all ground a common area with a stand alone parcel identification number then an association must be formed for common areas and recorded with the recorder of deeds.

(See following page for diagrams)

9. All mobile home park developments shall further comply with all codes and ordinances of the City and the State of Illinois.
- C. Racetracks (Including Midget Auto and Karting Tracks): Because race tracks develop a concentration of vehicular traffic in terms of ingress and egress from their parking areas and cause noise levels which may project beyond the property so used, they shall be permitted in the I-1 Districts when located adjacent to a major thoroughfare and shall be located on a parcel of land which is abutting land zoned for industrial purposes on all sides of the parcel in question and shall be subject, further, to the following conditions and such other controls as deemed necessary to promote health, safety and general welfare in the City:
1. All parking shall be provided as off-street parking within the boundaries of the development.
 2. All access to the parking areas shall be provided from a major thoroughfare.
 3. All sides of the development not abutting a major thoroughfare shall be provided with a twenty foot (20') greenbelt planting and fence or wall so as to obscure from view all activities within the development. Said planting shall be in accord with Section 9-10-6 of this Chapter.
- D. Parks other than municipal parks. (Municipal Parks are allowed in any use district).

9-10-5: **PERFORMANCE STANDARDS:** No use otherwise allowed shall be permitted within any use district which does not conform to the following standards of use, occupancy and operation, which standards are hereby established as the minimum requirements to be maintained within said area:

- A. Open Storage: The open storage of any equipment and all materials, including wastes, shall be screened from abutting residential property by an enclosure consisting of an obscuring wall or fence not less than six feet (6') high or by a ten foot (10') wide greenbelt planting not less than six feet (6') high. The obscuring fence may be eliminated where such fence will interfere with traffic movement on public streets or thoroughfares.
- B. Glare and Radioactive Materials:
1. Glare from any process (such as or similar to arc welding or acetylene torch cutting) which emits harmful rays shall be performed in such a manner as not to extend beyond the property line and as not to create a public nuisance or hazard along lot lines.

4. Electrical Requirements: All satellite reception antennas shall be grounded, and in the case of ground-mounted antennas, wiring between the antenna and the receiver shall be placed at least four inches (4") beneath the surface of the ground.

9-11-7: **WIND GENERATIONS:** Wind generators may be permitted in rear yards when the following conditions are met:

- A. Height: The highest point of any portion of the generator shall not exceed sixty five feet (65') above the average grade of the lot.
- B. Location: The generator device shall be placed no closer to any side or rear lot line than the total distance between the grade of the lot at the base of the tower and the highest point of any portion of the generator.
- C. Size: The maximum diameter formed by a circle encompassing the outer-most portions of the blades or other wind-activated surfaces shall not exceed thirty percent (30%) of the distance between the ground and the highest point of any portion of the wind generator. The generator shall be so located that no portion of the structure would penetrate the vertical plane of any adjacent property line if it were to topple over in its normal assembled configuration.
- D. Construction Requirements: The construction of the tower, blades, base structure, accessory building and wiring shall meet all applicable local Building Codes and Ordinances (See Title 7 of this Code).

2. The applicant shall provide, at the time of application sufficient information to indicate that construction, installation, and maintenance of the antenna and tower will not create a safety hazard or damage to the property of other persons.
3. The applicant shall provide written certification from a licensed engineer that the provision of commercial wireless communication services would be prohibited unless a tower is constructed at or near the location requested.

B. Fee. The applicant shall pay a building permit fee in the amount of \$250.00

C. Construction Requirements. All antennas and towers erected, constructed, or modified within the City, and all wiring therefore, shall comply with the following requirements:

1. All applicable provisions of the City of Pekin Municipal Code.
2. The tower shall be certified by a qualified and licensed professional engineer to conform to the latest structural standards and wind loading requirements of the International Building Codes and the National Electric Code.
3. With the exception of necessary electric and telephone service connection lines, no part of any antenna or tower, nor any lines, cable, equipment or wires or braces in connection with either, shall at any time extend across or over any part of the right-of-way, public street, highway, sidewalk or property line.
4. Towers and associated antennas shall be designed to conform with accepted electrical engineering methods and practices and to comply with the provisions of the National Electrical Code.
5. All signal and remote control conductors of low energy extending substantially horizontally above the ground between a tower and antenna and a structure, or between towers, shall be at least eight (8) feet above the ground at all points unless buried underground.
6. Every tower affixed to the ground shall be protected to discourage climbing of the tower by unauthorized persons.
7. All towers shall be constructed to conform with the requirements of the Occupational Safety and Health Administration.
8. Antennas and towers shall not be erected in Residential Zoning Districts in violation of the following restrictions:

45

McMillan, Sue

From: Kief, Denny
Sent: Wednesday, August 01, 2007 3:28 PM
To: Council Members
Cc: McMillan, Sue
Subject: RE: Wastewater Fees

At the August 13th City Council meeting I will be presenting information regarding a possible small increase to the Wastewater User Fee. This is due mainly to keeping up with inflation plus to offset the revenue we have lost since the introduction of the Winter Averaging.

I will also be presenting a recommended significant increase to the Sewer Tap-On Fee. I have heard from a number of you agreeing that if the costs to expand our Wastewater Treatment Plant are the result of new growth, then that new growth should pay a significant portion of those expansion costs.

I am forwarding the original background information that I sent you on July 17th.

From: Kief, Denny
Sent: Tuesday, July 17, 2007 8:40 AM
To: Council Members
Cc: Wuellner, Joe; Pagliaro, Dave; Sieh, Ron
Subject: Wastewater Fees

During our recent budget meeting I mentioned the need to increase revenue in the Wastewater Fund.

As I mentioned at that time, I personally believe that most of the cost of the Treatment plant Expansion costs should be borne by the "new" users that are adding that additional wastewater. In the attached I have included information on a possible increase in the Sewer Tap-On Fee.

In 2005 the City enacted "Winter Averaging" into the Sewer User Fee Ordinance. In short, that provision created a mechanism where people were billed for only the water that ended up being treated, not that water that went on yards, swimming pools, etc. Although a very fair adjustment, that resulted in a reduction to the City's Revenue Stream. Included in this attachment is a recommendation to annually increase the City's Sewer User Fee to at least cover Cost Of Living Increases.

Attached is some background information on the justification for a significant increase in the Sewer Tap-On Fee and a small adjustment to the Sewer User Fee.

The first 14 pages are from a PowerPoint that could be presented. The next 11 pages relate to the FY2006 Audit of the Wastewater Fund. The last 2 pages relate specifically to the justification of the before mentioned fee increases.

Inasmuch as I have been here since the Sewer User Fee was enacted in 1986, contact me for the historical perspective of that fee. Ron Sieh and Joe Wuellner are also researching the Tap-On fees. Pekin is significantly lower than our neighboring communities.

I look forward to receiving your input on this topic.

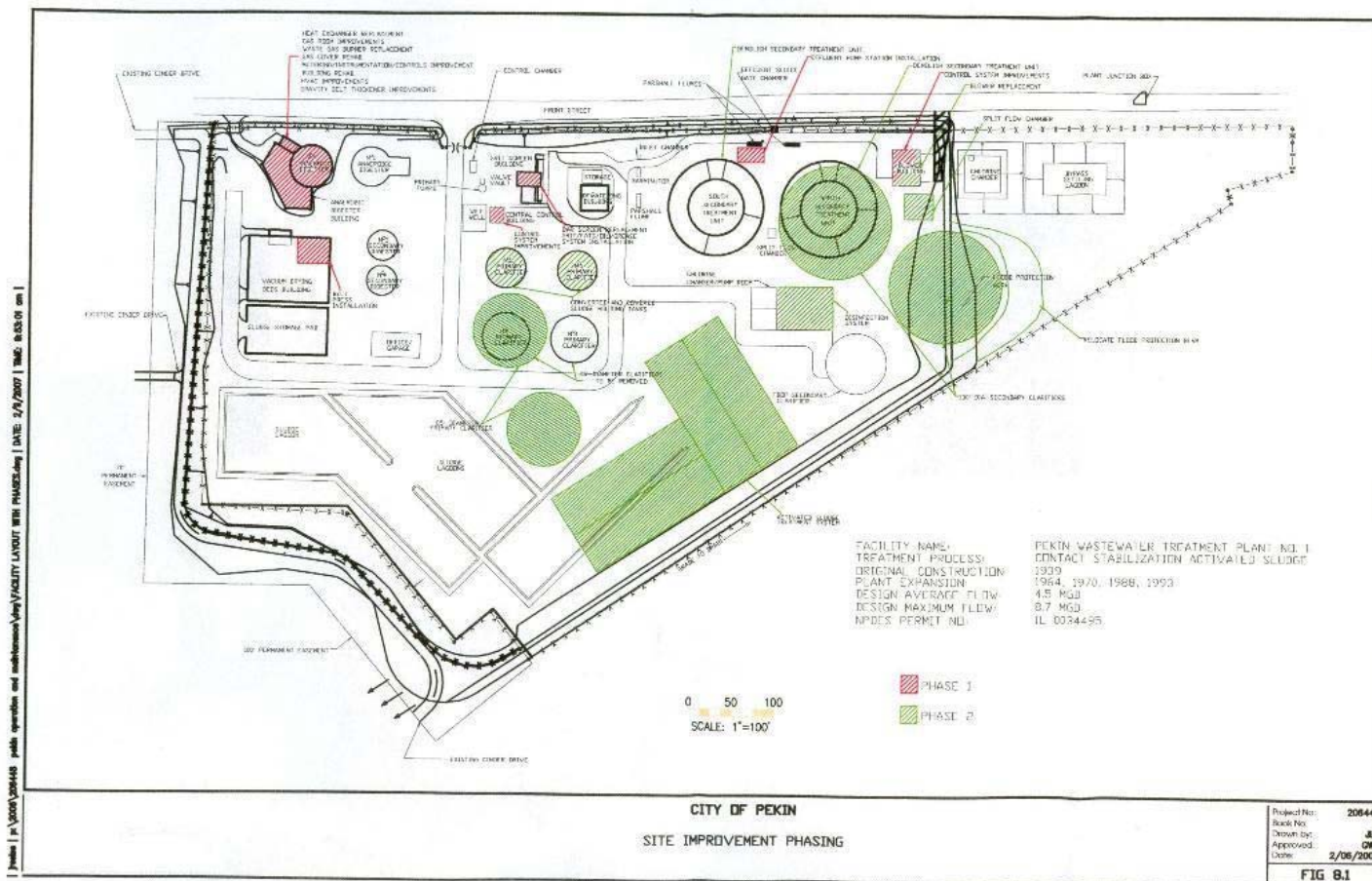
Note: Any personal (Non-City Business) email messages should be sent to my personal email address <mailto:dkief@grics.net>

Thanks.

