City of Pekin

REGULAR COUNCIL MEETING MONDAY, JULY 26, 2010
5:30 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Strand

III. ROLL CALL

Clerk to Call the Roll

IV. APPROVAL OF AGENDA

ACTION: *Motion to approve the meeting agenda.*

VOTE REQUIRED

V. APPROVAL OF MINUTES

ACTION: *Motion to approve minutes of Regular Council Meeting of July 12, 2010.*

VOTE REQUIRED

VI. PUBLIC INPUT ON AGENDA ITEMS

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

VII. CONSENT AGENDA

1. **Receive and File Monthly Reports and Minutes:** Building Report for June, Mayor's Advisory Committee for Persons with Disabilities Minutes June 10, 2010, Traffic Safety Committee Minutes July 2, 2010

2. **Resolution No. 61-10/11 –** Appointment of Sarah J. Newcomb as Authorized Agent Illinois Mutual Retirement Fund.

3. **Receive and File** the Pekin Planning Commission Minutes dated July 14 , 2010.

4. **Receive and File Pekin Planning Commission Hearings and Recommendations:**
   a. Hearing #10-1805 – recommends the approval of the Site Plan for a Cell Tower located at 3000 Court.

   b. Hearing #10-1806 - recommends the denial of the Special Use Request for a Cell Tower located at 3000 Court.

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

VOTE REQUIRED TO APPROVE CONSENT AGENDA

VIII. COMMUNICATIONS, PETITIONS, REPORTS

Presentation of **Pekin Park District** New Park Plans at 5th Street and Koch Street – Bob Blackwell

ADA Awareness Presentation – Mayor's Advisory Committee for Persons With Disabilities

IX. NEW BUSINESS

1. **Site Plan** **(JW)**

   DESCRIPTION: *the recommendation of the Pekin Planning Commission to approve the Site Plan for an AT&T cell tower located at 3000 Court Street.*

   ACTION: *Motion to approve the Site Plan.*

   VOTE REQUIRED

2. **Special Use** **(JW)**

   DESCRIPTION: *the recommendation of the Pekin Planning Commission to deny the Special Use Request from AT&T for a cell tower located at 3000 Court Street.*

   ACTION: *Motion to approve the recommendation of the Planning Commission and deny the Special Use Request.*

   VOTE REQUIRED

3. **Easements and Right of Way Agreement** **(JW)**

   DESCRIPTION: *Accepting a proposed easement from Farnsworth Group on behalf of Illinois-American Water for a line extension from Well #2 to the Filter Plant.*

   ACTION: *Motion to approve the Easements.*

   VOTE REQUIRED

X. ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Members
Staff
Public Questions
Press Time

XI. EXECUTIVE SESSION

5 ILCS 120/2 (c)

XII. ADJOURNMENT

With no further action to come before the Council the Mayor declares meeting closed in open session.

NO VOTE REQUIRED

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PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, JULY 12, 2010 AT 5:30 O'CLOCK P.M.
RUSTY L. DUNN, MAYOR PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, BARRA, KORTKAMP, SCHMIDGALL, STRAND AND DUNN

ABSENT: NONE

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

Roll was called and all Council Members were present.

AGENDA

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

MINUTES

Motion by Council Member Schmidgall, seconded by Council Member Abel, that the **minutes of the Regular City Council Meeting of June 28, 2010 and the Special Council Meeting of June 21, 2010, be approved as written.** On roll call vote all present voted Aye.

CONSENT AGENDA

Motion by Council Member Blanchard, seconded by Council Member Strand, that the **Consent Agenda be approved as presented.** The following items were read by the Mayor and considered for Omnibus Vote.

1. **Receive and File Monthly Reports and Minutes:** Police Department June Report, Building Report April and May, 2010; Building Department Inspections and Zoning Reports April and May, 2010; Liquor Commission unapproved Minutes Dated June 24, 2010, Tazewell County Animal Control Report June, 2010, and Fire Department Report June Report.

2. **Resolution No. 60-10/11 –** Mayor's Appointment of Chris Coplan to the Human Rights Committee to Fill the unexpired term Michael Davis for a term until May 2013.

3. **Receive and File** Bids for Wastewater Treatment Plant (STP #1) Improvements Phase I opened July 1, 2010 at 2:00 p.m.

On roll call vote, all present voted Ayes.

COMMUNICATIONS PRESENTATION

Human Rights Update

Lynette Steger, Chairman of the Human Rights Committee was introduced. As stated in the language of the creation of the committee in 2009, she reported to the Council the committee's activities and recommendations. The purpose and goal of the Committee was to review and advise on public policy issues related to diversity, equality, and human rights. She also stated the members' task was to promote increased public awareness of the City's position and the legal and regulatory issues respecting human rights. Council was supportive of the committee's proposal to take a step in creating an educational and out-reach component verses one direction of reviewing complaints.

Wastewater Treatment Plant

Public Works Director Joseph Wuellner reported to Council that plans were going forward for the improvements of the Plant. Four bids were received at the July first opening and a summary of the bid tabulation was presented to the Council. Mr. Wuellner and the engineering firm of Farnsworth Group's offered the following for consideration:

- apparent low bidder, Williams Brothers Construction, Inc., was over $1 million dollars under the engineer's estimate and the budget discussed.
- Listed suppliers of equipment evidence compliance with specifications
- General and subcontractors proposed were all regional with experience in the scope of the project

The recommendation was to award as soon as possible based on:

- escalation in equipment and material prices
- advantage of the good construction weather days
- delays pushing completion of Phase I into Phase II
- impact of future high river levels
- meeting deadlines for Pollution Control Board Order and scheduled IEPA Project Facility Plan
- demonstrate commitment to the Plan for confidence and Low Interest Low Financing with IEPA

Council Member Schmidgall requested comments on the engineer's anticipation of need for higher level of engineering presence. City Manager Dennis Kief asked that Council consider setting a Special Council meeting for August 2, 2010 at 5:30 p.m. to award the bid, authorize bonding, and amend the sewer user fee. Council Member Barra asked if the date could be sooner but because of the schedules of the members the meeting was set for August 2, 2010.

NEW BUSINESS

Motion by Council Member Barra, seconded by Council Member Kortkamp, that the **2009 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) AND THE 2010 ACTION PLAN AMENDMENT, be approved.** Pam Anderson Community Development Director, presented background for the submission of the performance measurement plan to HUD and pointed out completed projects and substantial changes in the allocated dollars in a PowerPoint presentation. She indicated specific dollar amounts for the projects of the Community Development Block Grant (CDBG) entitlement. Also reported were budgeted, expended, and reallocated amounts for projects such as administration, seal coating, rehabilitation program, code enforcement, public facilities improvements not for profit, and police. On roll call vote, all present voted Aye.

RESOLUTION NO. 56-10/11
ADOPTION AND AFFIRMATIVE STATEMENT OF ADOPTION OF VANTAGECARE RETIREMENT HEALTH SAVINGS PLAN

Motion by Council Member Kortkamp, seconded by Council Member Barra, that **Resolution No. 56-10/11, be adopted.** City Manager Dennis Kief presented to Council the documents to implement a retirement health savings program. The idea of the RHSP was originally negotiated in the police union contract and would be offered to groups of employees. The Manager recommended the ICMA Retirement Corporation Vantagecare as a means of administrating sick time monies an employee can use to offset health insurance premiums after retirement. The investment option would take the manual management and monitoring responsibility out of the City control and also the program investment would pay interest. Bill Shock of the Unland Companies addressed questions from Council Members regarding the 240 sick day statutory maximum, no cost to the City, $25.00 annual fee to employee, and a basis point fee for internal management of the balance. On roll call vote, all present voted Aye.

RESOLUTION NO. 58-10/11
APPROPRIATING MOTOR FUEL TAX FUNDS

Motion by Council Member Abel, seconded by Council Member Kortkamp, that **Resolution No. 58-10/11, be adopted.** Public Works Director Joe Wuellner advised of the request for MFT funds in the amount of $420,000 toward the seal coating operations of designated sections of town, 11th Street west to the river and north of Sheridan Road, based on the 5 Year Plan. CDBG funds would also be utilized. On roll call vote, all present voted Aye.

RESOLUTION NO. 59-10/11
APPROPRIATING MOTOR FUEL TAX FUNDS

Motion by Council Member Strand, seconded by Council Member Abel, that **Resolution No. 59-10/11, be adopted.** Council was advised that request for MFT funds in the amount of $80,000.00 would be utilized in repairing the deterioration of 14th Street either side of Broadway. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL
Condolences were expressed in the passing of Bob Quarello.
Mayor Dunn announced that Council Member Strand would be presiding as Mayor Pro Tem at the meeting of July 26, 2010. He reminded members of the Special Meeting for the WWTP on August 2, 2010 at 5:30 p.m.
Public Works Director Joe Wuellner alerted Council and the Public to drive carefully and expect delays or detours on the eastern end of Willow Street between Schramm and Hemlock as the collapsed 15 ft sewer is repaired.
The Manager advised that the City was experiencing technical difficulties with e-mails during the week.

No further business to come before the Council Mayor Dunn called the meeting closed.

COUNCIL ADJOURNED AT 6:10 P.M.

Sue E. McMillan
City Clerk

BUILDING REPORT 2010

MONTH	DWELLINGS 1		GARAGES 2		MULTI-FAMILY 3		COMMERCIAL 4		COMMERCIAL REMODELING 5		RESIDENTIAL REMODELING 6		MISC. 7		RESIDENTIAL DEMOLITIONS 8		COMMERCIAL DEMOLITIONS 9		BUILDING DOLLARS	BLDG PERMITS
JANUARY							1.00	$618,000	7.00	$390,249	5.00	$74,500	2.00	$0					$1,082,749	15.00
FEBRUARY	3.00	$465,980	1.00	$9,250					3.00	$164,762	10.00	$194,600	2.00	$1,000			1.00	$0	$835,592	20.00
MARCH	2.00	$395,240	4.00	$46,600					14.00	$368,251	17.00	$96,450	11.00	$27,686					$934,227	48.00
APRIL	8.00	$1,515,587	3.00	$36,200					8.00	$94,600	19.00	$172,456	33.00	$63,132					$1,881,975	71.00
MAY			7.00	$82,950					10.00	$3,430,033	14.00	$131,161	30.00	$74,750	1.00	$0	1.00	$0	$3,718,894	63.00
JUNE			2.00	$18,000					4.00	$547,600	18.00	$107,308	24.00	$75,234	1.00	$0	$1	$0	$748,142	50.00
TOTAL 6 MO.	**13.00**	**2,376,807**	**17.00**	**193,000**	**0.00**	**0**	**1.00**	**618,000**	**46.00**	**4,995,495**	**83.00**	**776,475**	**102.00**	**241,802**	**2.00**	**$0**	**3.00**	**$0**	**$9,201,579**	**267.00**
JULY																			$0	0.00
AUGUST																			$0	0.00
SEPTEMBER																			$0	0.00
OCTOBER																			$0	0.00
NOVEMBER																			$0	0.00
DECEMBER																			$0	0.00
TOTAL 6 MO.	**0.00**	**$0**	**0.00**	**$0**	**0.00**	**$0**	**0.00**	**$0**	**0.00**	**$0**	**0.00**	**$0**	**0.00**	**$0**	**0.00**	**$0**	**0.00**	**$0**	**$0**	**0.00**
YEAR	13	$2,376,807	17.00	$193,000	0.00	$0	1.00	$618,000	46.00	$4,995,495	83.00	$776,475	102.00	$241,802	2.00	0.00	3.00	0.00 0.00	$9,201,579	267.00

