



REGULAR COUNCIL MEETING MONDAY, AUGUST 8, 2016
5:30 P.M.

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE <i>Mayor John McCabe</i>		
3.0 ROLL CALL <i>Clerk to Call the Roll</i>		
4.0 APPROVAL OF AGENDA <i>ACTION: Motion to approve the meeting agenda.</i> <i>VOTE REQUIRED</i>		
5.0 APPROVAL OF MINUTES <i>ACTION: Motion to approve minutes of the Regular Council Meeting of July 25, 2016</i> <i>VOTE REQUIRED</i>		
6.0 PUBLIC INPUT		
7.0 CONSENT AGENDA		
7.1 Receive and File Monthly Reports and Minutes: May and June Building, Inspections, Zoning Reports; and Liquor Commission draft minutes dated July 28, 2016.		5
<i>ACTION: Motion to approve all items listed on the Consent Agenda by Omnibus Vote.</i> <i>VOTE REQUIRED TO APPROVE CONSENT AGENDA</i>		
8.0 COMMUNICATINS, PETITIONS, REPORTS		
8.1 Draft Adjudication Ordinance	JD	2
9.0 NEW BUSINESS		
9.1 Agreement with Amec Foster Wheeler for Stormwater Utility Implementation Public Education and Outreach <i>DESCRIPTION: Approval of a professional services agreement to assist in the Stormwater Utility Public Education and Outreach in an amount not to exceed #11,987.00.</i> <i>VOTE REQUIRED</i>		

10.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL		
11.0 EXECUTIVE SESSION 5 ILCS 120/2 (c)		
12.0 ADJOURN NO VOTE REQUIRED		

Column 1 Key:

MG Michael Guerra City Engineer SN Sarah Newcomb Interim City Manager
JD John Dossey Police Chief

Column 2 Key:

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

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, JULY 25, 2016 AT 5:30 O'CLOCK P.M.
LLOYD ORRICK * MAYOR PRO TEM * PRESIDING**

PRESENT: COUNCIL MEMBERS, GOLDEN, ORRICK, ABEL, RITCHASON, LUFT, DUNN

ABSENT: MAYOR JOHN MCCABE

Pursuant to Resolution No. 22-07/08, adopted November 26, 2007 and by Resolution No. 1-15/16, Council Member Lloyd Orrick was appointed Mayor Pro Tem.

The **Pledge of Allegiance** was led by Mayor Pro Tem Orrick

Roll was called. Mayor McCabe was absent. All other members were physically present. A quorum was declared.

AGENDA

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

MINUTES

Motion by Council Member Dunn, seconded by Council Member Abel that the **minutes of the Regular City Council Meeting of July 11, 2016 be approved as written**. On roll call vote all present voted Aye.

PUBLIC INPUT

Mr, Tom Jenkey was asked to address the Council with a non-agenda item at the end of the meeting.

John McNish questioned if anyone would be speaking to the Council at this meeting that the public was not made aware of first on the agenda.

Ann Witzig addressed the utilization of the Motor Fuel Tax Fund to pay the annual participation agreement with PPUATS. She asked several questions that she was informed would be answered in the presentation of the Request for Council Action and business item.

- What does the study consist of?
- What will it benefit?
- How will money be used?
- Where will it be deposited, general fund?
- Is it earmarked for its use?
- Does Pekin need or want a port?
- What is the non-motorized wayward funding study?
- Can it be used for street repairs?
- Is there documentation showing what the money has been used for the last 2 years?

Mrs. Witzig gave the Interim City Manager the list to be answered in the Post Council Report.

CONSENT AGENDA

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

7.1 Receive and File Monthly Reports and Minutes: Police Department June Report, Tazewell Animal Control June Report and Tourism Committee Minutes dated July 12, 2016.		5
7.2 Receive and File: Resignation Dennis Kief from Economic Advisory Committee.		5

On roll call vote all present voted Aye.

NEW BUSINESS

Motion by Council Member Luft, seconded by Council Member Dunn that the **JOINT AGREEMENT WITH TRI-COUNTY REGIONAL PLANNING COMMISSION** be approved. City Engineer Michael Guerra presented to the Council the annual agreement with participating agencies for Peoria/Pekin Urbanized Area Transportation Study in the amount of \$11,729.46. He informed the Council of the benefit to the City in providing an association with a Metropolitan Planning Organization, Tri County Regional Planning Commission. The MPO was necessary in receiving federal study and construction money funneled through the State of Illinois. Mr. Guerra explained to the Council following Mrs. Witzig's public input and Council Member Golden's inquiry that Pekin was a participant in 2 transportation studies in which it had been awarded \$37,500 for infrastructure study for a port location and \$30,000 for a non-motorized wayward finding study. Mayor Pro Tem Orrick noted historically Pekin had received several million dollars for roadway construction projects with its participation in PPUATS. The City Engineer reported Pekin received an estimated 7 million dollars – Parkway Broadway Intersection \$1.7 million, Broadway Widening \$3 million, Petri Lane \$1.3 million. Council Member Golden addressed several questions to City Engineer Michael Guerra in regards to his familiarity of requirements for sidewalk snow removal by the municipality accepting federal funding. The Council Member questioned if the City had a type of snow removal sidewalk procedure. Mr. Guerra indicated the City could review requirements if necessary and budget for the equipment expenses. Council Member Golden next questioned why a decision could not have been made to just purchase all signs necessary instead of utilizing \$30,000 for a study of signs. The Engineer responded that material purchases were not included in the funding and could only be used for the intended purpose. He also advised the Council Member that the Motor Fuel Tax funding was not based on population and that the 2015 allocation from the State, an estimated \$803,000 was received and utilized for street maintenance, tree trimming, traffic lights, street patching approved by Council resolution. On roll call vote, Ayes, Dunn, Abel, Ritchason, Luft and Orrick; Nay Golden. Motion Carried. Motion Carried.

RESOLUTION NO. 34-16/17 **APPROPRIATION OF MOTOR FUEL TAX** **75-00107-20-ES**

Motion by Council Member Luft, seconded by Council Member Dunn that Resolution No. 34-16/17 be adopted. City Engineer advised the Council that the resolution authorized the City to utilize MFT Funding in the amount of \$11,729.46 for the Peoria/Pekin Urbanized Area Transportation Study annual membership dues, approved by Council in the previous business item. In answer to Council Member Golden's question, Mr. Guerra reported the unspent difference between the appropriated \$15,000 and the \$11,000 plus remained in the Motor Fuel Tax Fund. On roll call vote, Ayes, Dunn, Abel, Ritchason, Luft and Orrick; Nay Golden. Motion Carried. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Tom Jenkey addressed the Council on earning respect. He stated his displeasure that as a snowbird he was still charged a garbage fee and that he did not know anything about the City electronic payment system. He suggested creating an incentive to the taxpayer for using the system. He expressed dissatisfaction with the Council for contemplating a stormwater fee. Mr. Jenkey commented that a garbage fee was enacted to make-up a \$1.6 million deficit and now a stormwater fee to make up this year's deficit instead of to stormwater projects.

John McNish thanked the Police Chief for his exchange of information after the last meeting. Mr. McNish commented, questioned, or voiced concern on the following matters:

- Would anyone be checking the energy dollars savings for the contract awarded to Standard Heating & Air Conditioning for City Building HVAC maintenance.
- Noticed lots of empty houses through the city and curious why
- Derby Street City property full of garbage cans. Would the property be staying or sold
- Why Treasurer Jim Wolf left the Council meeting after Council Member Orrick inquired if he wanted to be annexed into the City.
- Had the City considered looking into the City of Bloomington's recent elimination of sick leave buy-back.
- Reported that his call to the Attorney General Office indicated there was no call from the Corporation Counsel regarding an Open meetings Act violation.
- The deadline for a public question on the November ballot had passed but enough signatures would be obtained for the April election on the question to abolish Home Rule.
- What happened to Sazani's Restaurant.

Ann Witzig stated it was disrespectful of Mr. Guerra to the public to have the gentle man speak at the last meeting on storm water when it was not on the Council agenda. She felt there was no need and a waste of money for a study on a bike trail for Pekin. Mrs. Witzig reprimanded the Council as parents of the City for not saving every dollar.

Interim City Manager Sarah Newcomb expressed appreciation to the public for cleaning up the riverfront area. She clarified that the decision to include at the last meeting the consultant on storm water was not Mike Guerra acting alone. After being scheduled but inadvertently left off the agenda, it was prudent to allow the gentleman to speak after traveling a great distance.

Police Chief Dossey informed the council and public that the first of 7 educational videos for the public component on dealing with heroin addiction was posted on the Department website. Activities in the department also have included the second live video virtual ride-along postings.

Council Member Luft reported that he and other members had viewed areas of brick streets that contained so much grass and weed that the curbs were covered into the streets. He asked if they could be sprayed and was told that the City could no longer spray per EPA regulations of stormwater into the sewer system. Mr. Guerra reported he would check the permit and talked to other municipalities concerning their practices. Council Member Luft asked for some resolve to the issue. He asked that a city limit sign be placed on Audubon. The Council Member commented that the City did need the right leadership in the right spot and that the Council should focus together on moving forward as Council Member Ritchason had pointed out at a previous meeting. He stated things run on routine instead of passion and the need to get out of. There needed change of sense of entitlement to sense of appreciation for community.

Council Member Abel asked that the attachment to the resignation of Denny Kief, the summary of economic development, be given to the new City Manager for review. He informed the staff that he had received concerns of the maintenance of the sidewalks and railings along the 14th Street ditch. The Council Member spoke of the social media postings charging the staff and Council of blackmail and bribery. He asked that the person using the inflammatory words to back off and to come to a Council Meeting for face to face confrontation.

Council Member Ritchason announced a reminder that Saturday, July 30, 2016 was the St. Jude Run and asked that drivers be cautious and extended kudo's to all participants. He encouraged the public to donate a few dollars.

Council Member Golden expressed concern or questioned the following:

- After requesting copies of engineering agreements he noticed the City continues to violate procurement and contracting ordinance and statutes. The City Engineer did not have the authority by delegation of the Council or in the job description to enter into contracts without Council approval. He pointed out that the contracting ordinance was not followed on two Farnsworth Engineering agreements, one Midwest and the "rain tax" consulting agreement. He questioned what was being done to correct this.
- He questioned why the property on Mall Road was only part demolished, floor joint remained, and who did the City pay for the demolition?
- The Council Member pointed out several concerns he had in comparing the 1995 ADA Transition Plan and reviewing the Public Right of Way Accessibility Transition Plan for the City of Pekin 2016. Public comments would be taken on Tuesday, August 9, 2016 at a Public Meeting. He questioned that the new plan did not address public right of way. He questioned if the Engineer understood cost was not a trigger for the technical and feasibility of implementation. Mr. Guerra noted the need to be fiscal responsible. He remarked that he had not received an answer to his question a year ago of how many ramps were completed with HUD money and where the annual City maintenance program was. He went on to questions the number of curbs identified and the \$40,000.00 annually proposed from HUD and MFT programs. He stated he could not consider talking about a rain tax when requirements for Federal funds had been mismanaged.
- In regards to the GovHR City Manager search, he requested to see resumes of applicants that had been eliminated and the selection criteria for that action. Council Member Orrick stated he had discussed the topic with the Interim City Manager and had requested applications with personal information redacted. Council Member Abel questioned why the need to review applications at this point. That was why the company was hired or the City could have completed the hiring.
- Calming strips were requested at the bottom of Sierra hill on each side of the golf cart path.

- Requested ordinance for stricter enforcement for violating the use of cell phones. Ms. Newcomb responded that the staff was working on the issue. The violation would be in the new adjudication ordinance and the police department had just completed compliance check in the City. The Council Member suggested those that break the law pay for the maintenance of streets.

Mayor Pro Tem Orrick referring to the annual membership to the PPUATS membership, stated that the City had really gotten the money back with projects such as intersections of 14th Street and Derby; 14th Street and Park Avenue; and 14th Street. He suggested to the staff that on the RFCA engineering fees and if public works projects were bid out be a check box on the form.

No further business to come before the Council, motion by Council Member Luft that Council adjourn. Motion carried voice vote. Mayor Pro Tem Orrick adjourned the meeting.

COUNCIL ADJOURNED AT 6:55 P.M.

Sue E. McMillan
City Clerk

General Ledger

Revenue Analysis

User: sjnewcomb
 Printed: 8/1/2016 - 9:44 AM
 Period: 02, 2017
 Fiscal Year: 2017
 JE Number: 0



City Of Pekin
 in S. Capitol
 Pekin, IL 61554

Account Number	FP	JE	Description	Period Revenue Receipt No.	Date	Batch No.
100-793-420500			Hvac License			
6/13/2016	CR	2	101 HVAC License Discount Heating & Cooling	CR	100.00 Rcpt: 277480	06/07/2016 Batch: 2016 6 2507
6/13/2016	CR	2	102 HVAC License All Type Heating & Cooling	CR	100.00 Rcpt: 278248	06/09/2016 Batch: 2016 6 2509
6/14/2016	CR	2	120 HVAC License Nicholas Mucciante	CR	50.00 Rcpt: 278939	06/13/2016 Batch: 2016 6 2513
6/30/2016	CR	2	288 HVAC License Tim Kwiatkowski	CR	100.00 Rcpt: 284274	06/28/2016 Batch: 2016 6 2529
100-793-420800			Electrical Contractors License			
6/24/2016	CR	2	239 Electrical License Allen Sign Co	CR	100.00 Rcpt: 281753	06/23/2016 Batch: 2016 6 2523
100-793-425100			Final Plat Review Filing			
6/20/2016	CR	2	171 Final Plat Rev Fil Fee Darrell Dies, PC	CR	25.00 Rcpt: 279377	06/16/2016 Batch: 2016 6 2516
6/27/2016	CR	2	262 Final Plat Rev Fil Fee Bagley & Miller	CR	100.00 Rcpt: 283237	06/27/2016 Batch: 2016 6 2527
100-793-425500			Hvac Permit			
6/6/2016	CR	2	44 HVAC Permit Kalman Engineering Inc	CR	40.00 Rcpt: 274433	06/02/2016 Batch: 2016 6 2502
6/7/2016	CR	2	55 HVAC Permit Discount Heating	CR	80.00 Rcpt: 276735	06/06/2016 Batch: 2016 6 2506
6/13/2016	CR	2	101 HVAC Permit Lambie Heating & Air	CR	40.00 Rcpt: 277479	06/07/2016 Batch: 2016 6 2507
6/13/2016	CR	2	102 HVAC Permit All Type Heating & Cooling	CR	20.00 Rcpt: 278248	06/09/2016 Batch: 2016 6 2509
6/14/2016	CR	2	120 HVAC Permit Troublefree	CR	40.00 Rcpt: 278948	06/13/2016 Batch: 2016 6 2513
6/14/2016	CR	2	120 HVAC Permit Troublefree	CR	40.00 Rcpt: 278949	06/13/2016 Batch: 2016 6 2513
6/14/2016	CR	2	120 HVAC Permit Troublefree	CR	40.00 Rcpt: 278950	06/13/2016 Batch: 2016 6 2513
6/14/2016	CR	2	120 HVAC Permit Troublefree	CR	20.00 Rcpt: 278951	06/13/2016 Batch: 2016 6 2513
6/14/2016	CR	2	120 HVAC Permit Troublefree	CR	20.00 Rcpt: 278953	06/13/2016 Batch: 2016 6 2513
6/15/2016	CR	2	126 HVAC Permit Central HVAC	CR	80.00 Rcpt: 278954	06/14/2016 Batch: 2016 6 2514
6/15/2016	CR	2	126 HVAC Permit Covenant Heating & Air	CR	20.00 Rcpt: 279136	06/14/2016 Batch: 2016 6 2514
6/15/2016	CR	2	126 HVAC Permit Covenant Heating & Air	CR	40.00 Rcpt: 279137	06/14/2016 Batch: 2016 6 2514
6/15/2016	CR	2	126 HVAC Permit Fritch Heating/Cooling	CR	20.00 Rcpt: 279163	06/14/2016 Batch: 2016 6 2514
6/20/2016	CR	2	171 HVAC Permit McCamy Heating & Air Cond	CR	40.00 Rcpt: 279383	06/16/2016 Batch: 2016 6 2516
6/22/2016	CR	2	198 HVAC Permit Stuber Heating & Air	CR	40.00 Rcpt: 280486	06/21/2016 Batch: 2016 6 2521
6/22/2016	CR	2	198 HVAC Permit Covenant Heating & Air	CR	80.00 Rcpt: 280502	06/21/2016 Batch: 2016 6 2521
6/27/2016	CR	2	255 HVAC Permit Covenant Heating & Air	CR	80.00 Rcpt: 282305	06/24/2016 Batch: 2016 6 2524
6/27/2016	CR	2	255 HVAC Permit Covenant Heating & Air	CR	40.00 Rcpt: 282306	06/24/2016 Batch: 2016 6 2524
6/27/2016	CR	2	262 HVAC Permit Mathew Lindsey	CR	40.00 Rcpt: 282889	06/27/2016 Batch: 2016 6 2527
6/27/2016	CR	2	262 HVAC Permit Central HVAC Kalman Engineering, Inc	CR	20.00 Rcpt: 283227	06/27/2016 Batch: 2016 6 2527
6/27/2016	CR	2	262 HVAC Permit Cordts Heating & AC	CR	200.00 Rcpt: 283228	06/27/2016 Batch: 2016 6 2527
6/28/2016	CR	2	268 HVAC Permit McCamy Heating & Air Cond, Inc	CR	20.00 Rcpt: 283672	06/27/2016 Batch: 2016 6 2528