8/10/2007

46

CITY OF PEKIN WASTEWATER FEES



SEWER TAP-ON FEE

City's Existing Sewer Tap-On Fee = \$400 (Residential) 

Proposed Expansion/Upgrade Increasing Capacity From 4.5 to 6.5 MGD
\$10M Project = \$16M (20 Year Bonds) 

Average Household = 300 GPD (100 GPD @ 3 People)

2 MGD (Expansion)/ 300 GPD = 6,700 Households

Example #1 = Residential

\$16M/ 6,700 Homes = \$2,400 Tap-On Fee

Example #2 = Commercial 

1,000 GPD = \$8,000 Tap-On Fee

Example #3 = Industrial 

50,000 GPD = \$400,000 Tap-On Fee



WASTEWATER USER FEE

Ordinance 1572 – Adopted April 27, 1986

Debt Service Charge (to retire bonds)

\$4.30/month per user

User Rate \$1.08/1000 gallons usage

*Average monthly user: 6,000 gallons @
\$1.08/1000 gallons + \$4.30 = \$10.78/month*

Ordinance 1773 – Adopted May 29,1990

*User Rate Reduced from \$1.08 to \$1.00/1000
gallons*

*Average monthly user: 6,000 gallons @
\$1.00/1000 gallons + \$4.30 = \$10.30/month*

Ordinance 1853 – Adopted July 7, 1992

*Debt Service Charge Reduced from \$4.30 to
\$3.25/month per user*

*Average monthly user: 6,000 gallons @
\$1.00/1000 gallons + \$3.25 = \$9.25/month*

Ordinance 2049 – Adopted July 22,1996

*Debt Service Charge (\$3.25) eliminated and
Capital Improvement Charge of \$2.25/10,000
gallons Enacted*

*Average monthly user: 6,000 gallons @
\$1.00/1000 gallons + \$2.25 = \$8.25/month*

Ordinance 2344 – Adopted October 27, 2003

Minimum Charge @ \$3.00/month

User Rate \$1.99/1000 gallons usage

***Average monthly user: 6,000 gallons @
\$1.99/1000 gallons + \$3.00 = \$14.94/month***

Ordinance 2444 – September 12, 2005

WINTER AVERAGING - *The usage from the months of October through April are averaged, and the lesser of this average or the actual metered usage during the summer billing period will be the amount charged for the summer billing period.*

WINTER AVERAGING EXAMPLE

Month	Usage	Billed	Winter	No Winter	%
January 2006	5,250	5,250	\$ 13.45	\$ 13.45	100.00%
February	4,500	4,500	\$ 11.96	\$ 11.96	100.00%
March	4,500	4,500	\$ 11.96	\$ 11.96	100.00%
April	5,250	5,250	\$ 13.45	\$ 13.45	100.00%
May	5,250	5,250	\$ 13.45	\$ 13.45	100.00%
June	16,500	5,250	\$ 13.45	\$ 35.84	37.53%
July	24,750	5,250	\$ 13.45	\$ 52.25	25.74%
August	19,500	5,250	\$ 13.45	\$ 41.81	32.17%
September	9,750	5,250	\$ 13.45	\$ 22.40	60.03%
October	12,750	12,750	\$ 28.37	\$ 28.37	100.00%
November	4,500	4,500	\$ 11.96	\$ 11.96	100.00%
December	6,750	6,750	\$ 16.43	\$ 16.43	100.00%
ANNUAL 2006	119,250	69,750	\$ 174.80	\$ 273.31	63.96%

Customers may also pay on-line at www.water.paymybill.com. A service fee will apply.

Illinois
American Water
PO BOX 578
ALTON, IL 62002-0578

09-0586149-8

57

\$46.58

Jun 28, 2007

For Service To: 1412 Velde Dr

Amount Paid



DENNIS R KIEF
1412 Velde Dr
Pekin IL 61554-6633

Illinois American Water
PO Box 5127
Carol Stream, IL 60197-5127



Customer Account Information

For Service To: DENNIS R KIEF
1412 Velde Dr
Account Number: 09-0586149-8
Premise Number: 09-0308633

Billing Period & Meter Information

Billing Date: Jun 07, 2007
Billing Period: May 02 to Jun 04 (33 days)
Next reading on/about: Jul 03, 2007
Rate Type: Residential

Meter readings in current billing period:

Meter Number 049127801T is a 3/4-inch meter.

Present-actual 358
Last-actual 348
100CF used 10
100 CF equals 750 gallons
Gallons used 7500

Billing Summary

-----Prior Balance-----	
Balance from last bill	\$45.24
Payments as of Jun 07, 2007. Thanks!	-45.24
Total prior balance, Jun 07, 2007	.00
-----Current Water Charges-----	
Basic Service	12.50
Use (\$1.329800 x 10.00)	13.30
Total water charges, Jun 07, 2007	25.80
-----Current Wastewater Charges-----	
Minimum Monthly Charge	3.00
Sewer Charge (\$1.99000 x 6.75)	13.43
Total wastewater charges, Jun 07, 2007	16.43
-----Other Current Charges-----	
3/4" Fr Protect City of Pekin	4.32
Total other charges, Jun 07, 2007	4.32
-----Taxes-----	
State Recovery Tax	.03
Total taxes, Jun 07, 2007	.03
-----Total Current Charges-----	
	46.58
-----TOTAL AMOUNT DUE-----	
	\$46.58

Water Usage Comparison

Monthly usage in 100 cubic feet

2006 Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May Jun 2007

Messages from Illinois American Water

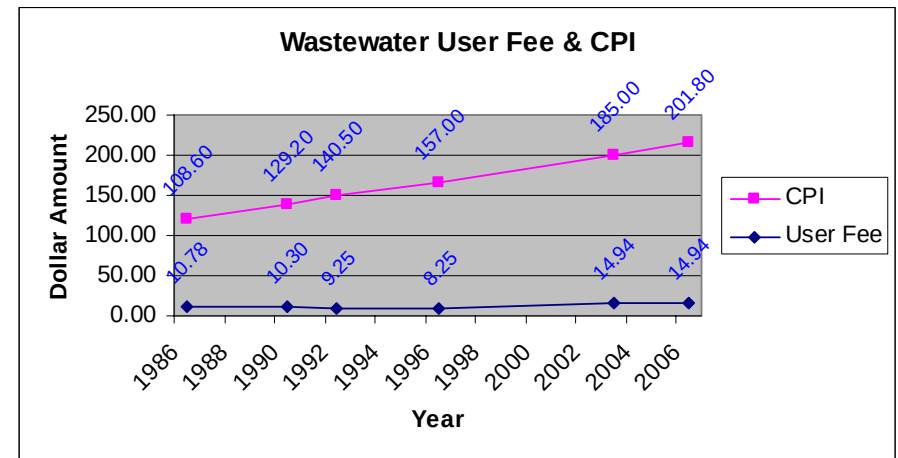
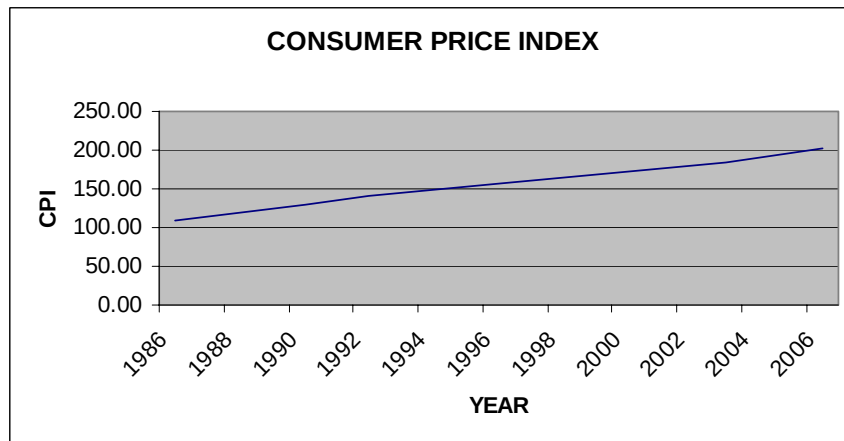
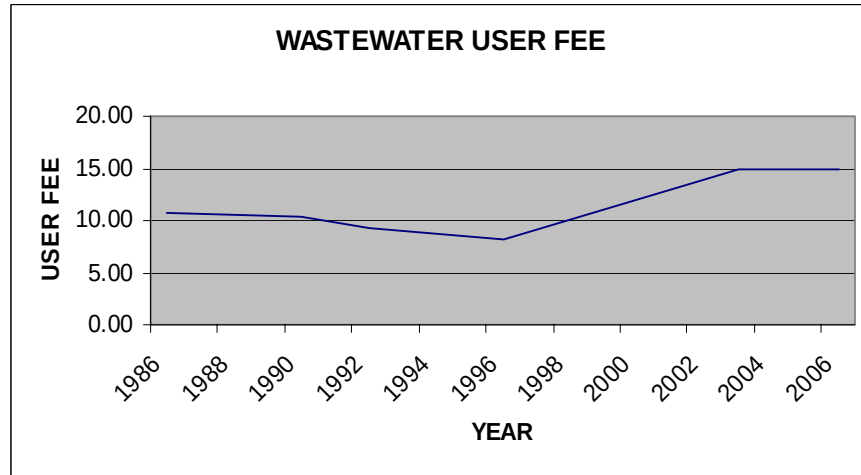
* If payment is not received by the due date, a penalty of 1.5% will be assessed on your outstanding balance.
* Customers may use their credit card, debit card or pay by electronic check only by calling toll free: 1-866-271-5522.
Customers may also pay on-line at www.water.paymybill.com. A service fee will apply.

Justification for 2007 Adjustment



- During FY 2006 Revenue down \$294,000 (11%+), mostly due to Winter Averaging
- Expenses down \$389,000, mostly due to bringing back operations in-house and minimal Capitol improvements
- Increases in Operations; Utilities, Manpower, Insurance, Chemicals, etc.
- CPI Increase from 2003 to 2006 = 9.5%

User Fee & CPI Comparison



A Possible Rate Adjustment

2003 = \$3.00 Minimum + \$1.99/1,000 Gallons

Proposed = \$3.00 Minimum + \$2.05/1,000 Gallons

11/1/08 = \$3.00 Minimum + \$2.11/1,000 Gallons

11/1/09 = \$3.00 Minimum + \$2.17/1,000 Gallons

11/1/10 = \$3.00 Minimum + \$2.24/1,000 Gallons

11/1/11 = Re-Evaluated



61
**City of Pekin
Office Of The
City Manager**

Memo

To: City Council

From: Dennis Kief, City Manager

111 South Capitol Street

Pekin, Illinois 61554 – 4108

309 – 477 – 2300 (Phone) 309 – 346 – 2095 (Fax)

dkief@ci.pekin.il.us

CC: City Clerk

Date: December 1, 2006



Re: Wastewater User Fee

I am in receipt of the FY 2006 Sewerage Fund Audit that was prepared by Willock Warning & Co., P.C. Along with that Audit, Jim Warning submitted a cover letter "Sewer User rates" dated November 6, 2006. In Jim's letter he stated:

- During FY 2006 Revenue down \$294,000, mostly due to Winter Averaging
- Expenses down \$389,000, mostly due to bringing back operations in-house and minimal Capitol improvements.
- Due to increases in operating costs and Major improvements needed due to obsolescence and expansion of services, the City should consider adjusting the user rate annually or implement a series of increases over a specified period of time.

WILLOCK WARNING & CO., P.C.
CERTIFIED PUBLIC ACCOUNTANTS

23 OLT AVENUE
PEKIN, ILLINOIS 61554

TELEPHONE (309) 347-3152
FAX (309) 347-3153

November 6, 2006

Mayor Frank Mackaman and City Council
City of Pekin
111 South Capitol St.
Pekin, IL 61554

Re: Sewer User Rates 

Dear Mayor and Council Members:

Section 2.01 of Sewer User Ordinance No. 1611 requires an annual review of the adequacy of the City's sewer user rates at the same time and as a part of the annual audit of the Sewerage Fund financial statements.

