



City of Pekin

REGULAR COUNCIL MEETING TUESDAY, MAY 27, 2008
5:30 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

Mayor Tebben

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 May 12, 2008.

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:** Fire April Report, Building Report April, Airport Minutes Dated April 9, 2008 and May 14, 2008, Mayor's Advisory Committee for Persons with Disabilities Minutes Dated February 14, 2008 and March 13, 2008.
- 2. Charitable Solicitation:** Save James Field Tag Days May 25-26, 2008
- 3. Receive and File Zoning Board of Appeals Minutes Dated May 14, 2008**
- 4. Receive and File Planning Commission Minutes Dated May 14, 2008**
- 5. Receive and File Pekin Planning Commission Hearings and Recommendations:**
 - a. Hearing #08-1763 – recommends to approve the Final Draft of Title 10 Subdivision Codes with the amendment as follows: 10-4-2 D to replace the words "is required" with "shall be considered"
 - b. Hearing #08-1766 – recommends to approve the Re-zoning of property located off of Route 98 from AG (Agricultural District) to I-1 (Light Industrial District)
Action under New Business

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

VOTE REQUIRED TO APPROVE CONSENT AGENDA

VIII. COMMUNICATIONS, PETITIONS, REPORTS

1. Year End Preliminary Financial Report

DESCRIPTION: a general explanation of revenues, expenditures, and fund balances.

PRESENTATION: Jim Wolf, Treasurer and Angie Evans, Assistance Finance Director

ACTION: No Action to be taken.

2. Bonding Project with Tazwood

DESCRIPTION: a general explanation of the City's participation in a financial project.

PRESENTATION:

ACTION: Action to be taken at the Council Meeting of June 23, 2008.

IX. NEW BUSINESS

1. Ordinance No. 1568-A174 - 08/09 - Rezoning of Certain Property

(JW)

DESCRIPTION: Recommendation of the Planning Commission to Re-zone Property that fronts Rt 98 owned by William Landrith from (AG) Agricultural to (I-1) Industrial

ACTION: Motion to adopt the ordinance.

VOTE REQUIRED

2. Resolution No. 44-08/09 – Final Plat Deerfield Estates Subdivision No. 5

(JW)

DESCRIPTION: Final layout and plan for construction of a 28 lot subdivision at 5th Street and Petri Lane zoned R-2(Single Family Residential District).

ACTION: Motion to adopt the resolution.

VOTE REQUIRED

3. Ordinance No. 2555 OA - 8/09 - Amending Title 10, of the Code of the City of Pekin 1995 Regarding Subdivisions

(JW)

DESCRIPTION: two access locations for new subdivisions, developer warranty period, fees, and final acceptance criteria.

ACTION: Motion to adopt ordinance.

VOTE REQUIRED

4. Amendment to Community Development Block Grant 2008 Action Plan

(PA)

DESCRIPTION: Approval of the amended 2008 Action Plan for the allocation of \$1.1 million Community Development Block Grant funds.

ACTION: Motion to approve Amendment.

VOTE REQUIRED

5. **Ordinance No. 2556 OA - 8/09 - Amending Title 6, Chapter 2, Section 11 of the Code of the City of Pekin 1995 Regarding Offences / Misdemeanors Impounding Vehicles** (JW)
DESCRIPTION: Amending the Provisions of the Preliminary Hearing from 24 hour to 72 hours.

ACTION: Motion to adopt ordinance.

VOTE REQUIRED

X. ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Members
Staff
Public Questions
Press Time

XI. EXECUTIVE SESSION

5 ILCS 120/2 (c.) 6. The setting of a price for sale or lease of Municipally Owned Property

5 ILCS 120/2 (c.) 1. The Appointment, Employment, Compensation, Discipline, Performance or Dismissal of Specific Employees of the Public Body

5 ILCS 120/2 (c) 11.

Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent.

Review of Executive Session Minutes

ACTION: Motion to move to Executive Session.

VOTE REQUIRED

XII. NEW BUSINESS

6. Employment Agreement

DESCRIPTION: Contract for services of the City Manager.

(DT)

ACTION: Motion to adopt agreement.

VOTE REQUIRED

XIII. ADJOURNMENT

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

NO VOTE REQUIRED

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, MAY 12, 2008 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING**

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

ABSENT: NONE

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

Roll was called and all Council Members were present.

Amend the Agenda

Motion by Council Member Jones, seconded by Council Member Strand, that the Agenda be amended by removing the Public Hearing, item 2 under Communications and Ordinance No. 2555-08/09, item 1 under New Business. Mayor Tebben explained that final details had not been reached relevant to an ordinance to consider the transaction of real estate and improvements with Manufacturing Maintenance Solutions, Inc. for 225 Hanna Drive. A Public Hearing for the sale of 225 Hanna Drive would not be necessary. On roll call vote, all present voted Aye.

Agenda

Motion by Council Member Jones, seconded by Council Member Blanchard, that the **agenda be approved as amended**. On roll call vote, all present voted Aye.

Motion by Council Member Able, seconded by Council Member Dunn, that the **minutes of the Regular City Council Meeting of April 28, 2008, be approved as written**. On roll call vote, all present voted Aye.

Public Input

John Neumann 709 Washington Street requested to be heard regarding item of New Business to restrict parking on Washington between 10th Street and Court Street. He felt the description on the agenda was not what was agreed to at Traffic Safety meeting. The City Manager read the complete changes to be presented from the No Parking Schedule of the ordinance as to the hours, days, side and direction of traffic. Mr. Neumann's opinion was that 2 hour parking did not eliminate the same-parked vehicles from rotating their position. He suggested the ordinance be tabled for the committee to recommend no parking 10ft each side of each driveway for vision safety. He also requested that the signage for No Left Turn from eastbound Washington Street onto westbound Court Street be placed strategically on a barrel in the middle of the Y section.

Margie Seelye 1002 Washington Street read from a prepared statement her concerns related to the matter of parking on Washington Street. She did not agree that 2 hour parking would address the safety issue of residents and recommended the entire block be no parking.

Jan Frazier 1020 Washington Street spoke in the matter of resident safety in exiting their drives verses the business parking for Pekin Prescription Lab. She questioned if a parking zone could be created for loading and unloading.

Consent Agenda

Motion by Council Member Strand, seconded by Council Member Abel, that the Consent Agenda be approved as presented.

Mayor Tebben read and presented the following for consideration of the Consent Agenda items by Omnibus Vote.

1. **Receive and File Monthly Reports and Minutes:** Police Department April Report and Traffic Safety Committee May Minutes.
2. **Charitable Solicitation:** “Knights of Columbus Tootsie Rolls Donations”
September 19-21, 2008
3. **Proclamations:** “Knights of Columbus “Mentally Handicapped Week”
September 19-21, 2008

4. **Resolution No. 41 – 08/09 –** Appointment of Mayor Pro Tem and 1st Alternate
On roll call vote, all present voted Aye.

Communications, Petitions, Reports

Fire Chief Chuck Lauss introduced the Pekin Fire Department Firefighter of the Year, Driver / Engineer Darrell Sandifar and recognized his outstanding service to the department.

New Business

Motion by Council Member Kortkamp, seconded by Council Member Jones, that the **TOURISM GRANT TO DRAGON’S DOME FOR NSA GIRLS QUALIFIER SOFTBALL TOURNAMENT** be approved in the amount of \$2434.33. Council Member Blanchard explained his determination in voting no to grant approval to a business making a profit on the event. Council was advised that the grant was consistent with Tourism guidelines. Council Member Kortkamp requested a listing be provided to Council of all grants and dollar amounts that had been awarded in the program. On roll call vote, Ayes, Strand, Kortkamp, Jones, Dunn, Abel, and Tebben; Blanchard Nay. Motion Carried.

ORDINANCE NO. 1462-A269-08/09

AMENDING TITLE 8, OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING NO PARKING SCHEDULE

Motion by Council Member Dunn, seconded by Council Member Blanchard, that Ordinance No. 1462-A269-08/09 be adopted. Council Member Dunn then moved to **DIVIDE THE QUESTION** **ORDINANCE NO. 1462-A 269-08/09 so as to consider separately those portions as to Washington Street and Derby Street.** A second to the motion was received from Council Member Strand. On roll call vote, all present voted Aye. Mayor Tebben then entertained discussion regarding parking on Washington Street from 10th Street to Court Street. Police Chief Gillespie explained that the Traffic Safety Committee received a petition from the residents asking that the safety issue of congested parking and speed be considered for review. When business owner was not successful in purchasing property for employees and customers to park, the committee offered a compromise. Though originally recommended for no parking both sides, the compromised of 2 hour parking was consistent with other business/residential areas of concern. Each Council Member then spoke to the matter and expressed their opinion and/or recommendation. It was agreed that the question be sent back to the committee in order to deliberate all the options to the fullest. The Chair called for the vote on the original motion to adopt the ordinance as to the question of approving 2-hour parking on Washington Street. On roll call vote, all present voted Nay. Motion Failed.

Discussion continue on the ordinance now before Council as to the recommendation from Traffic Safety to restrict parking on Derby Street from Allen Street to Hoff Street which includes substitution in the No Parking Schedule Derby Street north side from Allen Street to South 2nd Street. Traffic Safety Chair Joe Wuellner told Council that the committee recommended no parking north side of Derby Street from the railroad tracks to Hoff Street in order to address the safety concerns of the Salvation Army. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Blanchard congratulated all those involved in another successful Southside Derby Days.

Council Member Abel announced the events scheduled for Fire Days and encouraged the community to participate.

Mayor Tebben informed Council and the Community that he had accepted the challenge of the Mayor of Peoria, participated in the St. Jude Downhill Derby event, and brought back to the City the traveling trophy. He noted the biggest winners were the kids of St Jude for the money that was raised.

Steve Brown announced the Open House planned for City Hall in conjunction with Friday night Fire Days events.

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

EXECUTIVE SESSION

Council Member Blanchard, seconded by Council Member Strand, that Council move to Executive Session at 6:15 P.M. to discuss 5ILCS 120/2 (c.) 1. The Appointment, Employment, Compensation, Discipline, Performance or Dismissal of Specific Employees, and 5 ILCS 120/2 (c.) 6. The setting of a price for Sale or Lease of Municipally Owned Property, and 5 ILCS 120/2 (c.) 11 Pending, probable or imminent litigation. On roll call vote, all present voted Aye.

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

COUNCIL ADJOURNED AT 7:20 P.M.

Sue E. McMillan
City Clerk



City of Pekin

May 2, 2008

Mr. Dennis Kief
Pekin City Manager
Pekin, IL. 61554

Dear Mr. Kief,

I hereby submit to you the Pekin Fire Department April 2008 report, plus a summary of March 2008.

Charles E. Lauss
Fire Chief
City of Pekin Fire Department

During the month of April 2008, the Pekin Fire Department responded to 312 calls, total dollar loss was \$5,000.00.

During the month of April 2008 (approximately 70.87%) were emergency medical calls, 91 were automatic fire alarms, service calls, small hazardous conditions involving no fire, false alarms.

During the month of March 2008, the Pekin Fire Department responded to 320 calls, total dollar loss was \$46,450.00.

During the month of March 2008 (approximately 70.44%) were emergency medical calls, 95 were automatic fire alarms, service calls, small hazardous conditions involving no fire, false alarms.

On April 12, 2008 Fire Fighters responded to accident with injuries. Car had driven into home, air bags deployed. Home owned by Mr. Cretaro with damages to the home. All passengers in the car transported to Pekin Hospital with minor injuries. Total dollar loss was approximately \$5,000.00.

Total calls for the month of April was 312 and are as follows:

Fires	12
Rescue and EMS	220
Hazardous Materials	18
Other types of calls	62

Total dollar loss for the month of April was approximately \$5,000.00.

Total calls for the month of March was 320 and are as follows:

Fires	18
Rescue and EMS	225
Hazardous Materials	8
Other types of calls	69

Total dollar loss for the month of March was approximately \$46,450.00.

Training Division

We hosted the Incident Safety Officer's class here the first week of April. The Illinois Society of Fire Service Instructors provided the instructors. We had 17 Pekin fire fighters attend the class. Much was learned from the class and we are moving ahead with recommendations from the class.

The fire department promotional exams were held this month, and those challenging the captain and engineer's exams spent many hours studying at the stations. This included textbook study and hands-on training with fire apparatus.

Tom Veatch took a vehicle fire investigation class in Springfield, Illinois, and spent 21 hours in class.

Our EMT-Is finished their mandated EMS protocol exams this month.

I attended the ICS 800 class held at the Tazewell County Health Department.

All shifts toured the new Walgreen's store scheduled to open soon.

April 2008
Fire Prevention Pekin Fire Department

April 1, 2, 3, 4 Incident Safety Class at Pekin Fire Department
April 7 Juvenile Fire Setter Interview 6 year old male Florence
Street fire.
April 8 CB Smith School learn not to burn program for 80 kids 4 classes of kindergartners.
April 9 IDOT – Child Passenger Safety Class in Springfield, IL
April 10 1400 Broadway New Walgreens Inspection
April 14 1101 Veerman Boys and Girls Club no Knox Box.
April 15 2400 N. 8th St Pekin, IL Lake Manor review fire
Sprinkler system in basement for adult senior living.
April 16 Wilson School Fire Safety Talk Learn not to Burn.
April 17 Child Car Seat Check at station 1 15 car seats checked
April 21 Bridgeway Homes Fire Safety Inspections all 3 homes.
April 22 Schwanns Food 15,000 lb LP tank review.
April 23 Circus Inspection at 200 Redbud Dr Pekin Park.
April 23 Aventine Energy Tour new 570,000 gal alcohol tank
April 24 Child Car Seat Install at Station 1
April 28 Wilson School After School Safe Event with Peoria Area Safe Kids Coalition.
April 28 2032 Westgate Dr Apartment Building with 3 families
With no CILCO city inspectors called unsafe.
April 28 Red Cross Blood Drive to be held June 2, 2008 Sponsored by Pekin Fire Dept.
April 29 New Walgreens store at 1400 Broadway Final Walkthrough.
April 30 Senior Expo at the Pekin Dragons Dome.

This is a brief overview of April 2008 and March 2008' events from the City of Pekin Fire Department. If you have any questions, please feel free to give me a call.

Respectfully Submitted,

Charles E. Lauss
Fire Chief
Pekin Fire Department

BUILDING REPORT 2008

BUILDING REPORT 2008

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	3.00	\$576,438			5.00	\$439,000	11.00	\$181,339	2.00	\$11,000	22.00	\$1,207,777	22.00						
FEBRUARY					2.00	\$35,045	16.00	\$385,550	1.00	\$2,400		\$422,995	20.00						
MARCH	3.00	\$841,938	1.00	\$21,450	2.00	\$2,500	21.00	\$176,050	4.00	\$9,815	1.00	\$1,088,753	34.00						
APRIL		6.00	\$66,425	1.00	\$735,905	5.00	\$145,500	16.00	\$119,545	48.00	\$101,667	1.00	\$9	77.00					
MAY												\$0	0.00						
JUNE												\$0	0.00						
TOTAL 6 MO.	6.00	1,418,376.00	7.00	71,425.00	1.00	21,450.00	2.00	767,905.00	14.00	622,045.00	64.00	862,484.00	55.00	124,882.00	2.00	0.00	0.00	3,888,567.00	152.00
JULY												\$0	\$0	0.00				\$0	0.00
AUGUST												\$0	\$0	0.00				\$0	0.00
SEPTEMBER												\$0	\$0	0.00				\$0	0.00
OCTOBER												\$0	\$0	0.00				\$0	0.00
NOVEMBER												\$0	\$0	0.00				\$0	0.00
DECEMBER												\$0	\$0	0.00				\$0	0.00
TOTAL 6 MO.												\$0	\$0	0.00				\$0	0.00
YEAR	6	\$1,418,376	7.00	\$71,425	1.00	\$21,450	2.00	\$767,905	14.00	\$622,045	64.00	\$862,484	55.00	\$124,882	2.00	0.00	0.00	\$3,888,567	152.00

City of Pekin
Airport Commission Meeting Minutes
April 9, 2008

Commissioners: Present –Peter Kalman, Lillard Hedden, Robert Ehrich, Mike Fort, & Charles Thomas
Attendees: Joe Wuellner, Dave Tebben, Geoff Shilton, Doug Crowther, Stan Herrin, Murray Brian, Don Barth, J.R. Ginz, & Al Lurie

Open Meeting: Chairman Kalman called the meeting to order at 3pm.

Roll Call: Roll was called and it was determined that there was a quorum.

Mr. Kalman received copy of the current Byerly Insurance policy.

Agenda:

Old Business:

1. Update on Flashlight Drags – Mr. Kalman updated the members that he had been informed that this type of use of the runway was not allowed by the FAA. Mr. Ginz was told that at this time he could not proceed.
2. Hangar Doors – Mr. Herrin was present to discuss what input he had received from the Erect-A-Tube representative and a contractor on the cost to do project. He is looking to find another contractor. Also wanted to clarify the number of doors. 18 “T” hangars and the big door as an alternate.
3. West Ramp Seal Coat – Mr. Herrin said the plans are at IDOT Div. of Aero being reviewed. There is a contractor in Peoria that should be able to do the work.
- 4.

New Business:

1. TIPS 2008 – Mr. Herrin stated that the schedule will be coming out in May.
2. Additional Work for CMT – in the past, the cost for preparing the TIPS was covered through the larger jobs. This is no longer the case and they haven’t billed for the past few years and there is a balance due.
- 3.

Other Business:

1. It was noted that the underground fuel tanks were due for inspection this year. Mr. Shilton provided brochures for companies that do this work. Mr. Wuellner will get with the property folks to see about getting this scheduled.
2. Mr. Brian stated that he felt that the discussions for the upcoming Byerly Agreement should be open to the public like the discussions for his lease were handled.

Byerly Contract – Mr. Kalman closed the regular meeting and went into executive session to begin working and the new contract and to discuss the proposal from Byerly.

Adjourn: No other business was discussed and the meeting adjourned at 5:00pm.

Next regular meeting will be next year, May 14, 2008 at 3pm.

City of Pekin
Airport Commission Meeting Minutes
May 14, 2008

Commissioners: Present –Lillard Hedden, Robert Ehrich, Mike Fort
Attendees: Joe Wuellner, Stan Herrin, Al Lurie, Ric Woldow

Roll Call: Roll was called and it was determined that there was a quorum.

Agenda:

Old Business:

1. Hangar Doors will be a June local letting. T Hangars as base bid & big hangar as alternate.
2. West Ramp Seal Coat is on the IDOT June letting
3. Airport sign painting problems with getting done by Byerly due to work load. Will try if we get it taken down.

New Business:

1. ALP – need answer for aircraft category. Do we want category C for larger aircraft.

Other Business:

1. Airport sign by road.
2. Roof repairs for administration building & front half of big hangar.

Adjourn: No other business was discussed and the meeting adjourned at 3:30pm.

Next regular meeting will be June 11th, 2008 at 3pm.

City of Pekin

Mayor's Advisory Committee for Persons with Disabilities Minutes

February 14, 2008; 4:00 pm

Present: Robert Calvin, Dick Berger, Norma Bosley, Jim Deford, Jeanne Choate, Leia Stewart, Frank Metcalf & Vicki Bass

Not Present: Katie Meskiman, Tammy Helm and Pamela Anderson

I. Welcome

II. Approval of the January minutes

III. Old business

- A. Update on the ADA sidewalk project: Bids were opened on February 8th; (add something here)
- B. Smoking Detectors / Carbon Monoxide project update: 7 committee members agreed to the proposed device; product invoice has been submitted to finance and placed on order
- C. Update on Channel 22 (Computer tech guys have been diligently working on this! Volume issues – it depends on the speaker – if they have a strong voice it will be louder; the Computer Techs will be putting a label on the Council microphones reminding them to speak directly into them and they will send an e-mail concerning 'on camera' etiquette – including speaking directly into the microphone);
- D. Update on traffic lights: The last time Dave and I discussed it, we were going to see how many we had that were not equipped and then get a cost per intersection. I will get back with him on this and see what we can do. I don't think it is all that expensive but will find out. (1/16/08) (2/7/08 e-mail sent for follow up);
- E. Rebroadcast of Council meetings - usually
broadcast them 3 times a day Sunday thru Monday at 9am, 2pm

Next meeting: March 13, 2008 at 4:00 pm

City of Pekin
Mayor's Advisory Committee for Persons with
Disabilities Minutes
February 14, 2008; 4:00 pm

and 8pm and they start usually on the Friday after a Council Meeting. We have been having some technical difficulties so I'll have to get with Dave on when we will start up again
(1/16/08)

- F. Donation of closed captioning encoder request. Draft letter to be sent to Peoria television stations and Comcast for a donation of above listed device for the Committee for the City of Pekin. They would be able to use this donation as a public relations piece. Rob Calvin volunteered to write a letter to request this device, he will present the letter for review at the March meeting
- G. Update on emergency materials – Pamela meet with Tazewell County Sheriff's Department, Chuck Linton and received the following information: File of Life materials (cost \$1.00 each to print; he is currently updating the File of Life form and will e-mail when completed; dispatch has to see the caution tab to relay this information to police/fire/ambulance for the information to be received; keep red folder on the fridge); Senior Citizen Assistance cards; anyone interested in becoming a Triad Board member (2nd Tuesday of the month, Fondulac, East Peoria; 1pm) – contact Chuck (478-5651 office / 241-1169 cell) for additional information (he has attended a lot of trainings and has many good ideas – needs a good board to initiate).
- H. Katie Meskiman – letter sent to request for intentions to serve on Committee; have not heard back from her (1/23/08) – J.