6/30/2016	CR	2	288 HVAC Permit Central HVAC Kalman Engineering Inc	CR	40.00	Rept: 284425	06/29/2016	Batch: 2016 6 2529
100-793-426000			Electrical Permits					
6/6/2016	CR	2	44 Electrical Permit Stropes Real Estate, LLC	CR	43.00	Rept: 274420	06/02/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Electrical Permit Oberlander Electric	CR	43.00	Rept: 274422	06/02/2016	Batch: 2016 6 2502
6/7/2016	CR	2	55 Electrical Permit Schwartz Electric	CR	49.00	Rept: 276653	06/06/2016	Batch: 2016 6 2506
6/7/2016	CR	2	55 Electrical Permit Ron Sarver	CR	43.00	Rept: 276725	06/06/2016	Batch: 2016 6 2506
6/7/2016	CR	2	55 Electrical Permit Veronica Rushing	CR	26.00	Rept: 276728	06/06/2016	Batch: 2016 6 2506
6/10/2016	CR	2	97 Electrical Permit Fryman Electric	CR	43.00	Rept: 278292	06/10/2016	Batch: 2016 6 2510
6/10/2016	CR	2	97 Electrical Permit Justin Phillips	CR	26.00	Rept: 278295	06/10/2016	Batch: 2016 6 2510
6/13/2016	CR	2	102 Electrical Permit Schwartz Electric	CR	54.00	Rept: 278231	06/09/2016	Batch: 2016 6 2509
6/13/2016	CR	2	102 Electrical Permit Backyard Living	CR	140.00	Rept: 278243	06/09/2016	Batch: 2016 6 2509
6/13/2016	CR	2	102 Electrical Permit Gerald Anderson	CR	26.00	Rept: 278244	06/09/2016	Batch: 2016 6 2509
6/13/2016	CR	2	102 Electrical Permit Damien Williams	CR	43.00	Rept: 278247	06/09/2016	Batch: 2016 6 2509
6/13/2016	CR	2	104 Electrical Permit Trapp Electric	CR	49.00	Rept: 277673	06/08/2016	Batch: 2016 6 2508
6/13/2016	CR	2	104 Electrical Permit David Benassi	CR	26.00	Rept: 277674	06/08/2016	Batch: 2016 6 2508
6/13/2016	CR	2	104 Electrical Permit TN Smith Electrical	CR	31.00	Rept: 277680	06/08/2016	Batch: 2016 6 2508
6/15/2016	CR	2	126 Electrical Permit Caleb Davis	CR	43.00	Rept: 278956	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	126 Electrical Permit Kara Stiles	CR	26.00	Rept: 279164	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	142 Electrical Permit Michael Kaufmann	CR	43.00	Rept: 279236	06/15/2016	Batch: 2016 6 2521
6/15/2016	CR	2	142 Electrical Permit Johnson Mechanical	CR	43.00	Rept: 279241	06/15/2016	Batch: 2016 6 2521
6/15/2016	CR	2	143 Electrical Permit Copperfield Communications	CR	43.00	Rept: 279281	06/15/2016	Batch: 2016 6 2515
6/15/2016	CR	2	143 Electrical Permit Alan Abbott	CR	43.00	Rept: 279284	06/15/2016	Batch: 2016 6 2515
6/15/2016	CR	2	143 Electrical Permit Schwartz Electric & Sign	CR	43.00	Rept: 279285	06/15/2016	Batch: 2016 6 2515
6/20/2016	CR	2	171 Electrical Permit Johnson Mechanical Service	CR	31.00	Rept: 279384	06/16/2016	Batch: 2016 6 2516
6/20/2016	CR	2	171 Electrical Permit Johnson Mechanical Services	CR	43.00	Rept: 279385	06/16/2016	Batch: 2016 6 2516
6/22/2016	CR	2	198 Electrical Permit J Horn Electric LLC	CR	43.00	Rept: 280485	06/21/2016	Batch: 2016 6 2521
6/22/2016	CR	2	198 Electrical Permit Schuck Heating & Cooling	CR	43.00	Rept: 280495	06/21/2016	Batch: 2016 6 2521
6/22/2016	CR	2	198 Electrical Permit Kellum & Kinzer Electric Inc	CR	43.00	Rept: 280501	06/21/2016	Batch: 2016 6 2521
6/24/2016	CR	2	239 Electrical Permit Allen Sign	CR	39.00	Rept: 282163	06/23/2016	Batch: 2016 6 2523
6/24/2016	CR	2	248 Electrical Permit Louis Watkins	CR	56.00	Rept: 281501	06/23/2016	Batch: 2016 6 2762
6/27/2016	CR	2	262 Electrical Permit Ron Sarver	CR	15.00	Rept: 282874	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Electrical Permit Darin Lard	CR	31.00	Rept: 282896	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Electrical Permit CIES Central IL Electrical Services	CR	43.00	Rept: 283222	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Electrical Permit L & F Electric Inc	CR	43.00	Rept: 283224	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Electrical Permit Schwartz Electric & Sign	CR	43.00	Rept: 283225	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Electrical Permit Grimm Electric, Inc	CR	379.00	Rept: 283226	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Electrical Permit CIES Central IL Electric Services	CR	43.00	Rept: 283229	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Electrical Permit Arnold Spiker	CR	31.00	Rept: 283230	06/27/2016	Batch: 2016 6 2527
6/30/2016	CR	2	288 Electrical Permit Josh Fryman Fryman Electric	CR	15.00	Rept: 284423	06/29/2016	Batch: 2016 6 2529
6/30/2016	CR	2	288 Electrical Permit Trapp Electric	CR	129.00	Rept: 284424	06/29/2016	Batch: 2016 6 2529
100-793-426400			Building And Rezoning Permit					
6/2/2016	CR	2	15 Building Rezoning Permits Jerry Cremblet	CR	35.00	Rept: 273840	06/01/2016	Batch: 2016 5 2501

6/6/2016	CR	2	44 Building Rezoning Permits Jack Doman	CR	35.00	Rept: 274184	06/01/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Mike McKinley	CR	53.00	Rept: 274189	06/01/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Steve Depew	CR	50.00	Rept: 274393	06/02/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Svendsen Construction Co	CR	59.00	Rept: 274403	06/02/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Stefanie Wilson	CR	197.00	Rept: 274418	06/02/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Derek Driggers	CR	56.00	Rept: 274419	06/02/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Randy Forbis	CR	20.00	Rept: 274421	06/02/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Larry Vaughn	CR	40.00	Rept: 274425	06/02/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Anthony Cash	CR	20.00	Rept: 274428	06/02/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Peoria Siding	CR	62.00	Rept: 274432	06/02/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Cordts Heating & AC	CR	160.00	Rept: 275055	06/03/2016	Batch: 2016 6 2502
6/6/2016	CR	2	44 Building Rezoning Permits Comfort Specialists Inc	CR	40.00	Rept: 275060	06/03/2016	Batch: 2016 6 2502
6/7/2016	CR	2	55 Building Rezoning Permits Meinold Construction Inc	CR	110.00	Rept: 276654	06/06/2016	Batch: 2016 6 2506
6/7/2016	CR	2	55 Building Rezoning Permits Mathieu Bastien	CR	20.00	Rept: 276656	06/06/2016	Batch: 2016 6 2506
6/7/2016	CR	2	55 Building Rezoning Permits Brandon Skoeaj	CR	62.00	Rept: 276657	06/06/2016	Batch: 2016 6 2506
6/7/2016	CR	2	55 Building Rezoning Permits TCRC	CR	20.00	Rept: 276658	06/06/2016	Batch: 2016 6 2506
6/7/2016	CR	2	55 Building Rezoning Permits Commercial Irrigation & Turf	CR	40.00	Rept: 276693	06/06/2016	Batch: 2016 6 2506
6/7/2016	CR	2	55 Building Rezoning Permits Veronica Rushing	CR	40.00	Rept: 276728	06/06/2016	Batch: 2016 6 2506
6/10/2016	CR	2	97 Building Rezoning Permits Joshua Rudd	CR	20.00	Rept: 278293	06/10/2016	Batch: 2016 6 2510
6/10/2016	CR	2	97 Building Rezoning Permits Justin Phillips	CR	20.00	Rept: 278295	06/10/2016	Batch: 2016 6 2510
6/13/2016	CR	2	102 Building Rezoning Permits TCM of Central Illinois, Inc	CR	59.00	Rept: 278242	06/09/2016	Batch: 2016 6 2509
6/13/2016	CR	2	102 Building Rezoning Permits Jerry Herbstreith	CR	20.00	Rept: 278245	06/09/2016	Batch: 2016 6 2509
6/13/2016	CR	2	104 Building Rezoning Permits Schwartz Electric	CR	86.00	Rept: 277669	06/08/2016	Batch: 2016 6 2508
6/13/2016	CR	2	104 Building Rezoning Permits David Stiles	CR	20.00	Rept: 277670	06/08/2016	Batch: 2016 6 2508
6/13/2016	CR	2	104 Building Rezoning Permits Sherry Arnett	CR	20.00	Rept: 277675	06/08/2016	Batch: 2016 6 2508
6/13/2016	CR	2	104 Building Rezoning Permits Chris Cupi	CR	563.00	Rept: 277676	06/08/2016	Batch: 2016 6 2508
6/13/2016	CR	2	104 Building Rezoning Permits Chris Cupi LLEDEM Properties	CR	572.00	Rept: 277677	06/08/2016	Batch: 2016 6 2508
6/13/2016	CR	2	104 Building Rezoning Permits William Joveia	CR	40.00	Rept: 277679	06/08/2016	Batch: 2016 6 2508
6/13/2016	CR	2	104 Building Rezoning Permits Hornecker Construction	CR	101.00	Rept: 277684	06/08/2016	Batch: 2016 6 2508
6/14/2016	CR	2	120 Building Rezoning Permits Tim Mucciante Builders	CR	50.00	Rept: 278902	06/13/2016	Batch: 2016 6 2513
6/14/2016	CR	2	120 Building Rezoning Permits Jason Hamilton	CR	35.00	Rept: 278938	06/13/2016	Batch: 2016 6 2513
6/14/2016	CR	2	120 Building Rezoning Permits John Wald	CR	40.00	Rept: 278940	06/13/2016	Batch: 2016 6 2513
6/15/2016	CR	2	126 Building Rezoning Permits Nick King	CR	20.00	Rept: 278957	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	126 Building Rezoning Permits Jim Ruth	CR	50.00	Rept: 279111	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	126 Building Rezoning Permits Paula Sims	CR	20.00	Rept: 279131	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	126 Building Rezoning Permits Kara Stiles	CR	20.00	Rept: 279132	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	126 Building Rezoning Permits Bill Rogers	CR	20.00	Rept: 279133	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	126 Building Rezoning Permits Leon Fivecoat	CR	20.00	Rept: 279135	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	126 Building Rezoning Permits Thomas Oberle	CR	20.00	Rept: 279157	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	126 Building Rezoning Permits Darren Arnett	CR	20.00	Rept: 279196	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	143 Building Rezoning Permits N Zobrist Construction	CR	1,415.00	Rept: 279280	06/15/2016	Batch: 2016 6 2515
6/15/2016	CR	2	143 Building Rezoning Permits Greg Sherlock	CR	20.00	Rept: 279282	06/15/2016	Batch: 2016 6 2515

6/15/2016	CR	2	143 Building Rezoning Permits Merle Northrup	CR	20.00	Rept: 279283	06/15/2016	Batch: 2016 6 2515
6/20/2016	CR	2	171 Building Rezoning Permits Advanced Demolition	CR	40.00	Rept: 279375	06/16/2016	Batch: 2016 6 2516
6/20/2016	CR	2	171 Building Rezoning Permits Maggie Morgan	CR	20.00	Rept: 279403	06/16/2016	Batch: 2016 6 2516
6/22/2016	CR	2	198 Building Rezoning Permits Alan White	CR	20.00	Rept: 280484	06/21/2016	Batch: 2016 6 2521
6/22/2016	CR	2	198 Building Rezoning Permits Mike Frye	CR	20.00	Rept: 280487	06/21/2016	Batch: 2016 6 2521
6/22/2016	CR	2	198 Building Rezoning Permits Phelps Plumbing	CR	20.00	Rept: 280497	06/21/2016	Batch: 2016 6 2521
6/22/2016	CR	2	198 Building Rezoning Permits Whitney Young	CR	20.00	Rept: 280499	06/21/2016	Batch: 2016 6 2521
6/22/2016	CR	2	198 Building Rezoning Permits Theresa Happach	CR	20.00	Rept: 280500	06/21/2016	Batch: 2016 6 2521
6/22/2016	CR	2	198 Building Rezoning Permits Kellem & Kinzer	CR	31.00	Rept: 280504	06/21/2016	Batch: 2016 6 2521
6/24/2016	CR	2	248 Building Rezoning Permits Samantha Matlock	CR	20.00	Rept: 281736	06/23/2016	Batch: 2016 6 2762
6/24/2016	CR	2	248 Building Rezoning Permits Justin Smith	CR	82.00	Rept: 281751	06/23/2016	Batch: 2016 6 2762
6/27/2016	CR	2	262 Building Rezoning Permits Fryman Electric	CR	31.00	Rept: 282903	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Building Rezoning Permits Tyler Chasco	CR	25.00	Rept: 282989	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Building Rezoning Permits Daniel Sullivan	CR	20.00	Rept: 283221	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Building Rezoning Permits Arnold Spiker	CR	20.00	Rept: 283230	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Building Rezoning Permits Robert Stout	CR	20.00	Rept: 283234	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Building Rezoning Permits Robert Stout	CR	65.00	Rept: 283236	06/27/2016	Batch: 2016 6 2527
6/27/2016	CR	2	262 Building Rezoning Permits Jared Yerly	CR	20.00	Rept: 283375	06/27/2016	Batch: 2016 6 2527
6/28/2016	CR	2	263 Building Rezoning Permits Mark Hanson	CR	20.00	Rept: 282982	06/27/2016	Batch: 2016 6 2762
6/28/2016	CR	2	269 Building Rezoning Permits Charles Stevens	CR	20.00	Rept: 283673	06/27/2016	Batch: 2016 6 2762
6/30/2016	CR	2	287 Building Rezoning Permits Gene Shults	CR	20.00	Rept: 284470	06/29/2016	Batch: 2016 6 2762
6/30/2016	CR	2	288 Building Rezoning Permits Tom Newman	CR	20.00	Rept: 284418	06/29/2016	Batch: 2016 6 2529
6/30/2016	CR	2	288 Building Rezoning Permits George Jackman	CR	65.00	Rept: 284419	06/29/2016	Batch: 2016 6 2529
6/30/2016	CR	2	288 Building Rezoning Permits Crystal Piro	CR	20.00	Rept: 284420	06/29/2016	Batch: 2016 6 2529
6/30/2016	CR	2	288 Building Rezoning Permits Bullock Garages	CR	89.00	Rept: 284421	06/29/2016	Batch: 2016 6 2529
6/30/2016	CR	2	288 Building Rezoning Permits Lelonie Luft Laurie's Fine Candies	CR	53.00	Rept: 284422	06/29/2016	Batch: 2016 6 2529
6/30/2016	CR	2	288 Building Rezoning Permits Copelen Builders, Inc	CR	89.00	Rept: 284426	06/29/2016	Batch: 2016 6 2529
6/6/2016	CR	2	44 Plumbing Inspections Walt Beach Plumbing	CR	10.00	Rept: 274417	06/02/2016	Batch: 2016 6 2502
6/7/2016	CR	2	55 Plumbing Inspections Commercial Irrigation	CR	40.00	Rept: 276694	06/06/2016	Batch: 2016 6 2506
6/13/2016	CR	2	101 Plumbing Inspections Michael Hardwick	CR	20.00	Rept: 277491	06/07/2016	Batch: 2016 6 2507
6/13/2016	CR	2	102 Plumbing Inspections Walter Beach Plumbing	CR	15.00	Rept: 278246	06/09/2016	Batch: 2016 6 2509
6/15/2016	CR	2	126 Plumbing Inspections Covenant Heating & Air	CR	20.00	Rept: 279136	06/14/2016	Batch: 2016 6 2514
6/15/2016	CR	2	126 Plumbing Inspections Kera Plumbing Inc	CR	40.00	Rept: 279138	06/14/2016	Batch: 2016 6 2514
6/20/2016	CR	2	181 Plumbing Inspections Ferguson Plumbing	CR	46.00	Rept: 279393	06/16/2016	Batch: 2016 6 2761
6/22/2016	CR	2	198 Plumbing Inspections Jason McClanahan	CR	25.00	Rept: 280483	06/21/2016	Batch: 2016 6 2521
6/22/2016	CR	2	198 Plumbing Inspections Phelps Plumbing	CR	20.00	Rept: 280496	06/21/2016	Batch: 2016 6 2521
6/22/2016	CR	2	198 Plumbing Inspections George Phelps	CR	20.00	Rept: 280505	06/21/2016	Batch: 2016 6 2521
6/27/2016	CR	2	262 Plumbing Inspections Tazewell Plumbing	CR	25.00	Rept: 283223	06/27/2016	Batch: 2016 6 2527
6/28/2016	CR	2	268 Plumbing Inspections Tri County Irrigation	CR	40.00	Rept: 283870	06/28/2016	Batch: 2016 6 2528
6/30/2016	CR	2	288 Plumbing Inspections David Burling & Son	CR	165.00	Rept: 284427	06/29/2016	Batch: 2016 6 2529

General Ledger

Revenue Analysis

User: sjnewcomb
 Printed: 8/1/2016 - 10:12 AM
 Period: 01, 2017
 Fiscal Year: 2017
 JE Number: 0



City Of Pekin
 111 S. Capitol
 Pekin, IL 61554

Account Number	FP	JE	Description		Period Revenue	Receipt No	Date	Batch No
100-793-420500			Hvac License					
5/25/2016	CR	I	222 HVAC License Nicholas Mucciante	CR	50.00	Rept: 270255	05/24/2016	Batch: 2016 5 2524
100-793-420800			Electrical Contractors License					
5/2/2016	CR	I	7 Electrical License Stray Voltage LLC	CR	100.00	Rept: 267144	05/02/2016	Batch: 2016 4 2502
5/9/2016	CR	I	71 Electrical Contrtor Lic Robert Gunther	CR	50.00	Rept: 267787	05/06/2016	Batch: 2016 5 2506
5/26/2016	CR	I	238 Electrical Contrtor Lic Gregory Porter	CR	100.00	Rept: 270883	05/25/2016	Batch: 2016 5 2705
100-793-423000			Home Occupation License					
5/4/2016	CR	I	35 Open Front Permit Menards, 3535 Court Street	CR	45.00	Rept: 267625	05/04/2016	Batch: 2016 5 2504
100-793-425500			Hvac Permit					
5/4/2016	CR	I	35 HVAC Permit Trouble-Free Plumbing	CR	40.00	Rept: 267589	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	I	35 HVAC Permit Jackson Heating & AC	CR	80.00	Rept: 267612	05/04/2016	Batch: 2016 5 2504
5/5/2016	CR	I	44 HVAC Permit Bratcher Heating & A/C	CR	40.00	Rept: 267753	05/05/2016	Batch: 2016 5 2505
5/9/2016	CR	I	71 HVAC Permit Covenant Heating & Air	CR	40.00	Rept: 267782	05/06/2016	Batch: 2016 5 2506
5/9/2016	CR	I	71 HVAC Permit Cordts Heating & Air	CR	80.00	Rept: 267783	05/06/2016	Batch: 2016 5 2506
5/11/2016	CR	I	81 HVAC Permit Central HVAC Kalman Engineering	CR	20.00	Rept: 268137	05/10/2016	Batch: 2016 5 2510
5/11/2016	CR	I	81 HVAC Permit Lindsey Heating & Air, Inc	CR	40.00	Rept: 268140	05/10/2016	Batch: 2016 5 2510
5/17/2016	CR	I	147 HVAC Permit Fritch Heating/Cooling Inc	CR	20.00	Rept: 268510	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	I	147 HVAC Permit Cordts Heating & Air	CR	20.00	Rept: 268578	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	I	147 HVAC Permit Cordts HVAC	CR	20.00	Rept: 268579	05/17/2016	Batch: 2016 5 2517
5/20/2016	AP	I	154 reimbursement for hvac permit	DR	40.00			
5/23/2016	CR	I	185 HVAC Permit Kalman Engineering Inc	CR	20.00	Rept: 269231	05/23/2016	Batch: 2016 5 2523
5/23/2016	CR	I	185 HVAC Permit Fritch Heating & Cooling	CR	120.00	Rept: 269354	05/23/2016	Batch: 2016 5 2523
5/31/2016	CR	I	251 HVAC Permit Staats Service Today, Inc	CR	40.00	Rept: 271357	05/27/2016	Batch: 2016 5 2527
100-793-426000			Electrical Permits					
5/4/2016	CR	I	35 Electrical Permit Johnson Mechanical Service	CR	43.00	Rept: 267592	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	I	35 Electrical Permit Stray Voltage LLC	CR	61.00	Rept: 267596	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	I	35 Electrical Permit Dezseray Rudd	CR	26.00	Rept: 267609	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	I	35 Electrical Permit Joelne Hale	CR	26.00	Rept: 267617	05/04/2016	Batch: 2016 5 2504
5/5/2016	CR	I	44 Electrical Permit Central IL Electrical Services	CR	91.00	Rept: 267751	05/05/2016	Batch: 2016 5 2505
5/5/2016	CR	I	44 Electrical Permit TJ Lowe & Co	CR	43.00	Rept: 267759	05/05/2016	Batch: 2016 5 2505
5/11/2016	CR	I	81 Electrical Permit Kaiser Electric	CR	26.00	Rept: 268134	05/10/2016	Batch: 2016 5 2510
5/11/2016	CR	I	81 Electrical Permit TN Smith Electrical	CR	26.00	Rept: 268135	05/10/2016	Batch: 2016 5 2510
5/17/2016	CR	I	147 Electrical Permit TJ Lowe	CR	43.00	Rept: 268564	05/17/2016	Batch: 2016 5 2517

