City of Pekin

REGULAR COUNCIL MEETING MONDAY, MAY 9, 2011
5:30 P.M.

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE *Mayor Rusty L. Dunn*		
3.0 ROLL CALL *Clerk to Call the Roll*		
4.0 APPROVAL OF AGENDA ***ACTION:*** *Motion to approve the meeting agenda.* ***VOTE REQUIRED***		
5.0 APPROVAL OF MINUTES ***ACTION:*** *Motion to approve minutes of Regular Council Meeting of April 25, 2011.* ***VOTE REQUIRED***		
6.0 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.*		
7.0 CONSENT AGENDA		
7.1 Receive and File Monthly Reports and Minutes: Liquor Commission unapproved minutes dated April 28, 2011.		5
7.2 Receive and File Illinois Secretary of State Certificate of official 2010 Decennial Census figure 34,094		1
ACTION: *Motion to approve all items listed on the Consent Agenda by Omnibus Vote.* ***VOTE REQUIRED TO APPROVE CONSENT AGENDA***		
8.0 NEW BUSINESS		
8.1 Pekin Airport East Ramp Rehabilitation Project **DESCRIPTION:** Two bids received for the mill and resurface of the general aviation ramp. Funding is 95% federal and city/state split of 5%. **ACTION:** Motion to accept the low bid in the amount of $346,290.59 and award the contract to R.A. Cullinan & Son. **VOTE REQUIRED**	JW	3

8.2 Amendment No. 1 To Agreement for Engineering Services for the WWTP #1 Phase 2 Improvements **DESCRIPTION:** Amend Farnsworth Group design engineering agreement to incorporate language concerning Discrimination and Disadvantaged Business Enterprises as required to receive financial assistance from the IEPA. There is no cost for the change. **ACTION:** Motion to approve the Amendment. **VOTE REQUIRED**	JW	3
8.3 Resignation of Council Member Barra **DESCRIPTION:** Council Member Barra formally presents her resignation as Council Member and relinquishes her seat to be sworn in as Mayor. **ACTION:** Motion to accept the resignation. **VOTE REQUIRED**	LB	5
9.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL **9.1** Council Members **9.2** Staff **9.3** Public Questions **9.4** Press Time		
10.0 EXECUTIVE SESSION 5 ILCS 120/2 (c)		
11.0 ADJOURN SINE DIE **ACTION:** Motion to adjourn. **VOTE REQUIRED**		

SWEARING IN OF NEWLY ELECTED COUNCIL

REGULAR COUNCIL MEETING MONDAY, MAY 9, 2011
Approximately 5:30 P.M.

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE *Mayor Laurie L. Barra, Maddison, Cameron, and Brayden*		
3.0 ROLL CALL *Clerk to Call the Roll*		
4.0 APPROVAL OF AGENDA		

ACTION: *Motion to approve the meeting agenda.* ***VOTE REQUIRED***		
5.0 APPROVAL OF MINUTES		
6.0 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.*		
7.0 CONSENT AGENDA		
8.0 NEW BUSINESS **8.1 Resolution No. 1-11/12 – Mayor Pro-Tem and Alternate Appointments** **DESCRIPTION:** Pursuant to Resolution 22-07/08, City Code 1-5-3 F. and 65 ILCS 5/3.1-35-35 the elected Mayor appoints a Council Member to the position of Mayor Pro-Tem and an Alternate to preside in her absence. **ACTION:** Motion to adopt the Resolution. **VOTE REQUIRED**	LB	5
9.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL **9.1** Council Members **9.2** Staff **9.3** Public Questions **9.4** Press Time		
10.0 EXECUTIVE SESSION 5 ILCS 120/2 (c)		
11.0 ADJOURNMENT With no further action to come before the Council the Mayor declares meeting closed in open session. **NO VOTE REQUIRED**		

Column 1 Key:

LB Laurie Lowman Barra, Mayor
JW Joe Wuellner, Public Works Director

Column 2 Key:

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

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PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, APRIL 25, 2011 AT 5:30 O'CLOCK P.M.
RUSTY L. DUNN, MAYOR PRESIDING

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

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

Roll was called and all Council Members were present except Council Member Blanchard.

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

MINUTES
Motion by Council Member Abel, seconded by Council Member Schmidgall, that the **minutes of the Regular City Council Meeting of April 11, 2011 be approved as written.** On roll call vote, all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS
Melida Heien Executive Director of Main Street, requested Council to vote in favor of the Downtown TIF Development Project. She spoke in support of the Developer Todd Thompson, noting his examples of investment and commitment to downtown in the completed buildings in the 300 Block.