Next meeting: March 13, 2008 at 4:00 pm

City of Pekin

Mayor's Advisory Committee for Persons with Disabilities Minutes

February 14, 2008; 4:00 pm

Choate was going to follow-up with a phone call, J. Choate has called several times and there has been no response from Katie; City will consider her committee position terminated and fill as soon as possible

H. Terms of current committee members: end of March/ beginning of April; Dick and Rob – are you willing to participate with this Committee for an additional three years?

Term	Name
1	Dick Berger
1	Robert Calvin
	Katie
1	Meskimen
2	Norma Bosley
2	Jeanne Choate
2	Jim Deford
3	Leia Stewart
3	Tammy Helm
3	Frank Metcalf

IV. New Businesses

- A. Letter for the issue of motorized scooter maintenance in shopping stores (brainstorm for letter & compile a list of stores – include working and not working scooters) Frank Metcalf and Dick Berger volunteered for this issue.
- B. Next prioritized items (overview) – begin thinking about what direction to take for the following and e-mail to or call Pamela to provide feedback (remember – ideas need to directly relate to the listed goal above the numbered priority)

Adequate public and private services for maintaining and improving the health and welfare of the disabled persons.

Next meeting: March 13, 2008 at 4:00 pm

City of Pekin
Mayor's Advisory Committee for Persons with
Disabilities Minutes
February 14, 2008; 4:00 pm

1. Affordable Housing
2. Code Enforcement
3. Traffic lights
4. TTY phone service
5. Signs
6. Shopping assistance / electric carts
7. large print / Braille materials

**To develop new ways to utilize the talents and
resources of disabled citizens**

8. Discrimination against disabled individuals

V. Around the table

Next meeting: March 13, 2008 at 4:00 pm

City of Pekin

Mayor's Advisory Committee for Persons with Disabilities Minutes

March 13, 2008; 4:00 pm

Present: Robert Calvin, Dick Berger, Norma Bosley, Frank Metcalf, Leia Stewart & Pamela Anderson

Not Present: Katie Meskiman, Jim Deford, Tammy Helm, Jeanne Choate, and Vicki Bass

- I. Welcome
- II. Approval of the February minutes: no minutes were taken or provide from February at this meeting; they will be included in April's agenda for approval
- III. Old business
 - A. Update on the ADA sidewalk project: Council approved at meeting on February 25; project currently on hold – CDBG issue
 - B. Smoking Detectors / Carbon Monoxide project update: rec'd 3/8, should rec. next five by end of next week; next steps
 - C. Update on traffic lights: \$1200 per intersection; Leia Stewart provided a list of intersections
 - D. Rebroadcast of Council meetings - Donation of closed captioning encoder request. Rob Calvin requested assistance in writing this letter; Pamela Anderson will draft a letter for review at the April meeting.
 - E. Terms of current committee members: end of March/ beginning of April; Dick and Rob – are you willing to participate with this Committee for an additional three years? Yes, they are still interested in participating. An alternative member will replace Katie Meskiman. City staff will start process.
- IV. New Businesses
 - A. Letter for the issue of motorized scooter maintenance in shopping stores - Letter submitted is approved; Committee would like all business letter's cc:'d to corporate agencies
 - B. Next prioritized items (overview) – begin thinking about what direction to take for the following and e-mail to or call Pamela to provide feedback (remember – ideas need to directly relate to the listed goal above the numbered priority)
 - Adequate public and private services for maintaining and improving the health and welfare of the disabled persons.**
 - 1. Affordable Housing (Norma Bosley questioned the definition of affordable housing, explanation was given that house payment is 30% of gross income)
 - 2. Code Enforcement (Norma Bosley and Frank Metcalf questioned the enforcement of parking in the designated handicapped spots; explained that City of Pekin personnel

Next meeting: April 10, 2008 at 4:00 pm

City of Pekin

Mayor's Advisory Committee for Persons with Disabilities Minutes

March 13, 2008; 4:00 pm

does parole the parking lots in town and this issue was brought to the attention of the Pekin police) (Dick Berger expressed two issues related to the placement of handicapped parking spots in a parking lot and the number of parking spots reserved for the disabled per square footage of shopping/parking lot? City staff will follow up with enforcement for a response for the April meeting)

3. Traffic lights (Leia Stewart presented a list at this meeting of intersections to install visually impaired devices: Court, Broadway and Margaret; court and 8th; Court & 5th; Court & 4th; Court and Capitol; Court and 10th; 14th and Park Avenue; 5th and Margaret; 3rd and Ann Eliza; 4th and Margaret; Capitol and Margaret; 3rd and Margaret; & 2nd and Margaret; also – make sure all north and south are steady and all east and west are intermittent or vice versa – whatever is regulated by state/federal ADA law)
4. TTY phone service (Rob Calvin announced that there is a new video phone available)
5. Signs (having Braille labels on signs)
6. Shopping assistance / electric carts (letter will be sent by April meeting)
7. large print / Braille materials

To develop new ways to utilize the talents and resources of disabled citizens

8. Discrimination against disabled individuals

City staff will begin the prioritization process again with the May meeting.

V. Around the table

- A. Discussed April meeting – request Prairie State Legal services to attend and discuss ADA issues, review gaps analysis and letter requesting device for closed captioning.
- B. Frank Metcalf asked a question if the door to enter the Council Chambers was the correct width ... he just barely makes it with his scooter. He also requested to have an automatic door opener installed. City Staff assured him that the building should have been built according to ADA specifications and that City Staff would open the Council Chamber door for him when he needed access. There is usually a wood door stopper that holds the door open.

VI. Adjourn – 1st: Norma Bosley; 2nd: Rob Calvin: all approved

Next meeting: April 10, 2008 at 4:00 pm

CHARITABLE SOLICITATION REGISTRATION FORM

1. Date Submitted 5/13/08
 Address of Organization 410 Broadway Pekin, 1701 Court St Pekin
 Telephone Number 347-4141
 Name, Address and Telephone Number of person filling out form:
Valerie Umholtz 410 Broadway Pekin 347-4141
2. Name, Title and Address of Principal Executive Officer of Organization: Save James Field Committee
Val Umholtz Jan Donahue 506 Country Club Pekin
Bob Bucknell - Pekin Park Foundation
3. If your Organization is a subsidiary or an affiliate of another Organization such as a National Association, list Name and Address of such Organization: N/A
4. Specifically where in the Pekin area is your group staying so contact can be made within a twelve (12) hour period if necessary: N/A
5. Explain briefly how you will be operating, ie. collecting door to door, calling on businesses, etc. If offering merchandise for sale, state what the merchandise is and the price asked:
Tag Days @ Krogers + WalMart
8 AM - 4 PM - May 25 + 26, 2008
6. Supply the following information for each member of the group, including who is in charge:

Name: Last	First	M	Date of Birth	Name, Address Relationship of next of kin
<u>Umholtz</u>	<u>Valerie</u>			
<u>Donahue</u>	<u>James</u>			<u>506 Country Club Dr. (In Charge) 347-3692</u>
7. General nature of activities conducted by Organization (Service Club, Church, Veterans Club, Youth Club, United Fund, etc):

Fundraising for Pekin Park Foundation,
James Field Fund.

8. Names and Addresses of Organizations to which funds will be distributed, or if that is inapplicable, the general nature of beneficiaries of proceeds of charitable contributions (College Scholarships to residents of Illinois, Church overseas relief, etc). If some or all of the names of Organizations are not determined at time of the preparation of this form, list those to which you expect to distribute funds and indicate "others to be determined later":

Pekin Park Foundation, James
Field Fund

9. Do you employ a full-time salaried Executive Director: No,
If YES, give name and business of residence address:

10. Do you now employ or anticipate employing the services of a person or Organization that conducts fund-raising drives or activities for profit: No If YES, give name and address of such Organization or person:

11. Estimated gross percentage of contributions which are devoted to administrative expenses of collection by your Organization:

< less than 5%

12. Is your Organization registered with the Office of the Attorney General, pursuant to the Charitable Trust Act of Illinois, Chapter 14, Illinois Revised Statutes, Section 51 through 64:

No Save James Field - No - Pekin Park Foundation - Yes.

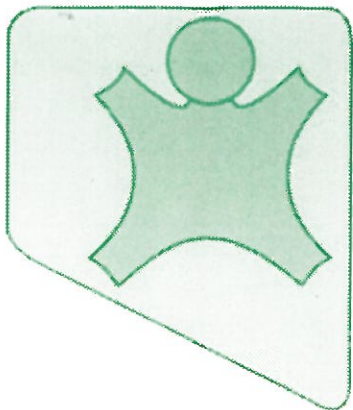
The undersigned hereby certifies that the information contained in this Registration Form is true to the best of his or her knowledge.

DATE:

5/13/08

SIGNED:

Valerie Hall



SAVE JAMES FIELD

Co-Chairs:

Jan Donahue
Valerie Moehle Umholtz

Treasurer:

Christine Schwartz

Secretary:

Arvella Guidotti

Committee Chairs:

Ray Barnes
Daryl Dagit
Jim Donahue
John Kennedy
Jack Kluever
Carol Shields
Lynette Steger
Amy Werner

Donations may be made payable to:
Pekin Park Foundation, James Field Fund • 1701 Court Street • Pekin, IL 61554

Pekin Zoning Board of Appeals
May 14, 2008

Present:

Marilyn Kelso
Ron Boehm
Bob Barra
Mary Lanane
David Moehring, Vice Chairman

Absent:

Gary Sciortino
Curtis Eeten, Chairman

Staff Present: Ron Sieh, Greg Gurbal, Attorney Dancey

Vice Chairman David Moehring led the pledge of allegiance.

Vice Chairman David Moehring called the regular meeting of the Zoning Board of Appeals to order.

Roll call was taken and a quorum declared.

Vice Chairman David Moehring asked for approval of the Agenda.

MOTION by Mary Lanane seconded by Marilyn Kelso to approve the Agenda as presented. On roll call vote, all present voted **AYE. MOTION APPROVED.**

Vice Chairman David Moehring asked for approval of the November '2007 Meeting Minutes.

MOTION by Marilyn Kelso seconded by Bob Barra to approve the November '2007 Meeting Minutes. On roll call vote, all present voted **AYE. MOTION APPROVED.**

Correspondence: There were (11) eleven Letters sent out for Hearing #1. No Response.

Hearing #1:

Don & Sandy Nelson, Owner, 1004 Black Street for a 9' 6" variance to attach a Carport that would be even with the South Property Line.

Open Public Hearing: 5:06PM

Don & Sandy Nelson were present for questions.

Don stated he talked with his neighbor on the Southside. They have no problem with the request.

Ron Sieh suggested that they install gutters to prevent future problems of water run off.

Close Public Hearing: 5:08PM

David Moehring expressed his concern with future change in ownership of neighboring home and possible problems with more variance requests due to the Carport.

MOTION by Marilyn Kelso seconded by Ron Boehm to approve the variance request. On roll call vote, (4) four present voted **AYE**. (1) one present voted **NAYE**. **MOTION APPROVED**.

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

Meeting Adjourned at 5:15pm

Juanita VanBuskirk, Secretary
Zoning Board of Appeals

Pekin Planning Commission Minutes

May 14, 2008

Present:

Jim Bradshaw
Ron Knautz, Chairman
Steve Huey
Chad Schmidgall
Don Hild
Richard Cohenour
Bill Craig, Vice Chairman
Michele Long
Angel Gibson

Absent:

Chairman Ron Knautz 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, Joe Wuellner, Greg Gurbal and Attorney Dancey.

Chairman Ron Knautz asked for approval of the Agenda.

MOTION by Michele Long, Seconded by Steve Huey to Approve the Agenda with the Site Plan Review Stricken from Hearing #1. On roll call vote, All present voted **AYE**. **MOTION APPROVED**.

Chairman Ron Knautz asked for approval of the April minutes.

MOTION by Bill Craig, Seconded by Don Hild to Approve the Minutes as presented for April Meeting. On roll call vote, All present voted **AYE**. **MOTION APPROVED**.

City Council Action Report:

March 24, 2008 Council Meeting:

Received and Filed the March 12, 2008 minutes. Approved Hearing #08-1762 to rezone Lick Creek Manor Ext #2 from AG to R-2. No action was taken on Hearing #08-1763 for the changes to Title 10 Subdivision Codes.

April 28, 2008 Council Meeting:

Approved Hearings #08-1764 & 08-1765 the Site Plan and Special Use for a Drive-Thru for Convenient/Liquor sales at Beck Oil located at 317 Derby.

PPC Correspondence: No Correspondence

Application #1: William & Vickie Landrith, Owners

Hearing #1: Re-zoning of property located off of Route 98 from AG (Agricultural District) to I-1(Light Industrial District).

Open Public Hearing: 6:32PM

William & Vickie Landrith were present for questions.

Close Public Hearing: 6:45PM

Rezoning Review Committee: Michele Long, Chairman

Michele Long turned the hearing over to the commission.

There was a lengthy discussion on the location and surrounding zoning in the area among the commission for clarification purposes.

Steve Huey expressed his concern with interrupting the zoning by putting an I-1 zone in that area for a Billboard. He feels the aesthetic perspective is important to maintain.

Jim Bradshaw and Steve Huey clarified with Mr. Landrith to make sure he understood that changing this section of property to I-1 would limit his zoning options for the rest of his land.

MOTION by Bill Craig, seconded by Chad Schmidgall to approve the rezone from AG to I-1 to the City of Pekin City Council. **On roll call vote, (8) eight present voted AYE. (1-Steve Huey) one present voted NAYE. MOTION PASSED.**

Application #2: City of Pekin

Hearing #2: Final Draft for Amendments to Title 10 Subdivision Codes.

Open Public Hearing: 6:50PM

Joe Wuellner was present for questions.

Close Public Hearing: 6:58PM

Ordinance Change Review Committee: Jim Bradshaw, Chairman

Bill Craig presented concerns in the wording of 10-4-2 D.

Attorney Dancey helped with the clarification.

MOTION by Bill Craig, seconded by Steve Huey to approve the Final Draft of Title 10 Subdivision Codes with the amendment as follows; 10-4-2 D to replace the words "is required" with "shall be considered" to the City of Pekin City Council. **On roll call vote, All present voted AYE. MOTION PASSED.**

Chairman Ron Knautz adjourned the meeting.

Meeting adjourned at 7:30pm.

Juanita VanBuskirk, Secretary
Pekin Planning Commission

Pekin Planning Commission
May 14, 2008

HEARING #08-1763

The Pekin Planning Commission recommends to Approve the Final Draft of Title 10 Subdivision Codes with the amendment as follows; 10-4-2 D to replace the words "is required" with "shall be considered" to the Pekin City Council.

Ron Knautz, Chairman

Bill Craig, Vice-Chairman

Pekin Planning Commission
May 14, 2008

HEARING #08-1766

The Pekin Planning Commission recommends to Approve the Re-zoning of property located off of Route 98 from AG (Agricultural District) to I-1(Light Industrial District) to the Pekin City Council.

Ron Knautz, Chairman

Bill Craig, Vice-Chairman

Budget Comparisons

Fund	Expenses		Revenues	
	Budget	Actual	Budget	Actual
General Fund	\$ 17,677,492.00	\$ 16,744,453.07	\$ 19,195,855.00	\$ 19,800,283.62
Solid Waste	\$ 1,774,368.00	\$ 1,839,913.74	\$ 87,750.00	\$ 144,385.23
Sewerage	\$ 4,567,480.00	\$ 2,078,850.07	\$ 3,052,050.00	\$ 2,735,675.18
Storm Water	\$ 494,029.00	\$ 498,716.77		\$ 1,650.00
Motor Fuel	\$ 1,832,000.00	\$ 1,264,293.84	\$ 1,214,500.00	\$ 1,215,986.86
Hud	\$ 648,181.00	\$ 404,387.79	\$ 665,953.00	\$ 333,468.62
Tif 1	\$ 705,806.00	\$ 505,309.36	\$ 997,400.00	\$ 984,957.08
Capital Projects	\$ 3,102,000.00	\$ 681,475.44	\$ 2,036,180.00	\$ 474,844.42
City Bus	\$ 193,380.00	\$ 192,815.33	\$ 188,668.00	\$ 175,401.74
School Bus	\$ 1,176,439.00	\$ 1,407,815.27	\$ 1,584,820.00	\$ 1,554,444.10
Airport	\$ 83,330.00	\$ 63,086.45	\$ 59,315.00	\$ 49,870.50
Vehicle Maintenance	\$ 1,387,648.00	\$ 1,387,985.24	\$ 1,261,422.00	\$ 1,338,186.03

CITY OF PEKIN
INVESTMENT EARNINGS
YEAR ENDED APRIL 30, 2008

<u>FUND</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>DIFFERENCE</u>
General	\$ 375,000	\$ 445,831	\$ 70,831
Sewer	55,000	113,883	58,883
MFT	105,000	130,473	25,473
TIF	8,000	45,301	37,301
Capital Projects	55,000	101,202	46,202
School Bus	15,000	27,425	12,425
Insurance	<u>52,000</u>	<u>54,469</u>	<u>2,469</u>
TOTALS	<u><u>665,000</u></u>	<u><u>918,584</u></u>	<u><u>253,584</u></u>
Overall Percentage Actual Over Budget			<u><u>38%</u></u>

CITY OF PEKIN

REVENUE COMPARISONS

FISCAL YEARS ENDED APRIL 30, 2008 & 2007

FUND	Unaudited 4/30/08	Audited 4/30/07	Difference
General	\$ 19,800,284	\$ 20,319,006	\$ (518,722)
Soldi Waste	144,385	310,008	(165,623)
Sanitary Sewer	2,735,675	2,840,834	(105,159)
Storm Sewer	1,650	-	1,650
TIF	984,957	1,406,692	(421,735)
Capital Projects	474,844	1,863,004	(1,388,160)
Municipal Bus	175,402	96,785	78,617
School Bus	1,554,444	1,477,807	76,637
Airport	49,871	70,655	(20,784)
Vehicle Maintenance	1,338,186	950,515	387,671
MFT	1,215,987	1,236,526	(20,539)
HUD	333,469	538,554	(205,085)
Tourism	145,173	159,037	(13,864)
TOTALS	<u>28,954,327</u>	<u>31,269,423</u>	<u>(2,315,096)</u>

ORDINANCE NO.
AN ORDINANCE PROVIDING FOR THE
REZONING OF CERTAIN PROPERTY

WHEREAS, WILLIAM & VICKIE LANDRITH, is the owner of the parcel herein described, hereinafter referred to as “Petitioner”, and has heretofore requested the rezoning of certain property hereinafter described in this ordinance; and

WHEREAS, the Petitioner has requested that the property hereinafter described be rezoned from its current zoning of AG (Agricultural District) to I-1 (Light Industrial District) ; and

WHEREAS, the Petitioner has given due notice to all interested parties; and notice of a public hearing was duly published according to the law on April 24, 2008, in the Pekin Daily Times, Pekin, Tazewell County, Illinois; and

WHEREAS, pursuant to notice duly published according to law, the Planning Commission held a public hearing at 6:30 p.m. on May 14, 2008, and subsequent to said hearing duly transmitted its recommendations to the City Council recommending the zoning of said property.

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

1. That the following described property is hereby zoned as I-1 (Light Industrial District):

A part of the West Half of the Southwest Quarter of Section 24, Township 25 North, Range 5 West of the Third Principal Meridian, Tazewell County, Illinois, being more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of said Section 24; thence South 89 degrees 59' 44" East along the North line of the Southwest Quarter of said Section 24, a distance of 610.41 feet; thence South 02 degrees 05' 34" East, a distance of 35.17 feet to a point on the southerly right of way line of Illinois Route 98 and the point of beginning of the tract to be described; thence continuing South 02 degrees 05' 34" East, a distance of 180.37 feet; thence North 89 degrees 25' 53" East, a distance of 250.09 feet; thence North 02 degrees 05' 34" West, a distance of 174.30 feet to a point on the Southerly right of way line of said Illinois Route 98; thence South 89 degrees 25' 53" West along the Southerly right of way line of said Illinois Route 98, a distance of 203.70 feet; thence North 83 degrees 08' 14" West along the Southerly right of way line of said Illinois Route 98, a distance of 46.94 feet to the point of beginning, containing 1.00 acre, more or less, situated in the County of Tazewell and State of Illinois.