5/17/2016	CR	1	147 Electrical Permit Cheryl Potts	CR	26.00 Rcpt: 268570	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Electrical Permit Fryman Electric	CR	43.00 Rcpt: 268576	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Electrical Permit Fryman Electric	CR	55.00 Rcpt: 268577	05/17/2016	Batch: 2016 5 2517
5/18/2016	CR	1	156 Electrical Permit Dustin Maquet	CR	26.00 Rcpt: 268618	05/18/2016	Batch: 2016 5 2518
5/18/2016	CR	1	156 Electrical Permit Johnson Mechanical Service	CR	26.00 Rcpt: 268619	05/18/2016	Batch: 2016 5 2518
5/19/2016	CR	1	166 Electrical Permit Roni Byrd	CR	43.00 Rcpt: 268697	05/19/2016	Batch: 2016 5 2519
5/31/2016	CR	1	251 Electrical Permit Schwartz Electric	CR	103.00 Rcpt: 271361	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Electrical Permit Schwartz Electric	CR	26.00 Rcpt: 271368	05/27/2016	Batch: 2016 5 2527
100-793-426400			Building And Rezoning Permit				
5/4/2016	CR	1	35 Building Rezoning Permits Rick Henricks	CR	20.00 Rcpt: 267576	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Robert Newell	CR	35.00 Rcpt: 267584	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Carolyn Provenzano	CR	20.00 Rcpt: 267586	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Madison Knight	CR	40.00 Rcpt: 267587	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Perfect Choice Exteriors	CR	101.00 Rcpt: 267588	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits James Green	CR	20.00 Rcpt: 267604	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Dentino Lawn Designs	CR	20.00 Rcpt: 267605	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Dentino Lawn Designs	CR	50.00 Rcpt: 267606	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Don Atherton	CR	20.00 Rcpt: 267611	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Carl Lister	CR	20.00 Rcpt: 267622	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Ryan Flaughner	CR	20.00 Rcpt: 267623	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Building Rezoning Permits Joe Crider	CR	66.00 Rcpt: 267654	05/04/2016	Batch: 2016 5 2504
5/5/2016	CR	1	44 Building Rezoning Permits Angela Angelici	CR	20.00 Rcpt: 267757	05/05/2016	Batch: 2016 5 2505
5/5/2016	CR	1	44 Building Rezoning Permits Brad Reid	CR	20.00 Rcpt: 267758	05/05/2016	Batch: 2016 5 2505
5/6/2016	CR	1	45 Building Rezoning Permits Kathy Watkins	CR	20.00 Rcpt: 267765	05/05/2016	Batch: 2016 5 2750
5/9/2016	CR	1	70 Building Rezoning Permits Service Inc	CR	40.00 Rcpt: 267975	05/09/2016	Batch: 2016 5 2509
5/9/2016	CR	1	71 Building Rezoning Permits Fryman Electric	CR	43.00 Rcpt: 267769	05/06/2016	Batch: 2016 5 2506
5/9/2016	CR	1	71 Building Rezoning Permits Mason County Concrete	CR	20.00 Rcpt: 267771	05/06/2016	Batch: 2016 5 2506
5/9/2016	CR	1	71 Building Rezoning Permits Barbara Mann	CR	53.00 Rcpt: 267785	05/06/2016	Batch: 2016 5 2506
5/11/2016	CR	1	81 Building Rezoning Permits Gene Riley	CR	50.00 Rcpt: 268087	05/10/2016	Batch: 2016 5 2510
5/11/2016	CR	1	81 Building Rezoning Permits GP Contractors	CR	20.00 Rcpt: 268136	05/10/2016	Batch: 2016 5 2510
5/11/2016	CR	1	81 Building Rezoning Permits Michael Gardner	CR	50.00 Rcpt: 268138	05/10/2016	Batch: 2016 5 2510
5/11/2016	CR	1	81 Building Rezoning Permits Ahmed Malik	CR	20.00 Rcpt: 268139	05/10/2016	Batch: 2016 5 2510
5/11/2016	CR	1	81 Building Rezoning Permits Perry Martin	CR	56.00 Rcpt: 268141	05/10/2016	Batch: 2016 5 2510
5/11/2016	CR	1	81 Building Rezoning Permits Steve Burling	CR	20.00 Rcpt: 268142	05/10/2016	Batch: 2016 5 2510
5/11/2016	CR	1	93 Building Rezoning Permits Lyndon Bright	CR	35.00 Rcpt: 268198	05/11/2016	Batch: 2016 5 2511
5/11/2016	CR	1	93 Building Rezoning Permits Lone Wolf Concrete	CR	20.00 Rcpt: 268249	05/11/2016	Batch: 2016 5 2511
5/16/2016	CR	1	134 Building Rezoning Permits Chris Chapman	CR	20.00 Rcpt: 268353	05/13/2016	Batch: 2016 5 2751
5/17/2016	CR	1	147 Building Rezoning Permits Patrick Arnett	CR	20.00 Rcpt: 268403	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Jan Brown	CR	35.00 Rcpt: 268409	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Bob Farmer	CR	50.00 Rcpt: 268410	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Joy Whitman	CR	20.00 Rcpt: 268499	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Tom McCabe	CR	20.00 Rcpt: 268509	05/17/2016	Batch: 2016 5 2517

5/17/2016	CR	1	147 Building Rezoning Permits Vicky Bottens	CR	50.00 Rcpt: 268558	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Brenda Doering	CR	20.00 Rcpt: 268563	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits BNL Custom Builders	CR	95.00 Rcpt: 268565	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Cheryl Potts	CR	40.00 Rcpt: 268570	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Neumann Construction, Inc	CR	40.00 Rcpt: 268574	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Belinda Tribbett	CR	20.00 Rcpt: 268575	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Cordts Heating & AC	CR	40.00 Rcpt: 268580	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Bill Rogers	CR	20.00 Rcpt: 268581	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Don Sidell	CR	53.00 Rcpt: 268582	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Building Rezoning Permits Sunset Lanes	CR	20.00 Rcpt: 268583	05/17/2016	Batch: 2016 5 2517
5/18/2016	CR	1	156 Building Rezoning Permits Eigsti Construction	CR	53.00 Rcpt: 268623	05/18/2016	Batch: 2016 5 2518
5/19/2016	CR	1	164 Building Rezoning Permits Dale Vonderheide	CR	35.00 Rcpt: 268732	05/19/2016	Batch: 2016 5 2751
5/19/2016	CR	1	166 Building Rezoning Permits Certified Builders	CR	89.00 Rcpt: 268655	05/18/2016	Batch: 2016 5 2519
5/19/2016	CR	1	166 Building Rezoning Permits Peoria Metro Construction	CR	116.00 Rcpt: 268706	05/19/2016	Batch: 2016 5 2519
5/19/2016	CR	1	166 Building Rezoning Permits Norma Bonelli-Zook	CR	20.00 Rcpt: 268710	05/19/2016	Batch: 2016 5 2519
5/20/2016	CR	1	179 Building Rezoning Permits Pauline Logsdon	CR	62.00 Rcpt: 268824	05/20/2016	Batch: 2016 5 2520
5/20/2016	CR	1	179 Building Rezoning Permits Jon Little	CR	62.00 Rcpt: 268839	05/20/2016	Batch: 2016 5 2520
5/23/2016	CR	1	180 Building Rezoning Permits Jamie Adlophson	CR	50.00 Rcpt: 268847	05/20/2016	Batch: 2016 5 2705
5/23/2016	CR	1	185 Building Rezoning Permits Darin Schorey	CR	20.00 Rcpt: 269389	05/23/2016	Batch: 2016 5 2523
5/23/2016	CR	1	185 Building Rezoning Permits David Harper	CR	35.00 Rcpt: 269405	05/23/2016	Batch: 2016 5 2523
5/23/2016	CR	1	185 Building Rezoning Permits Jeff Hornecker	CR	20.00 Rcpt: 269411	05/23/2016	Batch: 2016 5 2523
5/23/2016	CR	1	185 Building Rezoning Permits Hornecker Construction	CR	59.00 Rcpt: 269416	05/23/2016	Batch: 2016 5 2523
5/23/2016	CR	1	185 Building Rezoning Permits Michael Kolesar	CR	56.00 Rcpt: 269441	05/23/2016	Batch: 2016 5 2523
5/23/2016	CR	1	185 Building Rezoning Permits LCC Telecom Services, LLC	CR	65.00 Rcpt: 269444	05/23/2016	Batch: 2016 5 2523
5/25/2016	CR	1	222 Building Rezoning Permits Dave Burling & Son	CR	35.00 Rcpt: 270334	05/24/2016	Batch: 2016 5 2524
5/26/2016	CR	1	237 Building Rezoning Permits Tri County Irrigation	CR	40.00 Rcpt: 270878	05/25/2016	Batch: 2016 5 2525
5/26/2016	CR	1	238 Building Rezoning Permits Christopher Sies	CR	20.00 Rcpt: 270678	05/24/2016	Batch: 2016 5 2705
5/31/2016	CR	1	251 Building Rezoning Permits Marsha Piro	CR	20.00 Rcpt: 271339	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits Sonya Donahue	CR	26.00 Rcpt: 271340	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits Brian Larson Home Design	CR	158.00 Rcpt: 271341	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits Dentino Lawn Designs	CR	20.00 Rcpt: 271343	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits LCC Telecom Services, LLC	CR	65.00 Rcpt: 271345	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits McAllister Plumbing	CR	40.00 Rcpt: 271355	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits Greg Ales	CR	20.00 Rcpt: 271356	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits Gary Henry	CR	20.00 Rcpt: 271358	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits Mary Helen Smith	CR	20.00 Rcpt: 271366	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits Schwartz Electric	CR	26.00 Rcpt: 271390	05/27/2016	Batch: 2016 5 2527
5/31/2016	CR	1	251 Building Rezoning Permits Donald Yoder	CR	20.00 Rcpt: 271898	05/27/2016	Batch: 2016 5 2527
100-793-451200			Plumbing Permits				
5/4/2016	CR	1	35 Plumbing Inspections David Burling & Son	CR	55.00 Rcpt: 267599	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Plumbing Inspections Tazewell Plumbing	CR	28.00 Rcpt: 267601	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Plumbing Inspections Dick Rich Plumbing	CR	145.00 Rcpt: 267613	05/04/2016	Batch: 2016 5 2504

5/4/2016	CR	1	35 Plumbing Inspections	Dick Rich Plumbing	CR	115.00	Rept: 267616	05/04/2016	Batch: 2016 5 2504
5/4/2016	CR	1	35 Plumbing Inspections	Dan Topping	CR	25.00	Rept: 267618	05/04/2016	Batch: 2016 5 2504
5/5/2016	CR	1	44 Plumbing Inspections	Tri County Irrigation	CR	40.00	Rept: 267754	05/05/2016	Batch: 2016 5 2505
5/5/2016	CR	1	44 Plumbing Inspections	Tri County Irrigation	CR	40.00	Rept: 267756	05/05/2016	Batch: 2016 5 2505
5/9/2016	CR	1	71 Plumbing Inspections	McAllister Plumbing	CR	98.00	Rept: 267774	05/06/2016	Batch: 2016 5 2506
5/9/2016	CR	1	71 Plumbing Inspections	Pipco Companies	CR	300.00	Rept: 267778	05/06/2016	Batch: 2016 5 2506
5/9/2016	CR	1	71 Plumbing Inspections	Tri County Irrigation	CR	40.00	Rept: 267779	05/06/2016	Batch: 2016 5 2506
5/17/2016	CR	1	147 Plumbing Inspections	Walter Beach Plumbing	CR	16.00	Rept: 268557	05/17/2016	Batch: 2016 5 2517
5/17/2016	CR	1	147 Plumbing Inspections	Lynn Moses Plumbing	CR	20.00	Rept: 268559	05/17/2016	Batch: 2016 5 2517
5/18/2016	CR	1	156 Plumbing Inspections	Illini Plumbing Inc	CR	58.00	Rept: 268588	05/18/2016	Batch: 2016 5 2518
5/18/2016	CR	1	156 Plumbing Inspections	Illini Plumbing Inc	CR	58.00	Rept: 268589	05/18/2016	Batch: 2016 5 2518
5/18/2016	CR	1	156 Plumbing Inspections	Maquet Plumbing	CR	25.00	Rept: 268621	05/18/2016	Batch: 2016 5 2518
5/19/2016	CR	1	166 Plumbing Inspections	Kathe Buselmeier	CR	82.00	Rept: 268689	05/19/2016	Batch: 2016 5 2519
5/31/2016	CR	1	251 Plumbing Inspections	Tucker Plumbing	CR	115.00	Rept: 271389	05/27/2016	Batch: 2016 5 2527

GL- Revenue Analysis (8/1/2016 - 10:12 AM)



**LIQUOR COMMISSION MINUTES
THURSDAY, JULY 28, 2016 AT 4:00 P.M.
CITY HALL COUNCIL CHAMBERS
111 SOUTH CAPITOL STREET
PEKIN, ILLINOIS 61554**

Deputy Liquor Commissioner Rick VonRohr called the meeting to order at 4:04 p.m.

PLEDGE of ALLEGIANCE

Police Chief Dossey

ROLL CALL

The following members were present for roll call: Liquor Commissioner John McCabe, Deputy Liquor Commissioner Rick VonRohr, Police Chief John Dossey, and Captain Jamie Evans.

Absent: Commission Member Timm Schwartz and Fire Chief Kurt Nelson

Also present: Attorney Sue Bosich

APPROVAL OF AGENDA

Motion made by Liquor Commissioner McCabe to approve the agenda for July 28, 2016, seconded by Police Chief Dossey. On roll call vote all present voted Aye. Motion carried.

APPROVAL OF LIQUOR COMMISSION MINUTES

Motion made by Police Chief Dossey to approve the June 23, 2016 Liquor Commission minutes, seconded by Liquor Commissioner McCabe. On roll call vote all present voted Aye. Motion carried.

PUBLIC INPUT/COMMENTS/QUESTIONS

NEW BUSINESS

**PEKIN LIQUOR & FOOD, LLC
DBA ACE LIQUORS
MEHULJUMAR PATEL AND CHANDRAKANT PATEL
14 NORTH 4TH STREET
PEKIN, IL 61554**

Discussion: Attorney Sue Bosich previewed the application and did not find any issues. Fire Department inspected and was all good on their end.

Motion made by Liquor Commissioner McCabe to grant Pekin Liquor & Food, LLC dba Ace Liquors a Class B liquor license, seconded by Police Chief Dossey. On roll call vote all present voted Aye. Motion carried.

**PEKIN LIQUOR & FOOD, LLC
DBA ACE LIQUORS
MEHULJUMAR PATEL AND CHANDRAKANT PATEL
1025 DERBY STREET
PEKIN, IL 61554**

Discussion: Attorney Sue Bosch previewed the application and noticed the lease states no sale of tobacco products at the 1025 Derby Street location. On the record for them to remove their Tobacco license application from the file.

Motion made by Liquor Commissioner McCabe to grant Pekin Liquor & Food, LLC dba Ace Liquors a Class B liquor license, seconded by Police Chief Dossey. On roll call vote all present voted Aye. Motion carried.

**JAIMI'S PLACE, LLC
DBA JAIMI'S PLACE
GEORGE HUNTER AND KATHY LOBELLO
1418 N. 8TH STREET
PEKIN, IL 61554**

Discussion: Inspections, Police Department and Fire Department cleared Jaimi's Place for inspections. Attorney Bosich previewed the application. George Hunter will become the manager since he lives in Pekin and Kathy Lobello lives in Peoria. Paula to witness them changing application to record this change.

Motion made by Liquor Commissioner McCabe to grant Jaimi's Place, LLC dba Jaimi's Place a Class A liquor license, seconded by Police Chief Dossey. On roll call vote all present voted Aye. Motion carried.

ANY OTHER BUSINESS

Attorney Sue Bosich passed out a draft ordinance for the Video Gaming Act for the Liquor Commission to look over, discuss, make any changes and/or any other recommendations or restrictions and get those changes to Attorney Sue Bosich. Liquor Commissioner McCabe will meet with Attorney Sue Bosich once the Video Gaming Act recommendations are completed to discuss when this will be brought back to the Liquor Commission for recommendation to Council.

Motion made by Police Chief Dossey to adjourn, seconded by Liquor Commissioner McCabe.

Meeting adjourned at 4:55 P.M.

Next Regular Meeting will be Thursday, August 25th, 2016 at 4:00 P.M.

Respectfully submitted, Paula Gensel, Liquor Commission Secretary



CITY OF PEKIN
POLICE DEPARTMENT



August 8, 2016

To: Mayor, Council and City Manager
From: John Dossey, Chief of Police
Subject: Adjudication Ordinance

As part of the process of looking for ways to be more efficient and cost effective I have recommended that we look at our adjudication ordinance(s) and bring it up to date as well as look at our fine structure(s) as it pertains to parking tickets and fines applied by our current administrative law Judge.

In review of this adjudication ordinance I have found that fines are only applied at a flat rate. That is just the fine as it applies to the ticket. There are no costs recovered for an individual to contest a ticket, which the City is out those monies. Further, for those that fail to pay or respond to the ticket, the City is at a loss as it pertains to the process of notification (mailings) and collecting. As we had the adjudication process in place, it was time to review the ordinance and bring them up to current standards and trends. The following is being proposed in the new updated ordinances.

Administrative Adjudication Title 1 Chapter 12:

This chapter of the code pertains to non-vehicular code violations. This code did not require much updating, but the following was changed:

- 1-12-2 A 8 imposes a penalty of \$750 to \$50,000. This mirrors state statute.
- Costs added. Court Costs in essence have been added to account for the hearing officer. If a person chooses to contest a ticket and they are found liable, court costs of \$50 will be added to the fine on the ticket.
- Costs are also added to those who fail to pay within the designated time frame, AND who fail to show up to their administrative hearing date. \$50 will be added to their designated fine amount.
- Anticipate the "Chronic Nuisance" ordinance will follow shortly after implementation of adjudication, as we move forward.