COMMENTS ON REVIEW OF RATES

Currently there is one charge to users of the City's sewerage collection and treatment system. The water-based usage charge is \$1.99 per thousand gallons of water used with a minimum \$3.00 per month charge. The usage is based on meter readings furnished by Illinois-American Water Co. The current rate was enacted October 27, 2003. Prior to the revised rate, the City charged users two different rates for the sewerage system's operations and capital improvements.

The Sewerage Fund Statement of Net Assets at April 30, 2006 reports current assets of \$2,355,826 and current liabilities of \$79,186, resulting in net working capital of \$2,276,640. The Fund's working capital increased \$1,062,462 from the previous year.

The Fund earned \$503,644 for the year. Included in operating expenses is a depreciation charge of \$578,233 and a nonoperating expense transfer of \$100,000 to the City's General Fund for reimbursement of certain estimated administrative expenses. During the year capitalized additions to fixed assets totaled \$19,415. 

For fiscal year 2006, the basic user fee revenue decreased \$294,000. The principal reason for the decrease was utilizing a new method to determine the average user fee during non-summer months and using that average rate during the summer months. The result was a larger decrease in revenue than anticipated.

The actual operating costs (excluding depreciation) decreased almost \$389,000 for fiscal year 2006. The contract to operate the system by an outside firm terminated at the end of July, 2005 and the City began operations on its own August 1, 2005. The cost savings for the year exceeded expectations. 

Page 2

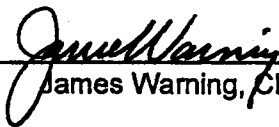
Prior to the increase in the user charge in October 2003, the user rate had not changed in over thirteen years. Due to increases in operating costs and major improvements needed due to obsolescence and expansion of services, the City should consider adjusting the user rate annually or implement a series of increases over a specified period of time.

Attached is a summary of selected financial data for the past five years.

Please contact us if there are questions on these matters.

Yours truly,

WILLOCK WARNING & CO., P.C.

by  _____
James Warning, CPA

JW/dl

Enclosures, as above

cc: City Manager

City Corporation Counsel

City Clerk

Assistant Finance Director

City Treasurer



CITY OF PEKIN, ILLINOIS

SEWERAGE FUND

FINANCIAL STATEMENTS

APRIL 30, 2006

SEWERAGE FUND FINANCIAL STATEMENTS

APRIL 30, 2006

TABLE OF CONTENTS

	Page
Independent Auditor's Report	1
Statement of Net Assets	2
Statement of Revenues, Expenses, and Changes in Net Assets	3
Statement of Cash Flows	4
Notes to the Financial Statements	5

SEWERAGE FUND

STATEMENT OF NET ASSETS

APRIL 30, 2006ASSETS:

Current assets:

Cash	\$ 484,834
Investments	1,812,376
Accounts receivable (net of \$64,000 allowance for uncollectibles)	<u>58,616</u>
Total current assets	<u>2,355,826</u>

Non-current assets:

Capital assets:

Land	73,000
Sewer plants and equipment	20,102,179
Less accumulated depreciation	<u>(7,639,566)</u>

Total capital assets (net of accumulated depreciation)	<u>12,535,613</u>
--	-------------------

Total assets	<u>\$ 14,891,439</u>
--------------	----------------------

LIABILITIES

Current liabilities:

Accounts payable	\$ 59,453
Accrued wages	8,623
Water company deposits	<u>11,110</u>

Total current liabilities	<u>79,186</u>
---------------------------	---------------

NET ASSETS

Invested in capital assets, net of related debt	12,535,613
Unrestricted	<u>2,276,640</u>

Total net assets	<u>14,812,253</u>
------------------	-------------------

Total liabilities and net assets	<u>\$ 14,891,439</u>
----------------------------------	----------------------

The notes to the financial statements are an integral part of this statement.

SEWERAGE FUND

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS

YEAR ENDED APRIL 30, 2006OPERATING REVENUES:

Charges for services:

Wastewater service fees	\$ 2,338,119
Sewer treatment fees	32,136
Sewer connection fees	50,450
Licenses and permits	11,130
Collection fees	26,190
Developer reimbursements	6,604
Other revenues	10
Total operating revenues	<u>2,464,639</u>

OPERATING EXPENSES:

Contracted sewer operation costs	250,865
Other operation costs	321,789
Wages and payroll taxes	385,360
Employee benefits	20,083
Professional fees	3,900
Insurance	20,049
Maintenance and repairs	172,360
Billing and collection costs	124,082
Postage, office, and administration	2,642
Bad debts	11,077
Depreciation	578,233
Total operating expenses	<u>1,890,440</u>
Operating income	574,199

NONOPERATING REVENUE (EXPENSE):

Investment income	<u>29,445</u>
Income before transfers	603,644
Transfers to City's General Fund	<u>(100,000)</u>
Change in net assets	503,644

Total net assets, beginning	<u>14,308,609</u>
Total net assets, ending	<u>\$ 14,812,253</u>

The notes to the financial statements are an integral part of this statement.

CITY OF PEKIN, ILLINOIS
SEWERAGE FUND
STATEMENT OF CASH FLOWS
YEAR ENDED APRIL 30, 2006

Cash flows from operating activities:

Receipts for services and fees	\$ 2,589,844
Payments to vendors and suppliers	(1,019,400)
Payments for employees and benefits	<u>(375,979)</u>
Net cash provided by operating activities	<u>1,194,465</u>

Cash flows from noncapital financing activities:

Transfer to General Fund	<u>(100,000)</u>
--------------------------	------------------

Cash flows from capital activities:

Purchase of capital assets	<u>(19,415)</u>
----------------------------	-----------------

Cash flows from investing activities:

Purchase of investments	(1,272,105)
Interest income	<u>29,445</u>
Net cash used by investing activities	<u>(1,242,660)</u>

Net decrease in cash (167,610)

Cash balance, beginning of year 652,444

Cash balance, end of year \$ 484,834

Reconciliation of operating loss to net cash provided by operating activities:

Operating income \$ 574,199

Adjustments to reconcile operating loss to net cash provided by operating activities:

Depreciation	578,233
Changes in assets and liabilities:	
Decrease in accounts receivable	125,205
Decrease in accounts payable	(90,793)
Increase in accrued wages	5,126
Increase in deposits held	<u>2,495</u>
Total adjustments	<u>620,266</u>

Net cash provided by operating activities \$ 1,194,465

The notes to the financial statements are an integral part of this statement.

SEWERAGE FUND

NOTES TO THE FINANCIAL STATEMENTS

APRIL 30, 2006**NOTE 1 - SIGNIFICANT ACCOUNTING POLICIES**

In accordance with generally accepted governmental accounting principles, the Sewerage Fund is a separate accounting fund within the City of Pekin's fund accounting system which is designed to account for and report upon specific activities or certain objectives.

The fund is an Enterprise Fund and, accordingly, employs the accrual basis of accounting wherein revenues are recognized in the period in which they are earned and expenses are recognized in the period in which they are incurred.

Allowances for estimated uncollectibles are established as appropriate based on historical collection experience and other relevant circumstances.

Fixed assets used in the operations of the sewerage system are stated at cost where historical records are available and at estimated historical cost where no historical records exist. Depreciation expense is recorded as a charge against income and is computed using the straight-line method based upon the estimated useful lives of the fixed assets, generally 5-40 years.

NOTE 2 - TRANSFER TO GENERAL FUND

The City allocates a portion of its administrative expenses to more accurately reflect costs of sewer operations. City officials have estimated General Fund expenses applicable to the Sewerage Fund to be \$8,333 per month.

NOTE 3 - CONTRACTED SEWER COSTS

The City contracted with United Water Services (UWS), a privately held corporation, to operate and maintain the City's wastewater treatment plant, lift stations, and sewer overflow stations. Fees were based on the type of services, amount of wastewater treated, and other operating costs incurred. That contract expired July 31, 2005.

Effective August 1, 2005, the City did not renew its agreement for contracted sewer operations and, instead, began operating and maintaining its own wastewater treatment plant, lift stations, and sewer overflow stations.

SEWERAGE FUND

SELECTED FINANCIAL DATA
FOR THE YEARS 2002-2006

	<u>FYE</u> <u>4/30/02</u>	<u>FYE</u> <u>4/30/03</u>	<u>FYE</u> <u>4/30/04</u>	<u>FYE</u> <u>4/30/05</u>	<u>FYE</u> <u>4/30/06</u>
Total operating revenues	\$ 1,891,403	\$ 1,713,051	\$ 2,233,265	\$ 2,754,059	\$ 2,464,639
Basic user fees	1,098,775	1,130,547	2,094,460	2,632,061	2,338,119
Capital improvement fees	416,674	389,005	N/A	N/A	N/A
Total operating expenses	1,924,506	2,138,826	2,234,001	2,276,659	1,890,440
Depreciation	521,443	567,353	577,144	575,719	578,233
Maintenance and repairs	221,257	236,590	161,213	272,793	172,360
Contracted costs	876,201	998,587	993,285	1,050,237	250,865
Transfers to City General Fund	155,000	175,000	120,000	100,000	100,000
Net income (loss)	(130,910)	(600,492)	(120,714)	382,870	503,644
Capitalized expenditures	1,577,033	720,829	77,324	162,258	19,415
Total current assets	932,521	72,065	532,545	1,376,536	2,355,826
Total current liabilities	140,413	33,324	114,698	162,258	79,186
Total property and equipment (at cost, excluding accumulated depreciation)	19,195,353	19,916,182	19,993,506	20,155,764	20,175,179

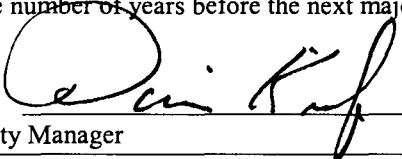
NOTE-The revenues and expenses reported include the activities of the Sewerage Fund operations, capital improvement and debt service fees, and capital improvement costs.