Tax I.D. No: 04-04-24-300-023

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this _____ day of _____, 2008; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

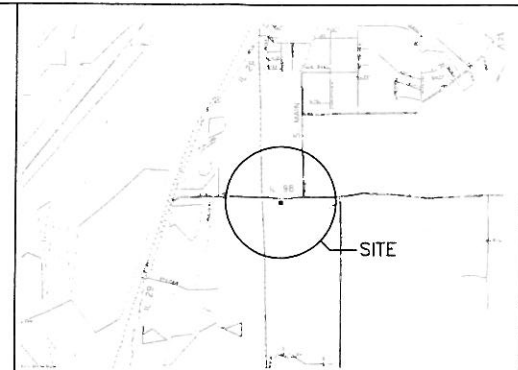
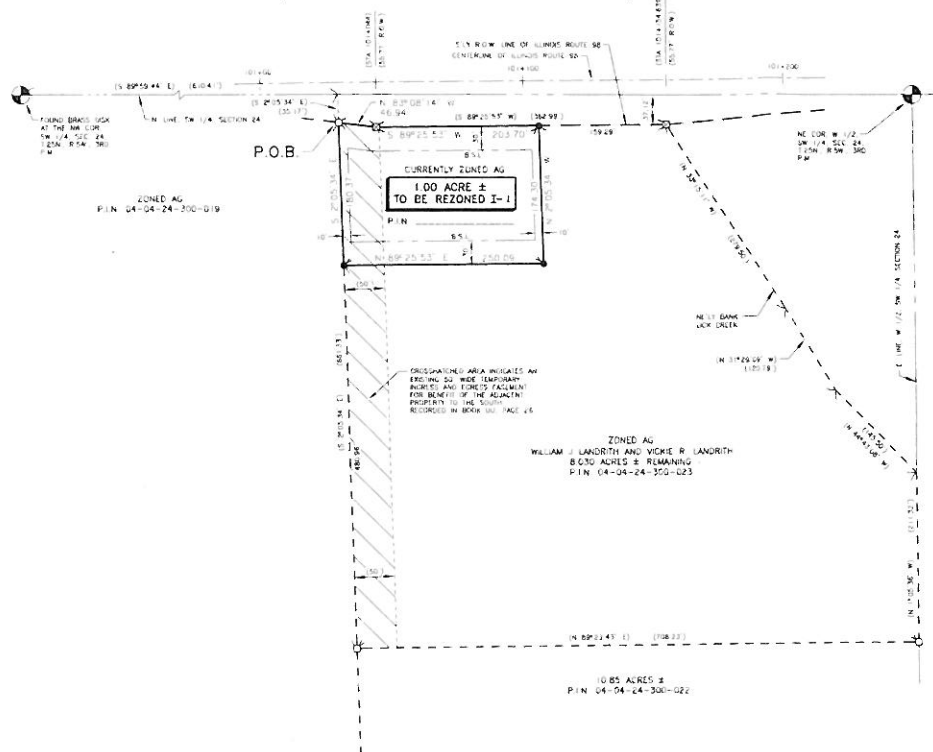
APPROVED this _____ day of _____, 2008.

MAYOR

ATTEST:

CITY CLERK

ILLINOIS ROUTE 98 (EDGEWATER DR.)



LEGAL DESCRIPTION 1.00 ACRE ±

A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 25 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE SOUTH 89°-55'-44" EAST (BEARINGS ASSUMED FOR THE PURPOSE OF DESCRIPTION ONLY) ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 810.41 FEET; THENCE SOUTH 02°-05'-34" EAST, A DISTANCE OF 25.17 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 98 AND THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING SOUTH 02°-05'-34" EAST, A DISTANCE OF 180.37 FEET; THENCE NORTH 89°-25'-53" EAST, A DISTANCE OF 250.06 FEET; THENCE NORTH 02°-05'-34" WEST, A DISTANCE OF 14.10 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 98; THENCE SOUTH 89°-25'-53" WEST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 98, A DISTANCE OF 203.70 FEET; THENCE NORTH 89°-08'-14" WEST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 98, A DISTANCE OF 445.94 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRE, MORE OR LESS, SITUATED IN THE COUNTY OF TAZEWELL AND STATE OF ILLINOIS.

SITE DATA

- AREA OF THIS SITE IS 1.00 ACRE ±
- THIS SITE IS PRESENTLY ZONED AGRICULTURAL TO BE REZONED I-1
- BUILDING SETBACKS (-) ZONING
FRONT = 20 FEET
SIDE = 10 FEET
REAR = 20 FEET



0 100 200
feet

SCALE 1"=100'
DRAWN BY: DLK
SURVEY BY: RRH
CHECKED BY: RRH

CLS
CONSOLIDATED LAND SURVEYING, INC.
1300 W. COMMERCE DR. STE. 700, PEORIA, ILLINOIS 61615
LAND SURVEYORS AND PROFESSIONAL ENGINEERS
309-692-3434
REGISTERED PROFESSIONAL ENGINEER NO. 001-001-001

REZONING PLAT
FOR
WILLIAM J. & VICKIE R. LANDRITH
DATE: 4-14-08
7282-25-5-24C-02

- 08/09

May 21,

2008

The Final Plat Deerfield Estates Subdivision No. 5 is hereby accepted and approved.



REQUEST FOR COUNCIL ACTION

To: Honorable Mayor and Members of the City Council

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

From: Joe Wuellner, Public Works Director

AGENDA ITEM: Amend Title 10, Subdivision Code

AGENDA DATE REQUESTED: May 27, 2008

ACTION REQUESTED: Approval of Ordinance amending the Subdivision Code

BACKGROUND: It was requested by the City Council that the Subdivision Code of the City of Pekin (Title 10) be revised to show that two access points into all future subdivisions be required. The Planning Commission and Staff worked on this for several months and with the help of the City Attorney's Office put together the code being presented. In addition to addressing the two access issue, there are also revisions to the standard street and right of way widths, review fees, and required maintenance period for all new subdivisions.

FINANCIAL IMPACT: There are no costs to the City.

NEIGHBORHOOD CONCERNS: N/A

IMPACT IF APPROVED: Will require a developer to consider a second access point to a new subdivision, extend the maintenance period for new subdivisions, and raise review fees.

IMPACT IF DENIED: Nothing requiring developers to consider a second access point, maintenance period and review fees will remain as they are now.

ALTERNATIVES: N/A

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Consistent with Effective Government theme

REQUIRED SIGNATURES

Department Director

Finance Department

_____NOT REQUIRED_____

(Certification of Availability of Funds)

Corporation Counsel

(Certification of Review)

City Manager

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 10
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING SUBDIVISION CODE**

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

WHEREAS, the Code of the City of Pekin 1995, adopted on April 10, 1995, and duly published in book form contains within Title 10, certain standards for subdivisions; and

WHEREAS, the City Council supports the responsible development of subdivisions in line with construction standards; and

WHEREAS, the City Council has determined that it is in the best interests of the City to amend the City Code to address the issue of providing a second access point to all new subdivisions and general housekeeping in a number of other chapters with respect to length of maintenance by developer and review fees.

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

1. That Title 10 be amended by deleting the existing Title in its entirety, and inserting the language on Exhibit "A" attached hereto and incorporated herein by this reference.

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

BE IT FURTHER ORDAINED that this Ordinance takes precedence over and supercedes any and all Ordinances or parts of ordinances in conflict herewith.

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this ____ day of _____, 2008; and upon roll call the vote was as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING: _____

APPROVED this ____ day of _____, 2008.

MAYOR

ATTEST:

CITY CLERK

CHAPTER 1

TITLE AND PURPOSES

SECTION:

10-1-1:Short Title

10-1-2:Purposes

10-1-1: **SHORT TITLE:** This Title shall be known and may be designated as the CITY OF PEKIN SUBDIVISION ORDINANCE.

10-1-2: **PURPOSES:** The purposes of this Title are to provide for the orderly growth and harmonious development of the community; to secure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, although not a requirement, a minimum of two access points into all subdivisions shall be provided where reasonably possible and practical to construct to adjoining subdivisions and public facilities; to achieve individual property lots of maximum utility and livability; to secure adequate provisions for water supply, drainage and sanitary sewerage, and other health requirements; to secure adequate provisions for recreational areas, school sites and other public facilities; and, to provide logical procedures for the achievement of these purposes.

CHAPTER 2

DEFINITIONS

SECTION:

10-2-1:Definitions

10-2-1: **DEFINITIONS:** As used in this Title, singular words shall include the plural, and masculine words shall include the feminine and neuter. The following Definitions shall apply in the interpretation and enforcement of this Title:

ALLEY: A dedicated public way affording a secondary means of access to abutting property and not intended for general traffic circulation.

APPROVED CONSTRUCTION PLANS: Construction plans that have meet or exceeded all applicable requirements and that have been reviewed and approved by the City Engineer and/or Director of Public Works as noted by his/her signature on the title page.

BLOCK: That property abutting one side of a street and lying between the two (2) nearest intersecting streets, or between the nearest such street and railroad right of way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.

CITY: The City of Pekin, Illinois.

CITY ENGINEER: The City Engineer of the City.

CITY PLANNER: The staff planner or consulting planner of the City.

CLERK: The Clerk of the City.

COMMISSION: The Planning Commission of the City.

CONTRACTOR: The entity responsible for the construction of the subdivision in accordance with the Approved Construction Plans.

CUL DE SAC: A street having only one open end with the other having a bulb shape and constructed in accordance with the requirements of this code. (Ordinance 2460, 2/13/06)

DEVELOPER: The entity responsible for the design of the subdivision in accordance with all applicable ordinances and specifications.

EASEMENT: A specific area of land over which a liberty, privilege, or advantage is granted by the Proprietor to the public, a corporation or some particular person or part of the public for specific uses and purposes and which shall be designated a "public" or "private" easement, depending on the nature of the use or user.

GOVERNING BODY: The City Council of the City, Illinois.

GUARANTEE: An irrevocable letter of credit or bond with corporate surety who shall be licensed to write bond in the State of Illinois and shall be in a form and with surety and conditions approved by the City.

IMPROVEMENTS: Grading, street surfacing, curbs and gutters, sidewalks, crosswalks, water mains, fire hydrants, sanitary sewers, storm sewers, culverts, bridges and other additions to the natural state of land which increases its value, utility or habitability.

INSPECTOR: A designated representative of the City responsible for the oversight of all work performed within the City's jurisdiction. This individual may be from the Inspection Department (Ordinance 2460. 2/13/06) or a designated representative of the City Engineer and/or Director of Public Works.

LOT: A parcel of land separated from other parcels on a preliminary or recorded plat for the purpose of sale, lease or separate use.

MAJOR STREETS OR THOROUGHFARE PLAN: The part of the Master Plan which sets forth the location, alignment and dimensions of existing and proposed streets and thoroughfares. **Where reasonably possible and practical, all new subdivisions shall have a minimum of two access points.**

MASTER PLAN: The Official Comprehensive Plan for the City and an area one and one-half (1 1/2) miles beyond the City Limits, including graphic and written proposals indicating the general locations recommended for the streets, parks, schools, public buildings, zoning districts and all physical developments of the City, including any unit or part of such plan separately adopted, and any amendment to such plan or parts thereof adopted by the City.

PARCEL (or TRACT): A continuous area or acreage of land that can be described as provided for in the subdivision Act.

PERSON: An individual, partnership, firm, corporation or association.

PLAT: A map or chart of a subdivision of land.

Final Plat: A map of all or part of a subdivision providing substantial conformance to the preliminary plat of the subdivision prepared in conformance with the requirements of this Title and suitable for recording by the County Recorder of Deeds.

Preliminary Plat: A map showing all details of a proposed subdivision layout as required in this Title.

Sketch Plan: A plan indicating the proposed layout of the subdivision in sufficient detail to show proposed street lots and site features.

PROPRIETOR: A natural person, firm, association, partnership, corporation, or combination of any of them, which may hold any ownership interest in land, whether recorded or not.

PUBLIC RESERVATION: A portion of a subdivision that is set aside for public use and made available for public use and acquisition.

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

PUBLIC WALKWAY: A right of way dedicated for the purpose of a pedestrian access through residential areas and located so as to connect to two (2) or more streets, or a street and a public land parcel. This is not to be considered the same as a sidewalk.

PUBLIC WORKS DIRECTOR: The Public Works Director of the City.

STREET: Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing State, County, or Municipal roadway, or a street or way shown in a plat heretofore approved pursuant to law or approved by official action, or, a street or way on a plat duly filed and recorded in the office of the County Recorder of Deeds. A street includes the land between the street right-of-way lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and lawns.

Arterial (Major Thoroughfare): An street of greater continuity which is intended to serve as a large volume traffic way for both the immediate City area and region beyond and may be designated on the City's Major thoroughfare, parkway, expressway or equivalent term to identify those streets comprising the basic structure of the street plan.

Boulevard Street: A street developed to two (2) lanes, one-way pavements, separated by a median.

Collector Street (Secondary Thoroughfare): A street used primarily to carry traffic from minor streets to major thoroughfares.

Controlled Access: An arterial (major thoroughfare) having limited access to and from businesses or residences.

Cul-de-Sac Street: A minor street of short length, having one end open to traffic and being permanently terminated at the other end by a vehicular turnaround.

Loop Street: A minor street of short length with two (2) openings to traffic beginning from the same street, and projecting parallel to each other, connecting at their termination by a loop.

Marginal Access Street: A minor street paralleling and adjacent to a major thoroughfare that provides access to abutting properties and protection from through traffic.

Local Street: A street of limited continuity used primarily for access to abutting residential properties.

Second Access: A street designed to meet the required second access to a subdivision used primarily to connect to existing or abutting streets. Width of the street can be adjusted to a minimum 25 feet in width with 35 feet of dedicated right of way but shall be marked as “No Parking” for its entire length.

Turnaround: A short boulevard street permanently terminated by a vehicular turnaround.

SUBDIVISION: The division of a parcel, tract or area of land into two (2) or more parts of land for the purpose, whether immediate or future, of transfer of ownership or building development or if a new street or easement of access is involved. Any division of a parcel of land, provided that division of land which may be ordered or approved by a court of affected by testamentary or interstate provision, or a division of land into lots or parcels of five (5) acres or more and not involving a new street or easement of access shall not be deemed a subdivision. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing the land subdivided.

ZONING TITLE: The City zoning regulations contained in Title 9 of this Code.

CHAPTER 3

GENERAL PROVISIONS

SECTION:

- 10-3-1: Jurisdiction
- 10-3-2: Applicability
- 10-3-3: Exemptions
- 10-3-4: Enforcement
- 10-3-5: Fees
- 10-3-6: Violations and Penalties

10-3-1: **JURISDICTION:** This Title shall apply to all land located within the City and within the area set forth and described as being contiguous or adjacent to said City within on and one-half (1 1/2) miles from the City limits, but outside said City, and shall be subject to the Illinois Plat Act (765 ILCS 205/1 et seq.) as existing and as may be amended hereafter.

10-3-2: **APPLICABILITY:** This Title shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this Title. Nor is it intended by this Title to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Title or with private restrictions placed upon property by deed, covenant or other private agreement, or with restrictive covenants running with the land to which the City is a party. Where this Title imposes a greater restriction upon land than is imposed or required by such existing provision of law, ordinance, contract or deed, the provisions of this Title shall control. Use of this Title shall apply to all subdivisions of territory outside of and distant not more than one and one-half (1 1/2) miles from the corporate limits of the City as agreed with the Tazewell County Zoning Board.

10-3-3: **EXEMPTIONS:** Notwithstanding the requirements of Sections 10-3-1 and 10-3-2, this Title shall not apply in the following instances or transactions:

- A. The division or subdivision of land into parcels or tracts or five (5) acres or more in size which does not involve any new streets or easements of access.
- B. The division of lots or blocks of less than one acre in any recorded subdivision that does not involve the need for any new streets or easements of access.
- C. The sale or exchange of parcels of land between Proprietors of adjoining and contiguous land that does not create an additional lot.

10-3-4: **ENFORCEMENT:** The following shall apply in the enforcement of this Title:

- A. **Recording of Plat:** No plat of any subdivision confirmed by this Title shall be entitled to record in the County Recorder of Deeds' offices, or for any validity, until it shall have been approved in the manner prescribed herein.

- B. Sale of Land in a Subdivision: No Proprietor or agent of the Proprietor of any land shall transfer or sell any land by reference to, exhibition of or by the use of the plan or plat of a subdivision before such plan or plat has been approved and recorded in the manner prescribed herein. Any sale or transfer contrary to the provisions of this Section is voidable any time up to and including ninety (90) days after recording of the plat at the option of the buyer. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling for transferring shall not exempt the transaction from the provisions of this Title.
- C. Sale or Title Transfer Requirements: No final plat of any subdivision shall be accepted by the City without the following covenant: No deed shall be delivered or title transferred or sale completed on any lot in this subdivision, except to another Developer who accepts first Developer obligations, until such a time as the sanitary sewer and storm sewer, if any, curb and gutter, and road base be installed, in accordance with construction plans submitted for this subdivision and approved by the City.
- D. Permits: The City and the County of Tazewell shall not issue building or repair permits for any structure on a lot in a subdivision for which a plat has not been approved and recorded in the manner prescribed herein. No occupancy permit shall be issued for any building in a subdivision in which all improvements required in accord with this Title have not been installed. Any damage done to improvements during construction shall be corrected prior to issuance of an occupancy permit for any building.
- E. Public Improvements: The City hereby defines its policy to be that the City will withhold all public services of whatsoever nature, including the maintenance of streets and the furnishing of sewerage facilities from all subdivisions which have not been approved and from all areas dedicated to the public which have not been accepted by the City Council in the manner prescribed herein.
- F. Revision of Plat After Approval: No changes, erasures, modifications or revisions shall be made in any plat of a subdivision after approval has been given by the Commission and Governing Body and endorsed in writing on the plat, unless the said plat is first resubmitted to the Commission and Governing Body for approval.

10-3-5: FEES (See Section 10-8-1 of this Code for table of fees and security requirements):

1. Filing Fees:

Preliminary plat - See subsection 10-4-4A3.

Final plat - See subsections 10-4-6A, 10-4-6C1d and 10-5-6G

2. Review Fees: Preliminary and final plat review fees, planning fees, engineering fees, inspection fees, water and sewer connection charges and other applicable development charges shall be paid by the Developer as may be provided for by resolution of the Governing Body.

3. Security Requirements: See subsections 10-4-5E, 10-5-6G and 10-6-2F.

4. Inspection Fees: See subsections 10-5-5F and G.

5. Miscellaneous Improvements: See Section 10-6-4.

B. Set by Governing Body: All fees determined and established by resolution of Governing Body.

10-3-6: **VIOLATIONS AND PENALTIES:** Any person or anyone acting on behalf of said person, violating any of the provisions of this Title shall, upon conviction thereof, be subject to a fine of not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

CHAPTER 4

SUBDIVISION PROCEDURES

SECTION:

- 10-4-1: Phases
- 10-4-2: Initial Plat Investigation
- 10-4-3: Sketch Plan (Optional)
- 10-4-4: Preliminary Plat
- 10-4-5: Construction Plans
- 10-4-6: Final Plat

10-4-1: **PHASES:** The preparation of a subdivision for platting may be preceded by an initial investigation sketch plan and shall go through two (2) phases: preliminary plat and final plat, all in accordance with the procedure as set forth hereinafter.

10-4-2: **INITIAL PLAT INVESTIGATION:** Prior to the preparation of a preliminary plat, it is suggested that the proprietor meet informally with the City departments concerned to investigate the procedures and standards of the City with reference to this Title and with the proposals of the Master Plan as they affect the area in which the proposed subdivision is located. The proprietor should concern himself with the following factors:

- A. The proprietor should secure a copy of the Zoning Title, these subdivision regulations, engineering specifications and other similar ordinances or controls relative to the subdivision and improvement of land so as to make himself aware of the requirements of the City.
- B. The area for the proposed subdivision should be properly zoned for the intended use.
- C. An investigation of adequacy of existing schools and the adequacy of public open spaces including parks and playgrounds to serve the proposed subdivision should be made by the proprietor.
- D. The relationship of the proposed subdivision with respect to major thoroughfares and plans for widening of thoroughfares, **and the means of providing at least two access points to the proposed subdivision shall be considered,** should be investigated by the proprietor.
- E. Standards for sewage disposal, water supply and drainage of the City should be investigated by the proprietor.

10-4-3: **SKETCH PLAN (OPTIONAL):** The Developer may submit a sketch plan showing in simple form the proposed layout of street lots and other features relating to existing conditions for review by the City in order to avail himself of the advice and assistance of the City prior to proceeding with a preliminary plat.

10-4-4: **PRELIMINARY PLAT:** The procedure for preparation and submittal of a preliminary plat of the land area to be subdivided shall be as follows:

A. Filing:

1. Fifteen (15) copies and one computer media (CD or floppy disk) in AutoCAD drawing or ArcInfo shapefile format of the preliminary plat of the proposed subdivision together with written application ~~in triplicate~~ shall be submitted to the Commission. (Ordinance 2460, 2/13/06)
2. Submittal with the Commission shall be at least twenty (20) days prior to the regular Commission meeting (which meeting shall be considered as the date of filing) at which the proprietor will be scheduled to appear. The Staff (Public Works Director and/or City Engineer, Fire Chief, and Code Enforcement Officer) shall initially review the preliminary plat to determine if all the data and information required by this Code have been provided. Not less than eleven (11) days before the regular Commission meeting, the Inspections Department shall notify the proprietor of the additional data or information required. Not less than seven (7) days before the regular Commission meeting, the proprietor shall submit a corrected plat to the Commission that complies with the notice provided by the Inspections Department. The recommendations by the Staff under this section are for the purpose of aiding in the efficient processing of preliminary plats and shall not be binding on the Commission.
3. Preliminary plat filing fees and review fees as established by resolution of the Governing Body shall be paid at the time of filing of the preliminary plat.

B. Identification and Description: The preliminary plat shall include:

1. Proposed name of subdivision.
2. Location by section, township and range, or by other legal description.
3. Names and addresses of the proprietor, and the planner, designer, engineer or surveyor who designed the subdivision layout. The proprietor shall also indicate his interest in the land.
4. Scale of plat one inch to one hundred feet (1" = 100') as minimum acceptable scale.
5. Date and north point.