CITY OF PEKIN

POLICE DEPARTMENT



In essence this section of ordinance pertains to code enforcement violations

Administrative Adjudication (Traffic Code) Title 8 Chapter 4

This section of code existed previously under the penalty section of Title 8 Chapter 4-7. We are proposing that the adjudication section now be “repealed” and moved to its own chapter. This will make it easier to find and reference. The new code is being proposed as Title 8 Chapter 10. Several changes have been proposed in this ordinance to bring it up to date with current statutes:

- Creation of the new Chapter under title 8.
- Sets up fine escalations as they pertain to unpaid tickets and collections.
- Court costs are added to those that choose to contest and are found liable. A \$50 court cost will be added.
- Costs associated with those that have not paid their ticket, and fail to appear at their hearing. A \$50 cost will be added.
- Parking tickets at the \$10 level will be elevated to \$50, with a \$20 early pay discount offered. If the violator pays the ticket within the first 10 days they will only have to pay \$30. ***(see below)***
- The language pursuant to a Supreme Court decision as it applies to how wording is on a ticket has been updated.
- The new ordinance sets up the provision to utilize the boot or impoundment option for those who receive a ticket and have been found liable three (3) or more times and the fines remain unpaid.
- Creates boot or impound tow for those who have been found liable multiple times and have not paid their fines. There is an administrative cost associated with this similar to the impound fee.



CITY OF PEKIN

POLICE DEPARTMENT



Current Costs Associated with Tickets: (Why increase?)

Current costs for most parking violations as they pertain to parking are \$10. When one breaks down the cost of issuing this ticket we have to take into consideration the costs associated with writing that ticket. Currently the following applies:

- Cost of each ticket is \$.64
- Cost of envelopes is \$.10
- Postage on Envelope \$.19
- Officer Time to write is as follows:
 - Parking Officer Hourly Rate \$20.86
 - Officer Rate \$27.42 (note: calculated on 1st year officer rate)
 - Avg Time to write a ticket 3 to 5 minutes. (Run plate or VIN# info, Computer response time, write out ticket, and place on vehicle).
 - Parking Officer writing \$.35 per minute X 4 = \$1.40
 - Police Officer writing \$.46 per minute X 4 = \$1.84
 - Average of PEO & PO = \$1.62
 - If ticket not paid notices are sent out. A total of four (4) notices are sent for collection @\$.46 each for postage. (not counting paper/envelope)
 - Hearing officer costs are \$125 per hour with a minimum of two (2) hours. On average 64 tickets are contested equating to \$32.60 per ticket. In 2015 92 violators appeared for a hearing.

Total cost to initially write a ticket

Officer Time	\$1.62
Cost per ticket	\$.64
Cost per envelope	\$.10
Postage on envelope	\$.19
1 st notice sent	\$.46
2 nd notice sent	\$.46
3 rd notice sent	\$.46
Final Notice sent	\$.46
Hearing Officer Cost	\$32.60



CITY OF PEKIN
POLICE DEPARTMENT



OT PEO (min 2 hrs \$31.29)	\$62.58
Total (If person contests ticket or does not pay)	\$99.57

Note: City Attorney Costs not added at this time, nor is time of person mailing out notices figured in. So total above is an approximate.

How Updated Ordinance Will Apply:

- Language is updated to display language per Supreme Court ruling. When officer / PEO writes the ticket it will start at the escalated fee of \$50; however if paid prior to ten days there is an “early pay” discount of \$20, so if paid within ten days the cost will be \$30. This fee more than covers the cost of the PEO and an Officer.
- If the violator does not pay their fee then the \$50 is due. If they fail to appear at their hearing date then there is an entry of default liability and a \$50 cost added to cover costs of administrative notifications (mailing), hearings, etc. applied to recoup our costs.
- Allows a hearing by mail, court costs attach as well if found to be liable. This allows out of town residents, and Pekin residents the ability to contest a ticket by mail not having to miss work.
- This updated ordinance allows for the escalations and time limits setting up the future collection process, and the use of IDrop through the state of Illinois which attaches to a violators income tax return.

Conclusion:

It is staff recommendation that we repeal the old adjudication ordinances and implement the new ordinances in their place. This will allow for the City to recoup costs as they apply to the administration of this program. By implementing this updated version we are shifting the burden of enforcement from the tax payers to the violator. More violations will be heard here at City hall and all costs / fines assigned by the administrative law Judge will be 100% collected by the City. This would pertain to code enforcement violations, parking and other local ordinance violations and ordinances that fall within the scope of the adjudication program. The City would also see a cost savings as it pertains to overtime as this being a civil process officers are not needed to appear, unless requested by the hearing officer, which saves on overtime. The evidence presented is on the ticket itself.



CITY OF PEKIN
POLICE DEPARTMENT



This is the first step in the process of the adjudication program. As we continue ordinances as they apply to Chronic Nuisance, Distracted Driving, and ETicketing will be following in the very near future. Once fully implemented the City will begin to recover costs associated with the enforcement and collection activity, again shifting the costs to do so from the tax payer to the violator.



CITY OF PEKIN
POLICE DEPARTMENT



Adjudication Comparison notes:

Sources:

- **Danville-** Sgt. Terry McCord, Danville Municipal Code
- **Dekalb-** Penny Meier-PMEIER@CITYOFDEKALB.com
- **East Peoria-** Lt. Burris (Pekin), E. Peoria Legal Counsel Miller, Hall and Triggs
- **Freeport:** Todd McKenna- TMcKenna@freeportpd.com
- **Galesburg:** Kelli Bennewitz, City Clerk <kbennewi@ci.galesburg.il.us>
- **Kankakee:** e_gaytan@citykankakee-il.gov, Kankakee code of ordinance website
- **Moline:** Saunders, Amy asaunders@moline.il.us, Moline Code of Ordinances
- **Normal:** Lt. Little (Pekin), Wayne Karplus- Normal Deputy Corporal Counsel, Normal municipal ordinance website
- **Peoria:** City Hall-legal department, Peoria City Ordinance website
- **Quincy:** Quincy Municipal Code
- **Rock Island:** No information at this time. Waiting an email response
- **Urbana:**

Ordinance Notes:

Danville- Where an act or omission is prohibited or declared unlawful in this code of ordinances, and no penalty or fines are otherwise provided, the offender shall be fined not less than \$100 nor more than \$1,000 for each offense or violation. Each day a violation continues shall constitute a separate offense. In addition to any fine imposed hereunder, the offender shall be ordered to pay all of the costs and fees incurred by the city in prosecuting the violation, which shall include but not be limited to the costs associated with an administrative adjudication proceeding or court proceeding, and reasonable attorney's fees.

Dekalb- A judge does the hearings - they actually have to go to City court. For our "mail-In" violations they can plead guilty and pay the fine in advance to avoid court, much like a traffic ticket.

East Peoria has a minimum amount for certain ordinances. All ordinance tickets are issued with no fine amount. All must appear and East Peoria's legal counsel makes

offer based on multiple factors and the judge makes the final decision if offer is not accepted by suspect. Minimum fine \$50 and maximum \$750

Peoria sets their fees based upon what's in their ordinance. They, like East Peoria, have a minimum and maximum and decide each ticket case by case scenario if not specifically stated in their policy. Peoria's general penalty for city ordinances is minimum \$75 maximum \$500.

Galesburg stated their base fine is \$75 and then from there sometimes doubles or triples, but typically it will end up in Admin Court with our hearing officer deciding a fine. Of course, our main focus is compliance so many times, if they've fixed whatever the issue may have been, he'll void the ticket. We usually see individuals pay the \$75 in order to avoid court. We hired a hearing officer (local attorney) to handle our Admin Court and we meet twice a month.

Kankakee-In those offenses for which a Complaint and Notice of Violation of an Ordinance is delivered and for which no other penalty is provided, said penalty for said Violation shall be Fifty Dollars (\$50.00). If said sum is paid within fourteen (14) days of the date of the Notice of Violation, One Hundred Dollars (\$100.00) if paid within thirty (30) days of the Notice of Violation and shall be a minimum of One Hundred Dollars (\$100.00), but as determined by the Administrative Adjudication Officer upon the determination of liability pursuant to Section 36-1 et. seq. of this Code. However, on those violations in which the Officer determines the compliance and verification of compliance is necessary, a fine shall be established, in an amount no more than Five Hundred Dollars, (\$500.00) by the Administrative Adjudication Officer of the City of Kankakee.

Moline- Violations of this Code shall be triable as a civil case whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful or an offense, where no specific penalty is provided therefor, the violation of any such provision of this Code or any ordinance shall be punished by a fine of not more than seven hundred fifty dollars (\$750.00). Each day any willful violation of any provisions of this Code or of any ordinance shall continue shall constitute a separate offense.

Normal- SEC. 17.9-1 PENALTY. Except as otherwise provided, any person violating any section of this Chapter, upon conviction, shall be fined not less than \$25.00 nor more than \$500.00 for each offense.

SEC. 17.9-2 FEES. The Town of Normal shall be entitled to the following fees:

A. For each defendant held to answer in any division of Circuit Court on a charge of an ordinance violation, \$10.00.

B. For each summons for an ordinance violation served by the Town of Normal, its officers, agents or employees, a summons fee in the amount of \$16.00.

C. The foregoing fees shall be taxed as costs to be collected from the defendant, if possible, on conviction.

Quincy- *General penalty.* Whoever violates any provision of this code or other ordinance of this city for which another penalty is not specifically provided, shall be fined not more than \$750 for each and every violation thereof, and every day the violation continues shall constitute a separate offense.

Rock Island- Unless another penalty is expressly provided, a violation of any provision of such Code, or any ordinance shall be punished by a fine of not less than five dollars (\$5.00) and not more than five hundred dollars (\$500.00), as provided in section 1-13 of such Code. Any fine imposed by this code which increases by the passage of time alone, shall not increase if, prior to the time the increase occurs pursuant to the terms of the ordinance, the alleged violator files a written request for review of the alleged violation with the appropriate agency. If, after the alleged violator exhausts his review rights, the violation has not been paid or rescinded, the violator shall have a like time to pay the fine as provided in the ordinance before the increase shall take effect.

Urbana-According to their municipal code. If there is no specific penalty in the code then the minimum is \$1.00 and maximum is \$500.

Final Synopsis: All the cities have a minimum and maximum fine for their city ordinances. All cities use their general penalty ordinance if there is not a specific fine shown for a specific offense.

**AN ORDINANCE AMENDING TITLE 8 TRAFFIC CODE OF THE CITY OF PEKIN, ILLINOIS,
TO CREATE A NEW CHAPTER 10, "ADMINISTRATIVE ADJUDICATION".
(Would need to remove Section 7 from Title 8 Chapter 4?)**

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Pekin as follows:

That Title 8, "TRAFFIC CODE OF THE CITY OF PEKIN," be amended by removing "8-4-7: Penalties" and creating a new Chapter 10 under Title 8.

Section 8-10: ADMINISTRATIVE ADJUDICATION

8-10-1: TITLE:

This chapter shall be entitled the CITY OF PEKIN ADMINISTRATIVE ADJUDICATION OF VIOLATIONS OF TRAFFIC REGULATIONS CONCERNING THE STANDING, PARKING OR CONDITION OF VEHICLES ORDINANCE.

8-10-2: PURPOSE:

The purpose of this chapter is to provide for the fair and efficient enforcement through administrative adjudication of violations of ordinances regulating the standing and parking of vehicles and the condition and use of vehicle equipment. The administrative adjudication system set forth in this chapter is established pursuant to 625 Illinois Compiled Statutes 5/11-208.3.

8-10-3: ESTABLISHMENT:

There is hereby created a system providing for the administrative adjudication of vehicular standing and parking violations and vehicle compliance violations. For the purposes of this chapter "compliance violation" or "compliance regulation violations" means a violation of an ordinance governing the condition or use of equipment on a vehicle.

8-10-4: ADMINISTRATION:

The system of administrative adjudication of vehicular standing, parking, and compliance regulation violation shall provide for a traffic compliance administrator, hearing officer, and system coordinator/computer operator with the power, authority, and limitations as are hereinafter set forth:

A. Traffic Compliance Administrator: The traffic compliance administrator shall be appointed by the City Manager. The traffic compliance administrator shall be empowered and is hereby authorized and directed to:

1. Operate and manage the system of administrative adjudication of vehicular standing, parking, and compliance regulation violations.

2. Adopt, distribute and process standing, parking, and compliance violation notices and other notices as may be required under this chapter or as may be reasonably required to carry out the purpose of this chapter.
3. Collect money paid as fines and penalties assessed for violations of parking and compliance ordinances.
4. Certify copies of final determinations of standing, parking, and compliance regulation violations liability and factual reports verifying that the final determination of standing, parking, and compliance regulation violations liability was issued in accordance with this chapter and Section 11-208.3 of the Illinois Vehicle Code, as amended.
5. Certify reports to the Illinois Secretary of State concerning initiation of suspension of driving privileges in accordance with the provisions of this chapter, hereinafter set forth, and those of Section 6-306.5 of the Illinois Vehicle Code, as amended.
6. Review final determinations of vehicular standing, parking, and compliance regulation violations liability, validity of notices of impending impoundment or validity of notice of impending driver's license suspension, in an administrative review capacity in accordance with the provisions of this chapter, hereinafter set forth.
7. Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.
8. Obtain the corporation counsel's advice and consent regarding the method of collecting unpaid fines and penalties by either filing complaints in the circuit court or selecting or appointing an individual or agency to act on behalf of this City in filing complaints seeking judgments for unpaid fines or penalties and pursuit of all post judgment remedies available by current law.

B. Hearing Officer: The hearing officers shall be appointed by the City Manager and shall serve pursuant to the terms set forth in an employment agreement for such services as determined by the City Manager. Hearing officers shall be subject to removal at the sole discretion of the City Manager. To ensure the efficient operation of the administrative hearings, the City Manager may appoint more than one hearing officer. A hearing officer shall:

1. Preside over the administrative hearings, established herein, as the adjudicator.
2. Administer oaths.
3. Issue subpoenas to secure the attendance of witnesses and the production of relevant papers or documentation provided the applicable witness fees provided in Section 4.3 of the Circuit Courts Act,

as amended, have been paid by the party requesting the subpoena.

4. Assess fines and penalties for the violation of vehicular standing, parking, or compliance regulation violations set forth in Section 8-10-11 of this chapter.
5. Make a final determination of:
 - a. The liability for any vehicular standing, parking and compliance regulation.
 - b. The validity of notice of any impending impoundment.
 - c. The validity of notice of impending driver's license suspension in accordance with the provisions of this chapter hereinafter set forth.
6. Provide for the accurate recording of the administrative adjudication hearings.

C. System Coordinator/Computer Operator: The system coordinator/computer operator shall be appointed by the City Manager and is hereby authorized and directed to operate and maintain the computer programs for the administrative adjudication system created in this chapter. The system coordinator/computer operator shall be responsible for entering and tracking data and producing and when applicable, generating written documentation pertaining to:

1. Violation notice information.
2. Hearing dates and notice dates.
3. Fine and penalty assessments and payments.
4. Issuance of payment receipts.
5. Succeeding notices of hearing dates, final determination of liability, notice of impending impoundment, and notice of impending driver's license suspension, as directed by the traffic compliance administrator in accordance with the provisions hereinafter set forth.
6. Records of appearances and nonappearances at administrative hearings, pleas entered, fines and penalties assessed and paid.

D. Multiple Positions: Nothing in this chapter shall be intended to prohibit one person from holding and fulfilling the requirements of one or more of the above stated positions.

E. Compensation: Compensation to be paid for each of the above stated positions shall be as determined and approved by the City Council.

8-10-5: PROCEDURE:

The system of administrative adjudication of vehicular standing, parking, and compliance regulation violations shall be in accordance with the following procedures and final determinations of liability of vehicular standing, parking, and compliance regulation violations, validity of notice of impending impoundment, validity of notice of impending driver's license suspension, impoundment of vehicle and collections shall be made only in accordance with the provisions set forth below:

A. Authorization: All full time City police officers, community service officers, parking enforcement officers, and other specifically appointed individuals shall have the authority to issue violation notices.

B. Violation Notice: A vehicular standing, parking, and compliance regulation violation notice ("violation notice") shall be issued by the persons authorized herein and shall contain information and shall be served, certified and have evidentiary admissibility as is hereinafter set forth.

C. Detection Of Violations: Any individual authorized to issue a violation notice pursuant to this chapter who detects a violation of any applicable provision of this code shall issue and serve a notice of violation as set forth in this chapter.

D. Contents Of Violation Notice: The vehicular standing, parking, and compliance regulation violation notice shall contain, but shall not be limited to, the following information:

1. The date, time and place of the violation.
2. The particular vehicular standing, parking, or compliance regulation violated.
3. The vehicle make and state registration number.
4. The fine and any penalty which may be assessed for late payment.
5. The identification number of the person issuing the notice and his or her signature which shall certify the correctness of the specified information as provided in Section 11-208.3 of the Illinois Vehicle Code, as amended.
6. Information as to the availability of an administrative hearing at which the registered owner or lessee may appear in person and contest the violation notice on its merits and the time and manner in which such hearing may be had.
7. The date, time, and place of an administrative hearing at which the violation may be contested on its merits or a statement the person will be notified of a hearing time.

8. Payment of the indicated fine and any late payment penalty shall operate as a final disposition of the violation.
9. Information as to the availability for an adjudication by mail by which the registered owner or lessee may contest by mail without personally appearing the merits of the violation notice and the manner in which such contest by mail may be had.

E. Service Of Violation Notices: Service of the violation notices shall be made by the person issuing such notice by either:

1. Affixing the original or a facsimile of the notice to an unlawfully standing or parked vehicle.
2. Handing the notice to the registered owner, operator or lessee of the vehicle, if present.

F. Certification Of Facts Alleged In Violation Notice: The correctness of facts contained in the vehicular standing, parking, or compliance regulation violation notices shall be certified by the person issuing said notice by either:

1. Signing his or her name to the notices at the time of service.
2. Signing a single certificate, to be retained by the traffic compliance administrator, attesting to the correctness of all notices produced by the device while under his/her control when the violation notice is produced by a computer device.

G. Retention Of Violation Notices: The original or a facsimile of the violation notices shall be retained by the traffic compliance administrator and kept as a record in the ordinary course of business.

H. Prima Facie Evidence Of Correctness: Any violation notices issued, signed and served in accordance herewith, or a copy of the notice, shall be prime facie correct and shall be prime facie evidence of the correctness of the facts shown on the notice.

I. Admissibility: The violation notices or copies shall be admissible in any subsequent administrative or legal proceeding.

J. Action Upon Receiving Violation Notice: A person to whom a parking or compliance violation notice has been served pursuant to this section shall within fifteen (15) days from the date of the parking or compliance violation notice: 1) pay the indicated fine; or 2) submit the materials set forth in Section 8-10-10 of this chapter to obtain an adjudication by mail; or 3) appear at the assigned administrative hearing as set forth in Section 8-10-6 of this chapter to contest the charged violation. A response by mail shall be deemed timely if postmarked within fifteen (15) days of the issuance of the parking or compliance

violation notice.