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

7.1 Receive and File Monthly Reports and Minutes: Fire Department, Building Department, and Tazewell County Animal Control March 2011 Reports.
7.2 Proclamations: Ambucs Charity Auction May 6, 2011 Dragon Pride Week – May 1, 2011 National Youth Week – May 1, 2011
7.3 Receive and File Pekin Planning Commission Minutes Dated April 13, 2011.
7.4 Receive and File Pekin Planning Commission Hearings: a. Hearing #11-1830 Recommends to approve Special Use for Outdoor Flea Market at 229 Washington Street. b. Hearing #11-1831 Recommends to approve Site Plan for Outdoor Flea Market at 229 Washington Street.

On roll call vote, all present voted Aye.

NEW BUSINESS
Motion by Council Member Kortkamp, seconded by Council Member Barra, that the **CONTRACT FOR DEVELOPMENT pursuant to the Pekin Plan for Tax Increment Area No. 1 be approved**. City Manager Frank Mackaman presented plans implemented by direction of Council in a quality of life investment in the Central Business District. The manager highlighted the terms of agreement with developer, 353 Court LLC for stabilizing and rehabilitating four buildings in the 200 block of Court Street in Phase I. The City would pay the Redeveloper in 5 installments of $120,000 of TIF funds contingent on the work completed to the construction schedule. Developer Todd Thompson addressed the Council's questions on possible tenant opportunities. Council Members generally spoke in praise of the project and vision of Todd Thompson and Steve Foster. On roll call vote all present voted Aye.

Two projects were presented as recommended by the Main Street Design Committee for approval for the eligible amounts under the guidelines of the program.

Motion by Council Member Kortkamp, seconded by Council Member Abel, that the **FAÇADE PROGRAM FOR ADVANCED VIDEO PRODUCTIONS at 223 Court Street in the amount of $12,500, be approved.** On roll call vote all present voted Aye.

Motion by Council Member Kortkamp, seconded by Council Member Strand, that the **FAÇADE PROGRAM FOR HAMM'S FURNITURE at 347 Court Street in the amount of $9,160.50, be approved.** On roll call vote all present voted Aye.

Motion by Council Member Barra, seconded by Council Member Kortkamp, that the **SPECIAL USE FOR OUTDOOR SALES FLEA MARKET at 229 Washington Street be approved** with the stipulation that it is reviewed for renewal with the site plan in one year by the Pekin Planning Commission on April 30, 2012 and the event only takes place on Saturdays from 7:00 a.m. – 5:00 p.m. Code Enforcement Officer Ron Sieh presented the recommendation of the Pekin Planning Commission. Parking, not all hard surface, and number of participants questions and concerns of Council were addressed. Council Members spoke generally in support of a venture that had no history to base success or degree of problems. On roll call vote all present voted Aye.

Motion by Council Member Barra, seconded by Council Member Abel, that the **SITE PLAN without any consideration of a useable sidewalk FOR OUTDOOR SALES FLEA MARKET with primary address as 229 Washington Street be approved.** On roll call vote all present voted Aye.

Motion by Council Member Schmidgall, seconded by Council Member Kortkamp, that the **PRELIMINARY ENGINEERING REIMBURSEMENT AGREEMENT with Panhandle Eastern Pipe Line Company, LP in the amount of $32,100.00, be approved.** Public Works Director Joseph Wuellner presented the terms of the utility company to design the replacement gas transmission line to withstand construction of Veterans Drive north. He indicated the design had to be done by the company and the terms of the agreement gave the price to perform the work. There was no option since there was no alignment that could be taken to avoid crossing the line. On roll call vote all present voted Aye.

Motion by Council Member Schmidgall, seconded by Council Member Barra, that the **AGREEMENT FOR PROFESSIONAL SERVICES with Farnsworth Group in the amount of $21,290.00 for services to establish a compost site be approved.** Council was informed that the contract was necessary to study the utilization of city owned property at the end of Brenkman Drive as an option to continue composting yard waste locally. The present agreement with D. J. Mahoney, Inc. would expire in January 2012. It was recommended, due to IEPA permitting steps, that the engineering be started right away. On roll call vote all present voted Aye.

RESOLUTION NO. 93-10/11

Motion by Council Member Strand, seconded by Council Member Barra, that Resolution No. 93-10/11 Appropriating MFT Funds in the amount of $620,000 for annual street costs, be adopted. Council was advised by Mr. Wuellner that the resolution was the formal step submitted to IDOT for use of funds for maintenance items for street operations items, salt, electricity, tree service, etc. On roll call vote all present voted Aye.