City of Pekin
Mayor's Advisory Committee for People with Disabilities
Minutes
June 10, 2010; 4:00 pm

Present: Libby Holbrook, Christopher Meskiman, Jim Deford, Roy Davis, Tammy Helm, Perry Martin, James Kolzow, Pamela Anderson, David Brown (& Spike) & Barb Meskiman

I. Welcome and introductions

II. Approval of the May minutes – C. Meskiman 1st; P. Martin 2nd; all ayes

III. Old business –

A. Business ADA signs

1. J. Deford distributed a 5 page document showing the business name, address, if the ADA stall was properly marked and if the dollar amount on the ADA parking sign was the correct amount ($250).
2. 24 out of 75 businesses were either incorrectly marked or had the wrong amount on the ADA sign
3. Discussion on the following: number of ADA stalls required for a parking lot: 1 ADA stall for every 25 parking stalls; does the Inspections Department give businesses education material / follow up with inspections of parking lots to make sure correct?;
4. The Committee agreed that J. Deford (and his wife) would continue the information gathering process for remaining businesses. Then the Police Department can write an fyi letter to the 'non-compliant' businesses. The letters will be mailed in July – corresponding with Disability Awareness Month. C. Meskiman dropped off paperwork to Deputy Chief Nelson concerning ADA parking slots.

Next meeting: July 8, 2010 at 4:00 pm

City of Pekin
Mayor's Advisory Committee for People with Disabilities
Minutes
June 10, 2010; 4:00 pm

B. Disability awareness demonstration and review for presentations in July
   1. L. Holbrook gave a demonstration of the activity that will be done for the City Committees during the month of July.
   2. Stuffing an envelope while blindfolded. 4 step process:
      b. tri-fold the piece of paper, insert it into an envelope, seal the envelope and then apply the label
      c. Follow up: how did that feel?
      d. Message: This vision impairment activity was done to raise awareness that people with disabilities are capable to perform everyday activities with training and adaptability.
      e. Went through the City of Pekin Committee list and assigned who would give 10-15 presentations at the meetings

A. City Lift report by Greg Ranney – he was unable to attend this meeting; he will be on July agenda

IV. New business –

A. David Brown - D. Brown would like to put together activities for children with disabilities; Committee members encouraged Brown to work with the Pekin Park District, Aktion Club and the Pekin YWCA. Those organizations have programs with the Special Olympics.

Next meeting: July 8, 2010 at 4:00 pm

City of Pekin
Mayor's Advisory Committee for People with Disabilities
Minutes
June 10, 2010; 4:00 pm

B. City Link transportation Committee – no meeting, therefore no information

C. Reappointment update – R. Davis & T. Helm reappointed

V. Correspondence - none

VI. Around the table

A. C. Meskiman – was sad to see that Norma resigned

B. J. Kolzow – he is checking with his supervisor to see if he can represent this Committee for the City Link ADA Committee.

C. P. Anderson announced that at the July meeting, the topic of meeting every other month will be on the agenda

VII. Adjourn

Next meeting: July 8, 2010 at 4:00 pm

CITY OF PEKIN TRAFFIC SAFETY COMMITTEE MINUTES
JULY 2, 2010 @ 8:30 a.m.
CITY HALL CONFERENCE ROOM

PRESENT: Ted Miller, Denny Kief, Brian Cox, Kurt Nelson, Tim Gillespie, Will Taylor, Joe Wuellner, Bill Scarcliff. Also present: Lee Ann Wrhel, Libby Holbrook.

Old Business:

1. *New Pedestrian Light – Parkway @ Coal Miners - Status*
   Joe reported that the drawing will be available in a couple of weeks to be put out for bids. It will take 8 to 12 weeks for delivery of a mast arm. He stated that installation will probably be around October. Pedestrian traffic is heavy at this time of year. The location is currently being monitored by the police.

2. *S. 14th @ Remington – Traffic Barrier*
   Some trees have already been planted in this area. There was a suggestion to fill in the gaps by planting next year's "Tree Day" trees at this location.

New Business:

1. *ADA Awareness*
   Libby Holbrook (TCRC) attended the meeting as a representative of the Mayor's Advisory Committee for People with Disabilities. July is Disabilities Awareness Month. She made a presentation to demonstrate what people with disabilities go through on a daily basis to function on their own.

2. *Speed Limit – Veterans @ Court*
   This is an enforcement issue. Most crashes in this area are at the intersection. There has been a suggestion of installing a blinking speed limit sign to raise awareness of the speed reduction on Veterans as traffic approaches the Court Street intersection and businesses located near the intersection. Denny made a motion, seconded by Ted to purchase a blinking speed limit sign (approximate cost $800) for this location. All in favor.

3. *Speed Limit – 2000 Block of Highwood*
   The police department will do a traffic study in this location.

<u>Around the Table</u>

The police department will check on a camper parked on the street in the 1600-1700 block of Sheridan Road with no vehicle attached to it and steps in place to go in and out of it.

RVs parked on streets with "push-outs" that hinder traffic will be enforced on a case-by-case basis. Everyone was asked to contact the police department when this occurs.

Joe discussed the temporary stop sign issue with IDOT. IDOT would prefer that officers put the traffic signals in flashing mode so that when the power comes back on the signals will flash red for all directions. Then officers would need to change the signals back to their normal operation mode when the temporary stop signs are removed.

Joe also reported that at the intersections where the signal with the flashing yellow arrow has recently been installed, the signs explaining the operation of the yellow arrow are too small and hard for motorists to read. IDOT will be replacing these signs with larger ones that will be easier to read.

The culverts on Allentown are set to be replaced.

Respectfully Submitted,
Lee Ann Wrhel

NEXT REGULAR MEETING AUGUST 6, 2010 @ 8:30 A.M.

REQUEST FOR COUNCIL ACTION

To: Mayor Council

CC: City Manager -City Clerk

From: Sarah Newcomb

AGENDA ITEM: Appointment of Authorized Agent for IMRF

AGENDA DATE REQUESTED: 7/26/10

ACTION REQUESTED: Approval of Resolution for Appointment

BACKGROUND: Pat Pollock was the Authorized Agent & we need to have an active employee authorized to conduct business with IMRF

FINANCIAL IMPACT: $
NEIGHBORHOOD CONCERNS:

IMPACT IF APPROVED: $

IMPACT IF DENIED:

ALTERNATIVES:

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS:

REQUIRED SIGNATURES

Department Director	Sarah J. Newcomb	Date
Finance Department	N/A (Certification of Availability of Funds)	Date
Corporation Counsel	(Certification of Review)	Date
City Manager		7/19/2010 Date

RESOLUTION NO. -10/11

PEKIN, ILLINOIS, July 26, 2010

RESOLUTION BY COMMISSIONER

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS, THAT:
the Pekin City Council's appointment of Sarah J. Newcomb as Authorized Agent for Illinois Municipal League Retirement Fund with all the powers and duties delegated to the Authorized Agent pursuant to Sec.7-135 of Illinois Pension Code, is hereby approved.

SIGNED BY

MAYOR.

NOTICE OF APPOINTMENT OF AUTHORIZED AGENT

IMRF Form 2.20 (Rev. 04/2010)

INSTRUCTIONS

- Appointment of an Authorized Agent is to be made by adoption of a resolution by the governing body.
- The clerk or secretary of the governing body must certify the appointment (see Certification below).
- Mail the completed form to the Illinois Municipal Retirement Fund.
- A copy of the completed form should be retained by the employer.
- If you have an Employer Access account through IMRF *Online*, the new Authorized Agent will need to register for a new User ID and update the account profile to reflect this change.

Employer Name	Employer IMRF I.D. Number
City of Pekin	03378

Authorized Agent's Mr./Mrs. Dr./Ms.	First Name	Middle Initial	Last	Jr., Sr., II, etc.	Social Security Number
	Sarah	J	Newcomb		___ ___ ___ ___ ___ ___ ___ ___ ___

Type of governing body
City

Date appointment made	Effective date of appointment	Position Title
7/26/2010	7/26/2010	Human Resources Director

Powers and duties delegated to Authorized Agent pursuant to Sec. 7-135 of Illinois Pension Code by governing body (the Authorized Agent must be a participant in IMRF to file a petition or cast a ballot):

To file Petition for Nominations of an Executive Trustee of IMRF ☐ Yes ☐ No

To cast a Ballot for Election of an Executive Trustee of IMRF ☐ Yes ☐ No

X Sarah J Newcomb
Signature of Authorized Agent

Date

Certification

I, Sue McMillan (Name), do hereby certify that I am Clerk (Clerk or Secretary)

of the City of Pekin (Name of Employer)

and the keeper of its books and records and the foregoing appointment and delegation were made by resolution duly adopted on the date indicated.

SEAL

Sue M. McMillan
Signature of Clerk or Secretary

Business Address
All correspondence and communications with the Authorized Agent are to be addressed as follows:

Name (*if different from above*)
Mr./Mrs./Dr./Ms. City of Pekin

Business Address
111 S. Capitol St.

City State and Zip + 4
Pekin, IL 61554

Telephone (w/area code and extension)	Alternate telephone number (w/area code and extension)
309 478 5380	309 478 5381
FAX (w/area code)	**Email address**
309 346 2095	sjnewcomb@ci.pekin.il.us

Illinois Municipal Retirement Fund
2211 York Road Suite 500 Oak Brook, IL 60523-2337
Member Services Representatives 1-800-ASK-IMRF (1-800-275-4673) • *www.imrf.org*

Pekin Planning Commission Minutes
July 14, 2010

Present:	Absent:
Jim Jones	Kyle Peebles
Steve Huey	
Bill Craig, Chairman	
Dick Cohenour	
Scott Plotner, Vice Chairman	
Don Hild	
Jim Bradshaw	
Ron Knautz	

Chairman Bill Craig led the Pledge of Allegiance.

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

Staff Present: Ron Sieh, City Attorney Burt Dancey.

Chairman Bill Craig stated there is one correction on the Agenda. The Commission will be approving the June Minutes not May. There will be an addition of an Informal Business meeting. Chairman Bill Craig asked for approval of the Agenda with the correction and addition.

MOTION by Jim Jones, Seconded by Scott Plotner to Approve the Agenda as corrected and changed. On roll call vote, All present voted **AYE**. **MOTION APPROVED.**

Chairman Bill Craig asked for the Approval of the June minutes.