K. Contest By Mail: If the respondent submits documentary evidence to contest by mail pursuant to Section 8-10-10 of this chapter, the respondent shall be served with a copy of the hearing officer's determination in accordance with Section 8-10-10 of this chapter. Court costs shall be applied as applicable in 8-10-11 C of this chapter.

L. Administrative Hearing: If the respondent requests an administrative hearing to contest the cited violation pursuant to Section 8-10-6 of this chapter, the respondent shall be served with notice of the date, time and location of the hearing in accordance with Section 8-10-6 of this chapter. Where a respondent who has requested an administrative hearing either fails to pay the indicated fine prior to the hearing or appear at a hearing, a determination of parking or compliance liability, as the case may be, shall be entered in the amount of the fine indicated on the notice of violation. Failure to pay the fine within twenty-one (21) days of issuance of a determination of liability will result in the imposition of a late payment penalty pursuant to Section 8-10-11 of this chapter. Upon the occurrence of a final determination of liability, any unpaid fine or penalty will constitute a debt due and owing the City. The respondent shall be served with a notice of the final determination of liability in accordance with Section 8-10-8 of this chapter.

M. The hearing officer may impose penalties consistent with applicable code provisions and assess costs upon finding a party liable for the charged violation. Notwithstanding those violations for which the Illinois municipal code, as amended, limits the fine or penalty to Fifty Dollars (\$50.00), the hearing officer shall have the authority to impose fines and penalties up to Five Hundred Dollars (\$500.00). When applicable, each day a code provision is found to have been violated by the defendant shall constitute a separate offense, and each separate offense subjects the respondent to the penalty provided by the governing penalty provision. Court costs shall be applied as applicable in 8-10-11 C of this chapter.

N. Second Notice Of Violation: If no response is made in accordance with Subsection J of this Section, the City traffic compliance administrator shall cause a second notice of violation to be sent to the respondent in accordance with Subsection O of this Section. The notice shall specify the date and location of the violation, the make and state registration number of the cited vehicle, the code provision violated, the applicable fine, and the time and manner in which the respondent may obtain an adjudication by mail or appear at the scheduled hearing to contest the violation.

If the respondent fails to pay the indicated fine or submit documentary evidence to obtain an adjudication by mail within fifteen (15) days from the date of such notice, or prove compliance as provided in Subsection 8-10-6 of this chapter, or appear at the scheduled hearing, a determination of liability shall be entered in the amount of the fine indicated in the notice of violation. Failure to pay the

fine within thirty-five (35) days of issuance of the determination of liability will result in the imposition of a late payment penalty pursuant to Subsection N of this section. Upon the occurrence of a final determination of liability, any unpaid fine or penalty will constitute a debt due and owing the City. The second notice of violation shall provide the above information.

O. Late Payment Penalties: Failure by any respondent to pay the fine for a parking or compliance violation within thirty-five (35) days of the issuance of the determination of liability will automatically subject the respondent to a penalty for late payment in accordance with Section 8-10-11 of this chapter.

P. Notices: The City traffic compliance administrator shall serve the notice of hearing, the second notice of violation, the administrative law officer's determination, the notice of final determination of liability, the notice of impending vehicle immobilization and the notice of impending driver's license suspension, where applicable, by first class mail, postage prepaid, to the address of the registered owner of the City vehicle as recorded with the Secretary of State of Illinois. If the vehicle is registered in a state other than Illinois, the City traffic compliance administrator shall send the appropriate notice to the address of the registered owner as recorded in such other state's registry of motor vehicles.

8-10-6: ADMINISTRATIVE HEARINGS:

An administrative hearing to adjudicate the alleged standing, parking, or compliance regulation violation on its merits shall be conducted in accordance with the following provisions:

A. Persons Entitled To Hearings: The registered owner or operator of the cited vehicle shall be entitled to an administrative hearing pursuant to Section 11-208.3 of the Illinois Vehicle Code, as amended, and the lessee of the cited vehicle shall also be entitled to an administrative hearing pursuant to Section 11-1306 of the Illinois Vehicle Code, as amended, both statutory provisions being incorporated into this chapter by reference.

B. Hearing Dates: Hearing dates shall be at the date, time and place as is set forth in the violation notice issued and served, or such additional notices issued in accordance with this chapter.

C. Audio Recordings: Hearings shall be recorded audibly.

D. Grounds For Review: A person charged with a vehicular standing, parking, or compliance regulation violation may contest the charge at an administrative hearing limited to one or more of the following grounds with appropriate evidence to support:

1. The person issued the violation notice was not the owner or lessee of the cited vehicle at the time of the violation.

2. The cited vehicle or its state registration plates were stolen at the time the violation occurred.
3. The relevant signs prohibiting or restricting parking were missing or obscured.
4. The relevant parking meter was inoperable or malfunctioned through no fault of the person issued the violation notice.
5. The facts alleged in the vehicular standing, parking, or compliance regulation violation notice are inconsistent or do not support a finding that the specified regulation was violated.
6. The illegal condition described in the compliance violation notice did not exist at the time the notice was issued.

E. Hearing Officer's Determination: The hearing shall culminate in a final determination of liability or non-liability made by the hearing officer after considering testimony and other evidence without the application of the formal or technical rules of evidence. The hearing officer shall, upon a final determination of liability, assess fines and penalties in accordance with Section 8-10-11 of this chapter.

F. Representation By Attorney: Persons appearing to contest the alleged standing, parking, or compliance violation on its merits may be represented by counsel at their own expense.

G. Review: The final determination of any matter which may be decided by the hearing officer may be reviewed as is hereinafter set forth.

8-10-7: ADDITIONAL NOTICES:

Upon failure of the registered owner or lessee of the cited vehicle to pay the indicated fine on the violation notice, submit the required materials to obtain an adjudication by mail, or upon final determination of violation liability, the traffic compliance administrator shall send or cause to be sent additional notices which:

- A. Shall be sent to the registered owner or lessee of the cited vehicle at the address as is recorded with the Illinois Secretary of State. If the vehicle is registered in a state other than Illinois, the City traffic compliance administrator shall send the appropriate notice to the address of the registered owner as recorded in such other state's registry of motor vehicles.
- B. Shall be sent to the lessee of the cited vehicle at the address last known to the lessor of the cited vehicle at the time of the lease.
- C. Shall be sent by first class mail, postage prepaid.

D. Service of additional notices sent in accordance herewith shall be complete as of the date of deposit in the United States mail.

E. The additional notices sent in accordance herewith shall contain, but not be limited to, the following information:

1. Upon the failure of the registered owner or lessee of the cited vehicle to pay the indicated fine on the violation notice, submit the required materials to obtain an adjudication by mail, or request an administrative hearing, an additional notice shall be sent, as above set forth, and shall contain, but not be limited to, the following information:
 - a. Date and location of violation cited in the vehicular standing, parking, or compliance regulation violation notice.
 - b. Particular standing, parking, or compliance regulation violated.
 - c. Vehicle make and state registration.
 - d. Fine and any penalty that may be assessed for late payment.
 - e. Notice to the registered owner or lessee of their current status, other than paid in full.
 - f. Date, time and place of the administrative hearing at which the alleged violation may be contested on its merits.
 - g. Statement that failure to either pay the indicated fine on the violation notice, submit the required materials to obtain an adjudication by mail, or appear at the scheduled administrative hearing will result in a determination of vehicle standing, parking, or compliance regulation violation liability for the cited violation in the amount of the fine and any applicable penalty indicated.
 - h. Statement that upon the occurrence of a final determination of vehicular standing, parking, or compliance violation liability for the failure, and the exhaustion of, or the failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the City.
 - i. Statement that any motor vehicle impounded in connection with an alleged violation of section 6-2-14 of this title, as amended, that is not reclaimed within thirty (30) days after the expiration of the time during which the owner of record may seek judicial review of the City's action impounding such vehicle, or the time at which a final judgment is rendered in

favor of the City, or the time a final administrative decision is rendered against an owner of record who is in default, may be disposed of as an unclaimed vehicle as provided by law.

2. A notice of final determination of vehicular standing, parking, or compliance regulation violation liability shall be sent following a determination of liability, or upon conclusion of any administrative or judicial review, as is hereinafter set forth, and the notice shall contain, but not be limited to, the following information and warnings:
 - a. A statement that the unpaid fine and any penalty assessed is a debt due and owing the City.
 - b. A warning that failure to pay the fine within twenty-one (21) days of the issuance of the final determination of liability will result in the imposition of a late payment penalty in accordance with Section 8-10-11 of this chapter and may result in the City's filing a complaint in the circuit court to have the unpaid fine or penalty rendered a judgment in accordance with Section 11-208.3(f) of the Illinois Vehicle Code, as amended, and incorporated herein by reference.
 - c. A warning that the vehicle owned by the person and located within the City may be impounded for failure to pay fines or penalties for five (5) or more vehicular standing, parking, or compliance regulation violations.
 - d. A warning that the person's driver's license may be suspended for failure to pay fines or penalties for ten (10) or more vehicular standing or parking violations under Section 6-306.5 of the Illinois Vehicle Code, as amended, and incorporated herein by reference.
 - e. Statement that any motor vehicle impounded in connection with an alleged violation of section 6-2-14 and *impoundment ordinance* of this title, as amended, that is not reclaimed within thirty (30) days after the expiration of the time during which the owner of record may seek judicial review of the City's action impounding such vehicle, or the time at which a final judgment is rendered in favor of the City, or the time a final administrative decision is rendered against an owner of record who is in default, may be disposed of as an unclaimed vehicle as provided by law.
3. A notice of impending suspension of a person's driver's license shall be sent to any person determined to be liable for the payment of any fine or penalty that remains due and owing on ten (10) or more vehicular standing or parking regulation violations:

- a. The notice shall state that the failure to pay the fine or penalty owing within forty-five (45) days of the date of the notice will result in the City's notifying the Illinois Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of the Illinois Vehicle Code, as amended, and incorporated herein by reference.
- b. The notice of impending driver's license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Illinois Secretary of State.

8-10-8: FINAL DETERMINATION OF LIABILITY:

A final determination of vehicular standing, parking, or compliance regulation violation liability shall:

- A. Occur following the failure to pay the total assessed fine after the hearing officer's determination of vehicular standing, parking, or compliance regulation violation liability and the exhaustion of or the failure to exhaust any administrative review procedures set forth in Section 8-10-6 of this chapter; and
- B. Include as part of the final determination of liability, an order imposing late payment penalty fees in accordance with Section 8-10-11 of this chapter for the failure to pay the indicated fine within thirty-five (35) days of the issuance of the final determination of liability and the exhaustion of or the failure to exhaust any administrative review procedures hereinafter set forth.

8-10-9: ADMINISTRATIVE REVIEW:

A petition to set aside a determination of vehicular standing, parking, or compliance regulation violation liability may be filed by a person owing an unpaid fine or penalty in the manner and subject to the restrictions and grounds hereinafter set forth:

- A. A written petition to set aside a determination of liability must be filed in the office of the traffic compliance administrator within, but not later than, twenty- one (21) days from the date the determination of liability is made.
- B. The traffic compliance administrator shall act upon the petitions timely filed and render a decision thereon within fourteen (14) days of the date filed.
- C. The grounds for setting aside a determination of liability shall be limited to the following:
 1. The person against whom the determination of liability is made was not the owner or lessee of the cited vehicle on the date the vehicular standing, parking, or compliance regulation violation notices

were issued.

2. The person having paid the fine and any penalty prior to the determination of liability for the violations in question.
 3. Excusable failure to appear at or request a new date for a hearing.
- D. Should the determination of liability be set aside, the traffic compliance administrator shall:
1. Notify the registered owner, or lessee, as the case may be, that the determination of liability has been set aside.
 2. Notify the registered owner, or lessee, as the case may be, of a date, time and place for a hearing on the merits of the violation for which determination of liability has been set aside.
 3. Notice of setting aside of the determination of liability and the notice of the hearing date shall be by first class mail, postage prepaid, to the address set forth on the petition to set aside the determination of liability.
 4. Service of the notice shall be complete on the date the notices are deposited in the United States mail.

8-10-10: CONTEST BY MAIL PROCEDURES:

Persons who have been served vehicular standing, parking, or compliance regulation violation notices, in accordance with this chapter, may contest the validity of the alleged violation without personally appearing at an administrative hearing by:

- A. Contest By Mail: Completing, in full, the "contest by mail" section of the violation notice, served upon him or her pursuant to this chapter.
- B. Signature: Signing the "contest by mail" in the space specified in the violation notice, and acknowledging that his or her personal appearance is waived and submitting to an adjudication based upon the signed statement and other supporting materials filed by him or her and the facts contained in the violation notice.
- C. Filing Materials: Filing by mail with the traffic compliance administrator postmarked within fifteen (15) days of the violation notice issuance or within fifteen (15) days of the date of the additional violation notice, the following materials: the violation notice with the "contest by mail" section fully completed; the full name, address and telephone number(s) of the respondent; the make, model and year of the vehicle; any documentary evidence that rebuts the charge; and a written statement signed by the respondent setting forth facts relevant to establishing a defense to the

charge.

- D. Grounds For Review: A person charged with a vehicular standing, parking, or compliance regulation violation may contest the charge by mail by asserting one or more of the grounds, with appropriate evidence to support, set forth in Subsection 8-10-6D of this chapter.
- E. Determination Of Liability: Upon review of the materials submitted in accordance with subsection C of this section, the hearing officer shall make a determination of liability or non-liability. The hearing officer shall, upon a determination of liability, assess fines in accordance with Section 8-10-11 of this chapter.
- F. Notice Of Determination: Notice of the determination of the hearing officer shall be served upon the person contesting a violation notice by mail by first class mail, postage prepaid, addressed to the person at the address set forth in the materials submitted in accordance with Subsection C of this section.
- G. Service Of Notice: Service of the notice of determination shall be complete on the date the notice is placed in the United States mail.
- H. Other Provisions Applicable: All other provisions of this chapter shall apply equally to persons contesting the violation notice by mail.

8-10-11: SCHEDULE OF FINES AND PENALTIES:

- A. The violation of any provision of this title, as amended, restricting or regulating the standing or parking of vehicles or the condition or use of equipment on a vehicle and the violation of any provision of the Illinois Compiled Statutes governing the standing or parking of vehicles or the condition or use of equipment on a vehicle adopted by reference in this title shall be an offense punishable by a fine in accordance with the following schedule:

FINE PAYMENT SCHEDULE

- 1. Except as here in below specifically provided, the penalty for violations of any provision of this Chapter shall be as follows:
 - A) Three hundred dollars (\$300.00)
 - B) An early pay discount of fifty dollars (\$50.00) shall apply if paid within 10 days.
- 2. The penalty for violations of "Handicapped Parking Zones," "Fire Hydrant Zones" and "Fire Lane Zones" shall be as follows:
 - A) Two Hundred Fifty dollars (\$250.00) if paid within ten (10) days

B) Three Hundred dollars (\$300.00) if paid after ten days.

3. The penalty for violations of Sections 8-4-4 and 8-4A-3 of the Code shall be not less than seventy-five dollars (\$75.00) nor more than five hundred dollars (\$500.00).
4. The fines and penalties herein set forth shall be uniformly applied for each violation of any applicable Municipal Ordinance.
5. The Municipality adopts by reference all current and future local standing, parking or condition of vehicle ordinances, and those provisions of the Illinois Compiled Statutes governing the standing, parking, or condition of vehicles, for its enforcement and adjudication within the geographical boundaries of the Municipality and in those areas subject to off-street parking agreements.

B. Failing to pay the indicated fine within thirty-five (35) days of the issuance of the determination of liability and the exhaustion of or the failure to exhaust any administrative review procedures as set forth in Section 8-10-9 of this chapter shall result in the imposition of a late payment penalty fee in addition to the fine as follows:

1. An additional penalty of Thirty Dollars (\$30.00) shall be imposed if the fine is paid more than thirty-five (35) days following the issuance of the determination of liability but within forty-two (42) days following the issuance of the determination of liability.
2. An additional penalty of Eighty Dollars (\$80.00) shall be imposed if the fine is paid more than forty-two (42) days following the issuance of the determination of liability but within sixty-three (63) days following the issuance of the determination of liability.
3. An additional penalty of Two Hundred Fifty Dollars (\$250.00) shall be imposed if the fine is paid more than sixty-three (63) days following the issuance of the determination of liability.

C. In addition to imposing penalties consistent with applicable code provisions and assessing costs upon finding a party liable for the charged violation, the hearing officer may:

- a. Impose, in addition to fines, administrative and/or enforcement costs, and when applicable, impose costs incurred by the City for effecting compliance with code provision(s) for which a defendant has been found liable.
- b. Upon finding a party liable for the charged violation, costs in the amount of \$50 shall be assessed against said party.
- c. Upon determination of a party failing to appear on a matter and a determination of default liability being

entered, costs in the amount of \$50 shall be assessed against said party.

- d. Order, notwithstanding fines imposed or costs assessed, the defendant to comply with code provision(s) found to have been violated, and, if appropriate, order the respondent to post a compliance bond as provided by Section 1-12-6 of this chapter.

8-10-12: CERTIFIED REPORT; CONTESTING:

Certified reports shall be made to the Illinois Secretary of State when a person fails to pay ten (10) or more vehicular parking regulation violations in accordance with the following provisions:

- A. Upon a failure to pay fines and penalties deemed due and owing the City after the exhaustion of administrative procedures set forth herein for ten (10) or more vehicular parking regulation violations, the traffic compliance administrator shall make a certified report to the Illinois Secretary of State stating that the owner of a registered vehicle has failed to pay any fine or penalty due and owing the City as a result of ten (10) or more violations of City vehicular standing or parking regulations and thereby cause the suspension of that person's driver's license.
- B. The traffic compliance administrator shall take no further action unless and until the fines and penalties due and owing the City are paid or upon determination that the inclusion of the person's name on the certified report was in error. At such time, the traffic compliance administrator shall submit to the Illinois Secretary of State a notification which shall result in the halting of a driver's license suspension proceedings. The person named therein shall receive a certified copy of such notification upon request and at no charge.
- C. Persons may challenge the accuracy of the certified report by completing a form provided by the traffic compliance administrator. The form shall specify the grounds on which such challenge is based. Grounds for challenge shall be limited to the following:
 - 1. The person was neither the owner nor the lessee of the vehicle receiving ten (10) or more violation notices on the date or dates such notices were issued; or
 - 2. The person has paid the fine and any penalties for the ten (10) or more violations indicated on the certified report.
- D. The traffic compliance administrator shall render a determination within fourteen (14) business days of receipt of the objection form and shall notify the objector of the determination.