RESOLUTION NO. 94-10/11

Motion by Council Member Strand, seconded by Council Member Abel, that Resolution No. 94-10/11 Appropriating MFT Funds in the amount of $85,000 for Sheridan Road Bridge design, be adopted. Mr. Wuellner also advised Council of a second resolution to utilize motor fuel tax funds for the engineering work in replacing the structure that was approved at the last council meeting. On roll call vote all present voted Aye.

Motion by Council Member Barra, seconded by Council Member Kortkamp, that the **AGREEMENT FOR ANNUAL MAINTENANCE OF MUNICIPAL STREETS with Illinois Department of Transportation IDOT in the amount of $83,683.02, be approved.** Communication was presented to Council for acceptance of the annual 12 month increment of a contract through June 30, 2015 with IDOT for reimbursement for maintenance provided by the City Street Department on State highways. The computation for the period of July 1, 2011 to June 30, 2012 was an increase of $2,521.52 over FY2010. On roll call vote all present voted Aye.

REVISED POLICY NO. 12-10/11

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE CHARTER

Motion by Council Member Barra, seconded by Council Member Kortkamp, that Revised Policy No. 12-10/11 be adopted. Economic Development Director Leigh Ann Matthews recommended the 2nd amendment to the EDAC committee charter to provide increased number of members from 11 to 13. It also revised the language regarding staggered terms. On roll call vote all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Mayor Dunn

- Announced Annual AMBUC's Auction on Friday, May, 6, 2011 at 5:00 p.m.
- Informed the public that several Statements of Interest for the vacant Council seat upon the resignation of Mayor Elect Barra had been received. Final acceptance would be Wednesday, April 27, 2011 at 5:00 p.m.
- Encouraged participation in the YWCA Stand Against Racism events on Friday, April 29, 2011 at 11:00 a.m. on the Court House lawn.

Council Member Abel asked for the community's financial support of Jordan Davis in her quest for the Miss Illinois crown July 2, 2011.

Public Works Director informed the public that the new Hawk traffic signals would be operation for pedestrian crossing at Coal Miners Park. He warned to use cautious as the motorist become aware of the flashing yellow and flashing red arrows.

Public Input

Ivan Crossman, 1410 Valle Vista requested that the Traffic Safety Committee review the parking issue at Parkway and Willow intersection.

Tim Golden read a response he received from the International Code Council regarding interpretation of the 2006 Building Code in respect to the Eastside Fire Station code compliant material use. He questioned why the City inspectors did not obtain a free interpretation but rather the City relied on a $7,000.00 independent consultant report. Mr. Golden felt the interior furring channels were being used in an exterior application. Attorney Dancey read the final paragraph of the submitted document in which the ICC stated the response was only advisory information.

No further business to come before the Council, Mayor Dunn adjourned the meeting in open session.

COUNCIL ADJOURNED AT 6:25 P.M.

Sue E. McMillan

City Clerk

LIQUOR COMMISSION MINUTES
THURSDAY, APRIL 28, 2011
4:00 P.M.
COUNCIL CHAMBERS

Deputy Liquor Commissioner Rick VonRohr called the meeting to order at 4:03 p.m.

PLEDGE of ALLEGIANCE
Fire Chief Kurt Nelson

ROLL CALL
The following members were present for roll call: Liquor Commissioner Rusty Dunn, Interim Police Chief Greg Nelson, Fire Chief Kurt Nelson, Deputy Liquor Commissioner Rick VonRohr and Commissioner Dale Vonderheide.

Also present: Corporation Counsel Sue Bosich, Mayor-Elect Laurie Barra and City Clerk Sue McMillan.

APPROVAL OF AGENDA
Motion made by Commission Member Vonderheide to approve the Agenda of April 28, 2011, seconded by Fire Chief Kurt Nelson. On roll call vote all present voted Aye. Motion Carried.

APPROVAL OF MINUTES
Motion made by Interim Police Chief Nelson to approve them March 24th Liquor Commission Minutes, seconded by Deputy Liquor Commissioner VonRohr. On roll call vote all present voted Aye. Motion carried.

PUBLIC INPUT/COMMENTS/QUESTIONS
Melida Heien – Pekin Mainstreet – regarding 5013C status for downtown Special Events. Ms. Heien would like the Commission to consider changing the Liquor Code for Special Events being held downtown. Now as it stands – only Not-for-Profit groups can hold Special Events at the downtown area. All others use the Event Meadow or North of the Pier. Melida states that the 5013C status for Not-for-Profit groups is a lengthy process with the State of Illinois and Internal Revenue Service. There are groups out there that are getting a Not-for-Profit registration with the State that is not a 5013C and utilizing the downtown for Benefits. Ms. Heien feels these benefits are not helping the downtown area as a whole – the money raised is going to one individual and not back into the community.