FISCAL REPORT FORM FOR NPDES PERMITTEES

71

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY – DIVISION OF WATER POLLUTION CONTROL
COMPLIANCE ASSURANCE SECTION #19 – P.O. BOX 19276, SPRINGFIELD, IL 62794-9276 (217)782-9720

PLEASE READ INSTRUCTIONS ON BACK AND RETURN BY JANUARY 31ST

1. Name(s):	City of Pekin		2. NPDES Permit No.(s):	IL0034495	
3. Fiscal Year Report Period:	From (MO/YR)	05 / 05	To (MO/YR)	04 / 06	
4. User Rate Class	No. of Customers Billed At:	Annual Charges Billed At:	Annual Charges Collected At:		
Residential Rates	11,700				
Non-Residential Rates (industrial/commercial)	1,300				
TOTALS:	13,000				
5. Current Residential Population Served:	35,600	People			
6. Date User Rate Adopted: (MO/YR)	12 / 03	Billing: Monthly	☒	Quarterly	☐
Base Rate	\$3.00	Per First		Gallons or	Cu.Ft., then
(Check One)	☒ 1,000 Gallons	☐ Cu.Ft.		\$1.99	per:
7. Using user rate, calculate monthly household user charge for 6,000 gallons (or 800 cu.ft.) usage.					
Household user charge:	\$11.94	per month at 6,000 gallons (or 800 cu.ft.) usage			
8. Annual Revenues	Annual Expenditures				
User Charges:	\$ 2,338,119	Oper. & Maintenance:	\$	1,312,207	
Taxes:	\$	Debt Retirement:	\$		
Interest:	\$	Capital Improvements:	\$		
Other:	\$ 126,520	Other: (Depreciation)	\$	578,233	
TOTAL:	\$ 2,464,639	TOTAL:	\$	1,890,440	
9. What account funds are available for use, in whole or part, for wastewater treatment and/or collection? Enter the ending balances of those specified in particular, and any pertinent others.					
Account:	Repair/Replacement	Account:	Depreciation	Account:	
Balance:		Balance:		Balance:	
Account:	Capital Improvement	Account:	Bond	Account:	
Balance:	1,000,000	Balance:		Balance:	1,000,000
10. Do user charge revenues cover operation, maintenance and replacement costs?					
(check one)	Yes	☒	No	☐	
If no, explain how these costs are paid: _____					
11. In what year was the last major construction project undertaken?	94/95 Year				
12. Estimate the number of years before the next major construction project is initiated.	2007 Years				
13. Signature:			Date:	January 11, 2007	
Title:	City Manager		Telephone #:	309-477-2300	

COMMENTS: Sewerage Fund Audit is attached

Revenues were down because "Winter Averaging" provision implemented in User Fee

Expenses down because operations brought back in-house

Kief, Denny

From: Kief, Denny
Sent: Tuesday, May 22, 2007 4:10 PM
To: Tebben, Dave 
Subject: FW: STP Expansion

See below for a quick analysis and justification for increasing our Residential Sewer Tap-On Fee from \$400 to (at least) \$2,400.

From: Kief, Denny
Sent: Monday, May 21, 2007 10:46 AM
To: Wuellner, Joe
Cc: Pagliaro, Dave; Sieh, Ron
Subject: STP Expansion

Does the following logic make sense as a starting point for increasing our Sewer Tap-On Fees?

From what I remember isn't the proposed expansion of the wastewater treatment plant supposed to increase our NPDES permit from 4.5 MGD to approximately 6.5 MGD?

Between the project we are working on now and the second phase isn't the estimate approximately \$10M?
That \$10M project becomes a \$16M when bonds are paid off over a 20 year period of time

If the average household is 3 people and we use the 100 gpd/person figure, that would be 300 gpd/household

$2,000,000 \text{ gpd (expansion)} / 300 \text{ gpd/household} = 6,700 \text{ households}$

Example #1

$\$16,000,000 / 6,700 \text{ households} = \$2,400 / \text{household Tap-On (just for STP expansion)}$

Example #2

$1,000 \text{ gpd commercial user} = \$8,000 \text{ Tap-On Fee (just for STP expansion)}$

Example #3

$50,000 \text{ gpd industrial user} = \$400,000 \text{ Tap-On Fee}$

Note: Any personal (Non-City Business) email messages should be sent to my personal email address
<mailto:dkief@grics.net>

Thanks.

6/25/2007



HISTORY OF WASTEWATER USER FEES FOR THE CITY OF PEKIN 7/20/07

Ordinance 1572 – Adopted April 27, 1986 [CPI = 112.7]

Debt Service Charge (to retire bonds) \$4.30/month per user

User Rate \$1.08/1000 gallons usage

Average monthly user: 6,000 gallons @ \$1.08/1000 gallons + \$4.30 =
\$10.78/month [= \$1.80/1,000 gallons]

Ordinance 1773 – Adopted May 29, 1990 [CPI = 129.2]

User Rate Reduced from \$1.08 to \$1.00/1000 gallons

Average monthly user: 6,000 gallons @ \$1.00/1000 gallons + \$4.30 =
\$10.30/month [= \$1.72/1,000 gallons]

Ordinance 1853 – Adopted July 7, 1992 [CPI = 140.5]

Debt Service Charge Reduced from \$4.30 to \$3.25/month per user

Average monthly user: 6,000 gallons @ \$1.00/1000 gallons + \$3.25 =
\$9.25/month [= \$1.54/1,000 gallons]

Ordinance 2049 – Adopted July 22, 1996 [CPI = 157.0]

Debt Service Charge (\$3.25) eliminated and Capital Improvement Charge of \$2.25/10,000 gallons Enacted

Average monthly user: 6,000 gallons @ \$1.00/1000 gallons + \$2.25 =
\$8.25/month [= \$1.38/1,000 gallons]

Ordinance 2344 – Adopted October 27, 2003 [CPI = 185.00]

Minimum Charge @ \$3.00/month

User Rate \$1.99/1000 gallons usage

Average monthly user: 6,000 gallons @ \$1.99/1000 gallons + \$3.00 =
\$14.94/month [= \$2.49/1,000 gallons]

Ordinance 2444 – September 12, 2005 [CPI = 198.8]

Winter Averaging - The usage from the months of October through April are averaged, and the lesser of this average or the actual metered usage during the summer billing period will be the amount charged for the summer billing period. City Revenue reduced by 10%+ due to Winter Averaging.

Recommended Annual Wastewater Fee Adjustment [CPI = 207.9]

11/1/07 = \$3.00 Minimum + \$2.05/1,000 Gallons

Average monthly user: 6,000 gallons @ \$2.05/1000 gallons + \$3.00 =
\$15.30/month [= \$2.55/1,000 gallons]

11/1/08 = \$3.00 Minimum + \$2.11/1,000 Gallons = \$15.66

11/1/09 = \$3.00 Minimum + \$2.17/1,000 Gallons = \$16.02

11/1/10 = \$3.00 Minimum + \$2.24/1,000 Gallons = \$16.44

11/1/11 = Re-Evaluated

CERTIFICATE OF PUBLICATION

THE PEKIN DAILY TIMES

Gregg Ratliff, Publisher

Pekin, Illinois, July 24 20 07

88271
LEGAL NOTICE

LEGAL NOTICE ON ANNEXATION ORDINANCE TO BE ADOPTED BY THE CITY COUNCIL AND MAYOR OF THE CITY OF PEKIN, PEKIN, ILLINOIS

On August 13, 2007 at 5:30 P.M. the Mayor and City Council of the City of Pekin, Illinois, in the Pekin City Hall, 111 S. Capitol Street, Pekin, Illinois, will contemplate the adoption of an ordinance under the provisions of 65 ILCS 5/7-1-13 authorizing the annexation to the City of Pekin, Illinois, of the tract of property legally described as follows:

TRACT I: A part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the Third Principal Meridian, being described as Parcel

"Y", containing 0.530+ acres, on the plat recorded in Plat Book T, Page 368, in the Recorder's Office of Tazewell County, Illinois; situated in Tazewell County, Illinois - commonly known as 1606 S. Fifth Street, Pekin, IL 61554. PIN: 10-10-11-100-001

TRACT II: Part of the North 24 acres of the Northwest Quarter of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois, described as follows:

Beginning at a stone at the Southwest corner of the North Half of the Northwest Quarter of the Northwest Quarter of said Section 11 and running thence North on the West section line of said Section 11 a distance of 250 feet; thence at right angles Easterly a distance of 33 feet to the Easterly line of the right of way of the public road as now laid out, to a point, the Place of Beginning of the tract to be described; thence continuing Eastwardly a distance of 153 feet to a point; thence Northerly on a line parallel with the Westerly line of said Section 11 a distance of 170 feet; thence at right angles Westerly to the East right of way line of the public road as now laid out; thence Southerly along the East right of way line of said public road a distance of 170 feet to the Point of Beginning of the tract described - commonly known as 1618 S. Fifth Street, Pekin, IL 61554. PIN: 10-10-11-100-002

TRACT III: A part of the Northwest Quarter of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter of the Northwest Quarter of said Section 11; thence North 88 degrees 57 minutes 42 seconds East along the North line of said quarter section a distance of 186.0 feet to the Place of Beginning for the tract hereinafter described; thence South a distance of 545.57 feet; thence South 88 degrees 57 minutes 42 seconds West a distance of 10 feet; thence South a distance of 250.43 feet; thence North 88 degrees 57 minutes 42 seconds East for a distance of 313.0 feet; thence North a distance of 796.0 feet along the West line of Sturgeon Addition Ext. #2 to said North line of said quarter section; thence South 88 degrees 57 minutes 42 seconds West a distance of 303.0 feet to the Place of Beginning, containing 5.593 acres, more or less - commonly known as 1620 S. Fifth Street, Pekin, IL 61554. PIN: 10-10-11-100-003

It is proposed that the subject property be annexed to the City of Pekin pursuant to the provisions of Article 7, Division 1 of the Illinois Municipal Code (65 ILCS 5/7-1-1 et seq and 5/7-1-13).

All interested parties are invited to attend the Council Meeting and will be given an opportunity to be heard. By Order of the Corporate Authorities of the City of Pekin, Illinois.

SUE E. McMILLAN, CITY CLERK
7/24/2007

88271

I hereby certify that I am the publisher of THE PEKIN DAILY TIMES and that the annexed notice was published 1 (one) times in the Pekin Daily Times, a secular public newspaper of general circulation, printed and published daily, except Sunday, and legal holidays, for at least 1 year prior to the 24th day of July 20 07 in the City of Pekin, Tazewell County, State of Illinois: that publication of said notice was made in said newspaper as follows:

the first on the 24th day of July 20 07 ;
the second on the _____ day of _____ 20 _____ ;
the third on the _____ day of _____ 20 _____ ;
the fourth on the _____ day of _____ 20 _____ ;

I further certify that the face of the type in which each publication of the said notice was made was the same as the body type used in the classified advertising in the issue of the said newspaper in which such publication was made.

I further certify that said newspaper is a newspaper as defined in 'An Act' to revise the law in relation to notices' as amended by Act approved July 17, 1959.-III. Revised Statutes, Chap. 100, Para. 1-10.