C. Preparation:

1. The preliminary plat should be drawn to show the arrangement of lots, blocks and streets. Dimensions of all lots shall be shown, but may be approximated. It is the intent of this Title that the preliminary plat need not be done in precisely engineered plans but be only in sufficient detail to permit planning review. At this stage, the proprietor should expect that the Commission might require major alterations to be made in the plat if it is found necessary.

2. It is not necessary that the preliminary plat be prepared by and sealed by a surveyor; provided, however, that the outside dimensions of the plat shall be based upon an accurate boundary survey prepared by a surveyor.

D. Existing Conditions: The preliminary plat shall include:

1. An overall area map at a scale of not less than one inch to one thousand feet (1" = 1000') showing the relationship of the subdivision to its surroundings within one-half mile (1/2) such as section lines or major streets or collector streets shall be provided.
2. Boundary line of proposed subdivision, section or corporation lines within or adjacent to the tract and overall property dimensions.
3. Property lines of adjacent tracts of subdivided and unsubdivided land shown in relation to the tract being proposed for subdivision, including those areas across abutting roads.
4. Location, widths and names of existing or prior platted streets and private streets and public easements within or adjacent to the tract being proposed for subdivision, including those located across abutting roads.
5. Location of existing sewers, water mains, storm drains and other underground facilities within or adjacent to the tract being proposed for subdivision.
6. Creeks or surface drains crossing through or within five hundred feet (500') of the subdivision shall be located on the preliminary plat with a statement as to the acres of area drained upstream of the point where said stream or surface drain enters the subdivision and the distance from the farthest reach of said drainage area to the subdivision.
7. Topography drawn as contours with an interval of not greater than two feet (2'). Exceptions to this rule are as follows:
 - a. Where the difference in elevation over the whole subdivision is less than four feet (4'), elevations shall be shown at the corners of the subdivision and at the highest and lowest points in the subdivision.
 - b. Where the difference in elevation over the whole subdivision is twenty-five feet (25') and the subdivision is less than ten (10) acres in size, the contour interval may be five feet (5').

E. Proposed Conditions: The preliminary plat shall include:

1. Layout of streets indicating proposed street names, right-of-way widths and connections with adjoining platted streets and also the widths and location of alleys, easements and public walkways.
2. Layout, numbers and approximate dimension of lots, including building setback lines showing dimensions.

3. Indication of parcels of land intended to be dedicated or set aside for public use or for the use of property Proprietors in the subdivision.
4. An indication of the ownership and existing and proposed use of any parcels identified as "exempted" on the preliminary plat. If the proprietor has an interest or owns any parcel so identified as "exempted", the preliminary plat shall indicate how this property could be developed in accordance with the requirements of the existing zoning district in which it is located and with an acceptable relationship to the layout of the proposed preliminary plat.
5. An indication of the system proposed for sewage disposal by a method approved by the Governing Body and the Public Works Director and/or City Engineer.
6. An indication of system proposed for water supply by a method approved by the Governing Body and the Public Works Director and/or City Engineer.
7. An indication of storm drainage and detention/retention proposed by a method approved by the Governing Body and the Public Works Director and/or City Engineer.
8. In the case where the proprietor wishes to subdivide a given area but wishes to begin with only a portion of the total area, the preliminary plat shall include the proposed general layout for the entire area. The part proposed to be subdivided first shall be clearly superimposed upon the overall plan in order to illustrate clearly the method of development that the proprietor intends to follow. Each subsequent plat shall follow the same procedure until the entire area controlled by the proprietor is subdivided.

F. Preliminary Plat Review by Planning Commission:

1. The Commission shall receive the preliminary plat as required under subsections 10-4-4A through E of this Section. The Commission shall place the proposal on the agenda of the next regular Commission meeting.
2. The Commission shall transmit a copy of the preliminary plat to Public Works Director and/or City Engineer, the City Planner, and the Fire Department. ~~and to the regional superintendent of schools for the county having jurisdiction in the area where the plat is located.~~ (removed this change – 2/15/08)
3. The Commission shall review all details of the proposed subdivision within the framework of the Zoning Title within the various elements of the Master Plan and within the standards of this Title.

- G. Preliminary Plat Review by Governing Body:

- ### H. Certificates:

- City Clerk

- State of Illinois)
)SS
County of Tazewell)

City of Pekin

1. Plans, details, specifications and cost estimates for roadways and sidewalk construction, including plans, profile indicating existing topography and elevation (using City of USGS datum) including curb and sidewalk elevation, intersection control elevation and paving geometric for each street with a typical cross section of the roadway.
2. Plans shall include right-of-way line, property lines, centerline of both proposed and existing streets, and survey plat lines.
3. Details, profiles, specifications and cost estimate of proposed storm drainage improvements with calculations.

4. Plans, profiles, details, specifications and cost estimates of proposed water supply facilities.
 5. Plans and specifications and cost estimate of proposed subsurface facilities for the sanitary sewage facilities with calculations.
 6. When unusual site or construction conditions exist, the Pubic Works Director and/or City Engineer may request such additional plans, specifications and drawings as may be necessary for an adequate review of the improvements to be installed.
 7. Topography shall be shown as specified in subsection 10-4-4D6.
 8. At the completion of all construction work, one (1) paper set and one (1) computer media (CD or disk) in AutoCAD drawing or ArcInfo shape file format of accurate as-built sanitary sewer, storm sewers, and water lines drawings shall be provided.
(Ordinance 2460, 2/13/06)
- C. Review of Plans: The Director of Pubic Works and/or the City Engineer shall review the plans in order to determine whether such drawings comply with City design standards. If such drawings are consistent and so comply, the Pubic Works Director and/or City Engineer will return one set of approved, **signed** construction plans to the Developer. In the event that the drawings do not so conform or comply, the Director of Public Works and/or the City Engineer shall notify the Developer of the specific manner in which such drawings do not conform. Plans will be reviewed in not more than sixty (60) days from date of submittal.
- D. Construction of Improvements: No improvements shall be constructed nor shall any preliminary work be done until such time as the engineering drawings have been approved and there shall have been compliance with all of the requirements relating to the appropriate bonding agreement. All construction shall be in accordance with general laws and construction procedures of the City. Barricades, signs, lights and maintenance shall be required of the Contractor at the construction site.
- E. Security Requirements:
1. A subdivision Developer shall furnish security in the form of a guarantee to the City when he develops a subdivision located within the boundaries of the City limits of Pekin and within the one and one-half (1 1/2) mile jurisdiction of the City. The guarantee shall be equivalent to the total estimated cost of all improvements required by the subdivision ordinance and shall remain in force from the start of construction until acceptance of the improvements by the City. The guarantee shall serve to assure the warranties of the subdivision Developer that the subdivision will be constructed pursuant to the following:
 - a. The final plat approved by City Council.
 - b. The construction plans approved by the Pubic Works Director and/or City Engineer.

- c. The standards set forth in this Title.
 - d. The design standards promulgated by the Pubic Works Director and/or City Engineer and such exception there from as may be approved by the City.
2. That portion of the guarantee as determined by the Pubic Works Director and/or City Engineer shall remain in full force and effect for a period of not less than ~~two (2)~~ **FIVE (5) years or until such time as the subdivision is 80 percent built out with homes whichever is longest** from the date of certification of completion of construction of the subdivision and upon written acceptance of the improvements by the City. The City may withhold acceptance whenever latent defects appear in the construction of the subdivision following certification of completion and until such defects are corrected.

An inspection fee shall be set by resolution of the Governing Body for basic improvement inspection.

F. Certification and Inspection:

- 1. All improvements to be made under the provision of this Title shall be inspected during the course of the construction by the Inspection Department or the Pubic Works Director and/or City Engineer as designated by the Council, and no subdivision shall be finally accepted as to any of such improvements until the Developer submits to the Council a certification of approval of such improvements issued by the designated City Inspector. It is further provided that in the construction of any such improvements by said Developer that in the event, any component part or parts of such improvement will be covered so that the same cannot be inspected by reason of said coverage, that the said Developer shall request an inspection thereof prior to its coverage, and in the event of failure to do so, said Developer shall be required to uncover said component part of said improvement for inspection by the City.
- 2. It is provided further that the said City Inspector shall be given twenty four (24) hours' notice, except for emergency, prior to any inspection required, and upon such inspection being made, in the event said improvement meets the City standards required, the said City Inspector shall issue forthwith a certificate of approval of said inspection to said Developer.
- 3. In the event it be deemed advisable, the said City Inspector is authorized to call the Pubic Works Director and/or City Engineer for the purposes of any inspection required, and the cost of said inspection shall be borne by the Developer. It is further provided that the City, through its Pubic Works Director and/or City Engineer shall make available to all Developers a schedule of required inspections on all subdivision requirements of this Title.
- 4. **Further, the Developer shall have all completed work certified for compliance to the approved construction drawings by the design engineer.**
- 5. **All sanitary sewer lines tested by an approved testing firm with copies of the test results sent to the city.**
- 6. **All concrete, aggregate base, and pavement shall be tested by the Developer with test results provided to the City Inspector.**

10-4-6: **FINAL PLAT:** The procedure for preparation and review of a final plat shall be as follows:

- A. Final Plat Filing: Two (2) permanent copies (either linen or mylar no heavier than 4 mils); seven (7) paper prints and one computer media (CD or floppy disk) in AutoCAD drawing or ArcInfo shape file format of the final plat shall be filed by the Developer with the City Clerk and shall deposit with the City Clerk such sum of money as the Governing Body may require, as shall be set by resolution of the Governing Body, to provide for the expense of inspection of lands and review of the final plat. The City Clerk shall forward a print of the final plat to the City Engineer and the Code Enforcement Officer. (Ordinance 2460, 2/13/06)
- B. Contents of Final Plat: The final plat shall contain the following information:
1. Description:
 - a. Name of proposed subdivision.
 - b. Minimum scale (1" = 100'), north arrow and date of preparation.
 - c. Correct legal description of property involved.
 2. Existing Conditions:
 - a. Total acreage of subdivision.
 - b. The location of all present property lines, pertinent section lines and streets that are to remain the same within the area being subdivided.
 3. Proposed Conditions:
 - a. Location, width and names of all proposed streets and walkways.
 - b. All dimensions, linear (to the nearest one-hundredth of a foot) and angular (to the nearest second of arch), necessary for locating the boundaries of the subdivision, lots, streets, easements and other areas for public or private use.
 - c. Location of all survey monuments and their descriptions.
 - d. Layout and scale dimensions of all lots, including minimum front setback lines and lot numbering.
 - e. Show all sections lines and corners within or abutting the subdivision.
 4. Additional Information:
 - a. Street jog offset dimensions at intersecting streets where the centerline offset is less than one hundred twenty-five feet (125').
 - b. Name and widths of adjoining streets.

- c. Radii, arcs or central angle, points of tangency and central angles for all curvilinear streets and radii for rounded corners. To include the location of PT and PC points from the nearest lot line.

C. Certificates:

1. The following certificates shall appear on all plats within the jurisdiction of the City:
 - a. "Declaration of Ownership and Dedication", being a statement by the Proprietor or Proprietors and spouses, if any, or a duly authorized attorney, of the ownership of the land being subdivided, an acknowledgement of the correctness of the plat in accomplishing the uses and purposes of the Proprietor, and dedicating the streets and utility easements, if any, to the public. The wording of this declaration and dedication shall be substantially as follows:

STATE OF ILLINOIS
COUNTY OF TAZEWELL

DECLARATION AND DEDICATION OF _____ SUBDIVISION TO
THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS

_____, does hereby certify that he (they, it) is the Proprietor(s) of the land shown on the accompanying plat, and does hereby certify that he (they, it) has caused the survey and subdivision thereof to be made as shown on the accompanying plat and to be known as _____ in the City of Pekin, Tazewell County, Illinois, and acknowledges said survey to be correct to the best of his (their, its) knowledge and belief, and he (they, it) hereby dedicates the streets and utility easements shown on said Plat to the public use forever. Easements as shown by dashed lines and marked utility easement on said Plat are hereby reserved for the use of all public utility companies to install, lay, construct, operate, maintain, renew and/or remove underground water mains, sewer pipes, gas pipelines, electric and telephone cables or conduits with all necessary aboveground transformer and service pedestal installations, with the further right to install and maintain overhead electric and telephone pole and wire-line installations with all necessary braces, guy wires, anchors and other appliances for the purpose of serving the subdivision and adjoining properties with water, sewer, gas, electric and telephone service, including the right to use the streets where necessary and to overhang or bury across all lots service wires, pipeline and/or cables to serve adjacent lots, together with the right to enter upon the lots at all times to install, operate and maintain said utility facilities and to trim or remove any trees, shrubs or saplings that interfere or threaten to interfere with said utility facilities.

No permanent buildings or trees shall be placed on said easements, but said easements may be used for gardens, shrubs, landscaping and other purposes that do not interfere with the use of said easements for public utility purposes.

Dated at Pekin, Illinois, this ____ day of _____, A.D. _____

(The signatures above are to be duly attested on the plat by a notary public.)

- STATE OF ILLINOIS

I, _____, County Clerk of the aforesaid County, do hereby certify that I have this day examined the tax records of the property shown on the attached Plat, and find no delinquent general taxes, unpaid current general taxes, nor delinquent special assessments against the tract of land shown on said Plat.

County Clerk

Deputy Clerk

- d. Following the signature of previously mentioned certificates, the Developer shall take the final plat to the Tazewell County Recorder's Office for recording.
2. The following certificates shall appear on all plats of subdivisions located within the City limits of Pekin:

State of Illinois)
)SS
County of Tazewell)

I hereby certify that by Resolution No. _____ adopted by the City Council of the City of Pekin, Tazewell County, Illinois, at its regular meeting held on the _____ day of _____, A.D.____, the above plat of _____ Subdivision was approved and the streets and easements shown thereon were accepted.

City Clerk

3. The following certificate shall appear on all plats of subdivisions lying outside of the City limits of Pekin and within one and one-half (1 1/2) miles of the corporate limits thereof:

State of Illinois)
)SS
County of Tazewell)

I hereby certify that the above PRELIMINARY PLAT lying within one and one-half (1 1/2) miles of the City of Pekin of _____ meets with all requirements.

City of Pekin

D. Final Plat Review:

1. No final plat review will be performed until as-built drawings detailing final locations of developer installed underground utilities (i.e. water, sanitary sewers, and storm sewers) are submitted to the City. This submission shall include copies of the test results of all pressure and deflection tests of the sanitary sewer system, **concrete test breaks, and aggregate base and pavement density.**
2. The final plat shall be reviewed by the Public Works Director and/or City Engineer, and the Code Enforcement Officer as to compliance with the approved preliminary plat, plans for utilities and other improvements and the other requirements of this ordinance.
3. The Public Works Director and/or City Engineer, and the Code Enforcement Officer shall notify the City Clerk of their recommendations for either approval or rejection of the final plat. The City Clerk shall report the recommendations to the Governing Body.

4. When a person submitting a plat of subdivision or resubdivision for final approval has supplied all drawings, maps and other documents required by the Municipal ordinances to be furnished in support thereof, and if all such material meets the Municipal requirements, the corporate authorities shall approve the proposed plat within sixty (60) days from the date of filing the last required documents or other paper or with sixty (60) days from the date of filing application for final approval of the plat, whichever date is later. The applicant and the corporate authorities may mutually agree to extend the sixty (60) day period.
5. Upon the approval of the final plat by the Governing Body, three (3) prints of the final plat shall be forwarded: one to the City Clerk; one to the Commission; and one to the Inspection Department. The original copies shall be forwarded to the City Clerk for distribution to appropriate agencies.
6. Upon receipt of the final plat from the Governing Body, the Inspection Department shall cause the final plat to be recorded in the form approved by the Governing Body.

CHAPTER 5

DESIGN LAYOUT STANDARDS

SECTION:

- 10-5-1: Development Guides; Final Plat
- 10-5-2: Streets
- 10-5-3: Blocks
- 10-5-4: Lots
- 10-5-5: Natural Features
- 10-5-6: Subdivision Open Space Plan Option and Planned Residential Development Option

10-5-1: **DEVELOPMENT GUIDES; FINAL PLAT:** The subdivision design layout standards set forth under this Chapter are development guides for the assistance of the proprietor. All final plans must be reviewed and approved by the Governing Body.

10-5-2: **STREETS:** Streets shall conform to at least all minimum requirements of the general specifications and typical cross sections as set forth in this Chapter and other conditions set forth by the Governing Body.

A. Location and Arrangement:

1. The proposed subdivision shall conform to the various elements of the Master Plan and shall be considered in relation to the existing and planned major thoroughfares and collector streets, and such part shall be platted in the location and width on such Plan.
2. The street layout shall provide for continuation of collector thoroughfares in the adjoining subdivisions or the proper projection of streets when adjoining property is not subdivided or conform to a plan for a neighborhood unit drawn up and adopted by the Commission.
3. The street layout shall include minor streets so laid out that their use by through traffic shall be discouraged.
4. **Subdivisions with only one means of access are discouraged within the City of Pekin. It shall be required of anyone proposing a subdivision with one point of access to show why a second access location is not reasonably possible or practical.**
5. Should a proposed subdivision border on or contain an existing or proposed frontage or such other treatment as may be necessary for adequate protection of residential properties and to afford separation and reduction to traffic hazards.

6. Should a proposed subdivision border on a railroad, expressway or other limited-access highway right of way, the City may require the location of a street approximately parallel to and on each side of such right of way at a distance suitable for the development of any use of the intervening land. Such distances shall be determined with due consideration of the minimum distance required for approach grades to future grade separation.
7. Half streets shall be prohibited, except where absolutely essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the City finds it will be practicable to require the dedication of the other half when the adjoining property is developed. Wherever there exists adjacent to the tract to be subdivided a dedicated or platted and recorded half street, the other half shall be platted.
8. Cul de Sacs are discouraged within the City of Pekin. Should the use of a cul de sac be required to meet existing property conditions, developer shall make every effort to provide an alternate means of emergency access. In the case of water service, the line shall be designed in such a manner as to avoid a dead end service.

B. Right Of Way and Pavement Widths:

<u>Street Class</u>	<u>Right-of-Way</u>	<u>Pavement Width**</u>
Controlled Access (4 lanes, with center turn lane, no parking)	120' *	64'
Arterials (Major Thoroughfare) (4 lanes, no parking)	80' – 100'	48'
Collectors (Secondary Thoroughfare) (2 lanes, with parking) or (4 lanes, no parking)	66' – 80'	42'
Local (with curbs)	54'	32'
(without curbs)(<u>RE Zone ONLY</u>)	60'	24'
<u>Second Access Only (with curbs)</u>	<u>35'</u>	<u>24'</u>

*Minimum required Right-of-Way for Controlled Access Street. Additional width may be necessary to accommodate significant changes in the terrain.

**** Pavement Width means the actual width of the pavement excluding the curbs.**

- C. Street Geometrics: Standards for maximum and minimum street grades, vertical and horizontal street curves and sight distances shall be established by resolution of the Governing Body and approved by the Public Works Director and/or City Engineer. In no instance shall the standards for a residential street be less than that prescribed for an urban thirty (30) mile per hour design as specified in the Illinois Department of Transportation Division of Highways' "Design Manual".
- D. Street Intersections: Streets shall be laid out so as to intersect as nearly as possible to ninety degrees (90). Curved streets, intersecting with major thoroughfares and collector thoroughfares, shall do so with a tangent section of center line fifty feet (50') in length measured from the right-of-way line of major or collector thoroughfare.

- E. Street Jogs: Street jogs with centerline offsets of less than one hundred fifty feet (150') shall be avoided.
- F. Acceleration-Deceleration Lanes: Streets which intersect with major or secondary thoroughfares shall be provided with paved acceleration and deceleration lanes and passing lanes on both sides of the thoroughfare. Such lanes shall be provided in keeping with the standards approved by the Governing Body for this type of improvement.
- G. Cul-de-sacs: Streets using cul de sacs shall be limited in number to encourage more equal utilization of local streets.

1. General Requirements

- a. In single family zoning districts - cul de sacs shall not exceed 1200 feet in length or have more than 21 lots fronting thereon, whichever imposes the more demanding standard. (Note: the length of a cul de sac shall be measured along the centerline of the street starting at the centerline of the intersecting street to the center point of the cul de sac bulb.)
- b. In multiple family zoning districts – cul de sacs shall not exceed 400 feet in length or have more than 8 lots fronting thereon, whichever imposes the more demanding standard. (Note: a lot zoned RT shall be considered to be two lots for the purpose of number of lots fronting thereon.)
- c. Cul de sac streets shall not be constructed “end to end” where a through street could reasonably and economically be constructed.
- d. Lots zoned R-1 or R-2 shall have a minimum 60 foot lot width measured at the building setback line if located in the bulb of the cul de sac.
- e. Driveways shall not encompass more than 50% of the curb on the bulb of a cul de sac street.
- f. Cul de sac bulb shall have a minimum diameter measured face to face of the curb of 100 feet in residential zoned areas and 120 feet in all others.
(Ordinance 2456, 1/09/06)

10-5-3: **BLOCKS:** Blocks within subdivisions shall conform to the following standards:

A. Sizes:

- 1. Blocks shall not exceed one thousand four hundred feet (1,400') in length, except where, in the opinion of the Commission, conditions may justify a greater distance.
- 2. Widths of blocks shall be determined by the condition of the layout and shall be suited to the intended layout.