Discussion: Commission stated more people at downtown events benefits all the people and businesses. Commission decided to not change the Liquor Code on the section for Not-for-Profit Special Events to be held downtown.

Special Events One Day Liquor License Application - City Clerk Sue McMillan – seems most filling out this application has a hard time, not very user friendly and as clear as it could be.

Melida Heien – Pekin Mainstreet thinks this Special Events application could be made simpler – she did not feel her personal information was necessary on the form – she felt she would be liable instead of Pekin Mainstreet.

Discussion: Corporation Counsel Sue Bosich stated that her and retired Police Chief Ted Miller re-did this application to keep Pekin's Liability down. This was geared more for out-of-towners holding Special Events.

Suggestions were to help individuals filling out the form – and also for Ms. Heien with Pekin Mainstreet to set-up the Special Events application on her computer already filled out and just changed dates and times.

NEW BUSINESS
Dispositions:

- Roadhouse Bar & Grill – Randy Struben and Crystal Rife – 930 S. 2nd Street. Plead Guilty of charges on both offenses.

Corporation Counsel Sue Bosich read the charges for the record – 1st charge dated February 16th, 2011. There were 7 violations from the State Liquor Commission Sting by Mr. Schweppe. Violation of Happy Hour, Two counts of Gambling, Purchasing alcohol at retail, marrying like brands/refilling bottles.

Corporation Counsel Sue Bosich read the charges for the record – 2nd charge dated March 19th, 2011. This charge was a City Ordinance violation 3-3-8; licensee failed to report an altercation that occurred on the licensed premises.

Randy Struben, owner spoke on behalf of Roadhouse Bar & Grill. Stated that bartender Glenda, daughter of Crystal Rife was barred from the bar – apologized to the Commission. Stated new to the bar business and didn't know the requirements on gambling. Mr. Struben stated he had paid a $700 fine to the State.

Discussion: It was suggested by the Commission that Mr. Struben talk with the State Liquor Commission and find out all rules and regulations of gambling. It was also stated that any time there is an altercation they need to call the police.

Deputy Liquor Commissioner Rick VonRohr made a motion to fine Roadhouse Bar & Grill $500, plus Attorney fee's and cost on the 1st Offense dated February 16th, 2011. Seconded by Police Chief Greg Nelson. On roll call vote all present voted Aye. Motion carried.

Police Chief Greg Nelson made a motion to fine Roadhouse Bar & Grill $1,000, plus Attorney fees and cost on the 2nd Offense dated March 19, 2011. Seconded by Liquor Commission Rusty Dunn. On roll call vote all present voted Aye. Motion carried.

- Pekin Boat Club – Robbie Bass and Steve Sangalli – Cooper's Island. Plead Guilty on the charges.

Corporation Counsel Sue Bosich read the charges for the record – 5 violations with the State Liquor Commission sting by Mr. Schweppe. Violation of disagreement between taps and the brands and 5 counts of Gambling.

Discussion: Robbie Bass spoke on behalf of the Pekin Boat Club. Mr. Bass stated all violations have been resolved with the State Liquor Commission. He asked that the Liquor Commission take into consideration this has been their 1st Offense. Thanked the Commission.

Deputy Liquor Commissioner Rick VonRohr made a motion to fine the Pekin Boat Club $500, plus Attorney fee's and cost. Seconded by Commission Member Dale Vonderheide. On roll call vote all present voted Aye. Motion carried.

- Hole in the Wall – Louie Eertmoed – 214 N. 5th Street. Plead guilty on the charges.

Corporation Counsel Sue Bosich read the charges for the record – Violations of Gambling dated April 11, 2011 from State Liquor Commission sting by Mr. Schweppe. Ms. Bosich did not file charges on 2 offenses; 1 being a retail sign with name of licensee which was removed and 1 being that an employee threw the requested item from Mr. Schweppe in the garbage can.

Deputy Liquor Commissioner Rick VonRohr made a motion to fine The Hole in the Wall $500, plus Attorney fee's and cost. Seconded by Fire Chief Kurt Nelson. On roll call vote all present voted Aye. Motion carried

- The Clubs at Sunset Hills – Dianne Gresham and Kepp Gresham – 1620 Summit Drive. Plead guilty to the charges.

Corporation Counsel Sue Bosich read the charges for the record –Violations with the State Liquor Commission sting by Mr. Schweppe. Violation of Purchasing alcohol at retail and Gambling on April 11, 2011.

Discussion: Kep Gresham, General Manager did not understand the Rules and Regulations of the violations from the State until they were explained in detail. This has been their only violation.