> **MOTION** by Scott Plotner, Seconded by Dick Cohenour to Approve the June minutes as presented. On roll call vote, (6) Six present voted **AYE**. (2) Two present (Don Hild & Ron Knautz) **Abstained.** **MOTION APPROVED.**

City Council Action Report:
June 28, 2010 Council Meeting:
Received and filed the minutes from the June 9, 2010 meeting.
Approved the following Hearings: 10-1805 & 10-1806 / The recommendation to Table AT & T matter regarding the Cell Tower at 3000 Court Street until July 14, 2010.
Hearing #10-1808 / To approve the Special Use for Loft Living contingent upon written documentation that 12 parking spaces are dedicated for the use of Fusion Youth Center driven ministry students and the RA in Woolsey Funeral Home parking lot and said documentation is proved before June 28, 2010 to Ron Sieh or Sue McMillan. Chairman Bill Craig stated everyone received an email confirming the required parking spaces were dedicated by Herget Bank.
Hearings #10-1809 & 10-1810 / To approve the annexation and zoning assignment of B-3 (General Business District) of Tract 1 & 2 with a Legal Description as described in Insert 1 & 2 for Southside Bank.

PPC Correspondence: No Correspondence.

Application #1: Ben Russell, Representative for AT & T Mobility

Hearing #1(10-1805 & 10-1806): Bringing onto the table the Site Plan and Special Use for Cell Tower Located at 3000 Court Street with a Legal Description of Sunset Hills Ext #10 Lot 10 and Pin #10-10-12-217-005 in Tazewell County, Illinois as originally heard during the May 12, 2010 meeting.

Open Public Hearing: 6:34pm

Motion by Ron Knautz, Seconded by Jim Jones to remove the Hearing from the Table.

Chairman Bill Craig, refreshed everyone's memory by reading from the May minutes what the issues were and what was requested through the original motion. As quoted "Documentation showing other Site options and safety issues are resolved in the form of a letter from Mr. Thompson".

Ben Russell updated the Commission on their requests. A letter was provided from the RF engineer stating the available GTP site of 132' would not work. Coverage maps were provided showing other locations with photo simulations of coverage changes. Two conference calls have taken place with Mr. Thompson. Details on what type of system Mr. Thompson is looking for to enhance TPCCC coverage is still in the works. Mr. Thompson's preference would be an internal BDA (Bi Directional Amplifier) in the Bowling Alley. AT&T was not comfortable with the power source or a third party contact to perform maintenance if needed. AT&T suggested installation of an amplifier on the tower itself. An email was sent to Mr. Thompson stating AT&T would provide $5,000 for the equipment and if that was insufficient they would entertain the idea of providing more funds if needed. They are still waiting for a response.

Steve Huey asked for clarification so he could understand the changes. He asked for confirmation that they are erecting the same tower, same location and the primary objection was transmission and overriding problems with the Emergency Tower located at the Fire Station.

Dick Cohenour stated he thought Mr. Thompson was concerned with interference from the AT&T Tower. He also inquired why the amplifier was requested to be internal.

Ron Sieh stated Mr. Thompson's main concern was possibly added interference from the AT&T Tower. With the Amplifier it would enhance the communication and bounce the signal past the tower itself. Mr. Thompson is waiting for a cost from Ragland Communication before he responds.

Ben Russell stated the amplifier would enhance the communication for TPCCC as opposed to its current status of ground noise and interference. There was spotty communication inside the bowling alley. AT&T's frequency is 1900 Mgh and TPCCC operates at 800 Mgh. Ground noise is his main concern. The amplifier would improve this issue.

Chairman Bill Craig quoted pieces from the current code.

Jim Bradshaw also quoted pieces from the current code.

Ron Sieh clarified to the Commission that they are referring to Residential Codes and the Tower will be located in a Business zone. He also stated the Commission really needs to look at the Codes as a whole and not spot quote. There is no room on the Fire Department Tower, it has been replaced and there is currently a lease on the area. There are no areas available for the tower to be located out on Court. An intermod study that is currently in the code cannot be performed unless a tower exist. There are no City properties available either.

Burt Dancey asked of Ron Sieh if the requirements were complete.

Ron Sieh confirmed it is except for the intermod study which cannot be completed.

Jim Bradshaw asked for clarification of the maps provided.

Close Public Hearing: 6:58pm

Site Plan Review Committee:
Don Hild, Chairman

Motion by Jim Jones, seconded by Jim Bradshaw to deny the Site Plan. On Roll Call Vote. (7) Seven Present Voted **NAYE.** (1) One Present (Dick Cohenour) **ABSTAINED. Motioned Denied.**

Steve Huey asked what the objection was to deny the Site Plan?

Discussion was held among the Commission due to confusion.

Chairman Bill Craig called for the question explaining this was to get the motion removed.

Chairman Bill Craig then called for a vote to approve the Site Plan.

Motion by Dick Cohenour, seconded by Steve Huey to Approve the Site Plan as presented. On Roll Call Vote, All Present Voted **AYE. Motion Passed.**

Special Use Review Committee:
Steve Huey, Chairman

There was no committee meeting. Steve Huey turned it over to the Commission for discussion.

Scott Plotner questioned the request and inquired if it was due to bad coverage.

Ben Russell stated he is not an engineer but as cell phones become more a way of communication, texting and internet usage is increased. The Cell Towers can only handle so much traffic. Thus more Cell Towers are needed for the increase in traffic flow.

Jim Bradshaw commented that Special Use included in the Code is to give the Commission and the City Council a certain amount of leeway as to what is Right and Appropriate even when something does or does not meet all of the requirements.

Chairman Bill Craig stated he is concerned with the proximity to the apartments and he was not satisfied with the lack communication from Mr. Thompson.

Dick Cohenour stated Mr. Thompson has an obligation to come before the Commission as they are unclear of his standings since receipt of his letter requesting the Commission to deny this Special Use.

> **MOTION** by Jim Jones, Seconded by Dick Cohenour to Approve the Special Use. On Roll Call Vote. (7) Seven Present Voted **NAYE.** (1) One Present (Scott Plotner) Voted **AYE. Motion Denied.**

Attorney Burt Dancey stated the Commission needs to have a specific definition of their denial.

Jim Bradshaw stated the Fall Radius is the main concern for him. Also Public Safety has not been resolved.

Ron Sieh stated that when it comes to fall radius companies have to carry insurance for that purpose.

Chairman Bill Craig stated he agrees with Jim Bradshaw in addition requesting some type of communication from Mr. Thompson.

Attorney Burt Dancey stated this is all governed by Federal Law now. The best basis is to point out the application did not contain the modulation study detailing potential interference with public safety. Legitimate reasons or not the fall radius needs to be addressed in the Commissions plans.

Chairman Bill Craig requested that it be included in the minutes that the reason for denial is the lack of a modulation study in the application detailing potential interference with public safety.

Informal Business: Cell Tower discussion continued.

The Code needs to be addressed and the fall radius needs tweaked to meet today's standards of Cell Towers that currently fall within themselves and not retained by guide wires as the code was written for.

Chairman Bill Craig, brought before the Commission a concern that Affordable Auto on Broadway is not currently meeting their Special Use.

Ron Knautz stated that this is the third Special Use that has extended beyond their representation for the request. There are currently boats, ambulance and jet skis, not cars on the other Special Use on Broadway. The Special Use on Willow did not follow through with the removal of the home.

Ron Sieh suggested preventing future problems for Special Uses by placing conditions on them with a time line when they are granted and/or not allowing operation until all requirements are complete.

Attorney Burt Dancey advised the Commission to send a letter requesting their presence at the next meeting to rectify their lack of representation of their Special Use for possible revocation of the Special Use itself.

Chairman Bill Craig requested that a letter be sent to the Applicants of the Affordable Auto Sales on Broadway to appear before the Commission on August 11, 2010 for possible revocation of their Special Use.

Meeting adjourned at 7:48pm.

Juanita K VanBuskirk, Secretary
Pekin Planning Commission

Pekin Planning Commission
July 14, 2010

HEARING #10-1805

The Pekin Planning Commission recommends the Approval of the Site Plan for a Cell Tower located at 3000 Court to the Pekin City Council.

____
Bill Craig, Chairman

____
Scott Plotner, Vice Chairman

Pekin Planning Commission
July 14, 2010

HEARING #10-1806

The Pekin Planning Commission recommends the Denial of the Special Use Request for a Cell Tower located at 3000 Court to the Pekin City Council.

Bill Craig, Chairman

Scott Plotner, Vice Chairman

Pekin Planning Commission
June 9, 2010

HEARING #10-1805 & 10-1806

The Pekin Planning Commission recommends Tabling the AT&T matter regarding the Cell Tower at 3000 Court Street until July 14, 2010 to the Pekin City Council.

Bill Craig, Chairman

Scott Plotner, Vice Chairman

Pekin Planning Commission
May 12, 2010

HEARING #10-1805 & 10-1806

The Pekin Planning Commission tabled the request for a Site Plan and Special Use for a Cell Tower located at 3000 Court until documentation is provided for other Site options and Safety issues are resolved in the form of a letter from Mr. Thompson of TPCC.

____
Bill Craig, Chairman

____
Scott Plotner, Vice Chairman

PUBLIC SAFETY TAZEWELL PEKIN 9-1-1 COMMUNICATIONS

Tazewell/Pekin Consolidated Communications Center

1130 Koch Street
Pekin, Illinois 61554
Phone (309) 478-5410
Fax (309) 477-2302
Steven F. Thompson, ENP, Director

March 3, 2010

Mr. Ron Sieh
Code Enforcement Officer
Inspections Department
City of Pekin
111 S. Capital St.
Pekin, IL. 61554

Dear Ron,

I am sending you this correspondence in protest of locating a cellular tower at the Sunset Lanes Bowling facility on Court St. I am voicing my objection on the concern for the safety of our police officers and firefighters who respond to that facility.

Currently communications within the Sunset Lanes Bowling Facility is marginal at best. We operate an 800 MHz trunked radio system. This system must penetrate that building in order to successfully communicate with our public safety employees. At this time the "noise floor" at this location is very loud, and makes the signal weak. With the addition of an RF tower at this location only more "noise" will be produced. It is my concern, and belief that this noise will make it nearly impossible for our system to penetrate this building.

I strongly protest the placing of a Cellular Tower at this location, and urge the City of Pekin to deny the permit on these grounds. It is our duty to protect as best we can the lives of our police officers and firefighters.