B. Public Walkways:

1. Location of public walkways or crosswalks may be required by the Commission to obtain satisfactory pedestrian access to public or private facilities or where blocks exceed nine hundred feet (900') in length.
2. Walkways shall be dedicated to the public or provided as a private easement for this purpose.

C. Easements: Except where alleys are provided for this purpose, utility easements shall be provided for use in erecting, constructing and maintaining poles, wires, conduits, storm sewers, sanitary sewers, surface drainage, gas mains, electrical lines and other public utilities required for an urban structure. Easements for underground cable for street lighting shall be provided on the final plat. No building shall be erected on said easements unless plans for building are approved by the Governing Body after consultation with the agency having facilities in the easement.

10-5-4: **LOTS:** Lots within subdivisions shall conform to the following standards:

A. Sizes and Shapes:

1. The lot size, width, depth and shape in any subdivision proposed for residential uses shall be appropriate for the location and type of development contemplated.
2. Lot areas and widths shall conform to at least the minimum requirements of the Zoning Title for the district in which the subdivision is proposed when said subdivision is located within the City limits.
3. Lot areas and widths for areas within one and one-half (1 1/2) miles beyond the City limits shall be not less than seven thousand eight hundred (7,800) square feet of area and not less than sixty five feet (65') in width. Where a public sewer system is not available, lot areas shall not be less than twenty thousand (20,000) square feet of area and not less than one hundred feet (100') in width; provided, such lots may be required to be larger in size and width in those instances where individual sewage disposal systems require greater lot area as may be required by the County Health Department or other applicable government authorities.
4. Building setback lines shall conform to at least the minimum requirements of the Zoning Title.
5. Corner lots in residential subdivisions shall be platted at least ten feet (10') wider than the minimum width permitted.
6. Excessive lot depth in relation to width shall be avoided. A depth-to-width ratio of three to one (3:1) shall normally be considered a maximum.

7. Lots intended for purposes other than residential use shall be specifically designed for such purposes and shall have adequate provisions for off-street parking, setbacks and other requirements in accordance with the Zoning Title.

B. Arrangement:

1. Every lot shall front or abut on a street.
2. Side lot lines shall be at right angles or radial to the street lines.
3. Residential lots abutting major thoroughfares or collector thoroughfares, or collector thoroughfares, where marginal access streets are not desirable or possible to attain, shall be platted with reverse frontage lots or with side lot lines parallel to the major traffic streets or shall be platted with extra depth to permit greater distances between building and such traffic way.
4. Lots shall have a front-to-front relationship across all streets where possible.

10-5-5: NATURAL FEATURES: The natural features and character of lands must be preserved wherever possible. Due regard must be shown for all natural features such as large trees, natural groves and similar community assets that will add attractiveness and value to the property if preserved. The proprietor must consider the preservation of drainage and natural stream channels, and the dedication and provision of adequate barriers, where appropriate, shall be required.

10-5-6: SUBDIVISION OPEN SPACE PLAN OPTION AND PLANNED RESIDENTIAL DEVELOPMENT OPTION: The following requirements apply in addition to all other requirements of this Title where a preliminary plat is filed for approval under the Subdivision Open Space Plan section of the Zoning Title (See Section 9-9-3 of this Code) or under the planned residential development section of the Zoning Title (See subsection 9-4A-3L of this Code).

A. Statement of Principles: Consideration by the Commission and the Governing Body of proposed optional use of Plan shall reflect the following basic principles:

1. The Subdivision Open Space Plan and the planned residential development sections of the Zoning Title provide an optional method of subdividing property, and approval of any such development is subject to the discretion of the City.
2. Particular attention shall be given to the affect of a development upon the immediate area, where the character of that area has been established by previous development. Major attention shall be given by the Commission and the Governing Body to the benefits to be derived by the residents of the proposed subdivision and the City because of the Plan with minor consideration to be given to the proprietor.
3. The following objectives shall govern the approval or disapproval of the proposed Subdivision Open Space Plan or planned residential development:
 - a. Provide a more desirable living environment by preserving the natural character of open fields, stands of trees, brooks, hills and similar natural assets.

- b. Encourage Developers to use a more creative approach in the development of residential areas.
- c. Encourage a more efficient, aesthetic and desirable use of land while recognizing a reduction in development costs and by allowing the Developer to bypass natural obstacles on the site.
- d. Encourage the provision of open space within reasonable distance of all lot developments so benefits may accrue to the subdivision and to further encourage the development of recreational facilities and areas.

B. The application for approval of the Subdivision Open Space Plan or planned residential development shall contain the following, in addition to the information required by other sections of this Title and by the Zoning Title:

- 1. A complete description of the land to be dedicated to common use (herein called open land) shall be provided, including the following as a minimum:
 - a. Legal description of open land.
 - b. Topographical survey of open land.
 - c. Type of soil in open land (include a minimum of one soil boring and percolation test per acre).
 - d. Description of natural features on open land (stands of trees or other vegetation, streams or other bodies of water, etc.).
 - e. Other relevant factors.
- 2. The proposed plan of development of the open land shall be contained in the application and shall include the following as a minimum:
 - a. How legal title is to be held.
 - b. How said property shall be regulated.
 - c. Provisions for the payment of taxes.
 - d. Persons or corporations to be responsible for maintenance.
 - e. How maintenance is to be guaranteed.
 - f. How maintenance and development are to be financed.
 - g. Proposed uses of open land.

- h. What improvements are to be constructed by the Developer and an estimate of the cost thereof prepared by a landscape architect or civil engineer.
 - i. Other relevant facts related to the proposed uses of open land.
 - 3. The application shall contain a statement of the benefits to be realized by the residents of the proposed subdivision and the City by approval of the proposed Subdivision Open Space Plan with particular reference to the objectives of this Section.
- C. Before any action is taken upon any Subdivision Open Space Plan filing or planned residential development filing, copies of the preliminary plat, application and supporting data shall be submitted by the City Clerk to the City Planner and to the Corporation Counsel for review and recommendation.
 - 1. The City Planner shall review and render an opinion upon the proposed Plan from the materials furnished and from visits to the site or such other information as he may deem necessary and render his opinion with respect to the following:
 - a. The suitability of the proposed open land for purposes proposed.
 - b. The need for the proposed uses in the general area.
 - c. The location and layout of the open spaces with relation to the lots within the subdivision.
 - d. The effect upon neighboring areas that would result by the Plan and the appropriateness of the development of the lot sizes proposed under the Plan in the particular area involved.
 - e. Any other factor related to the development and proper design of the proposed subdivision.
 - 2. The Corporation Counsel shall review the proposed Plan and render his opinion with respect to the following:
 - a. The proposed manner of holding title to the open land.
 - b. The proposed manner of payment of taxes.
 - c. The proposed method of regulating the use of the open land.
 - d. The proposed method of maintenance of property and financing thereof.
 - e. Any other factor related to the legal or practical problems of ownership, use and maintenance of the open land.

- D. If the Commission is satisfied that the proposed Plan meets the letter and spirit of this Section and the Zoning Title and should be approved, it shall give tentative approval to the plat with the conditions upon which such approval should be based. Thereafter, the Governing Body shall take action upon such application in accordance with the provisions of this Title and the Zoning Title.
- E. If the Commission is not satisfied that the proposed Plan meets the letter and spirit of the Zoning Title or finds that the approval of said Plan will be detrimental to existing development in the general area and should not be approved, it shall communicate such disapproval to the Governing Body with the reasons therefore. The proprietor shall be entitled to a hearing upon said proposal before the Governing Body upon written request therefore filed with the City Clerk.
- F. If the Governing Body gives preliminary approval of the proposed Plan, it shall instruct the Corporation Counsel to prepare a contract setting forth the conditions upon which such approval is based, which contract, after approval thereof by the Governing Body, shall be entered into between the City and the proprietor prior to the approval of any final plat based upon the approved preliminary plat.
- G. At the time of application for final approval, the proprietor shall provide guarantee in the amount of the estimated cost of the proposed improvements to the open land guaranteeing the completion of such improvements within a time to be set by the Governing Body.

CHAPTER 6

IMPROVEMENTS

SECTION:

10-6-1:General Requirements

10-6-2:Streets

10-6-3:Utilities

10-6-4:Miscellaneous Improvements Required

10-6-5:Construction Inspections and Deviations from Plans

10-6-6:Residential R.E. One Family Residential Estate District

10-6-1:GENERAL REQUIREMENTS:

A. Minimum Standards and Special Provisions:

1. Minimum Standards: The minimum standards (“Minimum Standards”) for construction in developments are found in the following two (2) documents that are incorporated herein by this reference.
 - a. “Standard Specifications for Road and Bridge Construction”, Current Edition, Illinois Department of Transportation
 - b. “Standard Specifications for Water and Sewer Main Construction in Illinois”, Current Edition
2. Special Provisions: The provisions of this Article 10 as referred to herein as “Special Provisions.” Compliance with these specifications shall be verified through inspections provided by the Inspection Department and/or the Public Works Department. Where there is referenced calling for inspections, Contractor shall call the Inspection Department to arrange for all inspections. Final acceptance of all work will be by the City Engineer and/or Director of Public Works or his/her designated representative.

B. Completion Guarantee: Prior to the undertaking of any improvements, the proprietor shall deposit with the City Clerk guarantee acceptable to the Governing Body to insure faithful completion of all improvements within the time specified. The amount of the guarantee shall be set by the Governing Body based upon an estimate by the Director of Public Works and/or City Engineer.

C. Maintenance Guarantee: Prior to the acceptance by the City of improvements, a maintenance guarantee in an amount set by the Governing Body shall be posted by the proprietor for a period of ~~two (2)~~ **FIVE (5) year or until 80 percent of the homes are built whichever is greater.**

D. Description of Work: The work under these Special Provisions consists of grading, subbase preparation, aggregate base, curb and gutters, sidewalks, bituminous surfacing, storm sewers, ditch and culvert construction, roadway lighting, and other incidental and collateral work as

shown on the plans and as specified herein. No work shall commence without approved, signed construction drawings, a construction permit issued by the Inspection Department, and 24 hour notification of intent to start work given to either the Public Works Department or Inspection Department.

- E. Drawings and Specifications: Should there be a conflict between the plans, Minimum Standards, and Special Provisions, the Approved Construction Plans shall prevail over the Special Provisions, and the Special Provisions shall prevail over the Minimum Standards.

The Contractor shall be required to maintain a set of Approved Construction Plans and specifications on the jobsite at all times when work is in progress and shall make these documents available to the Inspectors, Public Works Director and/or City Engineer, or his/her designated representative upon request.

No work shall commence without an approved set of construction drawings and a permit has been obtained from the Inspection Department. Contractor shall notify the Inspection Department prior to commencing work and shall schedule all inspections 24 hours in advance.

- F. Keeping the Road Open to Traffic: Existing adjoining streets shall be kept open to two-way traffic at all times except when, in the opinion of the Public Works Director and/or City Engineer, some necessary part of the construction operation needs to be on the pavement or close enough to the edge of the pavement to constitute a safety hazard. In this case, traffic may be restricted to an alternating one-way condition at the necessary location(s) for the necessary minimum part of the daylight hours of a working day in accordance with the appropriate standards and an approved traffic plan. Under no circumstances shall the restriction be in effect after work hours or over a weekend. Access for emergency vehicles shall be provided at all times.
- G. Traffic Control Plan: Traffic control shall be in accordance with the applicable sections of the “Standard Specifications for Road and Bridge Construction” and “Illinois Manual on Uniform Traffic Control Devices for Streets and Highways”, most current Edition, manuals & special provisions on the Approved Construction Plans. Traffic control plans shall be submitted to the Public Works Director for approval prior to commencing any work that is within City right of way or close enough to present a possible safety hazard to the public.

Special attention is called to Articles 107.09 and 107.14 and Sections 701 through 705 of the “Standard Specifications for Road and Bridge Construction” and the Highway Standards relating to traffic control. (Illinois Department of Transportation Standards 2299 and 2300)

H. Erosion Control Plan: No work shall commence without an approved and implemented erosion control plan.

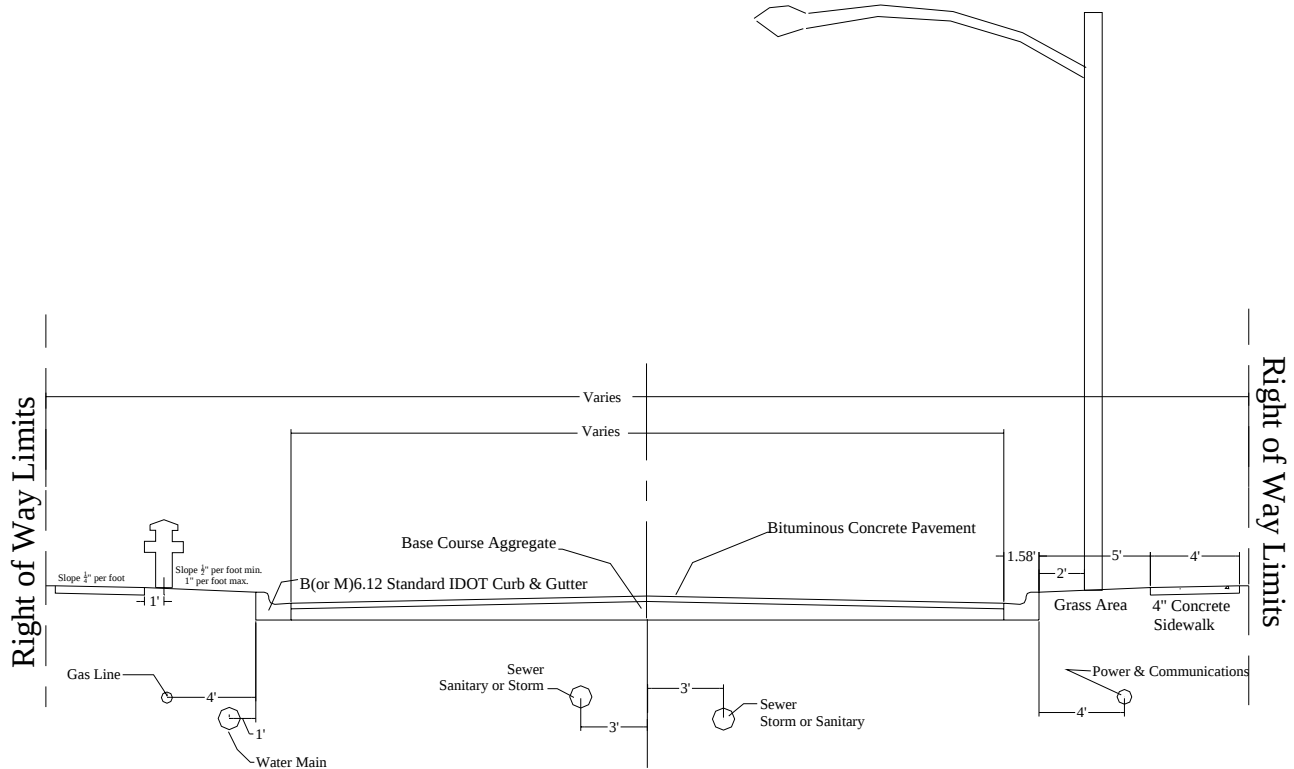
- I. Cooperation with Utility Companies: The Developer or his Contractor(s) shall consider all the permanent and temporary utility appurtenances in their present or relocated positions and that no additional compensation will be allowed for any delays, inconvenience or damage sustained by him due to any interference from the said utility appurtenances or the operations of moving them. It is the Contractor’s responsibility to contact J.U.L.I.E. prior to commencing work and following all applicable requirements.

- J. Existing Underground Utilities: The City assumes no responsibilities for the presence, specific size or location of underground distribution system of the several public utility corporations. No responsibility for the protection of said underground systems will be assumed by the City unless such protection is incidental to the protection of the municipally owned property of the City. If such protection is found to be necessary to water mains, gas mains, cable television, underground electrical distribution systems, underground telephone circuit systems, or any other underground utility system of non-municipal ownership, the cost of same, in whole or in part, is disclaimed by the City. Contractor shall comply with all requirements for underground utility locating.

10-6-2: **STREETS, SIDEWALKS, & CURBS:** All streets and appurtenances thereto shall be constructed in accordance with details and specifications approved by the Governing Body.

- A. Street Improvements: All street design and construction within a subdivision lying outside the corporate limits of the City and within one and one-half (1 1/2) miles of the corporate limits of the City shall be approved by the Commissioner of Highways of the County Highway Department and the Township Highway Commissioner of the township within which said subdivision is located as well as the City.
- B. Right of Way & Pavement Widths: Street right-of-way (ROW) and pavement widths shall be as stated in Article 10-5-2B within the City.

The typical street cross section shall be as follows:



TYPICAL STREET SECTION
PEKIN SUBDIVISION CONSTRUCTION DETAIL

Locations of the utilities are shown to emphasize the need to standardize the location within the right-of-way for ease of access for maintenance or repairs. It is recognized that the exact side of the street for each utility cannot be given due to the connection locations. However, every effort shall be made to comply with spacing relationships to the centerline of the roadway and the back of curb.

- C. **Grading:** All grading work shall be accomplished, measured, and paid for according to the “Standard Specifications for Road and Bridge Construction”. The removal of the existing materials shall be to a point of not less than one (1) foot below the final surface grade. It is the Contractor’s responsibility to remove excess and unsuitable materials from the site and dispose of the same at an approved waste location. Furthermore, it is the Contractor’s responsibility to haul in and compact any fill materials that the Public Works Director and/or City Engineer, or their designated representative, may deem necessary. Contractor shall supply the Inspector with the test results verifying the required compaction. Grade shall be verified by measuring from stakes for curb and from the curb for roadway surfaces. Contractor shall request an inspection for compaction and final grade with the Inspection Department a minimum of twenty-four (24) hours in advance. Subsequent work shall not proceed until the grade and compaction have been inspected and passed.

- D. Backfill: All trenches within two feet (2') of the construction area shall be backfilled in accordance with City specifications.
- E. Street Elevation: The full dedicated width of all streets shall be brought to the approximate elevation of the curbs constructed and, in no case, below or more than one foot (1') above the top of the curb, in order to facilitate installation of sidewalks.
- F. Street Surfacing Requirements:

- 1. AGGREGATE BASE COURSE

Placing aggregate base course shall be accomplished, measured, and paid for according to the “Standard Specifications for Road and Bridge Construction”. It shall be the Contractor’s responsibility to supply the Inspector, the material tickets, and test results verifying the required compaction. Grade shall be verified by measuring from stakes for curb or from the finished curb for roadway surfaces. The Inspector may require proof rolling at time of final inspection.

- 2. BITUMINOUS CONCRETE PAVEMENT

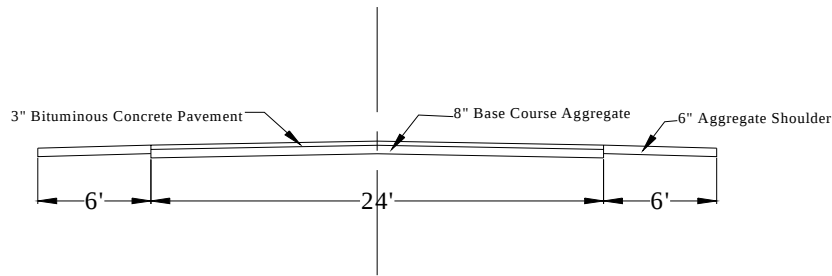
Placing bituminous concrete pavement shall be accomplished, measured, and paid for according to the “Standard Specifications for Road and Bridge Construction”. Bituminous material to be used for the bituminous concrete binder and surface courses, class I shall be AC 5, AC 10, AC 20, or AC 120-150. All surface course applications shall be 1½ inch in thickness. Bituminous material (prime coat) shall be applied at the approximate rate of 0.10 gallons per square yard. Material for prime coat shall be RC 70 with this item being incidental to the bituminous concrete surface course. Contractor shall supply the Inspector with material tickets and compaction test results prior to acceptance of finished surface.

- 3. PORTLAND CEMENT CONCRETE (PCC) PAVEMENT

Placing PCC pavement shall be accomplished, measured, and paid for according to the “Standard Specifications for Road and Bridge Construction”. Use of PCC pavement shall be at the discretion of the Public Works Director and/or City Engineer.