Fire Chief Kurt Nelson made a motion to fine The Clubs at Sunset Hills $500, plus Attorney fee's and cost. Seconded by Commission Member Vonderheide. On roll call vote all present voted Aye. Motion carried.

Any Other Business
Deputy Liquor Commissioner spoke with the new Mexican Restaurant owners Victor and Gilberto Fuentes regarding their application for a Liquor License. We are still waiting on the background check of Victor

Deputy Liquor Commissioner VonRohr thanked Liquor Commissioner Rusty Dunn for serving on the Commission and also welcomed Mayor-Elect Laurie Barra as the new Liquor Commissioner. All members were in agreement.

Corporation Council Sue Bosich asked the Commission how they felt about issuing a renewal Liquor License to Koch Street Bar & Grill, Inc. Bosich received a phone call from Attorney Jerry Hall regarding the death of the owner and that the son will retain the bar – but it's in probate, which could take several months. The son will get new insurance, new lease, and use the same Corporation. He can also provide the death certificate of the father if necessary.

Liquor Commission members had no problems with renewing this liquor license.

City Clerk Sue McMillan asked if the new Liquor Commissioner would have to appoint or re-appoint the Deputy Liquor Commissioner. Newly elected, May 9th, 2011 Liquor Commissioner Laurie Barra will re-appoint Deputy Liquor Commission Rick VonRohr to the Liquor Commission.

Liquor Commissioner Rusty Dunn thanked everyone for one of the "Best" Commissions that he has served on.

Meeting adjourned at 5:45pm
Next Meeting: May 26th at 4:00pm
Respectfully submitted by Paula Gensel

State of Illinois
Executive Department

CERTIFICATE

To All To Whom These Presents Shall Come, Greeting:

WHEREAS, Section 1-7-2 of the "Illinois Municipal Code", provides that the Secretary of State shall certify to each municipality the number of its inhabitants as shown by the latest census taken by authority of the United States; and

WHEREAS, a copy of the 2010 Decennial Census taken April 1, 2010 has been filed in my office; and

WHEREAS, it appears from such certificate that the **City of Pekin**, has **34,094** inhabitants.

NOW THEREFORE, I, JESSE WHITE, Secretary of the State of Illinois, do hereby certify that the number of inhabitants of the

City of Pekin is **34,094**.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois. Done at the City of Springfield, April 26, 2011.

Jesse White

Secretary of State

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE • Secretary of State

April 26, 2011

To All Illinois Incorporated Municipalities:

The official 2010 Decennial Census figures were received March 3, 2011 and a Certificate indicating the number of inhabitants of your municipality is enclosed.

Questions regarding the Census figures should be directed to the United States Department of Commerce, Economics and Statistics Administration, U.S. Census Bureau, Washington, DC 20233-0001. Their telephone number is 301-763-4039.

Sincerely,

Jacqueline Price

Jacqueline Price, Director
Index Department

Enclosure

Index Department, Secretary of State
111 East Monroe St., Springfield, Illinois 62756
(217) 782-7017

Pekin
ILLINOIS

REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & City Manager

From: Joseph W. Wuellner, Public Works Director

AGENDA ITEM: Low Bid Acceptance - Pekin Airport East Ramp Rehabilitation Project

AGENDA DATE REQUESTED: May 9, 2011

ACTION REQUESTED: Accept the low bid of $346,290.59 from R. A. Cullinan & Sons for the rehabilitation of the east ramp.

DESCRIPTION: Project is to mill and resurface the east half of the general aviation ramp at the Pekin Airport. There were actually two bidders for this project this time. Funding for the project is 95% Federal Allotment Funding with the City and State splitting the remaining 5%. The City's portion will be coming out of the refund for the property acquisition made in the late 90's. Bid was $5,184 below the engineer's estimate. Therefore, I recommend accepting the low bid for this project.

FINANCIAL IMPACT: In the budget but should not be needed.

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: IDOT will award the project and work can commence

IMPACT IF DENIED: IDOT will not award the project and no work will commence

ALTERNATIVES: None

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

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

REQUIRED SIGNATURES
Department Director: Date: 5/2/11
Finance Department (Certification of Availability of Funds): Date: 5-2-11
Corporation Counsel: Date: 5-3-11
City Manager: Date: 5.3.11