Respectfully,

Steven F. Thompson, ENP
Director

~~09-1793~~ 09-1794
09-1793
10-18059
10-1806

SITE PLAN CHECKLIST
For Special Use Request

Name AT & T Mobility
Address 3000 Court Street (10-10-12-217-005)
Phone # (847)833-1158
Contact Person Ben Russell

	Required Information – Approval Dates	Public Works Director	City Engineer	Code Enforcement	Fire Chief
1.	Subdivision Name and Lot Number	✓		Sunset Hills Ext. 10, Lot 2	
2.	Local Cross Streets	✓		OK	✓
3.	Lot Layout, Dimension and Setbacks	✓		OK	✓
4.	Public Access	✓		OK	
5.	Easements	✓		SHOWN	
6.	Sanitary Sewer Locations, Size	N/R		Existing	
7.	IEPA Sanitary Sewer Permit	N/R		N/A	
8.	Storm Sewer Location and Size	EXISTING		Existing	
9.	Proper Zoning (Current) B-3	VARIES/ SPEC USE		NOTE #1	
10.	Parking Spaces and Surface	IN PARKING LOT		NOTE #2	
11.	Sidewalks	✓		OK	
12.	Landscaping	✓		OK	
13.	ADA Compliance	✓		OK	
14.	Driveway Openings (curb cuts)	EXISTING		OK	
15.	TIF Area	NO		N/A	
16.	Signage Exterior	N/R		OK	
17.	Lighting Exterior	✓		OK	
18.	Floor Plan Shown and Dimensions	✓		OK	
19.	Screening or Fencing – Barbed Wire or Electric	✓		OK	
20.	Loading and Unloading Areas Shown and Dimensions	N/R		N/A	
21.	Fire Hydrant Location	EXISTING		OK	✓
22.					
23.					

24.					

Public Works Comments: There are specific requirements for determining where these are located: If this site meets those requirements then I see no problems.

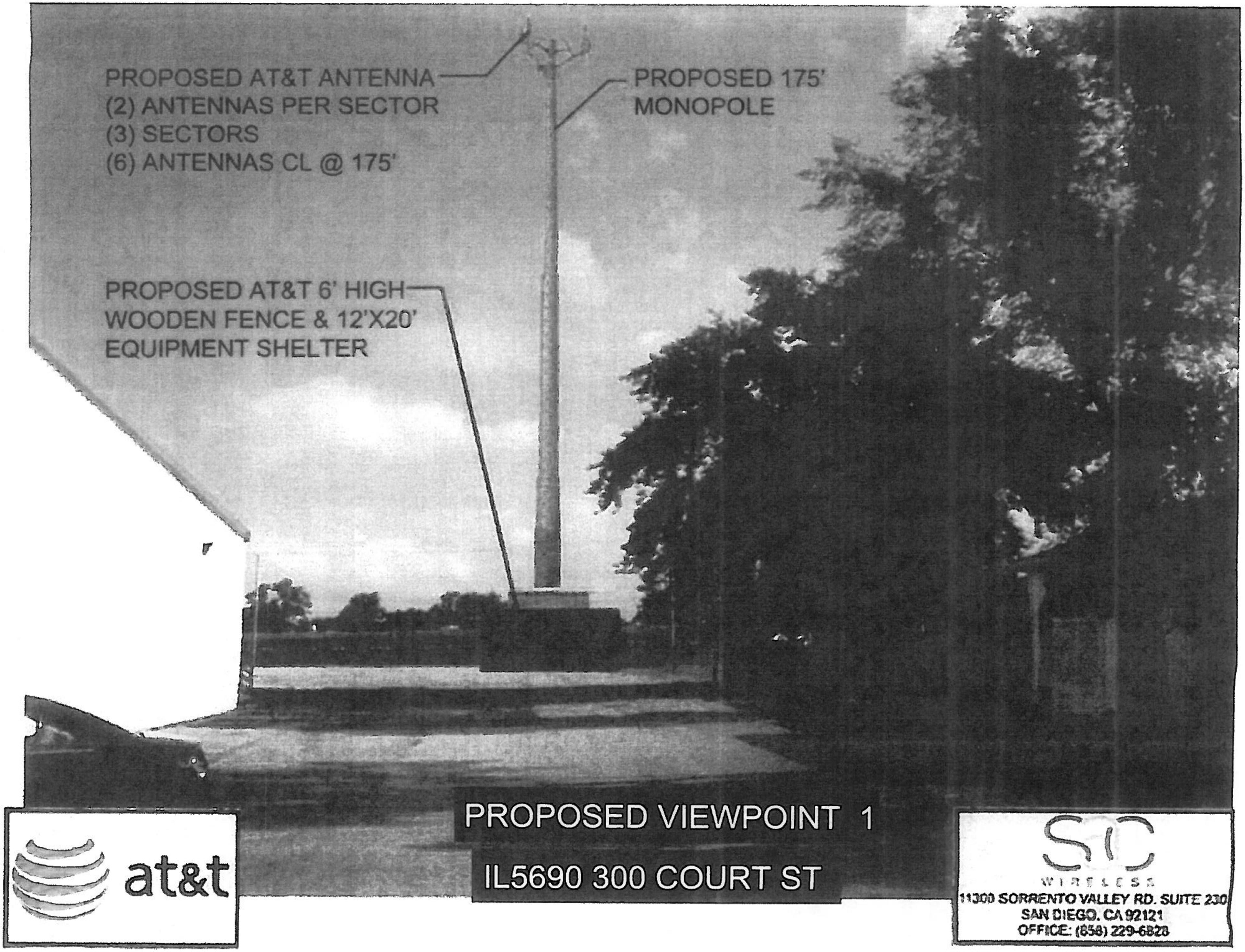
City Engineer Comments:

Code Enforcement Comments: Note #1: See Zoning Code 9-13-4A thru C and 9-13-5A thru C specifically 9-13-5A3 and 9-13-5C 8e Note #2: See 9-10B-1-D Existing Parking Facilities

There is an existing antenna at the East Side Fire Station that is capable of accepting additional antennas which was required at the construction of that antenna.

Fire Chief Comments: Concur with Code Enforcement.

Other Comments:


PROPOSED AT&T ANTENNA
(2) ANTENNAS PER SECTOR
(3) SECTORS
(6) ANTENNAS CL @ 175'
PROPOSED 175'
MONOPOLE
PROPOSED AT&T 6' HIGH
WOODEN FENCE & 12'X20'
EQUIPMENT SHELTER
PROPOSED VIEWPOINT 1
IL5690 300 COURT ST
at&t
SAC
WIRELESS
11300 SORRENTO VALLEY RD. SUITE 230
SAN DIEGO, CA 92121
OFFICE: (858) 229-6828

PROJECT INFORMATION

SITE NAME:	PERKIN HEIGHTS
SITE ADDRESS:	3000 COURT STREET PEKIN, IL 61554
PROPERTY OWNER:	SUNSET LANES 3000 COURT STREET PEKIN, IL 61554
CONTACT NAME:	JAMES KEITH
CONTACT PHONE:	(309) 347-3196
LATITUDE:	40° 32' 53.42"
LONGITUDE:	89° 36' 30.28"
ELEVATION:	641' (AMSL)
ZONING:	B-1
JURISDICTION:	CITY OF PEKIN
FACODE:	10129473
POWER PROVIDER:	AMEREN: (309) 673-0365
TELCO PROVIDER:	SPRINT: (309) 698-3085
BUILDING CODE:	INTERNATIONAL BUILDING CODE 2003
TAX I.D. NUMBER:	10-10-12-217-005
CURRENT USE:	BOWLING ALLEY PARKING LOT
PROPOSED USE:	TELECOMMUNICATIONS FACILITY

CALL JULIE
48 HOURS
BEFORE YOU DIG
JULIE
1 (800) 892-0123

AT&T

IL5690
PEKIN HEIGHTS
3000 COURT STREET
PEKIN, IL 61554

RAWLAND ON A NEW 175' MONOPOLE

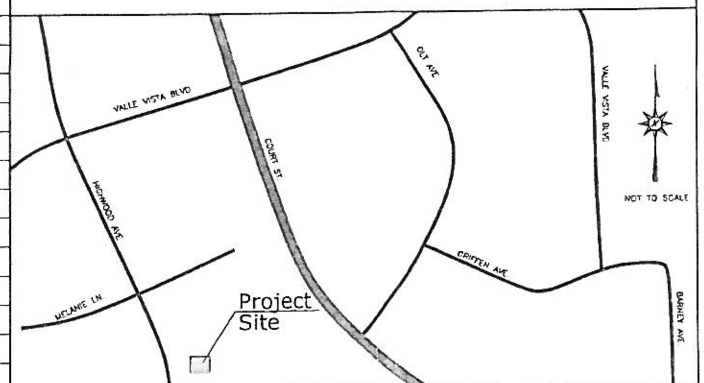
DRAWING INDEX

		REV
IL5690-01	TITLE SHEET	0
IL5690-02	OVERALL SITE PLAN	0
IL5690-03	ENLARGED SITE PLAN & EAST ELEVATION	0

VICINITY MAP

DIRECTIONS START FROM CHICAGO O'HARE INTERNATIONAL AIRPORT (ORD):

1. MERGE ONTO I-190 E.
2. MERGE ONTO I-294 S VIA EXIT 1D TOWARD INDIANA (PORTIONS TOLL)
3. MERGE ONTO I-55 S TOWARD STEVENSON EXPY/ST LOUIS
4. MERGE ONTO I-74 W VIA EXIT 163 TOWARD PEORIA
5. MERGE ONTO I-155 S VIA EXIT 101 TOWARD LINCOLN
6. TAKE THE BROADWAY RD EXIT, EXIT 28
7. MERGE ONTO BROADWAY RD/CR-19
8. TURN LEFT ONTO VETERANS DR.
9. TURN RIGHT ONTO COURT ST/IL-9
10. 3000 COURT ST IS ON THE LEFT



APPLICABLE CODES AND STANDARDS

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.

BUILDING CODE:
UNIFORM BUILDING CODE (IBC), 2003 AS ADOPTED BY LOCAL BUILDING AUTHORITY.

ELECTRICAL CODE:
(NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70 - 2002, NATIONAL ELECTRICAL CODE, AS ADOPTED BY LOCAL BUILDING AUTHORITY)
LIGHTING PROTECTION CODE:
(NFPA 780 - 2000, LIGHTING PROTECTION CODE)

SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS.
AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION
TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 22-F, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES; TIA 607, COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS

INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM IEEE 1100 (1999) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC EQUIPMENT.

IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")

TELCORDIA GR-1275, GENERAL INSTALLATION REQUIREMENTS

TELCORDIA GR-1503, COAXIAL CABLE CONNECTIONS

ANSI T1.311, FOR TELECOM - DC POWER SYSTEMS - TELECOM, ENVIRONMENTAL PROTECTION

FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE REQUIREMENT SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

EQUIPMENT AREA IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS REQUIREMENTS AND PLUMBING FACILITIES ARE NOT REQUIRED.

ZONING DRAWINGS - NOT FOR CONSTRUCTION

PROJECT DESCRIPTION

THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF ANTENNAS AND ASSOCIATED EQUIPMENT CABINETS FOR AT&T'S WIRELESS TELECOMMUNICATIONS NETWORK. A TOTAL OF (6) NEW ANTENNAS MOUNTED TO A NEW 175' HIGH MONOPOLE. (1) NEW EQUIPMENT SHELTER & UTILITY H-FRAME WITHIN A NEW 30'x15' WOODEN FENCE COMPOUND.