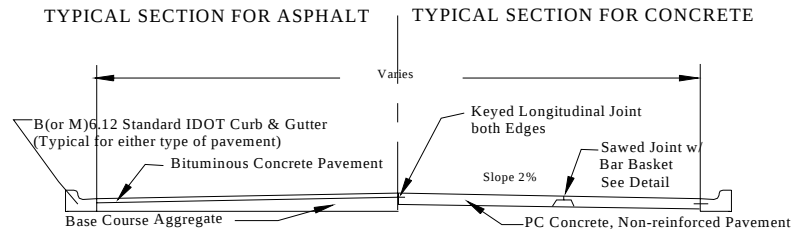
- 4. STREET CONFIGURATION

All streets shall be configured in accordance with the following typical sections:



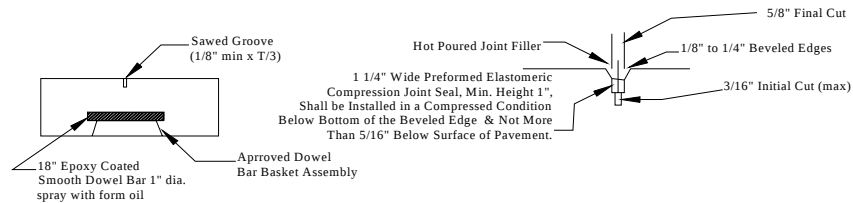
TYPICAL ROADWAY SECTION

PEKIN SUBDIVISION CONSTRUCTION SECTION
WITHOUT CURBS (**RE ZONE ONLY**)



TYPICAL ROADWAY SECTION

PEKIN SUBDIVISION CONSTRUCTION SECTION
WITH CURBS



5. PAVEMENT THICKNESS

Required thickness of PCC and bituminous concrete pavements shall be as follows based on the intended use of the street:

<u>Street Class</u>	<u>Bituminous</u>	<u>PCC Concrete</u>
Controlled Access (4 lanes, with center turn lane, no parking)	6" w/ 10" agg. base	10" reinforced
Arterials (Major Thoroughfare) (4 lanes, no parking)	6" w/10" agg. base	8"
Collectors (Secondary Thoroughfare) (2 lanes, with parking) or (4 lanes, no parking)	4" w/8" agg. base	6"
Local (with curbs) (without curbs)(RE Zone ONLY)	3" w/8" agg. base	6" N/A
Second Access Only	3" w/8" agg. base	6" N/A

6. Before any pavement is laid on any streets in the subdivision, all sanitary sewer services and other utilities shall be stubbed into the property line on all lots having frontage on said streets.
7. The base course for all streets in said subdivision shall be in place for twelve (12) months before the final surface is placed. However, should the Developer want to construct the final surface prior to this period, they shall be responsible for the maintenance of the surface until the subdivision is 90 percent built out with homes or a period of Six (6) years whichever is greater. The Developer shall furnish certification by a materials engineer that samples of the base course taken at location selected by the Public Works Director and/or City Engineer conform to the requirements of paragraphs 2 and 3 above. There shall be not less than two (2) samples for every three hundred (300)-center line feet of roadway. In those instances where base course materials can be adequately compacted and certification furnished by a registered engineer that compaction is adequate to meet or exceed the normal compaction in a twelve (12) month period, a lesser time period may be approved.

G. Street Maintenance: As a condition to the acceptance of any subdivision, the person or persons presenting said subdivision for acceptance shall agree to construct all the streets, sidewalks, curbs and gutters in said subdivision and maintain them for a period of ~~two (2)~~ FIVE (5) years or until such time as the subdivision is 80 percent built out with homes whichever is longest from the date of acceptance of completed construction in the plat and before the acceptance of said subdivision by the City or the actual construction of said streets, sidewalks, curbs and gutters, whichever occurs later, and said person or persons presenting said subdivision for acceptance shall post with the City a good and sufficient guarantee to assure maintenance of said streets, sidewalks, curbs and gutters for a period of ~~two (2)~~ FIVE (5) years or until such time as the subdivision is 80 percent built out with homes whichever is longest from the time of its acceptance and to insure the compliance of said person or persons with all provisions of this Chapter and shall be subject to any charges by the City for the performance of the work by the City required to be performed by the said Developer herein. At any reasonable time after the giving of said guarantee, the Governing Body through its Corporation Counsel may require a re-justification of said guarantee or additional security.

H. Curbs and Gutters:

1. REMOVAL OF EXISTING COMBINATION CURB AND GUTTER

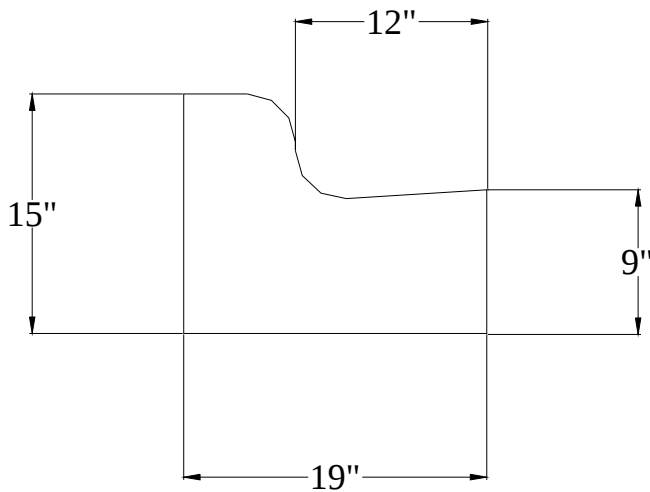
Removal work shall be done in accordance with Section 440 of the "Standard Specifications for Road and Bridge Construction". In areas where a portion of existing curb and gutter is to remain, the Contractor shall saw cut the joint to a minimum of one and one half (1 ½) inches to prevent spalling when the concrete is removed. All work shall be done in such a manner that a straight joint shall be established for a satisfactory transition between existing curb section and the proposed new section. Where the curb is removed or replaced for new driveway construction, widening or removal, the construction shall satisfy the terms of Section 10-6-2J of this Code.

2. PORTLAND CEMENT CONCRETE (PCC) CURB AND GUTTER

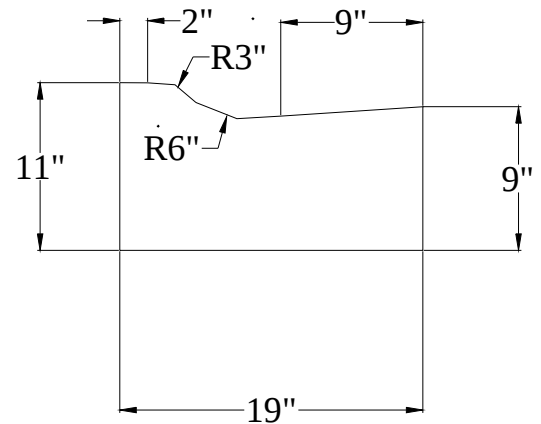
Construction of PCC curb and gutter at locations shown on the Approved Construction Plans shall be done in accordance with Section 606 of the “Standard Specifications for Road and Bridge Construction” and as specified herein. All curb and gutter shall be either Type B6.12 or M.6.12 as approved by the Public Works Director and/or City Engineer. The specific type of curb to be utilized will depend on the intended street classification and zone. Contractor shall call for an inspection of grade and compaction twenty-four (24) hours in advance of placing concrete for curb and gutters. Contractor shall supply Inspector with all material tickets and test results prior to final acceptance of work.

3. TYPICAL CURB & GUTTER SECTIONS

The following are typical sections for the B6.12 and M6.12 curbs.



TYPICAL CURB:
TYPE B6.12



TYPICAL CURB:
TYPE M6.12

TYPICAL CURB SECTION PEKIN SUBDIVISION CONSTRUCTION DETAIL

I. PORTLAND CEMENT CONCRETE (PCC) SIDEWALK

Construction of four (4) foot wide and four (4) inch thick PCC sidewalk at the locations and lengths shown on the Approved Construction Plans shall be done in accordance with of the “Standard Specifications for Road and Bridge Construction” and as specified herein. Contractor shall supply the Inspector with material tickets and testing results prior to final

acceptance and shall call for inspection of subgrade twenty-four (24) hours prior to placing concrete for the sidewalks.

Sidewalk subgrade preparation shall consist of tamping or rolling subbase thoroughly until required compaction is obtained. Then 4 inches of base course aggregate material shall be placed and shall be rolled or tamped thoroughly to the required compaction. Base material shall be moistened immediately prior to the placement of the concrete.

Sidewalks extending through driveway approach sections shall be a minimum of 6 inches thick. The slope of the sidewalk shall remain as shown in the typical section.

Sidewalks within the right of way shall be constructed with standard concrete finishes and slope. Grading shall include the adjacent green space between the back of curb and edge of sidewalk with the slope being no greater than shown in the typical section. No special finishes or materials will be allowed in concrete sidewalks without the permission of the Public Works Director and/or City Engineer, or his/her designated representative.

J. Driveways:

1. Requirements: All driveway construction (new, replacement, and/or widening and closures) must satisfy the requirements hereinafter set forth:
 - a. From the point where the driveway meets the gutter portion of the curb and gutter, the driveway construction must slope upward at a constant grade to the street R.O.W./property line. At that point, the elevation of the top of the driveway must be equal to (or higher) than the top of the back of curb elevation. The remainder of the driveway is not regulated by these requirements.
 - b. The driveway approach must meet the back of the depressed curb at an equal elevation. No driveway overlap or overhang is allowed.
 - c. Where a sidewalk crosses a driveway, the sidewalk shall be constructed at a one-fourth inch (1/4") per foot slope towards the street. The elevation of the back of the sidewalk shall satisfy the before mentioned elevation (Sec 10-6-2I).
 - d. The driveway thickness shall be a minimum of six (6) inches (paved surface), including where the sidewalk crosses a driveway, for the section from the back of the curb to the boundary of the right of way.
 - e. Where new curbs are installed as a part of the driveway construction or closure, the curb shall be of the same typical section as the curbs abutting such construction or closure.
 - f. Where the street pavement is removed for the construction or removal of the curb or curb cut, said pavement shall be evenly saw cut. The existing street restoration shall

be (i) the depth of the existing street or (ii) six (6) inches of bituminous concrete, whichever is greater.

- g. The contractor conducting the construction described in this Section 10-6-2-J-1 shall be responsible for all construction materials in the driveway, curb and street, as well as traffic control materials.

- 2. Permit and Fee: Driveway openings shall not be made nor curbs cut for a driveway opening without first having obtained a permit from the Inspection and Code Enforcement Department. The fee for said permit shall be Twenty dollars (\$20.00). The penalty for not obtaining the permit prior to commencing work shall be an additional Fifty Dollar (\$50.00) fee.

K. SIDEWALK ACCESS RAMPS

Sidewalk access ramps for the handicapped shall be constructed in compliance with Illinois Department of Transportation Standard 2356. Ramps shall be constructed at all quadrants of all intersections. All grade and concrete work shall be done in accordance with the "Standard Specifications for Road and Bridge Construction" and as specified herein. Contractor shall supply the Inspector with material tickets and testing results prior to final acceptance and shall call for inspection of subgrade twenty-four (24) hours prior to placing concrete for the sidewalks.

L. STORM SEWERS

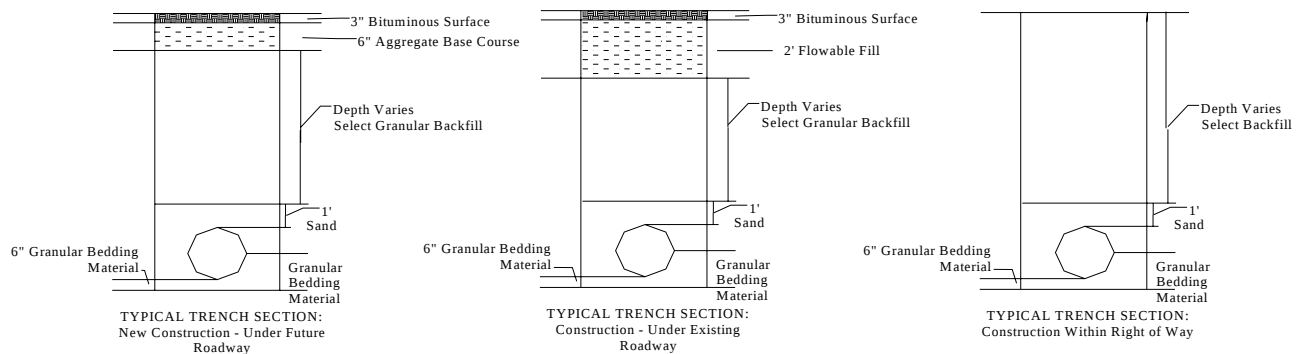
Storm sewers shall be constructed in accordance with the "Standard Specifications for Road and Bridge Construction". Contractor shall supply the Inspector with material tickets and testing results prior to final acceptance and shall call for inspections twenty-four (24) hours prior to placing pipe and/or backfilling.

No subdivision inside the City or within one and one-half (1 1/2) miles outside the City shall be accepted unless stormwater sewers (where outlets are available) are provided or arranged for by the Developer, which street sewers shall be installed under City supervision, with plans approved by the City prior to construction.

It is further provided that when any new subdivision submitted for acceptance shall require surface water drainage into an open ditch or waterway, that the said Developer shall furnish at his expense an easement for the City for the use of said open ditch or waterway for its future maintenance and shall do and perform any necessary cleaning, straightening, or preparing said open ditch or waterway to adequately handle the surface water drainage required for said subdivision. The said easement shall contain the actual bed and banks and an adjacent strip of ground ten feet (10') in width for ingress and egress. The easement shall be seeded, sodded and/or provided with some other acceptable erosion protection.

Required Maintenance: As a condition to the acceptance of any subdivision, the person or persons presenting said subdivision for acceptance shall agree to maintain the storm sewers and appurtenances and/or open ditch or waterway in said subdivision for a period of **two (2) FIVE (5) years or until such time as the subdivision is 80 percent built out with homes whichever is longest** from the date of acceptance of the plat or the actual construction of street paving, whichever occurs later.

Trench backfill requirements for both storm and sanitary sewer lines shall be as follows:



TYPICAL TRENCH DETAILS

PEKIN SUBDIVISION CONSTRUCTION DETAIL

M. INLETS TYPE G-1 AND INLET MANHOLES, 4FT. DIAMETER OR GREATER

Installation of all inlets and manholes shall be done in accordance with the "Standard Specifications for Road and Bridge Construction" and as designed on the Approved Construction Plans. For a G-1 inlet, the Contractor may use a Neenah R-3246-A or Jordan 7510 frame and grate, or equivalent material as approved by the Public Works Director and/or City Engineer. The slots in the grate shall be diagonal (bicycle safe) as shown on the Approved Construction Plans.

Contractor shall supply the Inspector with material tickets and testing results prior to final acceptance and shall call for inspections twenty-four (24) hours prior to placing concrete and/or backfilling.

N. ROADWAY LIGHTING

Under this item the Contractor shall furnish and install the following equipment and materials:

- A. Roadway luminaries, poles, and foundations
- B. Underground polyethylene unit duct and conductors
- C. Lighting control center
- D. Transformer pad and service entrance
- E. Electrical handholes
- F. Concrete encased duct

Lighting levels along the roadway shall not be less than 0.9 foot-candles (fc) average maintained with a uniformity ratio of 7.5:1 (or better) average to minimum. Light pole locations shall be indicated on the Approved Construction Plans and no deviation from these locations shall be permitted without written approval of the Public Works Director and/or City Engineer, or his/her designated representative.

Contractor shall supply the Inspector with material tickets and testing results prior to final acceptance and shall call for inspections twenty-four (24) hours prior to placing pipe, concrete encasing, and/or backfilling.

The Developer shall have the option of delegating the authority of installing the streetlights to private electrical utilities. The Public Works Director and/or City Engineer shall be responsible for estimating the installation cost as well as the three-year electricity and maintenance cost for the private utility installation. The Developer shall pay this cost to the City at the time the Letter of Credit is submitted.

10-6-3: UTILITIES: No subdivision shall be accepted unless provision is made for alleys and/or utility easements deemed by the Governing Body to be adequate and proper. No subdivision shall be accepted unless gas mains, water mains and electrical distribution lines (wherever the same shall be available) shall be provided or arranged for by the Developer prior to acceptance.

- A. Sanitary Sewer Districts: No subdivision shall be accepted involving land located outside the boundaries of a duly constituted sewer district unless the Developer shall pay the City an amount of money to be determined by the Governing Body as payment for the right to connect the sewers in said subdivision to existing sewer facilities in said City. However, in determining the amount to be paid by the Developer, the City Council shall take into consideration the benefits to be received by the property in said subdivision.
- B. Sanitary Sewers: No subdivision shall be accepted unless sanitary sewers are installed or arranged for prior to acceptance, pursuant to a valid Illinois Environmental Protection Agency permit and under City supervision. All lateral house connections shall be installed so that they can be connected to the facilities on each lot in the subdivision without entering the travel way of the street and with a cleanout within five (5) feet of the outside of the house foundation. No subdivision shall be accepted unless the following special provisions have been followed.

1. DESCRIPTION OF WORK

The work under these Special Provisions consists of the construction of sanitary sewers and other incidental and collateral work as shown on the plans and as specified herein.

2. SANITARY SEWER CONSTRUCTION

a. GENERAL

The Contractor shall furnish and install all sanitary sewer items in accordance with “Standard Specifications for Water and Sewer Main Construction in Illinois”, the Approved Construction Plans, and the requirements stated herein.

b. PIPE MATERIALS AND JOINTS

The types of sewer pipe that shall be permitted on the project are shown on the Approved Construction Plans. Sewer pipe shall meet the appropriate requirements as described herein. Only one type of sewer pipe material shall be permitted between adjacent manholes unless otherwise noted on the Approved Construction Plans.

The allowable classes of pipe are shown on the Approved Construction Plans based on the maximum depth of cover between manholes but may be changed by the Public Works Director and/or City Engineer or his/her designated representative if the actual elevation of the sewer or final ground line will be significantly different from the Approved Construction Plans.

The Contractor shall submit shop drawings or specification sheets for approval for the type(s) of pipe intended for use and will indicate on the Approved Construction Plans where the pipe will be installed if more than one type of pipe is selected.

I. Ductile Iron Pipe

Ductile iron pipe shall be permitted for use for all diameters of sewer. The maximum depth permitted for the various thickness classes is as follows:

Diameter (Inches)	*Maximum Depth (Feet From Final Grade to Invert)		
	Class 50	Class 51	Class 52
8	46	61	77
10	38	49	59
12	36	43	53
14	33	38	44
16	30	34	40
18	29	32	36
20	27	30	34
24	23	27	30
30	18	21	24

* Based on granular bedding from 4” under pipe to top of pipe (Type 4 laying condition of AWWA Specification C151).

Ductile iron pipe shall meet the requirements of AWWA Specification C151 (latest revision) and joints shall be push-on rubber gasket type or mechanical joint in accordance with AWWA Specification C111 (latest revision). The interior of the pipe shall have a cement mortar lining and bituminous seal coat in accordance with AWWA Specification C104 (latest revision). The outside of the pipe shall be tar coated in accordance with AWWA Specification C151 (latest revision).

II. PVC Pipe

PVC pipe shall meet either the sewer pipe specification or the pressure pipe specification listed below depending on the depth of sewer line installed.

For installation at fifteen (15) feet deep or less, SDR 35 solid wall PVC pipe shall be permitted. Pipe with fifteen (15) inch diameter or smaller shall conform to ASTM Specification D-3034 (latest revision). Joints shall be the slip-on rubber gasket type.

For installation greater than fifteen (15) feet but less than thirty (30) feet deep, PVC sewer pipe as specified in the above paragraph shall be permitted only if a Type B granular cradle is furnished and installed up to twelve (12) inches over the pipe.

For installation at twenty-one feet deep or less, PVC pressure rated pipe shall be permitted. Pipe twelve (12) inches or less in diameter shall meet AWWA Specification C900, DR 25 (latest revision) or shall meet ASTM Specification D2241, SDR 26 (latest revision). Either Type A or Type B granular cradle shall be permitted.

III. ABS and PVC Composite (Truss) Pipe

ABS composite or PVC composite (Truss) pipe and fittings shall be permitted for sewer fifteen (15) inches in diameter or smaller, and for all depths. All ABS or PVC composite pipe shall conform to ASTM Specification D2860 (latest revision).

ABS composite pipe or PVC composite pipe shall be as manufactured by Armco, Inc. or approved equivalent material as approved by the City Engineer and/or Director of Public Works.

Joints shall be the solvent weld type and shall conform to ASTM D2751 (latest revision).

c. INSTALLATION

Sewer installation shall be done in accordance with the recommendations of the manufacturer of the sewer pipe and in accordance with the "Construction Details" of the "Standard Specifications for Water and Sewer Main Construction in Illinois". Installation of the thermoplastic pipe (including PVC and ABS composite pipe) shall be done in accordance with ASTM Specification D2321 (latest revision).

Sewer construction shall include, but not be limited to, saving and restoring the topsoil; dewatering of trench where required; furnishing and installing sewer pipe and fittings; installing selected granular cradle and backfill material; providing and using a laser or other acceptable means to establish and verify grade; backfilling of trenches as required in Section 10-6-2L; testing for deflection and leakage; and disposal of excess excavated materials.

Additional requirements for embedding the sewer during installation shall be as follows:

I. Selection of Type A or Type B Granular Cradle

The Public Works Director and/or City Engineer or his/her designated representative for each section of sewer based on the following criteria shall make the selection of Type A or Type B granular cradle, as defined elsewhere in these Special Provisions. In general, Type A granular cradle shall be used in areas where the trench bottom is relatively dry and firm, and at locations where the proposed sewer does not involve removing an existing sewer. Type B granular cradle shall be used at locations where the trench bottom is wet (standing or running water) where the bottom is soft or unstable; or where an existing sewer is removed and replaced with the proposed sewer.

II. Embedment of Flexible Pipe

Embedment of flexible pipe shall conform to ASTM Specification D2321 (latest revision). When used to embed flexible sewer pipe, granular cradle Type B shall meet the requirements of Class I embedment material as defined in ASTM D2321 (latest revision). When used to embed flexible sewer pipe, granular cradle Type A and selected granular backfill Type A and Type B shall meet the requirements of Class II embedment material as defined in ASTM D2321 (latest revision).

Granular cradle material shall be utilized from six (6) inches below the pipe to six (6) feet above the springline of the pipe.