8-10-13: IMMOBILIZATION, TOWING AND IMPOUNDMENT:

The immobilization, towing and impoundment of motor vehicles shall be conducted in accordance with the following provisions:

- A. Any motor vehicle whose registered owner has been determined to be liable for three (3) or more vehicular standing, parking, or compliance regulation violations, for which the fines or penalties assessed remain unpaid, may be immobilized or towed and impounded by a towing contractor designated by the City if:
 - 1. The traffic compliance administrator has determined that a person has been determined to be liable for three (3) or more vehicular standing, parking, or compliance regulation violations, the fines or penalties for which remain unpaid.
 - 2. The person determined to be liable for three (3) or more violations is the registered owner of a motor vehicle located within the City's jurisdiction.
 - 3. A pre-towing notice has been sent to the registered owner of the motor vehicle which contains, but shall not be limited to, the following:
 - a. A final determination has been made on three (3) or more vehicular standing, parking, or compliance regulation violations, the fines and penalties for which remain unpaid.
 - b. A listing of the violations for which the person has been determined to be liable, which shall include for each violation:
 - 1) The name and address of the registered owner.
 - 2) The state registration number of the vehicle or vehicles registered to the owner.
 - 3) The vehicular standing, parking, or compliance regulation violation notice number.
 - 4) The date of issuance of the violation notices.
 - 5) The total amount of fines and penalties assessed.
 - c. The motor vehicle owned by the person and located within the City is subject to immobilization or towing and impoundment if the fines and penalties are not paid within fourteen (14) days of the date of the notice. The request for hearing shall be deemed filed upon receipt by the traffic compliance administrator.

4. The motor vehicles of the registered owner to whom notice is sent has failed to make payment of the fines or penalties as specified in the notice and no timely request for hearing has been filed with the traffic compliance administrator to contest the validity of the notice.
- B. Upon the receipt of the request for hearing to contest the validity of the notice of impending immobilization or towing and impoundment, the traffic compliance administrator shall schedule an administrative hearing to contest the validity of said notice by disproving liability for the unpaid final determinations of parking, standing, or compliance violation liability listed on the notice, on the next available hearing date, but in no case shall the hearing be scheduled later than sixty (60) days after the request for hearing is filed.
1. The registered owner may contest the validity of the notice by fully completing and signing the request for hearing portion of one notice and by filing the request for hearing with the traffic compliance administrator within, but not later than fourteen (14) days of the date of the notice. Grounds for review shall be limited to documentary evidence which would conclusively disprove liability upon one or both of the following grounds:
 - a. All fines and penalties for the violations cited in the notice have been paid in full.
 - b. The registered owner has not accumulated three (3) or more final determinations of parking or compliance violation liability which were unpaid at the time the notice of impending vehicle immobilization was issued.
 2. The traffic compliance administrator shall serve notice of the hearing date upon the registered owner.
 3. Notice shall be sent by first class mail, postage prepaid, to the address as is set forth on the request for hearing.
 4. Service of the notice shall be complete on the date it is placed in the United States mail.
 5. The hearing officer shall render a determination of the objector's claim at the scheduled hearing date.
- C. Upon immobilization of an eligible vehicle, a notice shall be affixed to the vehicle in a conspicuous place. Such notice shall warn that the vehicle is immobilized and that any attempt to move the vehicle may result in its damage. The notice shall also state that the unauthorized removal of or damage to the immobilizing restraint is a violation of Sections 16-1 and 21-1 of the Illinois Criminal Code, as amended. The notice shall provide information specifying how release of the immobilizing restraint may be had,

and how the registered owner may obtain an immobilization hearing. If the restraint has not been released within forty-eight (48) hours of its placement, the restraint shall be released and the vehicle towed and impounded.

D. The owner of an immobilized vehicle or other authorized person may secure the release of the vehicle by paying the immobilization, towing and storage fees provided in Subsection I of this section, and all fines and penalties remaining due on each final determination for liability issued to such person.

E. The traffic compliance administrator shall serve a post-towing notice upon the registered owner of a vehicle immobilized or towed and impounded under this section which notice shall contain, but not be limited to, the following information:

1. The date of immobilization or towing and date of impoundment.
2. The location of vehicle.
3. A statement that the vehicle was immobilized under this section for nonpayment of fines or penalties assessed for the violation of three (3) or more violations of vehicular standing, parking, or compliance regulations for which the registered owner has been determined liable and notified of impending immobilization or towing and impoundment.
4. The date of notice of immobilization or towing and impoundment.
5. A statement that the registered owner may contest the validity of the immobilization or towing and impoundment by completing and signing the request for hearing portion of the notice and filing the request for hearing with the traffic compliance administrator within, but not later than, fourteen (14) days of the date of the notice. The notice shall be deemed filed upon receipt by the traffic compliance administrator.

F. The registered owner of a vehicle immobilized or towed and impounded under this section shall have the right to a prompt administrative hearing without the requirement of payment of outstanding fines and penalties for which final determination has been made.

G. Upon the receipt of a timely request for hearing to contest the validity of the immobilization or towing and impoundment, the traffic compliance administrator shall schedule an administrative hearing to contest the validity of the immobilization or towing and impoundment on the next available hearing date or if sooner scheduled by the traffic compliance administrator for good cause shown. The traffic compliance administrator shall serve notice of the hearing date upon the registered owner. Notice shall be sent by first class mail, postage prepaid, to the address as is set forth on the request for hearing. Service of the notice shall be complete on the date it is placed in the United States mail.

1. The grounds for review by which the registered owner may contest the validity of the immobilization or impoundment shall be limited to documentary evidence which would conclusively establish that the immobilization or impoundment was erroneous based upon one or both of the following grounds:
 - a. All fines and penalties for the violations cited in the notices upon which the immobilization or impoundment was based have been paid in full prior to the immobilization or impoundment.
 - b. The registered owner has not accumulated three (3) or more final determinations of parking or compliance violation liability which were unpaid at the time of the immobilization or impoundment.
2. An order entered after the hearing to contest the validity of the immobilization or towing and impoundment is a final administrative decision within the meaning of the Illinois administrative review law, as amended and incorporated herein by reference.

H. Within ten (10) days after a vehicle has been impounded, a notice of impoundment shall be sent by certified mail, return receipt requested, to the address of the registered owner as listed with the Illinois Secretary of State. The notice shall state that the owner has the right to request a post-immobilization hearing as provided in Subsection G of this section, and that if the vehicle is not claimed within thirty (30) days from the date of the notice, the vehicle may be sold or otherwise disposed of in accordance with Section 4-208 of the Illinois Vehicle Code, as amended.

I. The fee for immobilization or towing and impoundment shall be Five Hundred Dollars (\$500.00).

J. It shall be unlawful to relocate or tow any vehicle restrained by an immobilization device without the written approval of the City traffic compliance administrator. The registered owner of the immobilized vehicle and any person who relocates an immobilized vehicle in violation of this subsection shall be subject to a penalty of Five Hundred Dollars (\$500.00) for such violation.

8-10-14: JUDICIAL REVIEW:

Judicial review of final determinations of vehicular standing, parking, or compliance regulation violations and final administrative decisions issued after hearings regarding vehicle immobilization or towing and impoundment made under this chapter shall be subject to the provisions of the administrative review law as set forth in 735 Illinois Compiled Statutes 5/3-101 *et seq.*, as amended and incorporated herein by reference.

8-10-15: DEBT TO CITY:

Any fine, penalty or part of any fine or any penalty assessed in accordance with the provisions of this chapter remaining unpaid after the exhaustion of or the failure to exhaust administrative remedies created under this chapter, and the conclusion of any judicial review procedures, shall be a debt due and owing the City and, as such, may be collected in accordance with the applicable law. Any fees or costs incurred by the City with respect to attorneys or private collection agents retained by the City for the collection of debts pursuant to this chapter shall be charged to the offender. Payment in full of any fine or penalty resulting from a standing, parking, or compliance violation shall constitute a final disposition of that violation.

8-10-16: JUDGMENT:

The traffic compliance administrator shall, following the expiration of the period within which administrative or judicial review may be sought for a final determination of violation, take all necessary actions, execute all required documents and subject to the advice and consent of the corporation counsel, appoint or retain any individual or agency deemed appropriate to obtain a judgment against and collect monies from the persons who have been assessed fines or penalties which remain unpaid and have become a debt due and owing the City in accordance with this chapter and Section 11-208.3 of the Illinois Vehicle Code, as amended, by:

A. Filing a complaint in the circuit court praying for the entry of a judgment against the person for whom a final determination of standing, parking, or compliance regulation violation liability has been made.

B. The complaint filed by the traffic compliance administrator or individual or agency on behalf of the City seeking entry of a judgment against an individual for unpaid fines and/or penalties pursuant to a final determination of standing, parking, or compliance regulation violations shall have appended:

1. A certified copy of the final determination of the standing, parking, or compliance regulation violations.
2. A certification that recites facts sufficient to show that the final determination of standing, parking, or compliance regulation violations was issued in accordance with this chapter and Section 11-208.3 of the Illinois Vehicle Code, as amended.

C. Nothing shall prevent the City from consolidating multiple final determinations of standing, parking, or compliance regulation violation liability in an action in the circuit court against an individual.

D. Pursuing all available remedies, allowed by law, to collect money judgments.

E. Service of summons and a copy of the complaint may be served upon the person against whom a judgment is sought under the provisions of this chapter by any method provided under Section 2-203 of the Illinois Code of Civil Procedure, as amended, incorporated by reference, or by certified mail, return receipt requested, provided the total amount of fines and penalties for final determination of standing, parking, or compliance regulation violations does not exceed Two Thousand Five Hundred Dollars (\$2,500.00).

F. A default in the payment of a fine or penalty or any installment of a fine or penalty may be collected by any means authorized for the collection of monetary judgments. The municipal attorney of the municipality in which the fine or penalty was imposed may retain attorneys and private collection agents for the purpose of collecting any default in payment of any fine or penalty or installment of that fine or penalty. Any fees or costs incurred by the municipality with respect to attorneys or private collection agents retained by the municipal attorney under this Section shall be charged to the offender.

1. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council of the City of Pekin and approved by the Mayor of said City this _____ day of _____, 2016.

AYES: _____

NAYS: _____

ABSTAIN: _____

APPROVED: _____, 2016

MAYOR - John McCabe

ATTEST:

CITY CLERK - Sue McMillan

Chapter 12

AN ORDINANCE AMENDING TITLE 1 CHAPTER 12, "ADMINISTRATIVE ADJUDICATION OF VIOLATIONS OF THE CITY CODE" OF THE CITY OF PEKIN, ILLINOIS, TO CREATE A NEW SECTION "ADMINISTRATIVE ADJUDICATION OF NON-VEHICULAR CODE VIOLATIONS".

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Pekin as follows:

1. That Chapter 12, be amended as follows:

Chapter 12: Administrative Adjudication of Non-Vehicular Code Violations

1-12-1: PURPOSE; RESERVATION OF RIGHT; AUTHORITY:

The purpose of this chapter is to provide a fair and efficient method of enforcing the City's regulations through administrative adjudication of charges of non-vehicular violations of this code. All provisions of this Code may be enforced through the administrative adjudication system, provided the system shall have no authority to impose a penalty of incarceration or adjudicate an offense under the Illinois Motor Vehicle Code which is a traffic regulation governing moving vehicles, or to impose a fine in excess of Fifty Thousand Dollars (\$50,000.00). The City reserves its right to employ all other means and methods available under the law to enforce this code, including direct application to the courts.

Pursuant to the authority conferred by Section 1-2.1-1, *et seq.*, of the Illinois Municipal Code which authorizes home rule municipalities to provide by ordinance for a system of administrative adjudication of municipal code violations to the extent permitted by the Illinois Constitution, the City hereby creates a system of administrative adjudication for charges of violations of this Code. The City hereby adopts 1-2.1-1, *et seq.*, as amended from time to time. In the event of conflict between said statutes and this chapter, this chapter shall prevail. The adoption of this chapter does not preclude the City from using other lawful methods to enforce the provisions of this code.

1-12-2: ADMINISTRATIVE COMPOSITION:

The system of administrative adjudication of non-vehicular regulations violations shall be composed of a code hearing unit which shall be

comprised of a hearing officer (appointed by the city manager), and may include any one or more of the following: an administrator, a computer operator/system coordinator, and hearing room personnel (officer), with the power, authority, and limitations as are hereinafter set forth:

A. Powers Of The Hearing Officer: The hearing officer shall have all of the powers granted to hearing officers under state law, set forth at Section 1-2.1-4 of the Illinois Municipal Code, as amended, the provisions of which are incorporated herein by this reference, including the power to:

1. Preside over all administrative hearings as the adjudicator.
2. Administer oaths.
3. Hear testimony and accept evidence that is relevant to the existence of the code violation.
4. Issue subpoenas to secure the attendance of witnesses and the production of relevant papers or documentation upon the request of the parties or their representatives.
5. Rule upon objections and the admissibility of evidence.
6. Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing.
7. Issue a determination, based on the evidence presented at the hearing, of whether a code violation exists. The determination shall be in writing and shall include a written finding of fact, decision, and order setting forth the fine, penalty, or action with which the person found liable must comply.
8. Impose penalties consistent with applicable code provisions and assess costs upon finding a party liable for the charged violation. Notwithstanding those violations for which the Illinois municipal code, as amended, limits the fine or penalty to Seven Hundred Fifty Dollars (\$750.00), the hearing officer shall have the authority to impose fines and penalties up to Fifty Thousand Dollars (\$50,000.00). When applicable, each day a code provision is found to have been violated by the defendant shall constitute a separate offense, and each separate offense subjects the respondent to the penalty provided by the governing penalty provision. In addition to imposing penalties consistent with applicable code provisions and assessing

costs upon finding a party liable for the charged violation, the hearing officer may:

- a. Impose, in addition to fines, administrative and/or enforcement costs, and when applicable, impose costs incurred by the City for effecting compliance with code provision(s) for which a defendant has been found liable.
- b. Upon finding a party liable for the charged violation, costs in the amount of \$50 shall be assessed against said party.
- c. Upon determination of a party failing to appear on a matter and a determination of default liability being entered, costs in the amount of \$50 shall be assessed against said party.
- d. Order, notwithstanding fines imposed or costs assessed, the defendant to comply with code provision(s) found to have been violated, and, if appropriate, order the respondent to post a compliance bond as provided by Section 1-12-6 of this chapter.

9. In no event shall a hearing officer have the authority to:

- a. Impose a penalty of incarceration.
- b. Impose a fine in excess of Fifty Thousand Dollars (\$50,000.00).

The maximum monetary fine under Subsection A9b of this section shall be exclusive of costs of enforcement or costs imposed to secure compliance with this code and shall not be applicable to cases to enforce the collection of any tax imposed and collected by the City.

B. Powers Of The Administrator: The administrator shall be empowered and is authorized and directed to:

1. Operate and manage this system of administrative adjudication of non-vehicular code violations.
2. Adopt, distribute, and process code violation notices and other notices as may be required to carry out the purpose of this chapter.

3. Collect monies paid as fines and/or penalties assessed after a final determination of a code violation.
4. Promulgate rules and regulations reasonably required to operate and maintain this administrative adjudication system.
5. Collect unpaid fines and penalties and otherwise pursue all post-judgment remedies available under law.
6. Compromise or otherwise settle violation notices prior to a hearing date. However, any such compromise should be made of record by the administrator on the date the violation notice was scheduled to appear for hearing, with an explanation by the administrator as to the reasons for such compromise. The hearing officer is also required to approve any such compromise or settlement at the hearing.

C. Powers Of The System Coordinator: The system coordinator/computer operator shall operate and maintain computer programs for the administrative adjudication system created hereunder, on a day to day basis, including, but not limited to:

1. Input of violation notice information.
2. Input of hearing and notice dates.
3. Input of fine and penalty assessments and payments.
4. Issuance of receipts for payment.
5. Issuance of succeeding notices of hearing dates or court dates and/or final determination of liability as directed by the administrator or by the hearing officer in accordance with the provisions hereinafter set forth.
6. Maintenance of accurate records of appearances and nonappearances at administrative hearings, pleas entered, fines and penalties assessed and paid.

D. Selection And Appointment Of Personnel: The persons who shall hold the positions of hearing officer, administrator, computer operator/systems coordinator, and hearing room personnel under this chapter shall be selected and appointed according to the following procedures:

1. Hearing Officer Appointment: The hearing officer shall be appointed by the City Manager and shall serve pursuant to the terms set forth in an employment agreement for such services as determined by the City Manager. Hearing officers shall be subject to removal at the sole discretion of the City Manager.

2. Information Considered: In making selections, the City Manager shall consider all pertinent information, including at a minimum:

a. Candidate's ability to comply with the job descriptions as set forth herein; and

b. Background and performance data made available to the City Manager on file with the City, or otherwise obtained by the City; and

c. Whether the candidate meets the statutory criteria as an attorney licensed to practice law in the state of Illinois for at least three (3) years.

3. Administrator, System Coordinator And Hearing Room Personnel:

a. The City Manager shall assign the duties of administrator, system coordinator and hearing room personnel to City employees.

E. Compensation: The compensation to be paid for the hearing officer shall be established annually by the City manager.

F. Training Of Personnel: Prior to a hearing officer conducting these administrative adjudication proceedings, the hearing officer must either:

1. Demonstrate a minimum of three (3) years' experience as a hearing officer for a program of administrative adjudication of violations of non-vehicular regulations; or

2. Successfully complete a formal training program pursuant to section 1-2.1-4(c) of the Illinois municipal code, as amended.

1-12-3: PROCEDURES:

The system of administrative adjudication of non-vehicular regulations violations shall be conducted in accordance with the following procedures to assure defendants are afforded due process of law:

A. Issuance Of Violation Notices: Code violation notices may be issued by any authorized person and shall contain information and shall be served, certified, and have evidentiary value as hereinafter stated. Certain violation notices may be issued in the form of an ordinance ticket allowing the recipient to pay the stated fine prior to any hearing. If the recipient fails to pay the required fine within the allotted time under the ordinance ticket, the violation notice will be processed through the administrative adjudication system as otherwise provided for in this chapter.