PROJECT TEAM INFORMATION

	COMPANY	CONTACT	NUMBER
A/E:	SAC WIRELESS LLC	WILL TATE	(619) 846-8302
SAC:	SAC WIRELESS LLC	BEN RUSSELL	(847) 833-1158
SURVEYING:			
OTHER:			

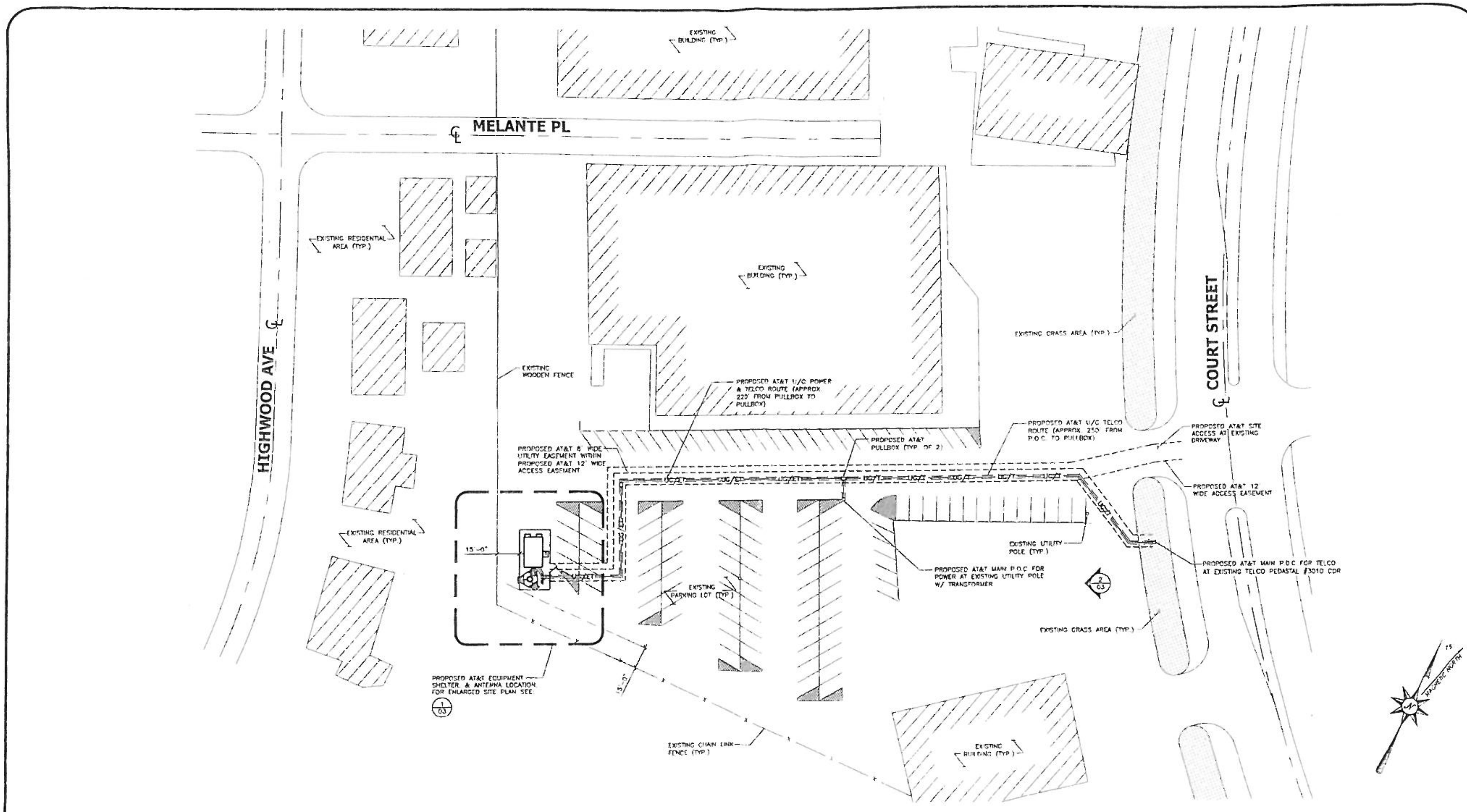
SAC WIRELESS
635 REMINGTON RD.
SUITE A
SCHAUMBURG, IL 60173
www.sacw.com

AT&T
930 NATIONAL PRKWY
4TH FLR
SCHAUMBURG, IL 60173

IL5690
PEKIN HEIGHTS
3000 COURT STREET
PEKIN, IL 61554

REV	DATE	DESCRIPTION	BY	CHK	APP'D
0	9/17/09	ZONING DRAWINGS	J.R.	J.R.	N.P.

SHEET TITLE:	
TITLE SHEET	
SCALE:	SHEET NUMBER:
AS NOTED	IL5690-01



OVERALL SITE PLAN

SAC WIRELESS
635 REMINGTON RD.
SUITE A
SCHAUMBURG, IL 60173
www.sacw.com

AT&T
930 NATIONAL PRKWY
4TH FLR
SCHAUMBURG, IL 60173

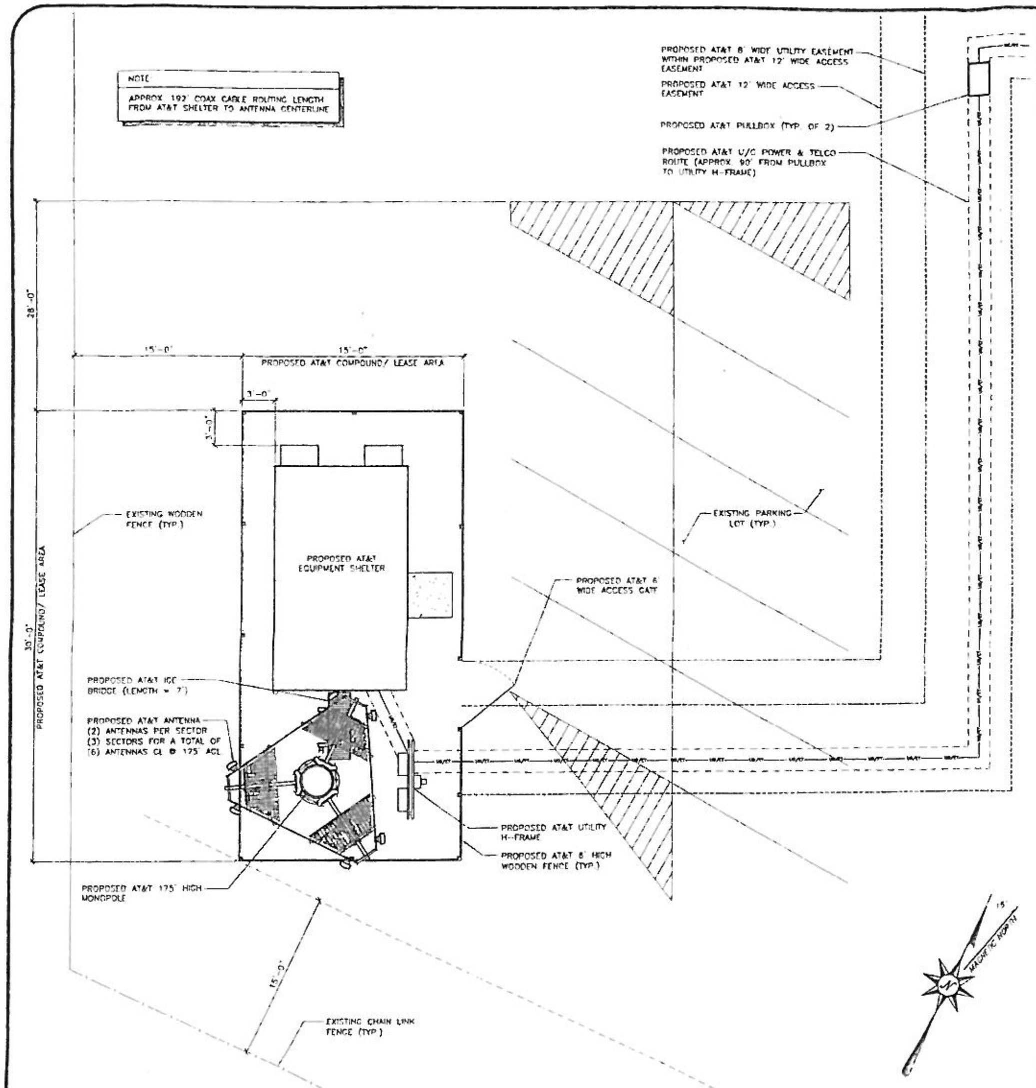
IL5690
PEKIN HEIGHTS
3000 COURT STREET
PEKIN, IL 61554

REV	DATE	DESCRIPTION	BY	CHK	APP'D
0	9/17/07	ZONING DRAWINGS	J.R	J.R.	N.P.

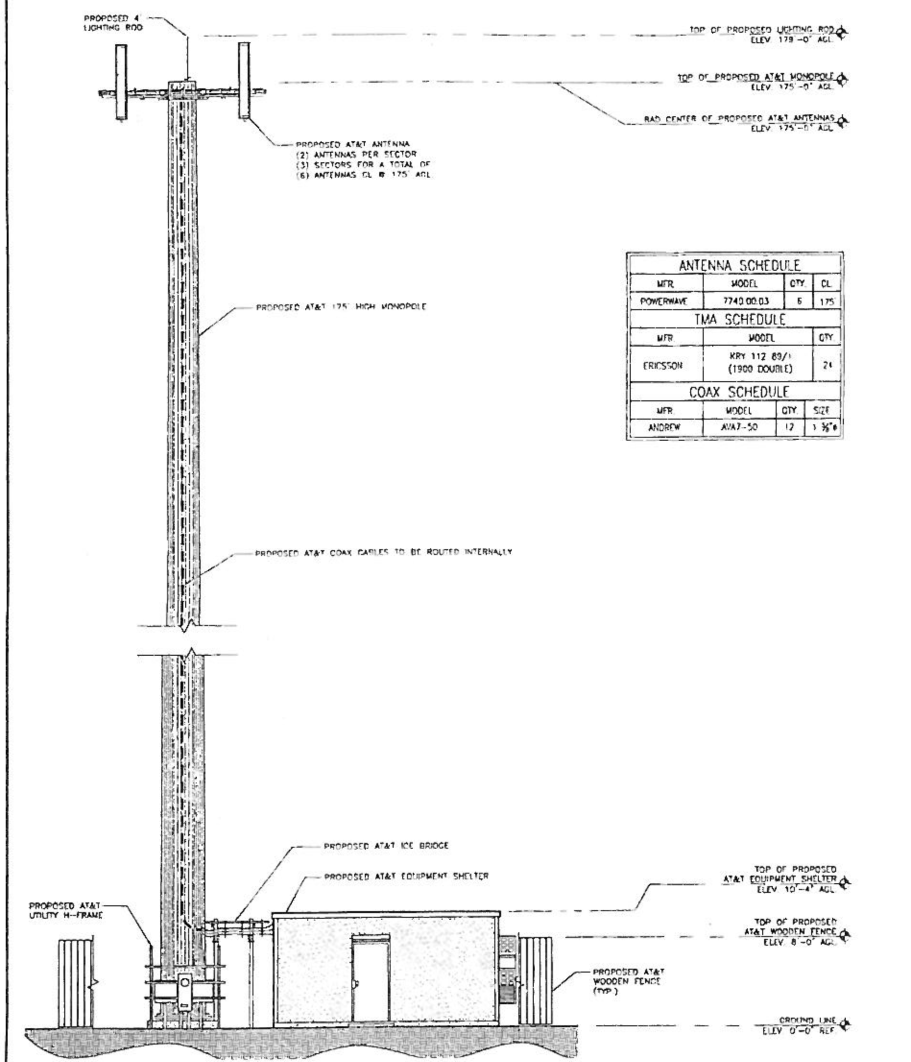
30' 0 15' 30'
SCALE: 1" = 30'-0" (24x36)
(OR) 1/2" = 30'-0" (11x17)