Where Type A granular cradle is used, the material shall be compacted in two lifts, by hand or by mechanical means, to eighty-five (85) percent of the Standard Proctor Density. Select granular backfill, Type A or Type B, shall then be placed in two lifts, one to the top of the pipe and a second lift to at least six (6) inches over the top of the pipe for sewers fifteen (15) inches and smaller. For sewers eighteen (18) inches and larger, second lift shall be at least twelve (12) inches over the top of the pipe. Compact each lift by hand or mechanical means to a minimum of eighty-five (85) percent of the Standard Proctor Density.

At the beginning of sewer construction, and periodically thereafter, the Contractor shall have compaction tests performed on Type A granular cradle in place. The Contractor shall utilize the same method of compaction for granular cradle placement throughout the entire project as used to establish the proper compaction at the beginning of the project, unless another method is tried by the Contractor and satisfactorily tested for compaction. Results of the new test shall be submitted to the Public Works Director and/or City Engineer or his/her designated representative for approval prior to changing.

In installations where Type B granular cradle is used, little or not compaction is necessary. However, care should be taken to insure that sufficient material has been worked underneath the haunch of the pipe to provide adequate side support. The same material used for Type B granular cradle shall also be placed from the springline to the top of the pipe. When select granular backfill is required above the pipe zone, this material shall be considered Select Granular Backfill either Type A or Type B and placed to at least one foot over the pipe.

Contractor shall supply the Inspector with material tickets and testing results prior to final acceptance and shall call for inspections twenty-four (24) hours prior to placing pipe and/or backfilling.

III. Testing of Sanitary Sewer

The Contractor shall test all installed sanitary sewer lines. All sections shall be required to pass testing. Testing shall be in accordance with the "Standard Specifications for Water and Sewer Main Construction in Illinois" except as modified herein.

Leakage tests shall be performed after the sewer has been cleaned and trench backfilled. The Contractor shall use either Method A, exfiltration of water, or Method C, exfiltration of air, shall test the sewer. The Public Works Director and/or City Engineer or his/her designated representative shall determine the appropriate method of leakage testing based on field conditions. The Contractor shall furnish the water to be used for testing when Method A is utilized. If the sewer fails to meet the criteria given in the “Standard Specifications for Water and Sewer Main Construction in Illinois”, it shall be repaired or replaced at the Contractor’s expense and retested until it meets the specified leakage limits. Pressure grout or concrete encasement will not be acceptable methods of repair of joints.

Deflection tests for flexible sewer pipe shall be required and shall be performed no sooner than thirty- (30) days after the sewer has been installed. Deflection shall not exceed five (5) percent of the base inside diameter. If deflection exceeds the five (5) percent limit the Contractor shall excavate to the area of excess deflection and correct either by tamping around the pipe or replacing the defective section.

Contractor shall call for inspections twenty-four (24) hours prior to performing either the leakage or deflection testing.

d. MEASUREMENT AND MARKING OF ALL SANITARY SEWER LINES

Measurement of sanitary sewers shall be the actual length of pipe installed measured to the nearest foot for each pipe size and depth category.

During installation of all non-metallic sewer pipes, a marking tape, capable of being detected by a standard metal detector, shall be installed one (1) foot above the centerline of the pipe. The location where the sewer line passes under the curb and gutter shall be marked by etching an “X” on the back of the curb at least one quarter (¼) inch deep.

4. GRANULAR CRADLE

a. GENERAL

Granular cradle shall be used for all sanitary sewers constructed in the City.

b. MATERIALS

Materials for granular cradle shall conform to Section 20-2.20 of the “Standard Specifications for Water and Sewer Main Construction in Illinois” and shall be either Type A or Type B. Type B granular cradle shall be crushed rock.

Furthermore, granular cradle material which is used to embed flexible sewer pipe shall also meet the requirements stated in the ASTM Specification D2321 (latest revision) as follows: Type A granular cradle shall meet the requirements of ASTM D2321 Class II embedment material. Type B granular cradle shall meet the requirements of ASTM D2321 Class I embedment material.

Selection of Type A or Type B granular cradle along various sections of the sewer, and placement and compaction of granular cradle for sewers shall be done in accordance with the Special Provision Item "Sanitary Sewer" under the paragraph entitled "Sewer Installation" stated earlier.

Test results of material to be used for granular cradle on this project shall be submitted to the Public Works Director and/or City Engineer or his/her designated representative for approval prior to be used on the project.

c. MEASUREMENT

Measurement of granular cradle shall be based on the Standard Drawing No. 2 of the "Standard Specifications for Water and Sewer Main Construction in Illinois" and the length and diameter of sewer along which granular cradle has been installed. Where more than six (6) inches depth of granular cradle is required by the Approved Construction Plans, measurement of additional granular cradle will be by length, width, and depth of material in place.

5. SELECTED GRANULAR BACKFILL

a. GENERAL

Under this item the Contractor shall furnish all Labor, materials, and equipment to install granular backfill at the locations shown on the Approved Construction Plans or as directed by the Public Works Director and/or City Engineer or his/her designated representative.

b. MATERIALS

Selected granular backfill material shall comply with Sections 20-2.21C(2), Type A or Type B, of the "Standard Specifications for Water and Sewer Main Construction in Illinois". Selected granular backfill Type C or Type D shall be allowed from one (1) foot above the pipe up to a point one (1) foot below finished surface grade, but shall not be used below a level of one (1) above the pipe.

c. INSTALLATION

In general, all trenches excavated beneath gravel, flexible bituminous asphalt (bituminous concrete), or concrete surfaces (such as sidewalks, driveways, roads or parking lots) shall have selected granular backfill from the centerline of the pipe to the bottom of the pavement or aggregate base course. Selected granular backfill shall be used between the proposed sewer (or force main) and existing culverts and sewers that cross the trench.

Test results of material which will be used for selected granular backfill shall be submitted to the Public Works Director and/or City Engineer or his/her designated representative for approval prior to be used on the project.

d. MEASUREMENT

Measurement of selected granular backfill shall be based on the Standard Drawing No. 2 of the "Standard Specifications for Water and Sewer Main Construction in Illinois" and these Special Provisions.

6. EXISTING SEWER OR DRAIN TILE

Wherever existing sewers, culverts, or drain tile lines are encountered during sewer construction, the Public Works Director and/or City Engineer or his/her designated representative shall be notified immediately to determine whether it is necessary to minimize disturbance to the existing line, restore any portion of the line, or abandon the line. When the existing line crosses over the new line, a section of new pipe shall be installed across the trench with bedding on undisturbed ground on each side of the trench. Connection shall be made to the existing line on each side of the trench.

Where an existing line is running parallel to the new sewer and becomes disturbed, it shall be reconstructed on firm bedding.

7. FINAL JOB ACCEPTANCE

Developer/Contractor shall submit one complete set of red lined drawings and a finalized set of drawings, including the red lines, on a computer disk. Information stored on the disk must be suitable for use with AUTOCAD **and/or ArcINFO shapefiles.**

C. Sanitary Sewers within One and One-Half Miles outside the City:

1. In all areas inside the City and highly recommended for those areas within one and one-half (1 1/2) miles outside the City where a public sanitary sewer is accessible in front or at the rear or at the side of any proposed subdivision, each lot within the subdivided area shall be provided with a connection to such sanitary sewer. The sewer connection shall terminate not less than two feet (2') inside the underground utilities. The installation of all connections to said public or community sewer shall comply with the standards of the Illinois Environmental Protection Agency with existing ordinances and shall be subject to the approval and inspection of the Public Works Director and/or City Engineer or his/her designated representative.

2. In proposed subdivisions located within one and one-half (1 1/2) miles beyond the limits of the City, where a public sanitary sewer is not reasonably accessible but where plans for the installation of sanitary sewers in the vicinity of the subdivision have been prepared by the City, the Developer may be required to install sewers in conformity with such plans. In such cases, until a connection can be made with the public sewer system, the use of a sewage treatment plant will be permitted; provided, such sewage treatment plant is installed in conformance with standards approved by the appropriate County Health Department and other applicable governmental authorities.
3. In proposed subdivisions in which the lots are less than one acre, where sewers are not accessible and no plans for sewers have been prepared, the Developer may be required to install sewer lines and a disposal system in accordance with this Title. If, but only if, the subdivision has been platted into lots having a minimum width of one hundred feet (100') and minimum area of twenty thousand (20,000) square feet each, the Developer may install individual disposal devices for each lot at the time improvements are erected thereon. All such individual sewage disposal systems shall be constructed in accordance with regulations and requirements of the County Health Department and other applicable government authorities.

D. Water Supply:

1. Where a public or community water supply approved by the City is reasonably accessible, each lot within the subdivision shall be provided with a connection to such water supply, said water service to terminate not less than two feet (2') inside the underground utilities. All connections to said public or community water mains shall be subject to the approval and inspection of the water supplier.
2. The Developer may negotiate with the water supplier to share the cost for the installation of required water mains that exceed the normal size requirements for the subdivision in accordance with accepted engineering design practices.
3. If a public water supply is not available in subdivisions located in the unincorporated areas within one and one-half (1 1/2) miles of the limits of the City, individual wells may be installed, provided installation conforms to standards approved by the County Health Department and other applicable governmental authorities.
4. No subdivision shall be accepted unless the "Standard Specifications for Water and Sewer Main Construction in Illinois", current edition, have been followed.

- E. Erosion Control: Measures shall be taken in all subdivisions to assure that new construction, or grading of the subdivision does not create erosion or the washing of sand, silt, soil, gravel or other material on abutting properties or into road ditches, roadways or streets. Any such erosion shall be immediately corrected and persons presenting said subdivision for acceptance shall agree to maintain erosion control and corrective maintenance of erosion for a period of ~~two (2)~~ five (5) years or until all lots have been sold and/or vegetation has covered 70% of the area from the date of acceptance of the plat or the actual construction of street paving, whichever occurs later.

10-6-4: MISCELLANEOUS IMPROVEMENTS REQUIRED:

A. Monuments:

1. Ferrous metal monuments no less than one-half inch (1/2") in diameter and thirty inches (30") in length (so as not to be affected by frost) shall be placed at all lot corners, intersections of streets, intersections of streets and alleys, beginning and ending of all curves and at points of change in direction of streets, alleys, boundary lines or lot lines. All monuments shall be properly set in the ground before the City for the purpose of recording shall accept the subdivision plat.
2. No less than three (3) concrete or stone monuments of at least four feet (4') in length and no less than four inches (4") square or in diameter shall be set on the peripheral boundaries of a subdivision of five (5) lots or more. The monuments shall be marked with a suitable control point and the top of the monuments shall be flush with the surface of the ground. These monuments shall also be reinforced with at least one ferrous metal rod or pipe.
3. The cost and installation of all monuments shall be borne by the Developer.
4. On lot lines leading to inaccessible lot corners which fall in lakes, ponds, creeks or rivers shall require a monument to be placed not less than twenty feet (20') back from the normal water elevation.

- B. Public Walkways: Walkways shall be at least twelve feet (12') in width. Planting pockets shall be provided in public walkways for tree and shrub planting. The planting plan and surface treatment shall meet the approval of the City. Fences or other improvements may also be required if the Governing Body determines they are necessary to protect the adjacent property Proprietors.

- C. Trees: the Developer shall preserve Existing trees near street right of way.

- D. Street Signs: No subdivision shall be accepted by the City unless appropriate street signs shall be erected or arranged for at each street intersection within the subdivision, the cost of the signs and installation of the same to be paid by the Developer. The type of signs and the location thereof shall be subject to the approval and direction of the Governing Body.

- E. Fire Hydrants: No subdivision shall be accepted by said City unless Developer shall have provided the same with proper fire hydrants in a minimum number at locations for proper fire protection in accordance with the approval of the Public Works Director and/or City Engineer, and the rental for said fire hydrants shall be paid for by said Developer in advance for a minimum period of three (3) tax years subsequent to acceptance of said subdivision.
- F. Street Lights: No subdivision shall be accepted by said City unless the Developer shall have provided the same with proper street lights in a minimum number and location for proper lighting in accordance with the local electric utility specifications and approval of the Public Works Director and/or City Engineer, and the estimated cost to the City for electricity and maintenance of said street lights for a minimum period of three (3) tax years subsequent to the acceptance of said subdivision shall be paid for by said Developer in advance to the acceptance of said subdivision. It is further provided that the Developer shall provide underground wire distribution, and that said Developer, at his cost, shall install all streetlights and wire in accordance with the local electric utility specifications.

10-6-5: CONSTRUCTION INSPECTIONS AND DEVIATIONS FROM THE PLANS AND SPECIFICATIONS:

- A. The City or the designated representative of the City shall have access to the subdivision site at all times to observe the improvements during and after construction.
- B. The Developer shall notify the City at least twenty four (24) hours in advance of any underground construction of improvements.
- C. The Developer shall be responsible for the inspection of all improvements to insure that all construction is done in accordance with City and State Codes and requirements; The Developer shall provide sufficient engineering inspection so that the Developer's engineer can certify that all construction was completed in accordance with the Approved Construction Plans and Specifications.
- D. No significant deviation from the approved Construction Plans and Specifications shall be permitted without the written approval of the City Engineer. In the event of a discrepancy between sets of plans and specifications for the subdivision, the official copy on file with the City shall take precedence.
- E. The Developer shall certify that all improvements have been constructed in accordance with City and State Codes and requirements and with the Approved Construction Plans and Specifications. This certification shall be required for each improvement made prior to the release by the City of the Subdivision Bond, cash deposit or any portion thereof. The Engineer for the Developer shall also certify that all improvements have been constructed in accordance with City and State Codes and requirements and with the Approved Construction Plans and Specifications. This certification shall be required for each improvement made prior to the release by the City of the Subdivision Bond, etc. cash deposit or any portion thereof.

F. The Contractor or Subcontractor responsible for installing each improvement shall also certify that all improvements have been constructed in accordance with City and State Codes and requirements and with the Approved Construction Plans and Specifications. This certification shall be required for each improvement prior to the release by the City of the Subdivision Bond, etc. cash deposit or any portion thereof.

G. RESTORATION

Where public or private property has been damaged, the Contractor shall restore such property to a condition equal to what was existing before the construction took place by repairing, rebuilding, or replacing it as may be required or directed by the Public Works Director and/or City Engineer, or his/her designated representative. This includes but is not limited to fertilizing, seeding, and matting of excavated areas. All other areas within the limits of this project not covered with a hard surface (concrete or bituminous) shall be covered with a black dirt, fertilizer, seed, and straw.

All unpaved disturbed areas within the proposed street right of way shall be seeded in accordance with Section 250 of the "Standard Specifications for Road and Bridge Construction". The seeding shall be Roadside Mixture, Class 2 and shall receive fertilizer nutrients at the following rates:

A.	Nitrogen Fertilizer Nutrient	100 lbs/acre
B.	Phosphorus Fertilizer Nutrient	100 lbs/acre
C.	Potassium Fertilizer Nutrient	100 lbs/acre

H. FINAL JOB ACCEPTANCE

Developer/Contractor shall submit one complete set of red lined drawings and a finalized set of drawings, including the red lines, on a computer disk. Information stored on the disk must be suitable for use with AUTOCAD and /or ArcInfo shapefiles.

10-6-6: SPECIAL PROVISIONS FOR RESIDENTIAL R.E. ONE FAMILY RESIDENTIAL ESTATE DISTRICT:

- A. The provisions of this Section 10-6-6 shall apply only to Residential R.E. - One Family Residential Estate Districts. Except as provided in this Section, all other provisions of this Chapter apply to Residential R.E. - One Family Residential Estate District. For the purposes of this Section, the term "Subdivision" shall include that portion of any subdivision that is zoned R.E.
- B. Number of Lots: Each subdivision within an R.E. Zoning District shall have twenty-five (25) or more buildable lots in each phase.
- C. Minimum Lot Size: Each lot shall be a minimum of 15,000 square feet. The average of all buildable lots within a subdivision shall be 20,000 square feet. When computing said average of all buildable lots within a subdivision, a lot size of 28,000 square feet shall be used for any lot having more than 28,000 square feet.

- D. Drainage:
1. The Subdivision shall have watersheds (e.g., lakes, wetlands, etc.) and/or natural or existing streams which shall be capable of carrying or detaining the runoff for the entire Subdivision. Such watersheds or streams must be within or abutting the Subdivision. All such streams and/or lakes, with all contours, shall be shown on the preliminary plat for the Subdivision.
 2. Drainage from the roads and properties within the City's right of way shall be paved or hard surfaced if the grade is more than 5%.
- E. Maintenance Guarantee: Prior to the acceptance by the City of street and drainage improvements, a maintenance guarantee in an amount set by the Governing Body shall be posted by the proprietor to cover five (5) years or until 80 percent of the lots have been built out and/or a homeowner's association has been established.
- F. Street Lights: The Subdivision shall have one streetlight at each intersection within the Subdivision.
- G. Yard Lights: Each lot or parcel shall have a minimum of one yard light as follows:
1. Each light shall have a minimum of 100-watt illumination.
 2. Each light shall be controlled by a photoelectric cell.
 3. Each light shall be located no more than 15 feet back from the front property line. Corner lots may have one yard light in either front yard.
 4. Each light shall be maintained by the homeowner and shall be lit every night.
- H. Streets: The following provisions shall apply to streets entirely within an R-E zoning district. If one side of the street is zoned something other than R-E, then these provisions do not apply.
1. Street Width: Streets shall have a minimum width of twenty-four (24) feet of hard surface pavement. Rights of way shall be sixty (60) feet wide.
 2. Street Surface: Streets shall be surfaced with an aggregate base course, type B foundation with a minimum thickness of (8) eight inches when thoroughly compacted and with a Bituminous Concrete Surface Course Class I surface of (3) three inches (or compatible P.C.C. pavement structural design) as defined by the Illinois Department of Transportation, or its equivalent, approved by the Governing Body. The Public Works Director and/or City Engineer must approve a structural pavement design for non-residential streets (i.e., collectors, arterials or truck routes).

3. Curbs and gutters: Streets shall have a “V” curb or a five (5) foot wide gravel or sod turf shoulder on each side. If the streets have no curb and gutter, then open drainage swales along all public roadways are permitted, provided that direct drainage to the lakes or streams shall be constructed to prevent erosion. A grading plan and storm water runoff plan shall be established and submitted to the City for approval. The Subdivision covenant restrictions recorded prior to the sale of any lots in the Subdivision shall require the homeowners to maintain the swales on all rights of way up to the hard surface on the streets. Sections of any open drainage swales and any piping under the streets shall be shown on the preliminary plat. Drainage swales shall not be filled with pipe or other materials without the written approval of the Public Works Director and/or City Engineer, or his/her designated representative. Developer or resident requesting a change in the drainage swale shall submit a plan showing what is proposed for the swale and all applicable calculations of drainage flow.
 4. Plat to Show Details: The preliminary plat shall show all sections and details regarding the transition from an existing curb and gutter street to a new section of street with no curbs or gutters.
- I. Sidewalks or Pathways: The Subdivision must use either a linked pathway system or a sidewalk located on both sides of the street.
1. If pathways are used, the pathway shall be at least ten (10) feet in width and a minimum of four (4) inches of rolled crushed rock. The Proprietor of the lot or the homeowners association shall maintain pathways.
 2. If sidewalks are used, sidewalks shall be at least four (4) feet in width. The City shall maintain sidewalks. Details and sections of sidewalks and where they will connect to the streets must be shown on the preliminary plat.
 3. All sidewalks and pathways shall be open to the public. The Public Works Director and/or City Engineer shall approve pathways and sidewalks.
- J. No Parking: No parking shall be permitted on streets in the Subdivision during the hours of 11:00 p.m. to 7:00 a.m.
- K. Sewer and Water Hookup: All lots in the Subdivision shall hook up to the City sanitary sewer and to the existing water system serving the City generally.
- L. Open Space:
No lots for building are allowed within the first one hundred feet (100') from any road that abuts the subdivision. This shall be open or common area only. If the natural existing landscaping meets the minimum landscaping listed below, no additional landscaping in this area of the subdivision will be required.
1. Abutting any exterior road there shall be a minimum of one (1) tree, 3" (3 inch) diameter, planted approximately every thirty (30) lineal feet in addition to grass, bushes, plantings, decorative rocks or bark chips.

2. Trees shall be placed in such location and/or of a limited growth species so as to prevent interference with any existing or potential future overhead utility lines.
3. Any scrub treatment shall be in the form of a deciduous hedge, in a continuous alignment spaced three (3) feet on the center with height of three (3) feet, at the time of planting.
4. Earthen berms, if included, shall be of grass or wood chip cover and be a minimum of three (3) feet in height from surrounding grade.
5. Landscaping materials shall be selected and placed so that the safe and enjoyable use of surrounding properties is not inhibited.
6. Landscaping with thorns, berries, and other harmful plant characteristics shall be carefully placed to avoid potential harm to people or property on-site or off-site.
7. Maintenance shall be the responsibility of the Homeowners Association, or Proprietor, to maintain in a neat, clean, and adequate manner the landscaping, buffer zones and/or berms. Failure to do so and to remedy any violations within thirty (30) calendar days of receipt of written notice from the City shall be considered a finable offense under the City of Pekin Municipal Code.
8. All landscaping shall be submitted on the preliminary plat to the Planning Commission for approval.