Lake Zurich, IL 60047

1305 Curran Contracting Company
286 Memorial Court
Crystal Lake, IL 60014 557,740.41

1626 T & W Edmier Corp.
249 West Lake Street
Elmhurst, IL 60126

3020 J. A. Johnson Paving Company
1025 East Addison Court
Arlington Heights, IL 60005 709,520.85

4696 Payne & Dolan, Inc.
28327 W. Rte. 173
Antioch, IL 60002 595,933.83

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003A CONTRACT: P0016 AIRPORT NAME: PONTIAC MUNICIPAL
CITY: PONTIAC COUNTY: LIVINGSTON
AIP NO.: 3-17-0148-B8 ILL. PROJ.: PN-T -4107
NBR FOR BID PROPOSALS ISSUED: 2 NBR FOR BID PROPOSALS RECEIVED: 2

CONSTRUCT APPROACH PAVEMENTS

1690 H. J. Eppel & Co.
1400 Tuesburg Court
Pontiac, IL 61764-1260 80,900.00

5907 T & T Cartage, Inc.
104 Park Road
P.O. Box 588
Herscher, IL 60941-0588 83,385.10

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004A CONTRACT: PN006 AIRPORT NAME: PEKIN MUNICIPAL
CITY: PEKIN COUNTY: TAZEWELL
AIP NO.: 3-17-0078-B12 ILL. PROJ.: C1-5 -4074
NBR FOR BID PROPOSALS ISSUED: 3 NBR FOR BID PROPOSALS RECEIVED: 2

REHABILITATE EAST PORTION OF THE GA RAMP

0049 Advanced Asphalt Co.
308 West Railroad Avenue
P.O. Box 234
Princeton, IL 61356-0234 375,404.50

1284 R.A. Cullinan and Son, A division of
United Contractors Midwest, Inc.
121 West Park
P.O. Box 166
Tremont, IL 61568 346,290.59

1799 Fischer Excavating, Inc.

1567 Heine Rd.
Freeport, IL 61032

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005A CONTRACT: SH024 AIRPORT NAME: SCHAUMBURG REGIONAL
CITY: SCHAUMBURG COUNTY: DUPAGE
AIP NO.: 3-17-0124-B29 ILL. PROJ.: 06-C -4050
NBR FOR BID PROPOSALS ISSUED: 7 NBR FOR BID PROPOSALS RECEIVED: 6

REHABILITATE T-HANGAR PAVEMENTS

0103 Alliance Contractors, Inc.
1166 Lake Avenue
Woodstock, IL 60098 344,723.55

0231 Arrow Road Construction Company
3401 S. Busse Road
P.O. Box 334
Mt. Prospect, IL 60056-0334

1560 R. W. Dunteman Company
600 S. Lombard Rd.
P. O. Box 1129
Addison, IL 60101-1129 323,576.49

3020 J. A. Johnson Paving Company
1025 East Addison Court
Arlington Heights, IL 60005 280,708.50

3315 A. Lamp Concrete Contractors, Inc.
1900 Wright Boulevard
Schaumburg, IL 60193 228,548.55

4813 Plote Construction Inc.
1100 Brandt Drive
Hoffman Estates, IL 60192 297,069.05

5378 Schroeder Asphalt Services, Inc.
11022 Grant Hwy.
Marengo, IL 60152
P.O. Box 831
Huntley, IL 60142 278,707.00

****
006A CONTRACT: LI032 AIRPORT NAME: LITCHFIELD_MUNICIPAL
CITY: LITCHFIELD COUNTY: MONTGOMERY
AIP NO.: 3-17-0063-B17 ILL. PROJ.: 3L-F -4046
NBR FOR BID PROPOSALS ISSUED: 3 NBR FOR BID PROPOSALS RECEIVED: 1

CONSTRUCT PARTIAL PARALLEL TAXIWAY TO RUNWAY END 36

2825 Illinois Valley Paving, A division of
United Contractors Midwest, Inc.
3151 Robbins Road
Springfield, IL 62704

Pekin
ILLINOIS

REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & City Manager

From: Joseph W. Wuellner, Public Works Director

AGENDA ITEM: Amend Agreement with Farnsworth for Phase 2 Design

AGENDA DATE REQUESTED: 5/9/11

ACTION REQUESTED: Approve the requested amendment to the agreement with Farnsworth for the design work on the Phase 2 portion of the Waste Water Treatment Plant (WWTP) to incorporate language concerning Discrimination and Disadvantaged Business Enterprises.

DESCRIPTION: We currently have an agreement with the Farnsworth Group to do the design engineering on Phase 2 of the WWTP Upgrade and Expansion Project. As a requirement for receiving financial assistance from the IEPA that will cover the design portion of the work, the agreement must include language concerning Discrimination and Disadvantaged Business Enterprises. The attached language will meet the requirement and allow us to include the design costs in the low interest loan.

I recommend that this amendment be accepted and the agreement revised to include the language concerning Discrimination and Disadvantaged Business Enterprises.