SHEET TITLE:
OVERALL SITE PLAN

SCALE: AS NOTED
SHEET NUMBER: IL5690-02



ENLARGED SITE PLAN — 0 1.5'3' 5' SCALE: 3/16" = 1'-0" (24x36) (OR) 3/32" = 1'-0" (11x17) — 1



ANTENNA SCHEDULE

MFR	MODEL	QTY	CL
POWERWAVE	7740.00.03	6	175

TMA SCHEDULE

MFR	MODEL	QTY
ERICSSON	KRY 112 89/1 (1900 DOUBLE)	24

COAX SCHEDULE

MFR	MODEL	QTY	SIZE
ANDREW	AVA7-50	12	1 5/8"

EAST ELEVATION — 0 1.5'3' 5' SCALE: 3/16" = 1'-0" (24x36) (OR) 3/32" = 1'-0" (11x17) — 2

SAC WIRELESS
635 REMINGTON RD.
SUITE A
SCHAUMBURG, IL 60173
www.sacw.com

AT&T
930 NATIONAL PRKWY
4TH FLR
SCHAUMBURG, IL 60173

IL5690
PEKIN HEIGHTS
3000 COURT STREET
PEKIN, IL 61554

REV	DATE	DESCRIPTION	BY	CHK	APP'D
0	9/17/09	ZONING DRAWINGS	J.R.	J.R.	N.P.

SHEET TITLE:
ENLARGED SITE PLAN & EAST ELEVATION

SCALE: AS NOTED — SHEET NUMBER: IL5690-03

REQUEST FOR COUNCIL ACTION

To: **Council Members**

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

From: **Joe Wuellner**

AGENDA ITEM: **Proposed Easements for Illinois-American for Water Line Extension**

AGENDA DATE REQUESTED: July 26, 2010

ACTION REQUESTED: Accept the proposed easement from Farnsworth Group on behalf of Illinois-American Water for a line extension from Well #2 to the Filter Plant.

BACKGROUND: Illinois-American Water will be tying in Well #2 to their filter building at their plant facility at 328 Broadway. In order to accomplish this, they need easements from the City of Pekin on property owned at the corner of 3rd and Broadway. The attached documents show the areas where permanent easements are needed and the one area where a temporary easement will be required in order to facilitate the construction efforts.

I recommend that you approve these easements.

FINANCIAL IMPACT: None

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: Well #2 can be tied into the filter system to continue to provide clean water to the community.

IMPACT IF DENIED: IL-Am will have to find another way to filter the water from Well #2.

ALTERNATIVES: Find another routing or close the well.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation and Quality of Life

REQUIRED SIGNATURES

Department Director	Joseph Wheelan	7/21/10
		Date
Finance Department	N/A	
	(Certification of Availability of Funds)	Date
Corporation Counsel		
	(Certification of Review)	Date
City Manager		
		Date

EASEMENT AND RIGHT OF WAY AGREEMENT

Tazewell County

This Document Prepared By:

Mary Sullivan
Illinois American Water
727 Craig Road
St. Louis, Missouri 63141

THIS AGREEMENT, made this ____ day of _____________, 2010, by and between City of Pekin, Illinois hereinafter referred to as the "Grantor", and **Illinois-American Water Company**, a corporation organized and existing under the laws of the State of Illinois, having an office for the transaction of business at 328 Broadway Street, Pekin, IL 61554, hereinafter referred as the "Grantee".

W I T N E S S E T H:

The Grantor, in consideration of the covenants and agreements hereinafter recited and the sum of One Dollars ($1.00), the receipt and sufficiency of which are hereby acknowledged, does hereby give, grant, and convey unto the Grantee, its successor and assigns, forever, an easement and a free uninterrupted and unobstructed right of way in, under, across, and over the property of the Grantor situated in the Section 3, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois.

Legal Description
Water Main Easement – Permanent

A strip of land 30 feet wide being a part of Lots 9 and 10 in Block 42 of the Original Town now City of Pekin, being more particularly described as follows:

Commencing at the Southwest Corner of Lot 10 in said Block 42, thence north 89°-19’-06” east 54.46 feet along the South Line of Lot 10 to the Point of Beginning. From said Point of Beginning, thence north 26°-34’-17” east 33.75 feet; thence north 89°-19’-06” east 22.50 feet along a line being 30 foot parallel to the South Line of said Lots 9 and 10 to a point on the West Right-of-Way Line of Route 29; thence south 26°-34’-17” west 33.75 feet along said West Right-of-Way Line to the South Line of Lot 9; thence south 89°-19’-06” west 22.50 feet along the South Line of Lots 9 and 10 to the Point of Beginning, containing 675 square feet, or 0.015 acre, more or less.

And as shown on the sketch attached hereto and made a part hereof, for the purpose of installing, laying, operating, maintaining, inspecting, removing, repairing, replacing, relaying, and adding to, from time to time, pipe or pipes, with necessary fittings, appurtenances, and attached facilities, including laterals and connections for the transmission and distribution of water.

Legal Description
Water Main Easement – Temporary Construction

A strip of land 30 feet wide being a part of Lots 9, 10, and 11 in Block 42 of the Original Town now City of Pekin, being more particularly described as follows:

Beginning at the Southwest Corner of Lot 10 in said Block 42, thence south 89°-19’-06” west 7.49 feet along the South Line of said Lot 11; thence north 00°-40’-54” west 30.00 feet; thence north 89°-19’-06” east 100.00 feet along a line being 30 foot parallel to the South Line of Lots 9,10 and 11 in said Block 42 to a point on the West Right-of-Way Line of Route 29; thence south 26°-34’-17” west 33.75 feet along said West Right-of-Way Line to the South Line of Lot 9; thence south 89°-19’-06” west 77.05 feet along the South Line of Lots 9 and 10 to the Point of Beginning, containing 2,768 square feet, or 0.064 acre, more or less.

And as shown on the sketch attached hereto and made a part hereof, for the purpose of installing, laying, operating, maintaining, inspecting, removing, repairing, replacing, relaying, and adding to, from time to time, pipe or pipes, with necessary fittings, appurtenances, and attached facilities, including laterals and connections for the transmission and distribution of water.

Together with the right to the Grantee, its successors and assigns, to (i) enter in and upon the premises described above with men and machinery, vehicles and material at any and all times for the purpose of maintaining, repairing, renewing, or adding to the aforesaid water pipe lines and appurtenances; (ii) remove trees, bushes, undergrowth, and other obstructions interfering with the activities authorized herein; and (iii) for doing anything necessary, useful, or convenient for the enjoyment of the easement herein granted.

The right of the Grantor to freely use and enjoy its interest in the premises is reserved to Grantor, its successors and assigns insofar as the exercise thereof does not endanger or interfere with the construction, operation, and maintenance of Grantee's water pipe lines and attached facilities, except that no building, structure, or similar improvements shall be erected within said easement, nor shall the grade or ground cover over Grantee's facilities be substantially altered, without the consent of the Grantee. Notwithstanding the foregoing, the Grantor agrees that no other pipes or conduits shall be placed within ten (10) feet, measured horizontally, from the said water mains except pipes crossing same at right angles, in which latter case, a minimum distance of two (2) feet shall be maintained between the pipes. All sewer pipes shall be laid below the water mains. No excavation or blasting shall be carried on which in any way endangers or might endanger the water pipe lines and attached facilities.

TO HAVE AND TO HOLD the above granted easement and right of way unto the Grantee, its successors and assigns, forever.

The Grantee agrees, by acceptance of this Easement and Right of Way Agreement that, upon any opening made in connection with any of the purposes of this easement and right of way, said opening shall be backfilled and resurfaced to as nearly as possible the same condition as existed when said opening was made, provided that Grantee shall not be obligated to restore landscaping, other than grass which was destroyed upon entry, all such work to be done at the expense of the Grantee.

And the Grantor does further covenant with the Grantee as follows:

1. That the Grantor is the owner in fee simple of the real estate hereby subjected to said easement and right of way and has good title to convey the same.

2. That the Grantee shall quietly enjoy the said easement and right of way.

IN WITNESS WHEREOF, the Grantor has duly executed this AGREEMENT, all as of the day and year first above written.

ACCEPTED BY:	GRANTOR(s)
ILLINOIS-AMERICAN WATER COMPANY	**City of Pekin, Illinois**
By:___________________________	By:________________________
Title:_________________________	Title:_______________________
	(use black ink only)

STATE OF ILLINOIS)
) ss.
COUNTY OF)

I, a Notary Public for the State and County aforesaid, do hereby certify that ______________________, personally known to me to be the same person whose name is subscribed to the foregoing instrument as __________________ of **Illinois-American Water Company**, appeared before me this day in person and acknowledged that ___ signed and delivered the same instrument, in such capacity, as the free and voluntary act of such corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this ________ day of ____________, 2010.