B. CITATIONS CHARGING VIOLATION OF CERTAIN ORDINANCES AND SETTLEMENT BY PAYMENT OF FINES:

a. Any ~~Pekin Police Officer~~ **authorized person(s) pursuant to City Code 1-12-3 (C)** may issue citations to persons who are believed to have violated the sections of the Pekin City Code hereinafter specified. The citations may give the alleged violator the option to settle the case by paying the fine set forth in subsection (g) if payment is made within the time and in the manner set forth in subsection (b) of this section;

b. Payment(s) in settlement of violations set forth in subsection (f) shall **may** be made ~~within twenty one (21) days~~ **fifteen (15) days prior to the assigned hearing date.** ~~from the date the citation was issued to the person accused of such violation.~~ Payment shall be made by cash, money order or cashier's check from a local bank, made out to the City of Pekin. Payment must be made in person at any time at the Pekin Police Department at 111 S. Capitol Street, Pekin, Illinois. No personal checks or credit cards will be accepted. ~~Failure to make payment within the said twenty one day period will subject the alleged violator to ordinance violation prosecution in the Tazewell County Circuit Courts by one or more representatives of the City.~~

c. ~~The original copy of any citation issued pursuant to this section shall be kept at the Pekin Police Department. The Pekin Police Department shall hold citations for the twenty one (21) day period allowed for settlement by payment of the fine. At the end of that period of time, the citation shall be delivered to the Legal Department for the filing of a complaint for ordinance violation in the Tazewell County Circuit Court.~~

d. Citations may be settled by payment of the fine provided in subsection (f) after filing of a complaint for ordinance violation in the Tazewell County Circuit Court, at the discretion of the corporation counsel or his or her designee, if payment is made by the person so charged prior to the initial court appearance date and the person so charged pays any service fees and court costs incurred in the filing of the complaint.

e. The Corporation Counsel or his or her designee may, at ~~in~~ his or her discretion, elect to reject the adjudication process as settlement of any violation of the sections of the City Code specified in subsection (g) and proceed to filing a criminal complaint for such violation(s) in the Tazewell County Circuit Court.

f. The amount stated in subsection (g) shall be the fine for settlement for first offenses pursuant to the provisions of this section notwithstanding that the fine stated for such violation in another section of the code may be lower than the fine stated in this section. The amount stated in subsection (g) shall be doubled for a second offense, except for underage drinking charges, where a second offense shall be a mandatory court appearance.

g. The violations for which citations may be issued and the fines which shall be paid to settle the case are as follows: including, but not limited to (Ord. No. 2565-08/09 09/08/08)(Ord. No. 2629-10/11 10/12/10) (Ord. No. 2639-11/12 05/23/11)

ORDINANCE NO. VIOLATION FINE (First Offense)
OFFENSES INVOLVING PUBLIC ORDER

6-2-3-1: Disorderly Conduct; Disturbances \$150.00
6-2-3-2: Assault, Battery and Affray \$200.00
6-2-3-3: Reckless Conduct \$200.00
6-2-3-4: Unlawful Assemblies; Mob Actions \$200.00
6-2-3-5 Obstruction; Resisting Officers \$200.00
6-2-3-6 Obstructing Stairways or Exits \$300.00
6-2-3-7 Unlawful Possession of Contraband \$200.00
6-2-3-8 Graffiti \$200.00

WEAPONS

6-2-4-1: Unlawful Use of Weapon \$300.00
6-2-4-2: Firing and Discharging \$300.00
6-2-4-3: Sale of Firearms or Weapons to Minors \$300.00

6-2-4-3 Possession of Firearms or Weapons by Minors \$300.00
6-2-4-4: Unlawful Display \$200.00
6-2-4-5: Confiscation and Disposition of Weapons \$200.00

OFFENSES INVOLVING HEALTH, SAFETY AND CHILDREN

6-2-5-1: Nuisances; Creating; Maintaining \$250.00
6-2-5-2: Fires \$250.00
6-2-5-3: Possession of Cannabis (under 10 grams) \$400.00
6-2-5-3a: Drug Paraphernalia \$300.00
6-2-5-3b: Possession/Use of Synthetic Alternative Drugs \$250.00
6-2-5-4: Sniffing or Inhaling of Intoxicants Prohibited \$300.00
~~6-2-5-5: Public Consumption of Alcoholic Beverages \$300.00~~
6-2-5-6: Fireworks \$200.00
6-2-5-7: Loud, Disturbing and Unnecessary Noises \$200.00
6-2-5-8: Stench Bombs, Nauseous Gases and Substances \$200.00
6-2-5-9: Throwing Missiles or Bottles \$200.00
6-3-6: Animals, Noise, Odor, Nuisance \$ 75.00
6-3-12: Failure to Inoculate an Animal \$150.00
6-3-15a: Animals at Large Prohibited \$ 75.00
6-8G-4: False Alarms \$ 75.00

MINORS

6-2-6-1 Curfew \$50.00
6-2-6-2 Truancy Prohibited \$100.00
6-2-6-3 Sale and Delivery of Tobacco Products To Minors \$150.00
Possession of Tobacco by Minor \$50.00
Skateboarding \$50.00

OFFENSES INVOLVING PROPERTY

6-2-7-2 Trespass to Land and Buildings \$150.00
6-2-7-3 Malicious Mischief for Destruction \$150.00
6-2-7-4 Coin-Operated Devices; Slugs, Tampering \$150.00
6-2-7-5 Trespass to Vehicles \$200.00
6-2-7-6 Retail Theft of Property, the Full Retail Value of Which Does Not Exceed \$150.00
6-2-7-11(corrected 8-8-14) Presence on Riverfront Area or West Boat Ramp \$75.00
6-2-13 Crime Free Property/Nuisance Property Abatement \$250.00

OFFENSES INVOLVING MORALITY

6-2-8-1 Prostitution \$200.00
6-2-8-2 Public Indecency; Acts or Language Prohibited \$200.00
6-2-8-3 Obscenity \$200.00

6-2-8-4: Exhibition of Videos Containing Harmful Material to Minors \$200.00
6-2-8-5 Gambling \$200.00

OFFENSES INVOLVING ALCOHOLIC LIQUOR

6-2-9-1 Sales to Nonage and Certain Persons \$300.00
6-2-9-2 Proof of Identity and Age; Identification Cards \$250.00
6-2-9-3 Purchase, Acceptance of Gifts by Nonage Person \$250.00
6-2-9-3 Possession or Consumption by Nonage Person \$250.00
6-2-9-4 Possession or Consumption in Public Places \$250.00
6-2-9-5 Presence of Alcoholic Liquor in Vehicles \$250.00
6-2-9-6 Social Host Responsibility \$250.00 plus restitution to the Pekin Police Department Resource Allocation

MISCELLANEOUS OFFENSES

6-2-10-1: Civil Rights \$250.00
6-2-10-2 Bribery; Offering or Accepting \$250.00
6-2-10-3 Solicitation to Commit Offense \$250.00
6-2-10-4 Conspiracy \$200.00
6-2-10-5 Unregistered Public Solicitation of Funds \$200.00
6-2-10-6 Unregistered Telephone Solicitation or Promotion \$200.00
6-2-10-7 Intimidation \$250.00
6-2-10-8 Litter \$150.00
6-2-10-9 Mendicants; Vagrants \$100.00

OFFENSES INVOLVING TRAFFIC

8-1-9: Truck off Truck Route \$150.00

C. Authorization: All full time and auxiliary police officers and other specifically appointed individuals including, but not limited to, specifically appointed code enforcement officers and building inspectors, shall have the authority to issue violation notices. For the purposes of this section and for the purposes of any inspections relating to the enforcement of any City ordinances or codes, authorized designees, shall also include, but not be limited to, any person retained by the City pursuant to a contract to perform ordinance/code enforcement or inspection related services.

D. Detection Of Violations: Any individual authorized to issue a violation notice who detects a violation of any non-vehicular regulation shall issue a notice of violation thereof and shall serve the violation notice as herein provided.

E. Content: Violation notices shall contain, at a minimum:

1. The date, time and place of the violation (date of issuance).
2. The particular code section or regulation violated.
3. The common address of the building or property alleged to be in violation (the "cited property"), if applicable.
4. The signature and identification number, if applicable, of the person issuing the violation notice.
5. The date, time, and place of the administrative hearing at which the charge may be contested on its merits. This date shall be no less than fifteen (15) days after the date of service of the violation notice. A hearing may be set at a date less than fifteen (15) days after the date of service of the violation in an emergency situation where the violation constitutes a threat to public interest, safety or welfare.
6. A statement of penalties for failure to appear at the hearing.
7. If the violation notice is issued as an ordinance ticket, the notice shall include the amount of the fine and the date required for payment of the fine. The notice under the ordinance ticket shall also apprise the recipient that the failure to pay the stated fine within the allotted time will operate to process the violation notice within the administrative adjudication system as otherwise provided for by this chapter.

F. Service Of Violation Notices: Service of violation notices shall be made in a manner reasonably calculated to give the defendant actual notice by:

1. Handing a copy of the violation notice to the person charged;
or
2. Delivering a copy of the violation notice to the person charged by certified mail, return receipt requested. Such service shall be completed as of the date of deposit in the United States mail; or
3. If a violation of Title 7, "Building Codes", of this code is alleged where the person charged is an owner or manager of the property, posting a copy on the cited property.

G. Certification: The correctness of facts contained in the violation notice shall be certified by the issuing person by:

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

H. Business Records: The original or complete copy of the violation notice shall be retained and kept as a record in the ordinary course of City business.

I. Prima Facie Evidence: Any violation notice issued, signed and served in accordance herewith, or a complete copy of the notice, shall be deemed prima facie correct and shall be considered prima facie evidence of the facts alleged therein.

J. Admissibility: The violation notices shall be admissible in any subsequent administrative or legal proceeding.

1-12-4: ADMINISTRATIVE HEARINGS:

An administrative hearing shall be held to adjudicate an alleged code violation on its merits, or to contest the validity of a violation notice. Specifically, hearings shall be held to adjudicate alleged violations of all code sections except those that are excluded by law from the City's administrative adjudication system:

A. Time And Date: Hearings shall be on the date, time and place as set forth in the violation notice issued and served.

B. Recording: Hearings shall be audibly recorded.

C. Nonappearance: Persons who do not appear on their scheduled hearing date shall have a default judgment entered against them.

D. Hearing Rights: Persons appearing to contest an alleged code violation may be represented by counsel of their own choice at their own expense, may present witnesses, may present testimony and documents, may cross examine opposing witnesses, and may request the issuance of subpoenas

to compel the appearance of relevant witnesses or the production of relevant documents.

E. Evidentiary Standard: The formal and technical rules of evidence do not apply in an administrative hearing conducted in compliance with this chapter. Evidence, including hearsay, may be admitted, pursuant to state law set forth at Section 1-2.1-6 of the Illinois Municipal Code, as amended, only if it is of the type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

F. Determination Of Liability: Hearings shall result in a default judgment, or a determination of liability or non-liability, made by the hearing officer, who shall consider facts and/or testimony. The hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with this chapter and issue a notice of final determination that shall contain, at a minimum, the following information and warnings:

1. The findings, decision and order of the hearing officer.
2. A date by which the violation must be brought into compliance with this code.
3. A statement that the unpaid fine and any penalty assessed is a debt due and owing the City.
4. A warning that the findings, decision and order of the hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. In the case in which a defendant fails to comply with a judgment ordering the correction of a code violation or imposing any fine or other sanction as a result of the code violation, a statement that any expenses incurred by the City to enforce the judgment, including, but not limited to, attorney fees, court costs and costs related to property demolition or foreclosure, shall be a debt due and owing the City and may be collected in accordance with applicable law.
5. A notice of judgment entered by default shall be forwarded to any person who fails to appear and shall contain the same information as a determination of liability, but shall also state that the judgment may be set aside by the hearing officer if, within twenty-one (21) days of issuance of the judgment, a petition is received stating what the hearing officer determines is good cause for failure to appear. The hearing officer, upon making a determination of good cause, shall, within the twenty-one (21) day period, provide the

petitioner with notice of a new hearing date or denial of the petition. The default judgment shall state that it shall constitute a final determination of liability if such petition is not received, if the petition is denied or if after setting of a new hearing date the person fails to appear.

G. Final Determination: The determination of liability shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois administrative review law, as amended.

1-12-5: REPRESENTATION AT HEARINGS:

A. City Representation: The case for the City may be presented by a City employee, or by an attorney designated by the corporation counsel, but not by an employee or other representative of the code hearing unit, subject to the following exception: Documentary evidence prepared by another department of the City and submitted to the code hearing unit may be presented at the hearing by the hearing officer.

B. Defendant Representation: The case for the defendant may be presented by the defendant or by an attorney ~~or agent of the defendant~~. An attorney or agent appearing at an administrative hearing on behalf of a defendant shall present the hearing officer with a signed appearance form stating, on oath or affirmation, that he or she has been authorized by the defendant to represent the defendant at the hearing.

1-12-6: FINES; COMPLIANCE BOND:

A. All fines and other monies to be paid to the City in accordance with this chapter shall be remitted to the City and deposited in the appropriate City account as designated by the City Manager, or his designee.

B. To ensure that code violations are remedied in a timely manner, the hearing officer, upon issuing a determination of liability that includes an order of compliance, may order the defendant in the case to obtain a bond to ensure defendant's timely compliance with the code provision(s) found to have been violated. Any bond ordered pursuant to this subsection shall name the City as beneficiary and shall be in the amount specified by the hearing officer, provided that the amount of the bond shall be reasonably related to the cost of compliance. Any bond issued as a result of the hearing officer's order is subject to review and modification by the City Manager as to form and amount. If the defendant fails to remedy in a timely manner the code violation(s) for which a bond has been ordered and issued and the City undertakes remediation or otherwise expends

funds related to the code violation(s) for which a bond has been ordered and issued, the hearing officer, after giving the parties notice and opportunity to be heard, may issue an order permitting the City to draw against the bond in an appropriate amount. The hearing officer shall order the bond amount, less the reasonable costs incurred by the City, returned to the defendant upon proof of compliance with the code provision(s) found to have been violated.

C. In the event a defendant ordered to secure a bond as provided by subsection B of this section seeks judicial review of that portion of the hearing officer's order requiring a bond and prevails on that issue, the City shall release the bond, and if the City has drawn against the bond, the City shall refund to the defendant the total amount drawn within thirty (30) days of receiving a copy of the reviewing court's mandate.

1-12-7: VIOLATIONS OF ORDERS:

Any person, having received notice and an opportunity for a hearing as provided in this chapter, who knowingly fails to comply with an order issued by the hearing officer under this chapter, including the issuance of a subpoena, shall, if the order is not stayed by a court of competent jurisdiction prior to its effective date, be guilty of contempt. Contempt shall be enforceable only by the judicial system of the Circuit Court for the Tenth Judicial Circuit, Tazewell County, Illinois, and shall be punishable by applicable law. Each day that the violation continues shall be considered a separate and distinct offense. In a prosecution under this section, it shall not be a defense that a person came into compliance with an order, sought judicial review of it, or made efforts to comply with an order, subsequent to its effective date.

1-12-8: ADMINISTRATIVE REVIEW:

The administrative review of final determinations issued by the hearing officer under this chapter shall be subject to the provisions of the Illinois administrative review law, as amended, which sections are incorporated herein by reference.

1-12-9: JUDGMENT AND COLLECTION:

A. Enforcement: Upon expiration of the period in which judicial review under the Illinois administrative review law may be sought for a final determination of a code violation, unless stayed by a court of competent jurisdiction, the findings, decision and order of the hearing officer may be

enforced in the same manner as a judgment entered by a court of competent jurisdiction.

B. Court Costs, Attorney Fees And Costs Of Collection: In any case in which a person has failed to comply with a hearing officer's judgment ordering the correction of a code violation or imposing any fine or other sanction as a result of a code violation, any expenses incurred by the City to enforce the judgment, including, but not limited to, attorney fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or by the hearing officer shall be a debt due and owing the City and may be collected in accordance with applicable law.

1. Prior to any expenses being fixed by the hearing officer pursuant to this subsection, the City shall provide notice to the person that states that the person shall appear at a hearing before the hearing officer to determine whether the person has failed to comply with the judgment. The notice shall set the date for such hearing, which shall not be less than seven (7) days from the date that notice is served. If notice is served by mail, the seven (7) day period shall begin on the date the notice was deposited in the mail.

2. Upon being recorded in the manner required by Article 12 of the Code of Civil Procedure, as amended, or by the Uniform Commercial Code, as amended, a lien shall be imposed on the real estate or personal estate, or both, of the person in the amount of any debt due and owing the City under this section. The lien may be enforced in the same manner as a judgment lien would be enforced in a court of competent jurisdiction.

C. Default: A default in the payment of a fine or penalty or any installment of a fine or penalty may be collected by any means authorized for the collection of monetary judgments. The municipal attorney of the municipality in which the fine or penalty was imposed may retain attorneys and private collection agents for the purpose of collecting any default in payment of any fine or penalty or installment of that fine or penalty. Any fees or costs incurred by the municipality with respect to attorneys or private collection agents retained by the municipal attorney under this Section shall be charged to the offender.

1-12-10: ELECTION OF REMEDIES NONEXCLUSIVE:

Nothing contained in this chapter shall prevent the City from pursuing all available remedies, allowed by law, to collect money judgments.

2. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council of the City of Pekin and approved by the Mayor of said City this _____ day of _____, 2016.

AYES: _____

NAYS: _____

ABSTAIN: _____

APPROVED: _____, 2016

MAYOR – John McCabe

ATTEST:

CITY CLERK – Sue McMillan

REQUEST FOR COUNCIL ACTION

To: Council and Interim City Manager

CC: City Clerk

From: Michael Guerra, City Engineer



AGENDA ITEM: Agreement with Amec Foster Wheeler for Stormwater Utility Implementation Public Education and Outreach

AGENDA DATE REQUESTED: August 8, 2016

ACTION REQUESTED: Approval of a professional services agreement with Amec Foster Wheeler to assist in Stormwater Utility Public Education and Outreach in an amount not to exceed \$11,987

DESCRIPTION: This agreement is to assist the City in the public education and outreach for the stormwater utility fee. The council requested that prior to any implementation of an ordinance for a storm water fee public outreach and education needs to occur. Therefore the agreement with Amec Foster Wheeler has been revised to only proceed with the public education and outreach component of the implementation of a stormwater utility fee based off the study conducted for the Tri-County Regional Planning Commission in 2013-2014 performed by Amec. For this agreement Amec will assist the City with crafting the outreach plan, facilitating 2 public meetings and accompany the City to 6 key ratepayer meetings to discuss the need for stormwater funding and the possibility of a stormwater fee.

HISTORY: In November of 2011 the City Council approved a resolution for participation in the Regional Stormwater Study

April 2014 the final report of the Study was completed.

April 2016 the City Council approved the FY17 budget with the provision via resolution for a stormwater utility to be implemented by the fall of 2016.

June 13, 2016 Council meeting the City Council requested that public outreach and meetings be held prior to advancing the implementation of a stormwater fee

FINANCIAL IMPACT: Up to \$11,987 of the Stormwater Fund.

NEIGHBORHOOD CONCERNS: Improvements required for aging infrastructure, erosion problems, stormwater flooding, and deferred maintenance that requires funding

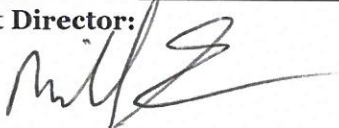
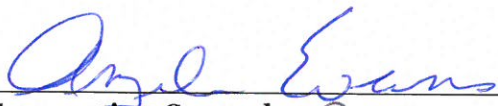
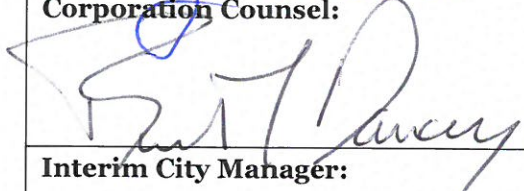
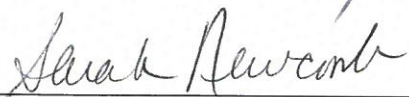
IMPACT IF APPROVED: Amec Foster Wheeler will assist with the implementation of the public education and outreach plan.

IMPACT IF DENIED: Due to limited staffing, the implementation of the public education and outreach plan burden on the staff resulting in a less efficient and effective work.

ALTERNATIVES: None

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

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

	need, and are willing to support.
REQUIRED SIGNATURES	
Department Director: 	Date: Aug. 2, 2016
Finance Department (Certification of Availability of Funds) 	Date: Aug 2, 2016
Corporation Counsel: 	Date: Aug 2, 2016
Interim City Manager: 	Date: Aug 2, 2016



Professional Services Agreement

PARTIES

THIS AGREEMENT (the "Agreement"), effective this 08th day of August 2016, is made by and between **Amec Foster Wheeler Environment & Infrastructure, Inc.**, a Nevada corporation, with an address at 201 S. Capitol Avenue, Suite 200, Indianapolis, Indiana, 46225 ("Amec Foster Wheeler") and the City of Pekin, a municipal corporation, with an address at 111 South Capitol Street, Pekin, Illinois 61554 ("CLIENT").