FINANCIAL IMPACT: None

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: Design engineering costs can be included in the low interest loan from the IEPA.

IMPACT IF DENIED: Design engineering costs would have to be covered through the sewer funds.

ALTERNATIVES: None

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

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	A Safe Community. To protect community life and property by providing effective, principled police and fire services.
√	**A Strong Foundation.** To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
	A High Quality of Life. To support or provide services that improves the quality of life for Pekin's residents.
	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.

REQUIRED SIGNATURES
Department Director: Date: 5/3/11
Finance Department (Certification of Availability of Funds):   Date: 5-3-11
Corporation Counsel: Date:
City Manager: Date:

Farnsworth GROUP

2709 McGraw Drive
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April 22, 2011

City of Pekin
111 S. Capitol Street
Pekin, IL 61554

Attention: Joe Wuellner, P.E.
Director of Public Works

Subject: City of Pekin WWTP #1 Phase 2 Improvements
Amendment No. 1 to Agreement for Engineering Services

Dear Joe;

In compliance with recent requirements of the subject project IEPA loan application, the attached amendment to our existing Agreement is needed to incorporate required language concerning Discrimination and Disadvantaged Business Enterprises. This language must be included in the Agreement to allow the Engineering Services (Design Phase) to be included in the Loan.

We respectfully request submission to council as necessary. Please return 2 executed copies to my attention.

Please call at any time for questions. We appreciate your assistance on this formality.

Sincerely,

FARNSWORTH GROUP, INC.

Patrik J. Sheridan, P.E.

crw

P:0100440.00

AMENDMENT NO. 1 TO
AGREEMENT FOR ENGINEERING SERVICES
FOR THE
CITY OF PEKIN, IL WWTP #1 PHASE 2 IMPROVEMENTS

THIS AGREEMENT, made this 2nd day of May, 2011 by and between the CITY OF PEKIN, 111 South Capitol Street, Pekin, IL 61554, hereinafter referred to as the OWNER, and FARNSWORTH GROUP, INC., 2709 McGraw Dr., Bloomington, Illinois 61704, hereinafter referred to as the ENGINEER, shall amend the Agreement for Engineering Services for the City of Pekin, IL WWTP #1 Phase 2 Improvements, made between the OWNER and ENGINEER the 24th day of May, 2010, known hereinafter as the AGREEMENT.

Whereas, the OWNER intends to construct and finance, in part, the PROJECT with an Illinois Environmental Protection Agency Low Interest Loan; and,

NOW THEREFORE, the AGREEMENT shall be amended as follows:

Delete the existing paragraph in Section K.1 and replace with the following:

1. The Engineer agrees to take affirmative steps to assure that disadvantaged business enterprises are utilized when possible as sources of supplies, equipment, construction and services in accordance with the Clean Water Loan Program rules. As required by the award conditions of USEPA's Assistance Agreement with IEPA, the Engineer acknowledges that the fair share percentages are 5% for MBEs and 12% for WBE's.

2. The contractor (engineer) shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contract shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 1 to the AGREEMENT as of the day and year first above written.

OWNER:	ENGINEER:
CITY OF PEKIN	FARNSWORTH GROUP, INC.
By:____________________ Rusty Dunn	By:____________________ Patrik J. Sheridan, P.E.
Title: Mayor	Title: Engineering Manager
Attest:____________________	Attest:____________________
Title:____________________	Title:____________________
(SEAL)	(SEAL)

RESOLUTION NO. 1-11/12

PEKIN, ILLINOIS, May 9, 2011 19

RESOLUTION BY COMMISSIONER

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

Pursuant to Resolution No. 22-07/08 of the City of Pekin, adopted November 26, 2007, the following members of this Council are approved as the Mayor's appointments to their respective positions:

Mayor Pro-Tem Council Member John Abel

1st Alternate Council Member Chad Schmidgall

SIGNED BY

MAYOR.

STATE STATUTES

Sec. 3.1-35-35. Mayor or president pro tem; temporary chairman.

(a) If the mayor or president is temporarily absent because of an incapacity to perform official duties, but the incapacity does not create a vacancy in the office, the corporate authorities shall elect one of their members to act as mayor or president pro tem. The mayor or president pro tem, during this absence or disability, shall perform the duties and possess all the rights and powers of the mayor or president but shall not be entitled to vote both as mayor or president pro tem and as alderman or trustee.

(b) In the absence of the mayor, president, acting mayor or president, or mayor or president pro tem, the corporate authorities may elect one of their members to act as a temporary chairman. The temporary chairman shall have only the powers of a presiding officer and a right to vote only in the capacity as alderman or trustee on any ordinance, resolution, or motion.