____
Notary Public

My Commission Expires:
____

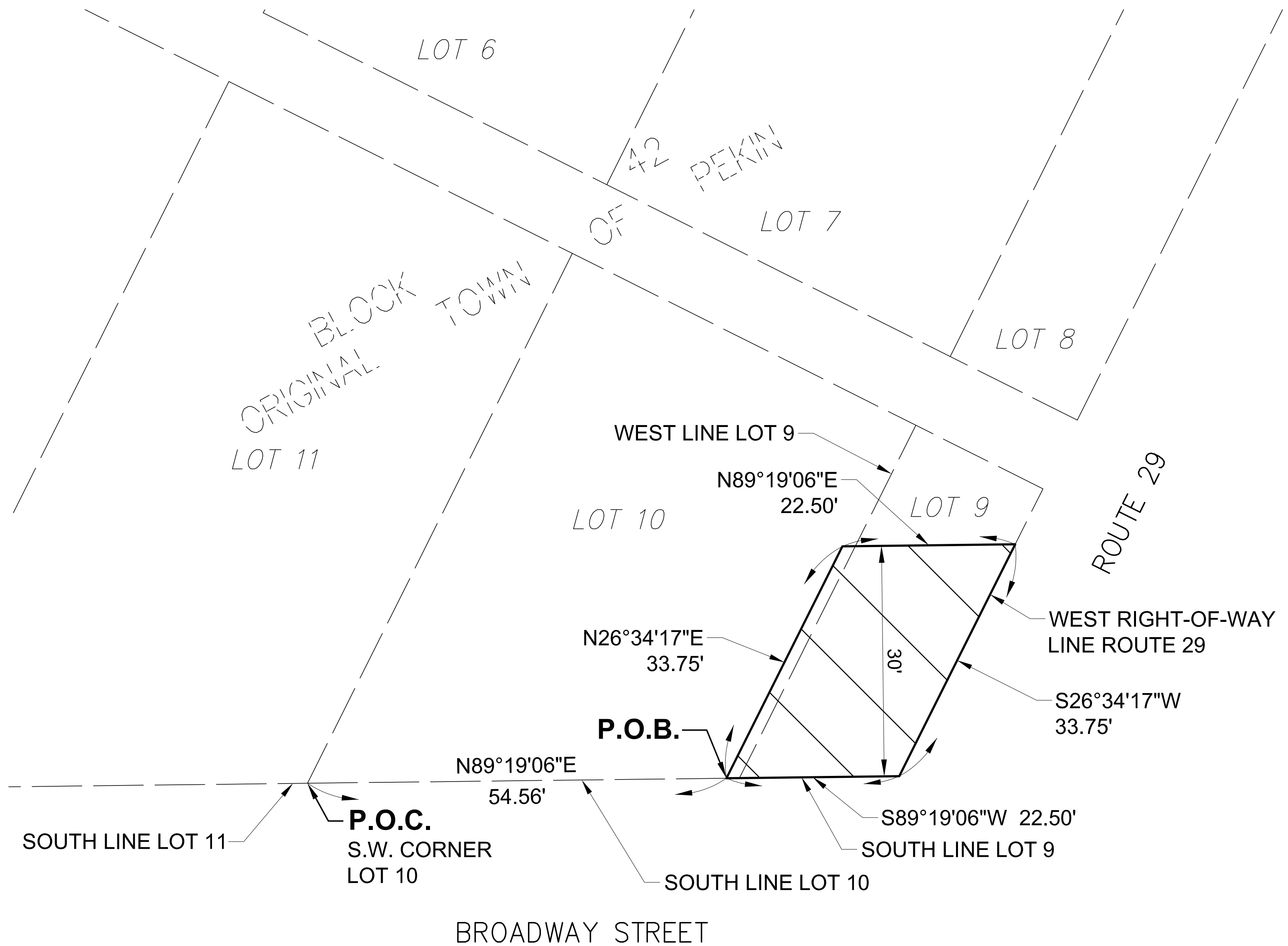
STATE OF ILLINOIS)
) ss.
COUNTY OF __________)

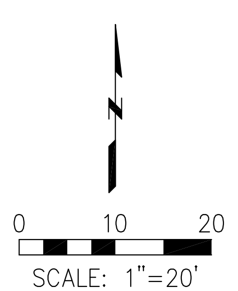
I, a Notary Public for the State and County aforesaid, do hereby certify that ____, personally known to me to be the same person__ whose name__ ______ subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that ________ signed and delivered the same instrument as ______ free and voluntary act for the uses and purposes therein set forth.

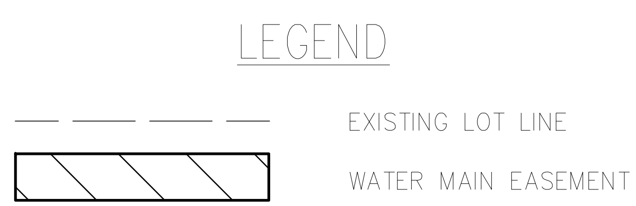
Given under my hand and notarial seal this ________ day of ____________, 2010.

____
Notary Public

My Commission Expires:
____







Owners: City of Pekin

Description of Property provided by Title Search:

Lots 6, 7, 8, 9 and Fractional Lots 10 and 11 all in Block 42 of the ORIGINAL TOWN, NOW CITY OF PEKIN, EXCEPT the Northerly 58 feet of Lots 6, 7 and 8 in Block 42, being in the Southeast Quarter of Section 34, Township 25 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois.

Description of 30' Wide Permanent Easement

A strip of land 30 feet wide being a part of Lots 9 and 10 in Block 42 of the Original Town now City of Pekin, being more particularly described as follows:

Commencing at the Southwest Corner of Lot 10 in said Block 42, thence north 89°-19'-06" east 54.46 feet along the South Line of Lot 10 to the Point of Beginning. From said Point of Beginning, thence north 26°-34'-17" east 33.75 feet; thence north 89°-19'-06" east 22.50 feet along a line being 30 foot parallel to the South Line of said Lots 9 and 10 to a point on the West Right-of-Way Line of Route 29; thence south 26°-34'-17" west 33.75 feet along said West Right-of-Way Line to the South Line of Lot 9; thence south 89°-19'-06" west 22.50 feet along the South Line of Lots 9 and 10 to the Point of Beginning, containing 675 square feet, or 0.015 acre, more or less.

Farnsworth Group, Inc.
7707 N. Knoxville Ave, Suite 100
Peoria, IL 61614

DRAFT

KENNETH J. SILVERTHORN
34..
PROFESSIONAL
LAND SURVEYOR
STATE OF
ILLINOIS
PEORIA, ILLINOIS

DATE: ______________

EXP. DATE: 11-30-2010

DESIGN FIRM REGISTRATION NO. 184-001856

By: ______________________________

Kenneth J. Silverthorn
Illinois Professional Land Surveyor No. 3413

THIS EASEMENT WAS PREPARED AT THE REQUEST OF ILLINOIS AMERICAN WATER COMPANY AND IS FOR THEIR USE ONLY.

TAX ID NUMBER: 04-34-456-012 (LOTS 10 AND 11)
04-34-456-013 (LOTS 8 AND 9)

Farnsworth GROUP
7707 N. KNOXVILLE AVE, SUITE 100
PEORIA, ILLINOIS 61614
(309) 689-9888 / (309) 689-9820 Fax

ILLINOIS AMERICAN WATER
PEKIN, ILLINOIS

PERMANENT WATER MAIN EASEMENT

Project No:	0100513.00
Book No:	PEO-93
Drawn by:	JBULFER
Reviewed:	
Date:	07-07-10

EASEMENT AND RIGHT OF WAY AGREEMENT

Tazewell County

This Document Prepared By:

Mary Sullivan
Illinois American Water
727 Craig Road
St. Louis, Missouri 63141

THIS AGREEMENT, made this ____ day of _____________, 2010, by and between City of Pekin, Illinois hereinafter referred to as the "Grantor", and **Illinois-American Water Company**, a corporation organized and existing under the laws of the State of Illinois, having an office for the transaction of business at 328 Broadway Street, Pekin, IL 61554, hereinafter referred as the "Grantee".

W I T N E S S E T H:

The Grantor, in consideration of the covenants and agreements hereinafter recited and the sum of One Dollars ($1.00), the receipt and sufficiency of which are hereby acknowledged, does hereby give, grant, and convey unto the Grantee, its successor and assigns, forever, an easement and a free uninterrupted and unobstructed right of way in, under, across, and over the property of the Grantor situated in the Section 3, Township 24 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois.

Legal Description
Water Main Easement – Permanent

Description of 20' Wide Permanent Easement

A strip of land 20 feet wide being a part of Lots 5, 6, 7 and 8 in an un-named Block bounded by Broadway Street, Third Street and Susannah Street of the Original Town now City of Pekin, being more particularly described as follows:

Commencing at the Southwest Corner of Lot 5 in said un-named Block, thence north 89°-19'-06” east 22.50 feet along the South Line of Lot 5 to the Point of Beginning. From said Point of beginning, thence north 26°-34'-17” east 22.50 feet; thence north 89°-19'-06” east 157.32 feet along a line being 20 foot parallel to the South Line of said Lots 5, 6, 7, and 8 to a point on the South Right-of-Way Line of Vacated Susannah Street; thence south 63°-25'-44” east 6.61 feet along said South Right-of-Way Line; thence south 00°-40'-54” east 16.97 feet to a point on the South Line of Lot 8; thence south 89°-19'-06” west 173.50 feet along the South Line of Lots 5, 6, 7, and 8 to the Point of Beginning, containing 3,442 square feet, or 0.079 acre, more or less.

And as shown on the sketch attached hereto and made a part hereof, for the purpose of installing, laying, operating, maintaining, inspecting, removing, repairing, replacing, relaying, and adding to, from time to time, pipe or pipes, with necessary fittings, appurtenances, and attached facilities, including laterals and connections for the transmission and distribution of water.

Together with the right to the Grantee, its successors and assigns, to (i) enter in and upon the premises described above with men and machinery, vehicles and material at any and all times for the purpose of maintaining, repairing, renewing, or adding to the aforesaid water pipe lines and appurtenances; (ii) remove trees, bushes, undergrowth, and other obstructions interfering with the activities authorized herein; and (iii) for doing anything necessary, useful, or convenient for the enjoyment of the easement herein granted.

The right of the Grantor to freely use and enjoy its interest in the premises is reserved to Grantor, its successors and assigns insofar as the exercise thereof does not endanger or interfere with the construction, operation, and maintenance of Grantee's water pipe lines and attached facilities, except that no building, structure, or similar improvements shall be erected within said easement, nor shall the grade or ground cover over Grantee's facilities be substantially altered, without the consent of the Grantee. Notwithstanding the foregoing, the Grantor agrees that no other pipes or conduits shall be placed within ten (10) feet, measured horizontally, from the said water mains except pipes crossing same at right angles, in which latter case, a minimum distance of two (2) feet shall be maintained between the pipes. All sewer pipes shall be laid below the water mains. No excavation or blasting shall be carried on which in any way endangers or might endanger the water pipe lines and attached facilities.

TO HAVE AND TO HOLD the above granted easement and right of way unto the Grantee, its successors and assigns, forever.

The Grantee agrees, by acceptance of this Easement and Right of Way Agreement that, upon any opening made in connection with any of the purposes of this easement and right of way, said opening shall be backfilled and resurfaced to as nearly as possible the same condition as existed when said opening was made, provided that Grantee shall not be obligated to restore landscaping, other than grass which was destroyed upon entry, all such work to be done at the expense of the Grantee.

And the Grantor does further covenant with the Grantee as follows:

1. That the Grantor is the owner in fee simple of the real estate hereby subjected to said easement and right of way and has good title to convey the same.

2. That the Grantee shall quietly enjoy the said easement and right of way.

IN WITNESS WHEREOF, the Grantor has duly executed this AGREEMENT, all as of the day and year first above written.

ACCEPTED BY:	GRANTOR(s)
ILLINOIS-AMERICAN WATER COMPANY	**City of Pekin, Illinois**
By:____________________________	By:____________________________
Title:__________________________	Title:__________________________
	(use black ink only)

TENANT'S CONSENT

The undersigned, tenant in possession of the land described in the foregoing instrument, in consideration of the payments to Grantor as therein provided, hereby adopts and joins in the execution of same and consents to the enjoyment by the Grantee of the rights granted therein.