Gregg Ratliff
Publisher of

THE PEKIN DAILY TIMES

Publication Fee, \$ 110.⁸⁸
Posters, Slips \$ 5.⁰⁰
Total \$ 115.⁸⁸

By Jana Smith

Annexation 5th Street

DAILY TIMES

P.O. BOX 430
PEKIN, IL 61555-0430

ADVERTISING INVOICE and STATEMENT

4564		57540		001	
1 BILLING PERIOD			3 TERMS OF PAYMENT		
07/2007			NET 15 75		
2 ADVERTISER/CLIENT NAME			7 ADVERTISER/CLIENT NUMBER		
CITY OF PEKIN			4564		

DATE	NEWSPAPER REFERENCE	DESCRIPTION-OTHER COMMENTS/CHARGES	SAU SIZE BILLED UNITS	TIMES RUN RATE	GROSS AMOUNT	NET AMOUNT
07/03	PAY PDT	Previous Balance			.00	.00
07/16	PAY PDT	PAYMENT			- 443.00	- 443.00
07/16	PAY PDT	PAYMENT			- 241.88	- 241.88
07/16	PAY PDT	PAYMENT			- 521.60	- 521.60
07/24	LEGAL PDT	88271 LEGAL NOTICE L	2X72.00	1		
		24	144.00	0.840	120.96	120.96
07/24	AFF PDT	LEGAL AFFADAVIT		1		
		24			5.00	5.00

Vendor No. 00306
G/L Coding 100-004-5-510.00
Dept. Head Approval SM 7/30/07
Acct. Dept. Approval _____
Project No. _____
Annexation 5th Street

CURRENT AMOUNT DUE	30 DAYS	60 DAYS	OVER 90 DAYS	*UNAPPLIED AMOUNT	TOTAL AMOUNT DUE
0.00	0.00	0.00	0.00		125.96

THANK YOU FOR ADVERTISING

Phone 309-346-1111

Fax 309-346-9815 *UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

PLEASE DETACH AND RETURN THIS WITH YOUR REMITTANCE

DAILY TIMES

P.O. BOX 430
PEKIN, IL 61555-0430

ACCOUNT NUMBER	INVOICE/STATEMENT NUMBER	BILLING DATE
4564	57540	07/27/07

TOTAL AMOUNT DUE
125.96

BILLED ACCOUNT NAME AND ADDRESS

CITY OF PEKIN
CITY CLERK

111 S CAPITOL STREET
PEKIN IL 61554



ENTER AMOUNT ENCLOSED
\$

PAY3010000000004564000000000000001259600000125963



REQUEST FOR COUNCIL ACTION

To: Mayor Council

CC: City Manager -City Clerk

From: Building Inspector/ Code Enforcement Officer, Ronald Sieh

AGENDA ITEM: ANNEXATION OF SOUTH 5th STREET PROPERTIES @ 3

AGENDA DATE REQUESTED: AUGUST 13, 2007

ACTION REQUESTED: Recommendation to approve annexation of 3 properties located on South 5th Street, south of Koch Street.

BACKGROUND: There are 5 parcels located on the East side of South 5th Street between Koch Street and Deerfield Drive. Out of the 5 parcels only the first 2 located just south of Koch Street are annexed into the City limits, by annexing the remaining 3 parcels into the City it would clean up this area and will make all the properties contiguous to the City.

FINANCIAL IMPACT: None

NEIGHBORHOOD CONCERNS: The 3 properties that are not in the City limits are protected by a volunteer fire department (Cincinnati), if a major fire occurred at one of these properties the fire could possibly spread to other properties with-in the City limits will waiting for the volunteer fire department to respond.

IMPACT IF APPROVED: Tax Revenue to the City.

IMPACT IF DENIED: Properties not contiguous to the City, gaps with some properties in and some properties out of the City.

ALTERNATIVES: None.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Prosperous Community, Safe Community

ORDINANCE NO.**AN ORDINANCE PROVIDING FOR THE ANNEXATION
OF CERTAIN TERRITORY TO THE CITY OF PEKIN,
TAZEWELL COUNTY, ILLINOIS
(SOUTH FIFTH STREET)**

WHEREAS, the corporate boundaries of the City of Pekin currently surround and wholly bound the following described real estate:

TRACT I: A part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the Third Principal Meridian, being described as Parcel “Y”, containing 0.530+ acres, on the plat recorded in Plat Book T, Page 368, in the Recorder’s Office of Tazewell County, Illinois; situated in Tazewell County, Illinois - commonly known as 1606 S. Fifth Street, Pekin, IL 61554.

PIN: 10-10-11-100-001

TRACT II: Part of the North 24 acres of the Northwest Quarter of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois, described as follows:

Beginning at a stone at the Southwest corner of the North Half of the Northwest Quarter of the Northwest Quarter of said Section 11 and running thence North on the West section line of said Section 11 a distance of 250 feet; thence at right angles Easterly a distance of 33 feet to the Easterly line of the right of way of the public road as now laid out, to a point, the Place of Beginning of the tract to be described; thence continuing Eastwardly a distance of 153 feet to a point; thence Northerly on a line parallel with the Westerly line of said Section 11 a distance of 170 feet; thence at right angles Westerly to the East right of way line of the public road as now laid out; thence Southerly along the East right of way line of said public road a distance of 170 feet to the Point of Beginning of the tract described - commonly known as 1618 S. Fifth Street, Pekin, IL 61554.

PIN: 10-10-11-100-002

TRACT III: A part of the Northwest Quarter of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter of the Northwest Quarter of said Section 11; thence North 88 degrees 57 minutes 42 seconds East along the North line of said quarter section a distance of 186.0 feet to the Place of Beginning for the tract hereinafter described; thence South a distance of 545.57 feet; thence South 88 degrees 57 minutes 42 seconds West a distance of 10 feet; thence South a distance of 250.43 feet; thence North 88 degrees 57 minutes 42 seconds East for a distance of 313.0 feet; thence North a distance of 796.0 feet along the West line of Sturgeon Addition Ext. #2 to said North line of said quarter section; thence South 88 degrees 57 minutes 42 seconds West a distance of 303.0 feet to the Place of Beginning, containing 5.593 acres, more or less - commonly known as 1620 S. Fifth Street, Pekin, IL 61554.

PIN: 10-10-11-100-003

WHEREAS, said property is less than 60 acres in total area; and

WHEREAS, Title 65 Illinois Compiled Statutes, Sec. 5/7-1-13 provides for annexation of such wholly-bounded property by Ordinance; and

WHEREAS, the City Clerk has caused notice of this action to be published in a newspaper of general circulation not less than ten (10) days before the passage of this Ordinance, in compliance with Sec. 5/7-1-13.

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:

TRACT I: A part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the Third Principal Meridian, being described as Parcel "Y", containing 0.530+ acres, on the plat recorded in Plat Book T, Page 368, in the Recorder's Office of Tazewell County, Illinois; situated in Tazewell County, Illinois - commonly known as 1606 S. Fifth Street, Pekin, IL 61554.

PIN: 10-10-11-100-001

TRACT II: Part of the North 24 acres of the Northwest Quarter of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois, described as follows:

Beginning at a stone at the Southwest corner of the North Half of the Northwest Quarter of the Northwest Quarter of said Section 11 and running thence North on the West section line of said Section 11 a distance of 250 feet; thence at right angles Easterly a distance of 33 feet to the Easterly line of the right of way of the public road as now laid out, to a point, the Place of Beginning of the tract to be described; thence continuing Eastwardly a distance of 153 feet to a point; thence Northerly on a line parallel with the Westerly line of said Section 11 a distance of 170 feet; thence at right angles Westerly to the East right of way line of the public road as now laid out; thence Southerly along the East right of way line of said public road a distance of 170 feet to the Point of Beginning of the tract described - commonly known as 1618 S. Fifth Street, Pekin, IL 61554.

PIN: 10-10-11-100-002

TRACT III: A part of the Northwest Quarter of the Northwest Quarter of Section 11, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter of the Northwest Quarter of said Section 11; thence North 88 degrees 57 minutes 42 seconds East along the North line of said quarter section a distance of 186.0 feet to the Place of Beginning for the tract hereinafter described; thence South a distance of 545.57 feet; thence South 88 degrees 57 minutes 42 seconds West a distance of 10 feet; thence South a distance of 250.43 feet; thence North 88 degrees 57 minutes 42 seconds East for a distance of 313.0 feet; thence North a distance of 796.0 feet along the West line of Sturgeon Addition Ext. #2 to said North line of said quarter section; thence South 88 degrees 57 minutes 42 seconds West a distance of 303.0 feet to the Place of Beginning, containing 5.593 acres, more or less - commonly known as 1620 S. Fifth Street, Pekin, IL 61554.

PIN: 10-10-11-100-003

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, upon the taking effect of this ordinance, together with the attached

Exhibit “A”, 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 IV: That the parcels of real estate described above shall be zoned “residential”.

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 _____, 2007; and upon roll call the vote was as follows:

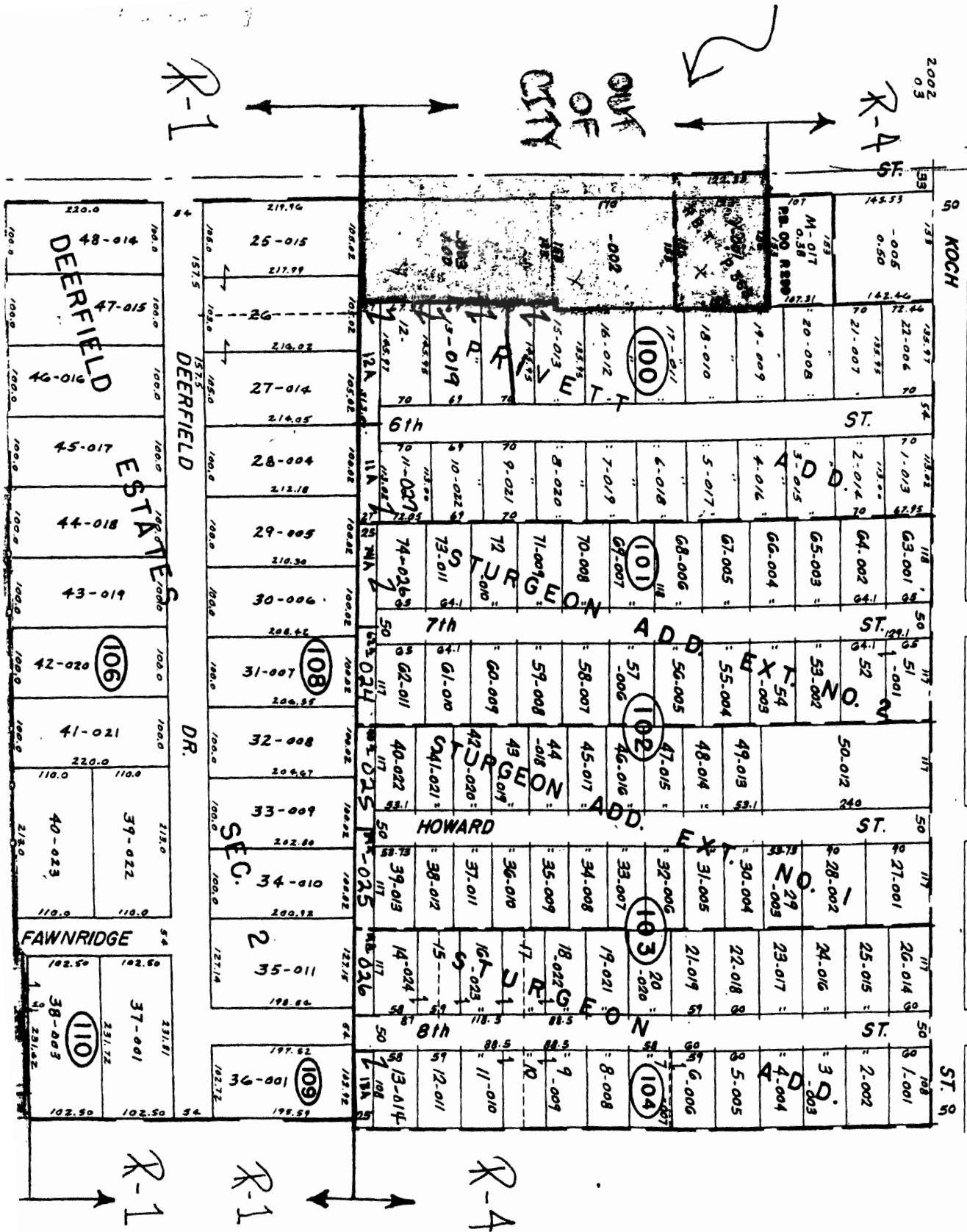
AYES:
NAYS:
ABSENT:
ABSTAINING:

APPROVED this _____ day of _____, 2007.