M. Buffer Zones:

1. In any RE zoning district, there shall be a minimum of one hundred (100') feet from all rear and side property lines that abut subdivision boundaries, for an open or common area, or paths. If there are paths or walkways in this area, they must abut the inner lot line of the property.
2. In any RE zoning district, there shall be a one-hundred foot (100') open or common area between the RE Zoning District and any other zoning district other than a single-family zoning district. There shall be a two hundred feet (200') open or common area between an RE district and any non-single family zoning districts.

N. Trees:

Existing trees near street right of way and within the subdivision shall be preserved by the Developer.

CHAPTER 7

VARIANCES

SECTION:

10-7-1: Variance for Hardship

10-7-2: Variance for Complete Community

10-7-1: **VARIANCE FOR HARDSHIP:** The Governing Body may authorize a variance from these regulations when, in its opinion, undue hardship may result from strict compliance and provided the variance does not pertain to the requirements of the Zoning Title. In granting any variance, the Governing Body shall prescribe only conditions that it deems necessary to or desirable for the public interest. In making its findings, as required herein below, the Governing Body shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of person to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the Governing Body finds that:

- A. There are special circumstances or conditions affecting said property such that the strict application of the provisions of this Title would deprive the applicant of the reasonable use of his land.
- B. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- C. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

10-7-2: **VARIANCE FOR COMPLETE COMMUNITY:** The Governing Body may authorize a variance from these regulations in case of a plan for a complete community where such development is permitted by the Zoning Title.

CHAPTER 8

FEES AND FLOW CHARTS

SECTION:

10-8-1:Fees and Security Requirements

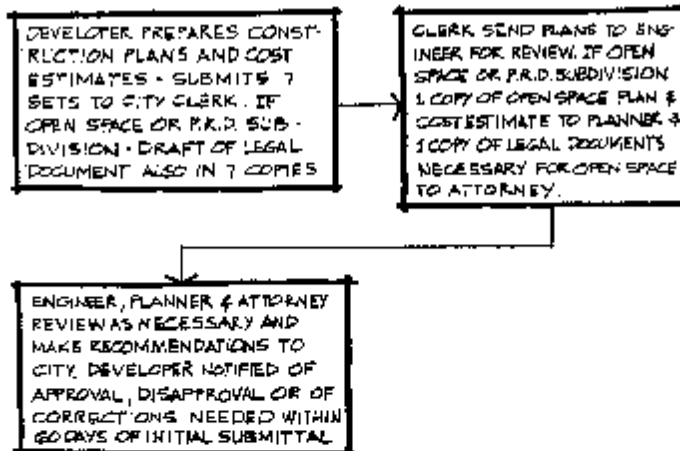
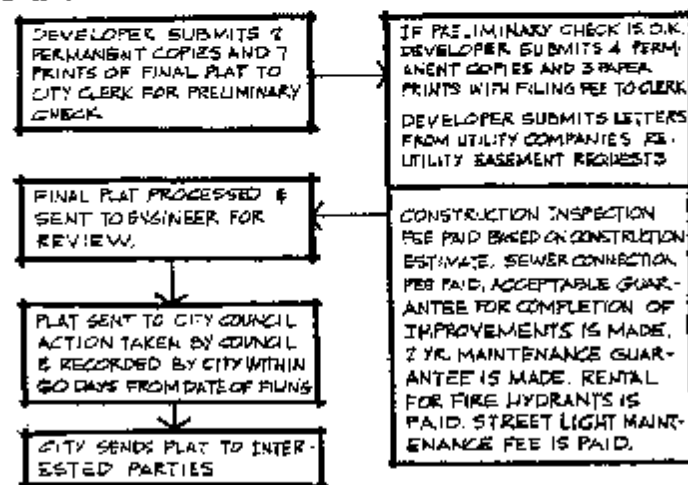
10-8-2:Flow Charts

10-8-1:**FEES AND SECURITY REQUIREMENTS:** See following page for Table A.

10-8-2: **Flow Charts:** See final pages of this Chapter for Stages I through IV set forth on the flow charts.10-8-1 **SUBDIVISION FEES AND SECURITY REQUIREMENTS**¹

Table A (Ordinance 10/25/2004)

		Section of Title 10	City Administrative or Staff Charges	Planning	Engineering	Legal
<u>Area General</u>		10-4-3	\$100.00	\$150.00 + 1.00/acre	\$250.00 + \$1.50/acre	\$100.00
<u>Preliminary Plat Review Fees</u>		10-4-4A3	--	--	--	--
1. Conventional Subdivision Plats (major redesign)	--	--	\$100.00	\$150.00 + \$2.00/lot	\$500.00 + .15/lin. ft. of St.	\$125.00
	--	--	--	\$100.00 + \$1.25/lot	\$250.00 + .10/lin. ft. of St.	\$100.00
2. Multiple-Family Residential Plats (major redesign)	--	--	\$100.00	\$200.00 + \$2.50/lot	\$600.00 + .15/lin. ft. of St.	\$125.00
	--	--	--	\$125.00 + \$1.50/lot	\$300.00 + .10/lin. ft. of St.	\$100.00
3. Planned Residential Development (PRD): - Single-Family (first submittal) - Multiple-Family (first submittal)	--	--	\$100.00			
	--	--	--	\$350.00 + \$1.50/d.u.	\$550.00 + .15/lin. ft. of St.	\$150.00
	--	--	--	\$450.00 + \$2.00/d.u.	\$650.00 + .15/lin. ft. of St.	\$150.00
<u>Construction Drawing Review Fees</u>		10-4-5A				
Fees cover the review of drawings other than residential submitted to the City.			\$100.00	None	\$100.00 first \$50,000 value \$25/\$10,000 value over \$50,000	None
<u>Final Plat Review Fees</u>		10-4-6A	\$100.00	None	\$50.00	None

STAGE III CONSTRUCTION PLANS**STAGE IV FINAL PLAT**

(Ord. 1482, 11-8-81, eff. 12-1-81)

City of Pekin



REQUEST FOR COUNCIL ACTION

To: Honorable Mayor and Members of the City Council
CC: City Manager
City Clerk
Finance & Personnel Departments
From: Community Development Director

AGENDA ITEM: 2008 Action Plan Amendment

AGENDA DATE REQUESTED: May 27, 2008

ACTION REQUESTED: Approval of the amended 2008 Action Plan for the allocation of \$1.1 million Community Development Block Grant funds.

BACKGROUND: In March 2008 the City of Pekin was documented as untimely, for the second consecutive fiscal year, by HUD. The City of Pekin participated in an “informal consultation” on March 25th with Washington, DC and Chicago, IL HUD staff and representation. Washington, DC HUD staff issued correspondence mid to late April concerning the reduction of the current year grant amount by the amount that the City of Pekin was untimely. Therefore, the HUD 2008 fiscal year grant amount will be \$183,506.

During the ‘informal consultation’, HUD officials notified the City of Pekin that it had an additional \$871,859 to expend for fiscal years 2005-2007. Chicago HUD office verified this amount by e-mail on May 2, 2008. A total of \$1,100,365 needs to be reallocated by amendment, in addition to amending the 2008 Action Plan (which was submitted to the Chicago HUD office on March 2008). Please see the attached chart to view the original 2008 Action Plan amounts, the proposed amended 2008 Action Plan, and the HUD program objectives and outcomes.

FINANCIAL IMPACT:

- Please see attached chart for dollar amounts.
- In summary, additional CDBG dollars have been allocated to existing CDBG programs saving City of Pekin General Fund dollars (total of \$134,605). New CDBG programs have been developed (totaling \$90,000). Existing programs have remained at current funding levels or increased funding levels.
- Due to a CDBG regulation cap on the administrative program, 38% of the salary of the Community Development Director (CDD) has been replaced by the general fund (~\$39,000). As a result of the reduced CDBG administrative program, resignation has occurred with CDBG administrative related organizations. Job duties will be added for the City general funded related activities.

NEIGHBORHOOD CONCERNS: additional work will be completed benefiting the low to moderate population of Pekin (39% of City of Pekin population)

IMPACT IF APPROVED: Amended 2008 Action Plan will be sent to Chicago HUD office for approval.

IMPACT IF DENIED: CDBG program will not be funded by HUD.

ALTERNATIVES: none

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: CDBG activities are consistent with the following goals of the conceptual plan – a prosperous community, a strong foundation, a high quality of life and effective government. In addition to the City of Pekin goals in the conceptual plan, HUD requires performance measurement goals, which are listed within the proposed Action plan amendment.

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



City of Pekin
Planning & Development Department

May 8, 2008

RE: Newspaper notification of public review period for the 2008 Action Plan
Amendment

To Whom It May Concern:

Please publish the following information in the legal section:

**2008 COMMUNITY DEVELOPMENT BLOCK GRANT AMENDMENT,
CITY OF PEKIN – PERIOD OF MAY 1, 2008 TO APRIL 30, 2009.**

The City of Pekin's 2008 Community Development Block Grant (CDBG) Action Plan amendment will be available for public review and comment from May 14, 2008 to May 21, 2008 in the Planning & Development Department. This amendment is re-allocating \$1,100,365 of unexpended CDBG dollars to the following HUD eligible projects:

Seal Coating, Rehabilitation, Rehab Program Delivery, Economic Development Finance Assistance program, Traffic Lights Audio Component, CDBG for HOME / SFOOR, Hearing impaired carbon monoxide detectors, Code Enforcement, United Way and Administration.

All comments should be submitted in writing prior to the public hearing. The Planning & Development Department is located on the second floor of the Pekin City Hall building, 111 S. Capitol Street, Illinois.

The public hearing will be held on May 22, 2008 at 5:30pm in the Council Chambers, second floor of the City Hall, 111 S. Capitol Street, Pekin, Illinois. The 2008 Amendment will be presented to Council for approval at the City Council meeting on May 27, 2008 at 5:30pm in the Pekin City Council Chambers.

The Council Chambers are accessible to persons with disabilities. If special accommodations are needed or if there are any questions regarding the 2008 Amendment, please contact Pamela Anderson, Community Development at (309) 477-2300 ext. 5356.

Thank you,

Pamela Anderson; Community Development Director

CC: City Clerk; Sue McMillan; City Manager; Denny Kief; Mayor, Dave Tebben

City of Pekin * Community Development Department
111 S. Capitol St. * Pekin, IL * 61554
phone: (309) 477-2300 * fax: (309) 346-2095
e-mail: panderson@ci.pekin.il.us



Planning & Development Department 2008 ACTION PLAN CDBG AMMENDMENT

Fiscal Year	Project	2008 Action Plan (March 2008)	Amended dollar (May 2008)	Objective	Outcome
2007	Program carry over (ADA Sidewalks, Rehabilitation, Hearing Impaired carbon Monoxide Detectors and Pekin Coalition for Equality)	n/a	\$433,665.25	n/a for amendment	n/a for amendment
2008	Hearing Impaired Carbon Monoxide Detectors within current Rehab program	\$0	\$10,000.00	Decent Housing	availability / accessibility
2008	Seal Coating	\$75,000	\$199,999.00	Suitable living environment	sustainability
2008	Rehabilitation	\$90,000	\$90,000.00	Decent Housing	Sustainability
2008	Rehab Program Delivery	\$98,010	\$98,010	Decent Housing	
2008	Economic Development Financial Assistance Program (EDFAP)	\$0.00	\$55,000	Economic Opportunity	affordability / sustainability
2008	Traffic Signal Audible System	\$0.00	\$25,000	Suitable living environment	accessibility
2008	CDBG for SFOOR	\$48,000	\$48,000	Decent Housing	Sustainability
2008	Code Enforcement	\$28,500	\$38,106.00	Decent Housing	Sustainability
2008	United Way	\$40,000	\$54,779.00	Suitable Living Environment & Decent Housing	affordability / availability / sustainability
2008	Administration	\$82,996	\$45,701.00		
TOTAL:		\$462,506	\$1,098,260		



REQUEST FOR COUNCIL ACTION

To: Mayor Council

CC: City Manager -City Clerk

From: Chief Gillespie

AGENDA ITEM: ordinance change Title 6, Chapter 2, of the code of the City Of Pekin 1995 regarding offenses/misdemeanors. 6-2-11

AGENDA DATE REQUESTED: May 27, 2008

ACTION REQUESTED: 6-2-11-5 Preliminary Hearing. Change the time frame to conduct a preliminary hearing within twenty-four hours (24) hours after the request for preliminary hearing is received by the City; to within seventy-two hours (72) hours.

BACKGROUND: Too cumbersome to schedule the hearing officer to conduct a hearing in 1 days notice.

FINANCIAL IMPACT: \$

NEIGHBORHOOD CONCERNS:

IMPACT IF APPROVED: \$

IMPACT IF DENIED:

ALTERNATIVES:

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 2, SECTION 11
OF THE CODE OF THE CITY OF
PEKIN 1995 REGARDING OFFENCES / MISDEMEANORS
IMPOUNDING VEHICLES**

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

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

WHEREAS, the Code of the City of Pekin 1995, adopted on April 10, 1995, and duly
published in book form, contains within Title 6, Chapter 2 on Offenses/Misdemeanors

WHEREAS, the City Council has determined that it is in the best interests of the City to
amend Title 6, Chapter 2, Section 11 SEIZURE AND IMPOUNDMENT OF VEHICLES the
Preliminary Hearing provision; and

WHEREAS, it is in the best interests of the health, safety, and welfare of the residents of
the City of Pekin, Tazewell County, Illinois that the Police Officers of the City be authorized to
seize and impound motor vehicles under the conditions and subject to the provisions herein
contained:

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

That Title 6, Chapter 2, Section 11, Subsection 5 of the Code of the City of Pekin,
Tazewell County, Illinois be, and the same hereby is, amended by deleting under 6-2-11-5
PRELIMINARY HEARING the first paragraph, thereby replacing the words Twenty-four (24)
hours and substituting seventy-two (72) business hours, not including weekends and holidays, so
that it reads as follows:

“Where the owner of a motor vehicle seized under the provisions of this Chapter requests
a preliminary hearing within twelve (12) hours after the seizure of the motor vehicle, a
hearing officer of the City must conduct a preliminary hearing within seventy-two (72)
business hours after the request for preliminary hearing is received by the City; not including
Saturdays, Sundays, or legal holidays. For purposes of this Section, the following shall
apply: ...”

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

BE IT FURTHER ORDAINED that this Ordinance takes precedence over and supercedes any and all Ordinances or parts of ordinances in conflict herewith.

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

BE IT FURTHER PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this ____ day of _____, 2008; and upon roll call the vote was as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING: _____

APPROVED this ____ day of _____, 2008.

MAYOR

ATTEST:

EMPLOYMENT AGREEMENT

AGREEMENT made this___ of _____,2008, by and between the CITY OF PEKIN, an Illinois Municipal Corporation, ("Employer") and DENNIS KIEF ("Employee").

The parties agree as follows:

1. POSITION AND TERM. Employer agrees to employ Employee as its City Manager, effective as of May 1, 2008 through April 30, 2012. Employee agrees to serve as City Manager effective as of May 1, 2008 through April 30, 2012 in accordance with the attached position description and as may be directed by the Mayor or City Council from time to time.

2. PENSION PLAN (IMRF/ICMA-RC). Employee shall be a participant in the Illinois Municipal Retirement Fund ("IMRF"), and Employer shall contribute to the fund on behalf of the Employee in the same manner as required by law for all other municipal employees participating in the IMRF. Additionally, Employer agrees to continue to make payments to the ICMA-RC retirement account for the benefit of Employee in the monthly amount of \$350.00, commencing May 1, 2008 and continuing through April 30, 2012.

3. SALARY. Employee's base annual salary shall be \$107,625.00 (2.50% increase from FY 2008) for the period from May 1, 2008 to April 30, 2009. Employee's annual salary for the period from May 1, 2009 to April 30, 2010 shall be \$109,777.50 (2.00 increase from FY 2009). Employee's annual salary for the period from May 1, 2010 to April 30, 2011 shall be \$111,973.05 (2.00% increase from FY 2010). Employee's annual salary for the period from May 1, 2011 to April 30, 2012 shall be \$114,212.51 (2.00% increase from FY 2011). Salary will be paid on the same periodic basis as used, from time to time, to compensate other department heads of the City.

4. CONTINUING EDUCATION. Employee agrees to continue his Professional Development Training, such as LEADS and/or ICMA. Employer agrees to reimburse Employee for all educational expenses, including travel and lodging upon Employee's successful completion of such course or program.

5. PERFORMANCE EVALUATION. The Council shall review and evaluate the performance of Employee at least once annually in the month of April during the term of this agreement. Said review and evaluation shall be in accordance with specific criteria developed mutually between Employer and Employee. Said criteria may be added to or deleted from as the Council may from time to time determine, in consultation with the

Employee. It is further agreed that the Mayor shall provide the Employee a written summary of the findings of the Council and provide adequate opportunity for the Employee to discuss his evaluation with the Council.

6. SICK LEAVE. Employee has accrued approximately 1,750 hours of sick leave under his previous Employment Agreement with Employer. In addition, Employee shall continue to accrue sick leave benefits at the highest rate granted the Employer's most senior non-union employee.

7. VACATIONS AND HOLIDAYS. As an inducement to Employee for him to become the City Manager, Employee shall accrue and have credited to his personal account vacation at the highest rate granted the Employer's most senior non-union employee who have accrued 20 years of employment service as of May 1, 2004. Unused vacation cannot be carried forward to the next year. Employer shall provide Employee the same holidays and number of Personal days as the Employer shall provide other non-union employees

8. GENERAL INSURANCE. Employer shall provide Employee the same group hospital, medical, dental and life insurance benefits as provided to all other management employees in the same manner as provided for department heads of the City. Effective May 1, 2008, the Employee shall pay \$75.00/month for family medical insurance. This shall increase to \$108.00/month on May 1, 2009, \$125.50/month on May 1, 2010 and \$186.00/month on May 1, 2011. Should the other employee's average premium amounts differ significantly, these amounts shall be altered by the City Council on an annual basis. Employee is entitled to disability benefits as maybe applicable to all employees who participate in the IMRF.

9. DUES AND SUBSCRIPTIONS. Employer shall budget and pay the professional dues and subscriptions for Employee which are necessary for Employee's continued participation in national, regional, state and local associations and desirable for Employee's continued professional participation, growth and advancement. Such payments shall be approved by the City Council as part of the annual budget/appropriation process.

10. AUTOMOBILE. Employee shall be paid a monthly allowance for use of his personal automobile for Employer business within the State of Illinois at such rate as may be fixed from time to time by Employer (current rate of \$200.00 per month to increase to \$250.00 per month effective June 2008). If Employee uses his own automobile for Employer business outside this area, then Employer shall reimburse employee for the business use of his personal automobile on a per mile basis and at a rate equal to the maximum Internal Revenue Service rate.

11. TERMINATION BENEFITS.

A. Termination by Employer Without Cause. In the event that the Employee is terminated without cause by the Employer between May 1, 2008 and April 30, 2012, during such time that the Employee is willing and able to perform the duties of City

Manager, then in that event, Employer agrees to continue the salary of the Employee for a period of twelve (12) months.

During such periods of salary payments, the Employer shall continue to provide and pay for group hospital, medical, dental and life insurance benefits for the duration of such salary extension.

The Employee shall continue to fulfill the duties and obligations of the City Manager during such period of salary extension unless specifically relieved of such responsibility by resolution of the City Council.

If Employer at any time during the employment term reduces the salary or other financial benefits of Employee in a greater percentage than across-the-board reduction for all nonunion employees, or if Employer refuses, following written notice, to comply with any other provisions of this Agreement benefiting Employee or Employee resigns following a formal suggestion by Employer that he resign, then Employee may, at his option, be deemed to be terminated on the effective date of Employee's resignation and the Employee shall also be entitled to receive the termination benefits set forth above.

B. **Termination by Employer for Cause.** This Employment Agreement may be terminated by the Employer for cause, and by delivering a thirty (30) day written notice to Employee stating specifically the cause of termination. In case of termination for cause, there shall be no termination pay or benefits due. Cause under this Employee Agreement is limited to the following:

(i) Employee is adjudicated by a court of competent jurisdiction to be guilty of fraud, dishonesty or other similar acts of misconduct.

(ii) Employee persistently fails or refuses to faithfully or diligently perform the duties to be performed by him hereunder to the material detriment of the Employer.

C. **Termination by Employee.** If Employee voluntarily resigns his position with Employer between May 1, 2008 and April 30, 2012, Employee agrees to give the Employer sixty (60) days advance notice. If Employee voluntarily resigns his position with Employer, there shall be no termination pay or benefits due to Employee.

12. **GENERAL CONDITIONS OF EMPLOYMENT.** Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employer to terminate the services of Employee at any time, for any reason, subject only to the provisions of this Agreement. Furthermore, nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time from position with Employer, subject only to the provisions of this Agreement. If Employee voluntarily resigns from his position with Employer, there shall be no payment to Employee for termination benefits as set forth in Paragraph 11 of this Agreement.

It is further agreed between Employer and Employee that the previous agreement entered into between Employer and Employee dated the 12th day of June, 2006, is hereby terminated and of no further force and effect. Both Employer and Employee acknowledge that each party is relieved of any further obligations under said agreement.

IN WITNESS WHEREOF, Employer has caused this Agreement to be signed and executed on its behalf by its Mayor and City Clerk, and Employee has signed this Agreement, in duplicate, the day and year first written above.

EMPLOYER:

CITY OF PEKIN,

By _____
Mayor

ATTEST:

City Clerk

EMPLOYEE:

DENNIS KIEF