TENANT

Dated:________________________ ______________________________

(Use black ink only)

STATE OF ILLINOIS)
) ss.
COUNTY OF _____________)

I, a Notary Public for the State and County aforesaid, do hereby certify that ____, personally known to me to be the same person__ whose name__ ______ subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that ________ signed and delivered the same instrument as ______ free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this ______ day of ____________, 2010.

____

______

Notary Public

My Commission Expires:

____

Owners: City of Pekin

Description of Property provided by Title Search:

The South 20 feet of even width of the following described tracts:

Tract 1

Part of Block 43 of the ORIGINAL TOWN, NOW CITY, OF PEKIN, being in the Southeast Quarter of Section 34, Township 25 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois, and more particularly described as follows: Commencing at the Northeasterly Corner of Lot 8 of the Original Town; thence North 61 degrees 54 minutes 06 seconds West along the Northerly Line of Lot 8 in Block 43 in the original Town, a distance of 20 feet; thence South 27 degrees 36 minutes 30 seconds West , distance of 20 feet to the point of beginning of the tract to be described: thence North 61 degrees 54 minutes 06 seconds west , a distance of 360.00 feet; thence South 27 degrees 36 minutes 30 seconds West, a distance of 310 feet; thence North 87 degrees 07 minutes 24 seconds East a distance of 417.73 feet; thence North 27 degrees 36 minutes 30 seconds East a distance of 95 feet to the point of beginning, situate, lying and being in the City of Pekin, County of Tazewell and State of Illinois; EXCEPTING HOWEVER, Lots 6, 7, and 8 in the original Town, now City of Pekin, Tazewell County, Illinois.

Tract 2

Lots 5, 6, 7 and 8 in Block 43 in the Original Town, now City of Pekin, being in the Southeast Quarter of Section 34, Township 25 North, Range 5 west of the Third Principal Meridian, Tazewell County, Illinois.

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THIS EASEMENT WAS PREPARED AT THE REQUEST OF ILLINOIS AMERICAN WATER COMPANY AND IS FOR THEIR USE ONLY.

TAX ID NUMBER: 04-34-453-001

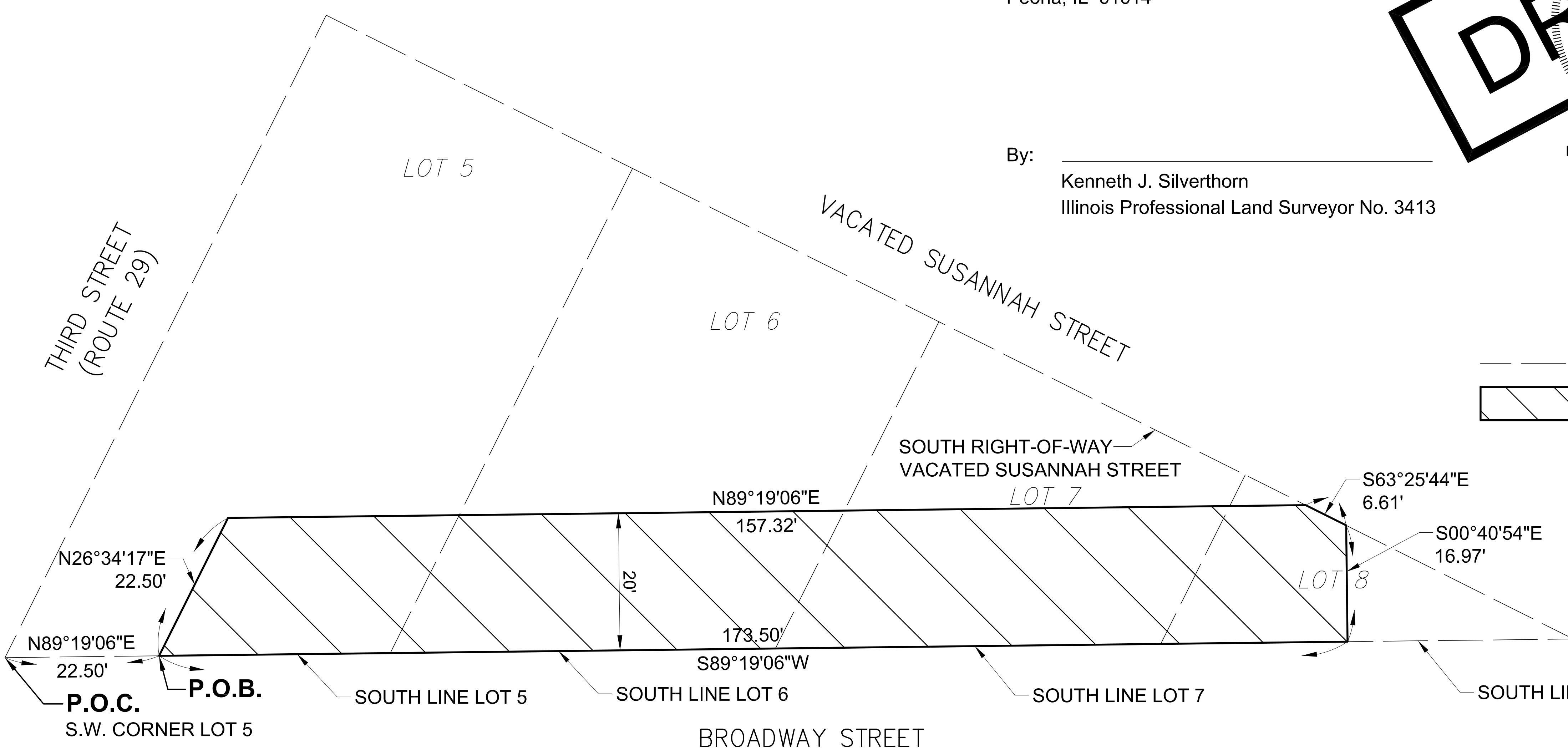
Farnsworth Group, Inc.
7707 N. Knoxville Ave, Suite 100
Peoria, IL 61614

DRAFT

By: ______________________

Kenneth J. Silverthorn
Illinois Professional Land Surveyor No. 3413

DATE: __________
EXP. DATE: 11-30-2010
DESIGN FIRM REGISTRATION NO. 184-001856



LEGEND

EXISTING LOT LINE

WATER MAIN EASEMENT

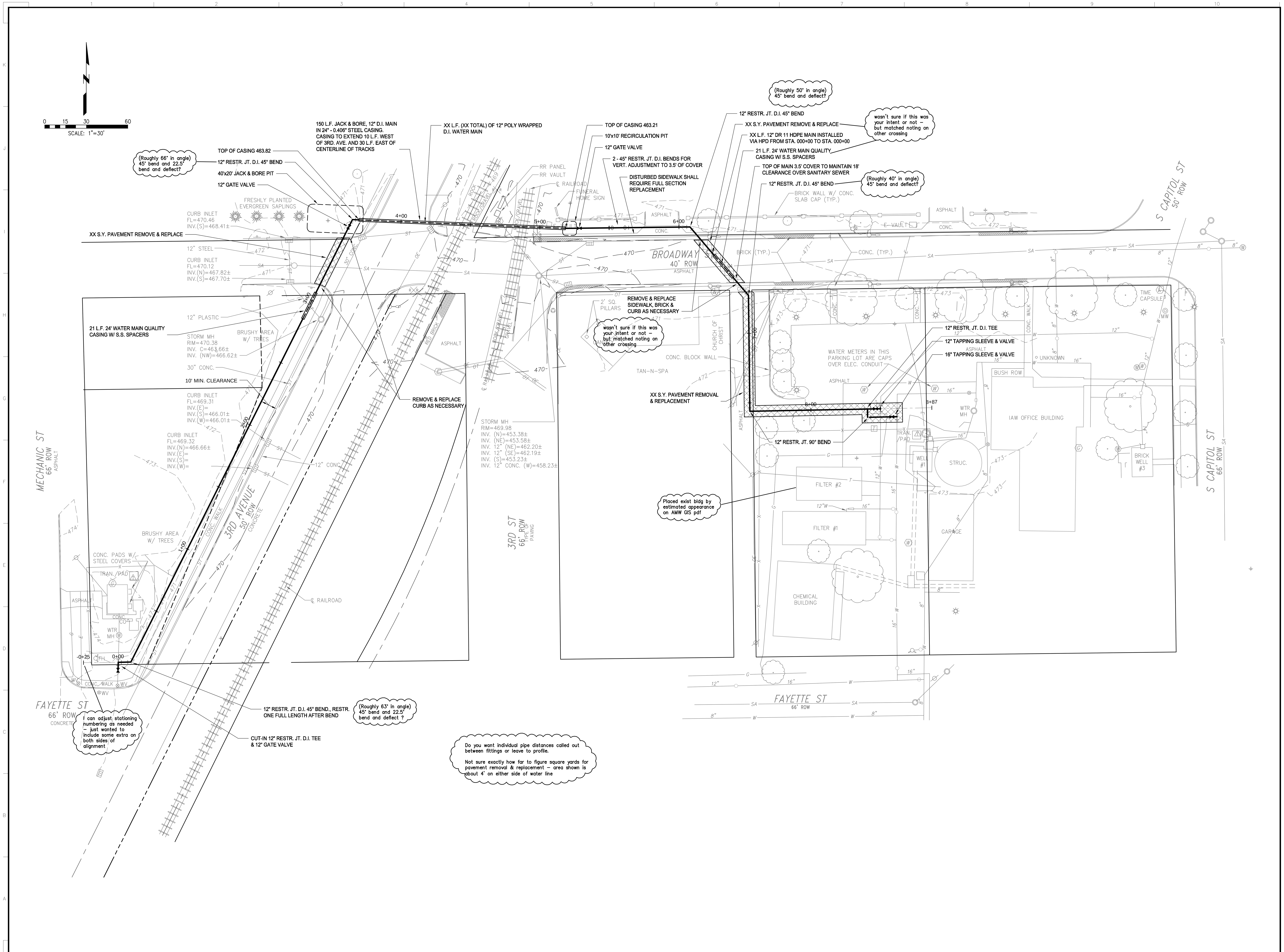
0 10 20
SCALE: 1"=20'

ILLINOIS AMERICAN WATER
PEKIN, ILLINOIS

PERMANENT WATER MAIN EASEMENT

Farnsworth GROUP
7707 N. KNOXVILLE AVE, SUITE 100
PEORIA, ILLINOIS 61614
(309) 689-9888 / (309) 689-9820 Fax

Project No:	0100513.00
Book No:	PEO-93
Drawn by:	JBULFER
Reviewed:	
Date:	07-08-10



ENGINEERS
ARCHITECTS
SURVEYORS
SCIENTISTS

Farnsworth GROUP

7707 N. KNOXVILLE AVE, SUITE 100
PEORIA, ILLINOIS 61614
(309) 689-9888 / (309) 689-9820 Fax

www.f-w.com

ISSUE:

#	Date:	Description:

PROJECT:

Date: 5-20-10

Design/Drawn: -

Reviewed: -

Book No.: -

SHEET TITLE:

SHEET NUMBER:

SHEET # OF

Project No.: 0100513.00