MAYOR

ATTEST:

CITY CLERK



10-2E

ST. 95

5th Street: Parcel Annexation



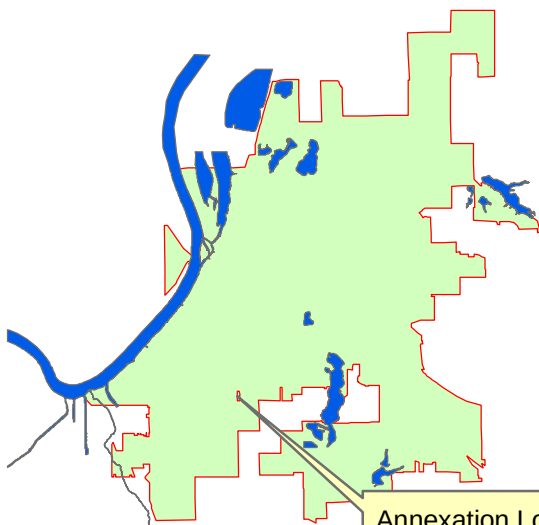
0 75 150 300 Feet

Legend

 Parcels for Annexation

 City Limits

2



Annexation Location

10-10-11-100-001

10-10-11-100-002

10-10-11-100-003

Deerfield



REQUEST FOR COUNCIL ACTION

To: Honorable Mayor and Members of the City Council

CC: Sue McMillan, City Clerk

From: Dennis Kief, Pam Anderson and Steve Brown

AGENDA ITEM: Tourism Grant – YWCA Paint The Town Red and Run The Town Red

AGENDA DATE REQUESTED: August 13, 2007

ACTION REQUESTED: Approval of a Grant in the amount of \$500.00

BACKGROUND: There are 2 categories of grants offered by the City's Tourism Department.

- 1) Visitor's Bureau Grant (for groups bringing overnight visitors to Pekin; amount not to exceed 1/3 total cost of event, or \$5,000.00, whichever is less)
- 2) Community Event Grant (for Pekin nonprofit groups planning a community event – amount not to exceed 50% total cost of event, or \$500.00, whichever is less)

This event would qualify as a Community Event Grant. The total estimated expense for this (August 25, 2007) event is \$2,210.00. The event will include magic show, nail painting, lipstick, temporary tattoos and a 5K Walk & Kid Fun Run. The T-shirts made for the event would list the Visitor's Bureau as a sponsor. We would recommend that their grant in the amount of \$500.00 be approved. This is the maximum amount for this grant category.

FINANCIAL IMPACT: \$500.00 for the Event (Budgeted Line Item from Hotel/Motel Tax Revenue)

CHECK TO BE HELD UNTIL FINAL PAPERS SUBMITTED

NEIGHBORHOOD CONCERNS: N/A

IMPACT IF APPROVED: Payment made for successful event

IMPACT IF DENIED: Potential financial hardship for future similar events

ALTERNATIVES: No viable options.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Consistent with High Quality of Life theme



Grant Pre-Application

Please select the grant for which you are applying:

- ☐ Visitor's Bureau Grant (for groups bringing overnight visitors to Pekin; amount not to exceed 1/3 total cost of event, or \$5,000.00, whichever is less)
- ☒ Community Event Grant (for Pekin nonprofit groups planning a community event – amount not to exceed 50% total cost of event, or \$500.00, whichever is less)

Organization Name: YWCA of Pekin

Contact Person: Melinda Figge

Address: 315 Buena Vista, Pekin, IL 61554

Phone: 347-9922 Fax: 347-7457 Email: pekinywca@grics.net

Is the organization certified not-for-profit: yes

Event Description:

Event Name: YWCA Paint the Town Red & Run the Town Red

Description: 5K Race/Walk & Kid Fun Run; nail painting, lipstick, temp. tattoos Festivities including free magic show,

Location: Race - Coal Miner's Park; Festivities - Mineral Springs Park Pavilion

Date: August 25, 2007 Race: 7:15 a.m. Race: 8:30 a.m.
Start Time: Other: 11:30 a.m. End Time: Other: 1:30 p.m.

Will Food and beverages be available: Yes

Do you have an authorized liquor license? No

Describe the alternate plan if inclement weather occurs: Event held rain or shine

Event Attendance (estimated):

Estimated Number of attendees: 225 Number of guests staying in Pekin Hotels: 0

Estimated Number of Hotel Rooms blocked: 0 Distance guests will travel (in miles): up to 20 miles

Describe how this event will bring visitors to Pekin: Since the YWCA serves outlying communities (i.e. Manito, Green Valley, Morton, Creve Coeur) individuals outside of Pekin are expected. Once in town, we hope they will shop, eat, and contribute to the local economy.

Describe any 'spin off' local events from overnight guests: n/a

Event History:

Number of years this event has been held: 5 (2nd year for 5K Race/Walk & Kid Fun Run) **85**

Number of attendees last year: 150 Number of guests staying in Pekin Hotels last year: 0

List the profit or loss for last year's event: \$18,332.67

Publicity:

What methods will this event be publicized (attach a marketing plan if available): Advertising purchased through Pekin Daily Times, press releases to all area newspapers, appearance on WEEK morning show, banners & yard signs at sponsor locations

Please check what kind of media coverage you expect to attract:

☒ Local ☐ Regional ☐ State ☐ National ☐ International

If a grant is awarded, the Pekin Visitor's Bureau must be acknowledged in all media and advertising.

Budget:

Total amount estimated from the Pekin Visitor's Bureau: \$500.00

(For Visitor's Bureau grant (for groups bringing overnight visitors to Pekin) amount not to exceed 1/3 total cost of event, or \$5,000.00, whichever is less. For Pekin nonprofit groups planning a community event, amount is not to exceed \$500.00)

Please specify the use of funds being requested: To help underwrite the costs of T-Shirts for the 5K Race/Walk & Kid Fun Run (We would list the Pekin Visitor's Bureau on the shirt as a sponsor.)

Please attach a copy of your estimated budget, listing all expenses and other revenue sources. I have read and agree to comply with the attached "City of Pekin Policy for Visitor's Bureau Program".

Submitted by: Melinda Figg

Date: August 1, 2007

✕

For Office Staff:

☐ Application eligible for grant funds: _____ ☐ Grant Eligibility Denied: _____
(list amount and date approved) (list date denied)

Signed by: _____ Date: _____

Pekin Visitor's Bureau Comments: _____

Distribute to: ☒ City Clerk ☐ Police Chief ☐ Fire Chief ☐ Accounting

☒ Economic Development Coordinator ☒ City Manager ☒ Community Development

**Paint the Town Red
2007 Estimated Budget**

Income:

Sponsorships	\$15,000
Raffle Ticket Sales	4,000
5K Entries/Kid Fun Run	2,600
Can donations/Food sales	<u>400</u>
Total	\$22,000

Expenses:

T-Shirts	\$1,500
Postage	200
Advertising	450
Park District Rental	50
Raffle License	<u>10</u>
Total	\$2,210



REQUEST FOR COUNCIL ACTION

To: Mayor Council

CC: City Manager -City Clerk

From: Building Inspector/ Code Enforcement Officer, Ronald Sieh

AGENDA ITEM: AMENEDMENT TO ZONING ORDINANCE

AGENDA DATE REQUESTED: AUGUST 13, 2007

ACTION REQUESTED: Recommendation to approve Amendments to Zoning Ordinance

BACKGROUND: For several years the R-T zoning has been misrepresented in assigning the zoning to new subdivisions. R-T zoning is for Residential Two Family Dwellings(Duplexes) which means they are always two-family dwellings. Over the life of R-T zoning developers were splitting these two-family dwellings into 2 separate single-family dwellings and assigning 2 separate parcel numbers to each half, which was not the intent of the R-T Two-Family Residential. The change is to classify this particular zoning assignments to RV districts and to have a unique zoning that addresses the situation of zero lot line splits up to 4 individual units. Along with the above mentioned change the definitions, schedule of regulations and zoning districts were changed to address the new RV residential zoning district, which basically was changing the Row house section of the Zoning code to Villas and adding Villa Residential to the Zoning Code.

FINANCIAL IMPACT: None

NEIGHBORHOOD CONCERNS: None, it is cleaning up the Zoning Code and districts.

IMPACT IF APPROVED: Easier to clarify zoning assignments and districts.

IMPACT IF DENIED: Residential Two-Family units will be divided into separate parcels.

ALTERNATIVES: None.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: An Effective Government

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 2 and THE
SCHEDULE OF REGULATIONS
OF THE CODE OF THE CITY OF
PEKIN 1995 REGARDING RESIDENTIAL DISTRICTS**

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

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

WHEREAS, the Planning Commission of the City of Pekin has recommended certain changes in the zoning districts and requirements; and

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

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

1. That Title 9, Chapter 1, Section 9-1-2, being the definitional section be amended by the addition of the following definitions:

“Duplex: a building designed exclusively for occupancy by two (2) families living independently of each other and being located on the same lot.”

“Exterior: “Row house lot”, “interior row house lot”, and “row house” lot references be deleted, and “villa” be inserted therein; and the frontage minimum be amended to thirty (30) feet or more.”

Definitions, after amendment, will be as followed:

“Lot, exterior villa: A lot which is or is intended to be a site for a villa dwelling with a similar villa attached on only one (1) side.”

“Lot, interior villa: A lot which is or is intended to be a site for a villa dwelling with a similar villa attached on each side.”

“Villa: A building which contains a row of two (2), three (3) or four (4) single family attached dwelling units, each being connected to the adjoining units in each story by walls that are fire-rated and are without openings and each unit having independent access to the exterior of the building in the ground story and each unit being located on a separate lot. Each common wall shall serve as a common/zero lot line.”

“Villa: A dwelling unit which is part of a villa building.”

2. That Title 9, Section 9-2-1, be amended so as to create and add three (3) new residential districts, with accompanying schedule of regulations.

Section 9-2-1 shall be amended by adding the following three (3) residential districts:

“RV-1 Villa Residential District”

“RV-2 Villa Residential District”

“RV-3 Villa Residential District”

That Title 9, Chapter 4, Section 9-4D-1 being changed and amended by substituting the word “villa” or “villas”, where previously the words “row house” or “row houses” are utilized, in addition, modifying the minimum lot widths in such districts.

After amendments and additions, 9-4D-1 shall be as follows:

“A. Villas shall be permitted only in those districts wherein zero lot lines permitted, as shown in Section 9-9-1 of this Code, and shall be subject to the provisions of said Section 9-9-1.

B. The number of villa dwelling units within a single villa building shall not exceed four (4) per lot.

C. No side yard shall be required along any side lot line, which is common to two (2) attached villa dwellings, whether they are on interior or exterior villas. One side, yard, a minimum of eight feet (8') in width, shall be required along the side lot line of an exterior villa lot where such lot line is not common to that of any other attached villa dwelling. In no case shall side by side villa buildings be separated by a distance of less than sixteen feet (16'). In any case in which an exterior villa lot abuts or adjoins a lot which is used for any purpose other than other villa building, side yards shall be ten feet (10').

D. A minimum lot width of thirty feet (30') shall be provided for all interior villa lots within a RV-2 and RV-3 Zoning District. A minimum lot width of forty feet (40') shall be provided for all exterior villa lots within an RV-1, RV-2 and RV-3 zoning district, unless provisions are provided in said section 9-9-1, as per schedule of regs attached.”