NOW, THEREFORE, in consideration of the mutual undertakings and subject to the terms set forth below and intending to be legally bound, the parties agree as follows:

PROJECT

CLIENT engages Amec Foster Wheeler to provide services in connection with:

Stormwater Utility Implementation Public Education and Outreach

SCOPE OF SERVICES

Amec Foster Wheeler agrees to perform services in accordance with its Proposal as follows:

The scope of services, provided in Attachment 1, describes the tasks that will be provided by Amec Foster Wheeler to assist the CLIENT in providing public education and outreach on the stormwater utility approach to funding municipal stormwater management. The project will be based on the stormwater utility that was conceptualized during the Regional Stormwater Utility Feasibility Study project that was performed for the Tri-County Regional Planning Commission in 2013-2014. It is anticipated that the project will be completed by the end of September 2016.

CLIENT agrees that all services not expressly included are excluded from Amec Foster Wheeler's Scope of Services.

COMPENSATION (in U.S. Dollars) (check one)

☐ **Firm-fixed price:** CLIENT agrees to compensate Amec Foster Wheeler on a firm-fixed price basis in the amount of: \$ _____.

☒ **Time and materials:** CLIENT agrees to compensate Amec Foster Wheeler for all hours worked and other costs incurred at the rates and terms set forth herein. Should the total cost of Amec Foster Wheeler's performance be greater than the estimated amount shown below, Amec Foster Wheeler will notify CLIENT and provide a revised estimate for CLIENT's approval. In such event, continued performance is subject to additional funding as mutually agreed.

Labor Categories and Hourly Labor Rates: See Attachment 2.

Other Direct Costs (Reimbursed at cost plus 10 % mark-up): \$2,882.

Total estimated time and materials cost: \$11,987 (See Attachment 3).

In addition to the Agreement amount, CLIENT assumes full responsibility for the payment of any applicable

US PSA 1-2015

sales, use, or value-added taxes under this Agreement, except as otherwise specified.

ATTACHMENTS

The listed attachments form part of this Agreement:

1. Scope of Services, dated August 3, 2016.
 2. Labor Categories and Hourly Rates
 3. Hour and Cost Estimate
-

Terms and Conditions

1. COMPENSATION: Invoices will be submitted at least monthly for Services rendered. Terms of payment are net thirty (30) days from date of invoice. Payment will be made to Amec Foster Wheeler at the address specified on Amec Foster Wheeler's invoice.

If CLIENT reasonably objects to all or any portion of an invoice, CLIENT shall notify Amec Foster Wheeler of that fact in writing within ten (10) days from the date of receipt of Amec Foster Wheeler's invoice, give reasons for the objection, and pay that portion of the invoice not reasonably in dispute. Failure of CLIENT to provide such written notice within the allowed ten (10) day period shall be deemed to be a waiver of all objections to that invoice.

2. STANDARD OF CARE: Amec Foster Wheeler will perform the Scope of Services specified in a Work Order utilizing that degree of skill and care ordinarily exercised under similar conditions by reputable members of Amec Foster Wheeler's profession practicing in the same or similar locality at the time of performance. NO OTHER WARRANTY, GUARANTY, OR REPRESENTATION, EXPRESS OR IMPLIED, IS MADE OR INTENDED IN THIS AGREEMENT, OR IN ANY COMMUNICATION (ORAL OR WRITTEN), REPORT, OPINION, DOCUMENT, OR INSTRUMENT OF SERVICE, AND THE SAME ARE SPECIFICALLY DISCLAIMED, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

3. INDEPENDENT CONTRACTOR: Amec Foster Wheeler shall be fully independent and shall not act, except as permitted herein, as an agent or employee of CLIENT. Amec Foster Wheeler shall be solely responsible for its employees and for their compensation, benefits, contributions, and taxes, if any.

Unless otherwise agreed to in writing by Amec Foster Wheeler and CLIENT, neither party shall directly or indirectly solicit, hire or retain, or knowingly cause a third party to solicit, hire or retain, during the term of this Agreement and for a period of one (1) year after the date on which this Agreement terminates, any employee of the other party who works on the preparation of the Proposal or otherwise performs Services under or in connection with this Agreement. Nothing herein shall prevent either party from hiring any individual who responds to a general advertisement for services.

4. INSURANCE: Amec Foster Wheeler will maintain insurance for this Agreement in the following types and limits: (i) worker's compensation insurance as required by applicable law, (ii) comprehensive general liability insurance (CGL) (\$1,000,000 per occurrence / \$2,000,000 aggregate), and (iii) automobile liability insurance for bodily injury and property damage (\$1,000,000 CSL).

5. CHANGES: CLIENT may order changes within the general scope of the Services by altering, adding to, or deleting from the Services to be performed. Work beyond the scope of services or re-doing any part of the project through no fault of Amec Foster Wheeler, shall constitute extra work and shall be paid for on a time-and-materials basis in addition to any other payment provided for in this Agreement.

Should Amec Foster Wheeler encounter conditions which were (i) not reasonably anticipated, including, but not limited to, changes in applicable law, (ii) subsurface or otherwise concealed physical conditions that differ materially from those indicated in this Agreement or (iii) unknown physical conditions of an unusual nature that differ materially from those ordinarily found to exist and generally recognized as inherent in activities of the character contemplated by this Agreement, Amec Foster Wheeler shall promptly provide notice to CLIENT. CLIENT shall promptly investigate such conditions. If, in Amec Foster Wheeler's reasonable opinion, the conditions cause an increase or decrease in Amec Foster Wheeler's cost of, or time required for, performance of any part of its Services, CLIENT shall issue a Change Order with an equitable adjustment in Amec Foster Wheeler's compensation, schedule, or both. In the event no Change Order is agreed to, Amec Foster Wheeler reserves the right to either (i) suspend its performance until a Change Order is agreed to or (ii) discontinue its performance and terminate this Agreement.

6. FORCE MAJEURE: Should performance of Services by Amec Foster Wheeler be affected by causes beyond its reasonable control, Amec Foster Wheeler will be granted a time extension and the parties will negotiate an equitable adjustment to the price of any affected Work Order, where appropriate, based upon the effect of the Force Majeure on performance by Amec Foster Wheeler.

7. CLIENT'S RESPONSIBILITIES: CLIENT agrees to provide Amec Foster Wheeler all available material, data, and information pertaining to the Services.

8. SITE ACCESS: CLIENT shall at its cost and at such times as may be required by Amec Foster Wheeler for the successful and timely completion of Services: (i) provide unimpeded and timely access to any site, including third party sites if required (ii) provide an adequate area for Amec Foster Wheeler's site office facilities, equipment storage, and employee parking; (iii) furnish all construction utilities and utilities releases necessary for the Services; (iv) provide the locations of all subsurface

structures, including piping, tanks, cables, and utilities; (v) approve all locations for digging and drilling operations; and (vi) obtain all permits and licenses which are necessary and required to be taken out in CLIENT's name for the Services. Amec Foster Wheeler will not be liable for damage or injury arising from damage to subsurface structures that are not called to its attention and correctly shown on the plans furnished to Amec Foster Wheeler in connection with its work.

9. WARRANTY OF TITLE, WASTE OWNERSHIP: CLIENT has and shall retain all responsibility and liability for the environmental conditions on the site. Title and risk of loss with respect to all materials shall remain with CLIENT. At no time will Amec Foster Wheeler assume possession or title, constructive or express, to any such samples or wastes.

10. LIMITATION OF LIABILITY: As part of the consideration Amec Foster Wheeler requires for provision of the Services indicated herein, CLIENT agrees that any claim for damages filed against Amec Foster Wheeler by CLIENT or any contractor or subcontractor hired directly or indirectly by CLIENT will be filed solely against Amec Foster Wheeler or its successors or assigns and that no individual person shall be made personally liable for damages, in whole or in part.

TO THE MAXIMUM EXTENT PERMITTED BY LAW, CLIENT AGREES THAT THE LIABILITY OF AMEC FOSTER WHEELER TO CLIENT FOR ANY AND ALL CAUSES OF ACTION, INCLUDING, WITHOUT LIMITATION, CONTRIBUTION, ASSERTED BY CLIENT AND ARISING OUT OF OR RELATED TO THE NEGLIGENT ACT(S), ERROR(S) OR OMISSION(S) OF AMEC FOSTER WHEELER IN PERFORMING SERVICES, SHALL BE LIMITED TO SEVENTY-FIVE THOUSAND DOLLARS (\$75,000) ("LIMITATION"). CLIENT HEREBY WAIVES AND RELEASES (I) ALL PRESENT AND FUTURE CLAIMS AGAINST AMEC FOSTER WHEELER OTHER THAN THOSE DESCRIBED IN THE PRECEDING SENTENCE, AND (II) ANY LIABILITY OF AMEC FOSTER WHEELER IN EXCESS OF THE LIMITATION.

In consideration of the promises contained herein and for other separate, valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CLIENT acknowledges and agrees that (i) but for the Limitation, Amec Foster Wheeler would not have performed the Services, (ii) it has had the opportunity to negotiate the terms of the Limitation as part of an "arms-length" transaction, (iii) the Limitation amount may differ from the amount of professional liability insurance carried by Amec Foster Wheeler, (iv) the Limitation is merely a limitation of, and not an exculpation from, Amec Foster Wheeler's liability and does not in any way obligate CLIENT to defend, indemnify or hold harmless Amec Foster Wheeler, (v) the Limitation is an agreed remedy, and (vi) the Limitation amount is neither nominal nor a disincentive to Amec Foster Wheeler performing the Services in accordance with the Standard of Care.

CLIENT agrees that the damages for which Amec Foster Wheeler shall be liable are limited to that proportion of such damages which is attributable to Amec Foster Wheeler's percentage of fault subject to the other limitations herein.

11. INDEMNITY. CLIENT agrees to defend, indemnify, protect and hold harmless Amec Foster Wheeler and its officers, employees and agents from any and all claims, liabilities, damages or expenses, including but not limited to any consequential damages, to the extent caused by the negligent acts or omissions of CLIENT.

Amec Foster Wheeler agrees to defend, indemnify, protect and hold harmless CLIENT and its officers, employees and agents from any and all claims, liabilities, damages or expenses, including but not limited to any consequential damages, to the extent caused by the negligent acts or omissions of Amec Foster Wheeler.

12. ASSIGNMENT AND SUBCONTRACTING: Neither party shall assign its interest in this Agreement without the written consent of the other.

13. COST ESTIMATES: If included in the Services, Amec Foster Wheeler will provide cost estimates based upon Amec Foster Wheeler's experience on similar projects, which are not intended for use by CLIENT or any other party in developing firm budgets or financial models, or in making investment decisions. Such cost estimates represent only Amec Foster Wheeler's judgment as a professional and, if furnished, are only for CLIENT's general guidance and are not guaranteed as to accuracy.

14. TERMINATION Either party may terminate this Agreement at any time by providing not less than ten (10) days advance written notice to the other party. In the event of a termination, CLIENT shall pay for all reasonable charges for work performed and demobilization by Amec Foster Wheeler to date of notice of termination. The limitation of liability and indemnity obligations of this Agreement shall be binding notwithstanding any termination of this Agreement.

15. GOVERNING LAWS/LANGUAGE: This Agreement shall be governed and construed in accordance with the laws of the state of Illinois. All communications relating to or arising out of this Agreement shall be in the English language.

16. FIELD REPRESENTATION: The Services do not include supervision or direction of the means, methods or actual work of other consultants, contractors and subcontractors not retained by Amec Foster Wheeler. The presence of Amec Foster Wheeler's representative will not relieve any such other party from its responsibility to perform its work and services

in accordance with its contractual and legal obligations and in conformity with the plans and specifications for the project. CLIENT agrees that each such other party will be solely responsible for its working conditions and safety on the site. Amec Foster Wheeler's monitoring of the procedures of any such other party is not intended to include a review of the adequacy of its safety measures. It is agreed that Amec Foster Wheeler is not responsible for safety or security at a site, other than for Amec Foster Wheeler's employees, and that Amec Foster Wheeler does not have the contractual duty or legal right to stop the work of others.

17. DISPUTES. Any dispute arising hereunder shall first be resolved by taking the following steps, where a successive step is taken if the issue is not resolved at the preceding step: 1) by the technical and contractual personnel for each party performing this Agreement, 2) by executive management of each party, 3) by mediation, or 4) through the court system of the state of Illinois. CLIENT hereby waives the right to trial by jury for any disputes arising out of this Agreement. Except as otherwise provided herein, each party shall be responsible for its own legal costs and attorneys' fees.

18. EXCLUSIVE USE. Services provided under this Agreement, including all reports, information or recommendations prepared or issued by Amec Foster Wheeler, are for the exclusive use of the CLIENT for the project specified. No other use is authorized under this Agreement. CLIENT will not distribute or convey Amec Foster Wheeler's reports or recommendations to any person or organization other than those identified in the project description without Amec Foster Wheeler's written authorization. CLIENT releases Amec Foster Wheeler from liability and agrees to defend, indemnify, protect and hold harmless Amec Foster Wheeler from any and all claims, liabilities, damages or expenses arising, in whole or in part, from such unauthorized distribution. All reports, drawings, plans, documents, software, source code, object code, field notes and work product (or copies thereof) in any form prepared or furnished by Amec Foster Wheeler under this Agreement are instruments of service. Exclusive ownership, copyright and title to all instruments of service remain with Amec Foster Wheeler.

19. ENTIRE AGREEMENT: The terms and conditions set forth herein constitute the entire understanding and agreement of Amec Foster Wheeler and CLIENT with respect to the Services. All previous proposals, offers, and other communications relative to the provisions of these Services are hereby superseded. Should CLIENT utilize its purchase order or any other form to procure services, CLIENT acknowledges and agrees that its use of such purchase order or other form is solely for administrative purposes and in no event shall Amec Foster Wheeler be bound to any terms and conditions on such purchase order or other form, regardless of reference to (e.g. on invoices) or signature upon (e.g. acknowledgement) such purchase order or other form by Amec Foster Wheeler. CLIENT shall reference this Agreement on any purchase order or other form it may issue to procure Amec Foster Wheeler services, but CLIENT's failure to do so shall not operate to modify this Agreement.

IN WITNESS WHEREOF, CLIENT and Amec Foster Wheeler have caused this Agreement to be executed by their respective duly authorized representatives as of the date first set forth above.

CLIENT

Amec Foster Wheeler Environment & Infrastructure, Inc.

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

ATTACHMENT 1
STORMWATER UTILITY EDUCATION AND OUTREACH
CITY OF PEKIN, ILLINOIS
SCOPE OF SERVICES

The following scope of services is intended to provide public education and outreach on the stormwater utility approach to funding municipal stormwater management. The project will be based on the stormwater utility that was conceptualized during the *Regional Stormwater Utility Feasibility Study* project that was performed for the Tri-County Regional Planning Commission in 2013-2014. The specific tasks to be performed are described below.

Task 1. Project Management

Project management is a component of all projects. Amec Foster Wheeler will provide diligent schedule management due to keep the execution of this project on schedule. The quality assurance process at Amec Foster Wheeler requires an internal peer review. This review will be performed by a senior staff member that is experienced in stormwater utility development. Peer review time is included in the cost of the individual tasks for which the review is provided.

- a. *General Project Administration.* The Amec Foster Wheeler Project Manager's responsibilities for this task include: scheduling and conducting progress meetings, project schedule and financial management, project direction management, project documentation and communication, coordination planning and execution, budget tracking, and review for quality of all decisions and products. Throughout the project the consultant shall conduct progress meetings with the City's Project Manager on an as-needed basis to review the progress of the work and shall make all project work available for review and examination by the City as part of these meetings.

Deliverable Summary

The deliverables of the Project Management task will be:

1. ***Meeting Minutes***, which includes minutes for all project meetings, including teleconferences.
2. ***Status Reports***, which will be included with project billings.

Task 2. Public Education and Outreach

Amec Foster Wheeler will assist the City in the definition and implementation of a public education and outreach plan. Specific assistance to be provided includes:

- a. *Education and Outreach Plan.* Amec Foster Wheeler will work with the City to develop a public outreach plan that communicates the storm water management program issues facing the City, their costs, and the options available to the City to bear these costs. The plan will include both general messages and one-on-one meetings with the largest potential ratepayers to discuss their service charges in advance of sending out the first bills.
- b. *Public Meetings.* Amec Foster Wheeler will assist the City in the outreach process by facilitating 2 public meetings regarding the stormwater fee. The meetings will address the need for the fee and why this funding method was selected, and will solicit input on the construction of the fee,

- specifically on the credit and incentive program.
- c. *Key Ratepayer Meetings.* Amec Foster Wheeler will accompany the City to meet with 6 of its potential key ratepayers, over a 2-day period to discuss the need for the storm water fee, how it will be computed, the inclusion of a credit program, and the specifics of the bills they may be receiving.
 - d. *Outreach Materials.* Amec Foster Wheeler will provide the City with a PowerPoint presentation to be used at public meetings and a frequently asked questions (FAQ) guide for its stormwater utility fee program.

Deliverable Summary

The deliverables of the Public Education and Outreach task will be:

- 1. ***Outreach and Education Plan***
- 2. ***2 public meetings***
- 3. ***Key Ratepayer assistance***
- 4. ***Outreach materials, PowerPoint and FAQ***

ATTACHMENT 2

LABOR CATEGORIES AND HOURLY RATES

The following table lists the Amec Foster Wheeler Staff that will be involved in the City of Pekin's stormwater utility implementation. The table includes staff names, category, hourly rates, and role in this project.

Name	Category	Hourly Rate	Role
Doug Noel (DN)	Principal Engineer	\$190	Project Director
Andy Reese (AR)	Principal Engineer	\$210	Quality Assurance
Jean Ramsey (JR)	Senior Engineer	\$155	Group Manager
Heather Williams (HW)	Project Engineer	\$120	Project Manager
Matt Faulkner (MF)	Senior Technician	\$90	GIS & Database Oversight
Eric Borden (EB)	Technician	\$65	GIS Technician
Catherine McClintock (CM)	Administrative	\$50	Admin / Clerical

ATTACHMENT 3
City of Pekin
Stormwater Utility Education and Outreach
Hour and Cost Estimate
August 3, 2016

Task	Project Staff							Labor Total By Task	Expenses		Total By Task	Total Cost By Task
	DN Dir \$190	AR QA \$210	JR Sr Eng \$155	HW Pro Sci 120	MF Sr Tech 90	EB Tech 65	CM Clerical \$50		Direct \$1	Travel \$1		
STORMWATER UTILITY EDUCATION & OUTREACH												
1.0 Project Management												
Task 1. Labor	4	0	1	4	0	0	1	10				
Task 1. Costs	760	0	155	480	0	0	50	1,445	0	0	0	\$1,445
2.0 Public Education & Outreach												
Task 2. Labor	38	0	0	0	0	6	1	45				
Task 2. Costs	7,220	0	0	0	0	390	50	7,660	0	2,620	2,882	\$10,542
TOTAL LABOR	42	0	1	4	0	6	2	55				
TOTAL COSTS	7,980	0	155	480	0	390	100	9,105	0	2,620	2,882	\$11,987