CITY CODE
TITLE 1 CHAPTER 5 SECTION 3

F. Presiding Officer: The Mayor shall preside at all regular and special meetings of the Council; provided, that in the absence of the Mayor, a Mayor Pro Tem shall be selected as provided by statute. (65 ILCS 5/3.1-35-35) and Resolution No. 22-07/08 (Ord. No. 2547-07/08 1-14-08)

RESOLUTION NO. 22-07/08

RESOLUTION RESCINDING RESOLUTION NO. 237 and ESTABLISHING PROCEDURE FOR APPOINTING MAYOR PRO TEM

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 Council has determined that it is in the best interests of the City to amend the City Code regarding the procedure for appointing of Mayor Pro Tem.

WHEREAS, the Mayor and Council wish to establish a procedure for more consistency and permanency with respect to selection of a Mayor Pro Tem;

WHEREAS, the Mayor and Council believe that it would be beneficial to the City to have a recognized and regular Mayor Pro Tem appointed by the Mayor, with the consent of the Council;

WHEREAS, the City of Pekin, being a home rule community, has it within its powers to designate the procedure whereby such appointments are made;

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

1. That Title 1, Chapter 5, Sections 3 F., of the Pekin Municipal Code provides a procedure for the appointment of a Mayor Pro Tem, should the Mayor be absent from a regular meeting.

2. That the Mayor shall appoint a Mayor Pro Tem, from the Council members serving on the Council, on an annual basis, with the advise and consent of the Council. In addition, a first alternate Mayor Pro Tem shall also be appointed, by

the Mayor with the advice and consent of the Council, to serve in the absence of the Mayor and first named Mayor Pro Tem.

3. The initial appointment shall be made at the next regular scheduled meeting, after passage of this resolution, and there after by the Mayor on an annual basis at the time other appointments are made.

BE IT FURTHER RESOLVED that Resolution No. 237 previously establishing a procedure for appointing a Mayor Pro Tem is rescinded and repealed.

BE IT FURTHER RESOLVED that this resolution 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 26th day of November, 2007; and upon roll call the vote was as follows:

AYES: Jones, Strand, Kortkamp, Blanchard, Dunn, Abel, Tebben

NAYS: None

ABSENT: None

ABSTAINING: None

APPROVED this 26th day of November, 2007.

R. [signature]
MAYOR

ATTEST:
Sue McMillan
CITY CLERK

B. Adjourned or Recessed Meetings: Adjourned or recessed meetings of the City Council of the City of Pekin may be held for the purpose of completing any unfinished business of a regular meeting at such time or times as may be determined by majority vote of the City Council.

C. Deferred Meetings: Regular meetings of the City Council may be deferred to the Tuesday or Wednesday next following the regular Monday night meeting by majority vote of the City Council, which vote shall be taken not later than the regular meeting preceding the meeting to be deferred to the following Tuesday or Wednesday night of the following week, and such meeting may be deferred at any time in said manner if it is deemed by the City Council to be in the best interest of the City of Pekin.

D. Special Meetings: Special meetings may be called from time to time by the Mayor or by two Council Members upon giving not less than forty-eight hours notice to all members of the City Council and Manager. (Ord No. 2515 02-12-07)

E. Meetings to be Open to Public: All meetings of the City Council, whether regular, adjourned, recessed or special, shall be open to the public, except as otherwise provided by law. (5 ILCS 120/1 et seq.)

F. Presiding Officer: The Mayor shall preside at all regular and special meetings of the Council; provided, that in the absence of the Mayor, a Mayor Pro Tem shall be selected as provided by statute. (65 ILCS 5/3.1-35-35)

G. Addressing: It shall be unlawful for any person to address or attempt to address any regular or special meeting of the Council except upon the consent of the Mayor or with the consent of a majority of the members present.

H. Disturbing: It shall be unlawful to disturb or interrupt any regular or special meeting of the Council; any person violating any provision of this subsection shall be fined not less than five dollars ($5.00) and not more than two hundred dollars ($200.00) for each offense and may be summarily ejected from the Council room and the City Hall.

1-5-3.I: **ELECTRONIC ATTENDANCE AT PUBLIC MEETINGS**

Policy Statement: In an effort to encourage participation in the public meetings of the City Council of the City of Pekin and the boards and commissions of the City, the City Council has determined that an elected or appointed official may attend a public meeting by electronic means when the official is unavailable to be physically present at the meeting. New electronic methods of communication make participation in public meetings by electronic means effective. The City Council has determined that attendance by electronic means shall be controlled by the provisions of this policy.