E. Exterior treatment of attached villa dwelling units shall be compatible with all other villa dwelling units within the same structure.

F. An unobstructed easement shall be provided across the side and rear eight feet (8') adjacent to the building of each exterior villa lot when adjacent to an interior villa lot. An eight foot (8') unobstructed easement shall be provided at the rear of each villa lot. Such easement shall be for ingress/egress and maintenance of adjacent interior villa lot owners. Said access easement shall

be unobstructed and physically passable at all times. This easement shall be incorporated into each deed transferring title to the property.

G. A common wall agreement shall be included in the subdivision covenants for each villa lot setting forth provisions for repair of common walls, repair of common utility service connections, reconstruction of common building in the event of damage or destruction of one or all of the dwelling units and common maintenance and repair of joint facilities.

H. The coincident property wall (common wall) of each villa dwelling unit shall be constructed in a manner which complies with the standards for common walls established by the City Code.

I. When one-family detached dwellings are erected, the standards of Section 9-9-1 of this Title, "Schedule of Regulations", applicable to the R-2 zoning district shall apply as minimum standards.

J. If a lawful use of any subdivided land or of a structure and land in combination exists at the effective date of adoption or amendment of this Title that would not be permitted in the RT residential two-family district under the terms of this Title, the lawful use may be continued so long as it remains otherwise lawful.

K. See Diagram following page, regarding minimum dimensions, minimum set backs in RV-1, RV-2 and RV-3.

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this ____ day of _____, 2007; and upon roll call the vote was as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING: _____

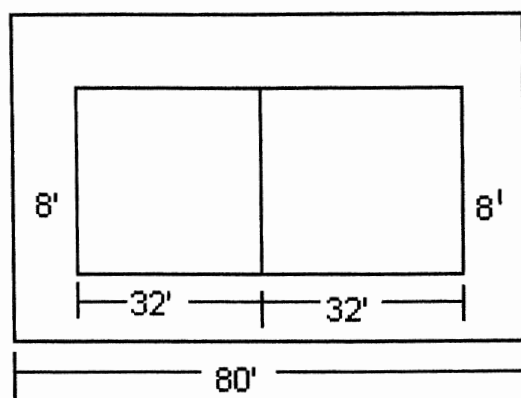
APPROVED this ____ day of _____, 2007.

MAYOR

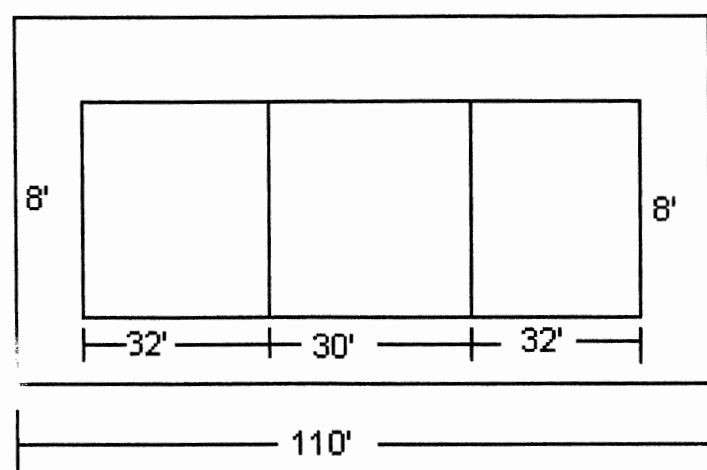
ATTEST:

CITY CLERK

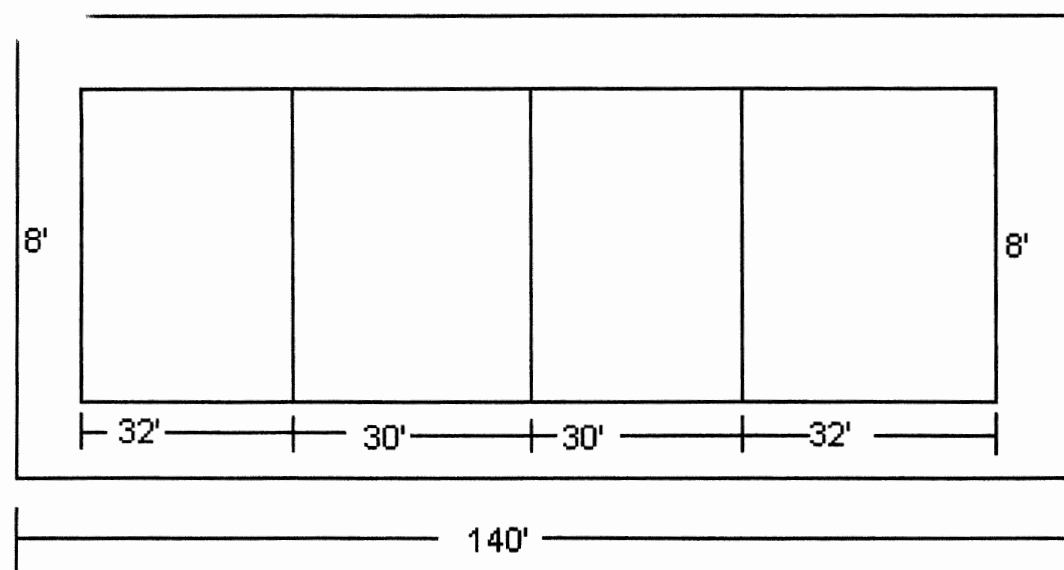
RV-1



RV-2



RV-3



Use District		Lot Size/D.U. (area sq. ft.) Minimum Width: Avg / Subdiv.		Maximum Height of Structure Sides in: Stories Ft		Minimum Yard Setback (per lot in) Ratio of Least Total				Maximum Percent of Lot Coverage (Per unit) One
			In ft.		Ft	Front	One	Two	Rear	
RT	Two-family Residential Multiple	10,000	80	2	25	25	10 (c) (b)	20 (c) (b)	30	40%
RM-1	Family Residential District	9 units per acre	--	2	25	25 (e,f,m,)	15 (e,n,m)	30 (e,n,m)	30 (e,m,o)	50%
RM-2	Multiple-Family Residential District	15 units per acre	--	2	25	25 (m)	15 (e,n,m)	30 (e,n,m)	30 (e,m,o)	50%
RM-3	Multiple-Family Residential District	22 units per acre	--	10	120	30 (e,m)	15 (f,e,m)	30 (f,e,m)	35 (o,m,f)	75%
RV-1	Common Lot Line or	10,000	80	2	30	25(c)	Exterior 8/0 (q) Interior 0	Exterior 8/0 (q) Interior 0	30 (o,f)	50%
RV-2	Zero Lot	13,750	110							
RV-3	Linen Interior 30' Exterior 32'	17,500	140							



REQUEST FOR COUNCIL ACTION

To: Mayor Council

CC: City Manager -City Clerk

From: Building Inspector/ Code Enforcement Officer, Ronald Sieh

AGENDA ITEM: DEMOLITION OF BUILDING @ 121 S. 2nd STREET

AGENDA DATE REQUESTED: AUGUST 13,2007

ACTION REQUESTED: Recommendation to approve Bid for \$ 19,000.00

BACKGROUND: Bids were opened on August 30, 2007 in the City of Pekin for the demolition of 121 S. 2nd street. There were three (3) bid submitted, R. Love Demolition in the amount of \$ 19,000.00, C.D.O. Trucking in the amount of \$ 34,500.00 and River City Demolition in the amount of \$ 33,140.00. The City estimated the project at \$ 25,000.00 not including environmental testing and abatement of environmental hazards if required.

FINANCIAL IMPACT: \$ 19,000.00 from the T.I.F. Funds.

NEIGHBORHOOD CONCERNS: This will improve the overall appearance of the proposed riverfront development area and possibly attract a developer if the area is completely ready for development. Also, there are the health and safety concerns with the children entering the building in the deteriorated state it is in with the possibility of collapse.

IMPACT IF APPROVED: \$ 19,000.00 from T. I. F. Funds, removing an unsightly and dangerous building and the continuation for the opportunity to develop the riverfront area.

IMPACT IF DENIED: Continuation of deterioration and hazard of collapse into the State Highway.

ALTERNATIVES: None.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Prosperous Community, Safe Community, High Quality of Life,

BID TABULATIONS

JOB DESCRIPTION AND LOCATION: 121 S. 2nd Street	
OPENING DATE: July 30, 2007 BID OPENING: 10:00 a.m.	Walk Through Required July 23, 2007 8:30 a.m.

CONTRACTOR NAME	BID BOND OR BANK CASHIER'S CHECK	BID	CALENDAR DAYS TO COMPLETE
R. LOVE DEMOLITION		\$19,000.00	
CDO TRUCKING		\$34,500.00	
RIVER CITY DEMOLITION		\$33,140.00	

ESTIMATE: \$
ESTIMATED BY

LEGAL NOTICE TO CONTRACTORS/PUBLIC

1. Time and Place of Opening Bids:

Sealed proposals for the improvement described herein will be received at the office of the City Clerk, 111 S. Capitol Street, City of Pekin, Tazewell County, Illinois, until **10:00 A.M., July 30, 2007** and at that time publicly opened and read.

2. Description of Work:

- a. The proposed improvement is officially known as the Demolition of the Commercial Building at **121 S. 2nd Street** (entire building demolition and removal of all debris).

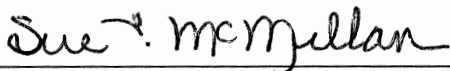
3. Instructions to Bidders:

- (a) Plans and proposal forms may be obtained from the Inspections Department, 111 S. Capitol St., Pekin, Illinois.
- (b) There will be a **mandatory walk-thru** at the job site at **121 S. 2nd Street** on **July 23, 2007 at 8:30 am.**
- (c) In the employment and use of labor, the contractor shall conform to all Illinois Statutory Requirements regarding labor, including but not limited to the following Acts: Illinois Revised Statutes, Ch. 48, Par. 395-1 et se, and Illinois Human Rights Act, Section 2-105.
- (d) The contractor shall submit certified payroll on this project.
- (e) An insurance certificate must be submitted prior to the issuance of the Notice of Award.

4. Rejection of Bids:

The City Council reserves the right to reject any and all proposals as provided in Article 102.08 of the "Standard Specifications for Road And Bridge Construction", prepared by the Department of Transportation of the State of Illinois.

By Order of the Council of the City of Pekin



Sue E. McMillan, City Clerk

BID PROPOSAL**TO: The Council of the City of Pekin**

1. Proposal of _____ for the
demolition of the abandoned buildings at: **121 S. 2nd Street, Pekin, Illinois 61554**

2. The specifications of proposed improvement, are those prepared by the Inspections
Department, 111 S. Capitol Street, Pekin, IL. (309) 477-2315.
The specifications herein referred to are the “Standard Specifications for Road and Bridge Construction”
prepared by the Department of Transportation of the State of Illinois and adopted by said Department on
July 1994 and the “International Building Code”, 2006 Edition.

3. The undersigned declares that he/she/they will comply with the applicable provisions of General
Requirements and Covenants of the specifications.

4. The undersigned agrees to complete the work within sixty (60) calendar days, unless additional time is
granted by the City of Pekin.

5. The undersigned submits herewith his lump sum bid for each location covering the work to be
performed. The total low bid, (if qualified) will be awarded the contract.

My lump sum bid for:

TOTAL BID PRICE \$_____**Signature of Bidder_____ (Seal)****Business Address_____****Phone_____****Cell Phone_____**

PREVAILING WAGE CERTIFICATION

The undersigned _____ hereinafter called the "Contractor", has entered into an agreement with the City of Pekin, Illinois dated of even date herewith, to perform the following work: hereinafter called the "Agreement".

The undersigned certifies that _____ (he, she, it) is not disqualified from executing Agreement by reason of being listed by the Illinois Department of Labor as a contractor or subcontractor found to have disregarded the provisions of the "Illinois Prevailing Wage Act" (Ill. Rex. Stat. Ch. 42, Sec. 39s, et. Seq.; hereinafter-called the "Act" at any time within the past two years.

The undersigned further certifies that all work to be performed by laborers, mechanics and other workers for each craft or type of work to be performed pursuant to said Agreement will be compensated at a rate (including holiday and overtime rates) at least equal to, and in no event less than, the general prevailing rate of hourly wages for such work classification, employed to do work under the Agreement, as determined by the Illinois Department of Labor, for Tazewell County, Illinois, under the authority of the Act.

The undersigned further certifies that any subcontractor employed by the Contractor to do any work pursuant to the Agreement shall be similarly required (as herein required of the Contractor) to compensate all laborers, mechanics and other workers involved therewith in a manner consistent with the requirements of the Act and as herein specified.

The undersigned further certifies that _____ (he, she, it) will in all other respects perform all work pursuant to said Agreement and to compensate all laborers, mechanics and other workers connected therewith in a manner which is in full compliance with the Act.

This Certificate shall be deemed to be a part of the Agreement, and any breach of, or other noncompliance with the terms and provisions hereof by the Contractor shall be deemed a breach of and/or noncompliance with the Agreement, reserving unto the City of Pekin any and all remedies for breach or noncompliance as may be provided by statute or otherwise at law or in equity.

Dated this _____ day of _____, 2007, at Pekin, Illinois

Contractor _____

Phone # _____

If corporation
or partnership by: _____

Title

CERTIFICATION

The undersigned, being an owner/officer of the CONTRACTOR, hereby certifies under oath to the City of Pekin that CONTRACTOR has not elected for its owners/officers to be covered by the Illinois Worker's Compensation Act (820 ILCS 305/1 et. seq.) or the comparable statutes of any other State.

This certification is made to induce the City of Pekin to enter into the attached contract without requiring a certificate of insurance showing workers compensation coverage for the owners/officers of CONTRACTOR.

DATED: _____

(Seal)

Subscribed and sworn
to before me this

_____ Day of _____, 2007.

Notary Public

NOTICE OF AWARD AND TO PROCEED

TO: _____

PROJECT: _____

For demolition and removal of the structures at: **121 S. 2nd Street**
 Pekin, Illinois. All work shall meet all requirements and specifications.

The OWNER has considered the Proposal (Bid) submitted by you for the
 above described WORK in response to it's Notice to Bidders dated _____
 _____.

You are hereby notified that your Proposal (Bid) has been accepted for
 items in the amount of \$_____.

You are required by the 'Notice to Bidders" to execute the CONTRACT.
 You are hereby notified to commence WORK by _____ in accordance with the
 contract dated _____.
 The date of completion of all WORK is therefore _____.

You are required to return an acknowledged copy of this "Notice of
 Award" to the owner.

CITY OF PEKIN ILLINOIS

By _____

Title _____

ACCEPTANCE OF NOTICE

Receipt of the above "Notice of Award" is hereby acknowledged by:

_____ this _____ day of _____, 2007.

By: _____

Title: _____

Office Phone: _____

Cell Phone: _____



REQUEST FOR COUNCIL ACTION

To: Council Members

CC: Dennis Kief, Sue McMillan, Angie Evans, & City Attorney

From: Joe Wuellner

AGENDA ITEM: Recommend Acceptance of Bids – Midwest Eye Care

AGENDA DATE REQUESTED: August 13, 2007

ACTION REQUESTED: Approval of recommendation to accept bid from Otto Baum to perform work at Midwest Eye Care.

BACKGROUND: As part of the right of way acquisition process for the property needed from Midwest Eye Care on the northwest corner, it was agreed that the parking lot would be extended in order to keep the present number of parking spaces.

FINANCIAL IMPACT: \$28,685 (will submit a request to use MFT funds for this project)

NEIGHBORHOOD CONCERNS: No concern to the neighborhood as this parking lot exists now.

IMPACT IF APPROVED: Fulfills critical part of the agreement for the right of way.

IMPACT IF DENIED: Negate the agreement and the right of way would be lost, the project cancelled, and \$800,000 worth of federal and state funding returned.

ALTERNATIVES: None since parking was a critical item in the negotiations.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Safe Community & Strong Foundation

Notice to Bidders**RETURN WITH BID**

Route

County

Local Agency

Section

Tazewell

Pekin

Midwest Eye Care

Time and Place of Opening of BidsSealed proposals for the improvement described below will be received at the office of City ClerkPekin City Hall, 111 S. Capitol St. Pekin, IL 61554

(address)

until 2:00 o'clock P M., July 24, 2007 Proposals will be opened and read publiclyat 2:00 o'clock P M., July 24, 2007

(date)

at the office of City Clerk

(date)

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

(address)

Description of WorkName Midwest Eye Care Length _____ feet (_____ miles)Location 101 N. ParkwayProposed Improvement Parking Lot Expansion**Bidders Instructions**

1. Plans and proposal forms will be available in the office of City Clerk, 111 S. Capitol St., Pekin, IL
2. If prequalification is required, the 2 low bidders must file within 24 hours after the letting an "Affidavit of Availability" (Form BC 57), in triplicate, showing all uncompleted contracts awarded to them and all low bids pending award for Federal, State, County, Municipal and private work. One copy shall be filed with the Awarding Authority and 2 copies with the IDOT District Office.
3. All proposals must be accompanied by a proposal guaranty as provided in BLRS Special Provision for Bidding Requirements and Conditions for Contract Proposals contained in the "Supplemental Specifications and Recurring Special Provisions".
4. The Awarding Authority reserves the right to waive technicalities and to reject any or all proposals as provided in BLRS Special Provision for Bidding Requirements and Conditions for Contract Proposals contained in the "Supplemental Specifications and Recurring Special Provisions".
5. Bidders need not return the entire contract proposal when bids are submitted unless otherwise required. Portions of the proposal that must be returned include the following:
 - a. BLR 12210 - Contract Cover
 - b. BLR 12220 - Notice to Bidders
 - c. BLR 12221 - Contract Proposal
 - d. BLR 12222 - Contract Schedule of Prices
 - e. BLR 12223 - Signatures
 - f. BLR 12230 - Proposal Bid Bond (if applicable)
 - g. BLR 12325 - Certified Apprenticeship and Training Program
6. The quantities appearing in the bid schedule are approximate and are prepared for the comparison of bids. Payment to the Contractor will be made only for the actual quantities of work performed and accepted or materials furnished according to the contract. The scheduled quantities of work to be done and materials to be furnished may be increased, decreased or omitted as hereinafter provided.

- 7. Submission of a bid shall be conclusive assurance and warranty the bidder has examined the plans and understands all requirements for the performance of work. The bidder will be responsible for all errors in the proposal resulting from failure or neglect to conduct an in depth examination. The Awarding Authority will, in no case be responsible for any costs, expenses, losses or changes in anticipated profits resulting from such failure or neglect of the bidder.
- 8. The bidder shall take no advantage of any error or omission in the proposal and advertised contract.
- 9. If a special envelope is supplied by the Awarding Authority, each proposal should be submitted in that envelope furnished by the Awarding Agency and the blank spaces on the envelope shall be filled in correctly to clearly indicate its contents. When an envelope other than the special one furnished by the Awarding Authority is used, it shall be marked to clearly indicate its contents. When sent by mail, the sealed proposal shall be addressed to the Awarding Authority at the address and in care of the official in whose office the bids are to be received. All proposals shall be filed prior to the time and at the place specified in the Notice to Bidders. Proposals received after the time specified will be returned to the bidder unopened.
- 10. Permission will be given to a bidder to withdraw a proposal if the bidder makes the request in writing or in person before the time for opening proposals.

By Order of

(Awarding Authority)

County Engineer/County Superintendent of Highways/Municipal Clerk

Note: All proposal documents, including Proposal Guaranty Checks or Proposal Bid Bonds, should be stapled together to prevent loss when bids are processed.

BID TABULATIONS

JOB DESCRIPTION AND LOCATION:
Broadway and Parkway Intersection - Midwest Eye Care Parking Lot Expansion
OPENING DATE: July 24, 2007
BID OPENING: 2:00 p.m.

CONTRACTOR NAME	BID BOND OR BANK CASHIER'S CHECK	BID	CALENDAR DAYS TO COMPLETE
OTTO BAUM COMPANY, INC.	5% Bid Bond	\$28,685.00	September 1, 2007
ILLINOIS CIVIL CONTRACTORS, INC.	5% Bid Bond	\$30,650.00	September 1, 2007

ESTIMATE: \$25,000.00
ESTIMATED BY Joe Wuellner and Maurer-Stutz, Inc

RESOLUTION NO.

**RESOLUTION OF THE CITY OF PEKIN, ILLINOIS
APPROVING THE TRANSFER OF THE CABLE FRANCHISE**

WHEREAS, Insight Communications Midwest, LLC (“Franchisee”) owns a cable television system (the “System”) operating in the City of Pekin, Illinois (the “Franchise Authority”); and

WHEREAS, through direct or indirect subsidiaries, Comcast Corporation (“Comcast”) and Insight Communications Company, L.P. (“Insight”), each holds a 50% ownership interest in Insight Midwest, L.P., of which the Franchisee is a wholly-owned indirect subsidiary; and

WHEREAS, pursuant to the terms of an agreement entered into by subsidiaries and affiliates of Comcast and Insight, Comcast, through a wholly-owned subsidiary, will acquire the 50% ownership interest in the System currently held by Insight; and

WHEREAS, to effectuate Comcast’s acquisition of the 50% ownership interest in the System currently held indirectly by Insight (1) the Franchisee will assign the cable system and franchise to Illinois/Indiana Systems Group, LLC, a wholly-owned subsidiary of Insight Midwest, L.P., and (2) immediately thereafter, TCI of Indiana Holdings, LLC, will obtain the 100% ownership interest in Illinois/Indiana Systems Group, LLC (collectively, the “Transaction”); and

WHEREAS, Franchise Authority has concluded its approval is necessary for the above-described Transaction and has been provided an FCC Form 394 and related information for such Transaction; and

WHEREAS, the Franchise Authority has considered and approves of the Transaction described above.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The foregoing recitals are approved and incorporated herein by reference.
2. The Franchise Authority consents to the Transaction described herein.
3. This Resolution shall be deemed effective upon adoption.
4. This Resolution shall have the force of a continuing agreement and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of the Franchisee.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS this
day of _____, 2007.

AYES
NAYS
ABSTENTIONS
PRESENT

R. DAVID TEBBEN - MAYOR

ATTEST:

SUE E. McMILLAN - CITY CLERK