# City of Pekin

**REGULAR RESCHEDULED COUNCIL MEETING TUESDAY, APRIL 28, 2009**
**5:30 P.M.**

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**
*Mayor Dunn*

**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 April 13, 2009*

***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:** Traffic Safety Minutes April 3, 2009, Liquor Commission Minutes March 26, 2009, and Fire Department March Report.
2. **Proclamations:** "National Youth Week" – May 3 – 9, 2009
   "YWCA National Day of Commitment to Eliminate Racism" – April 30, 2009
   " Dragon Pride Week" May 1, 2009
3. **Charitable Solicitation:** Billy Lee Rhoades Benefit
   Dean Culp Benefit Saturday , April 25, 2009
4. **Receive and File** Bids for Heat and Scarify Street Project Opened April 21, 2009
5. **Receive and File** Pekin Main Street Certification and Accreditation as a 2009 National Main Street Program
6. **Resolution No. 76-08/09** – Urging Passage of a Comprehensive Capital Infrastructure Program
7. **Receive and File Fire Department Annual Report 2009**

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

*VOTE REQUIRED TO APPROVE CONSENT AGENDA*

## VIII. COMMUNICATIONS, PETITIONS, REPORTS

***PRESENTATION:*** *Employee Retirements*
*Sue Thompson, Sandy Peeler, Elaine Ritchie* **(GR)**

***NO ACTION REQUIRED***

***PRESENTATION:*** *Annual Summary of Police Activities* **(CL)**

***NO ACTION REQUIRED***

## IX. NEW BUSINESS

1. **Intergovernmental Agreement with City of East Peoria** **(JW)**
***DESCRIPTION:*** *Terms to include a quantity of streets from the City of East Peoria in Pekin's contract to Heater Scarify streets.*

***ACTION:*** *Motion to approve the agreement.*

***VOTE REQUIRED***

2. **Intergovernmental Agreement with City of Washington** **(JW)**
***DESCRIPTION:*** *Terms to include a quantity of streets from the City of Washington in Pekin's contract to Heater Scarify streets.*

***ACTION:*** *Motion to approve the agreement.*

***VOTE REQUIRED***

3. **Award Bid for Heat and Scarify Street Project** **(JW)**
***DESCRIPTION:*** *Street Department has utilized the process in the past to on streets with excessive stress cracks to extend the life of the pavement . The contract which includes East Peoria and Washington streets by agreement would cover Parkway and Broadway surfaces in Pekin. It is recommended the low bid be accepted.*

***ACTION:*** *Motion to accept the bid in the amount of $295,824.75 and award the contract to American Asphalt Surface Recycling, Inc.*

***VOTE REQUIRED***

4. **Illinois Department of Transportation Maintenance of Municipal Streets Intergovernmental Agreement** **(JW)**
***DESCRIPTION:*** *Annual 12 month increment of a contract through June 30, 2015 with IDOT for the reimbursement to the City for maintenance provided by the Street Department on State highways. The computation for the period of July 1, 2009 to June 30, 2010 is $78,797.57 and is an increase from FY 2008 of 12% totaling $8,644.71.*

***ACTION:*** *Motion to approve the agreement.*

***VOTE REQUIRED***

5. **Amendment to Right-of-Way Agreement with James W. Farrell and Susan R. Farrell Trust** **(JW)**
***DESCRIPTION:*** *The amendment lowers an amount in the original agreement dated June 14, 2007 for the City of Pekin to re-do the signs in front of the business at Parkway and Broadway Intersection.*

***ACTION:*** *Motion to approve amendment in the amount of $7,800.oo to re-work sign and relocate disconnect.*

***VOTE REQUIRED***

6. **Illinois Department of Transportation Amendment No. 1 to FY09 Downtown Operating Assistance Grant Agreement No. 3797** **(GR)**
*DESCRIPTION: Council adopted Resolution No.68authorizing the original agreement dated January 20, 2009. The amendment is an increase of the maximum contract amount from $343,194 to $639,925 for the 2009 operations of the Pekin Municipal Bus operations and partial funding to CityLink for contract services.*

*ACTION: Motion to approve the amendment to the agreement.*

***VOTE REQUIRED***

7. **HVAC Option Agreement** **(GR)**
*DESCRIPTION: The City of Pekin since bidding the work in 2005 at $7,960.00, has a heating and air conditioning contract with XCELL Mechanical Systems which provides for one year options after 3 years. Recommendation is to exercise two option years.*

*ACTION: Motion to approve option agreement in the amount of $7,960.00* .

***VOTE REQUIRED***

8. **Illinois Department of Transportation Letter of Understanding Routes 9 & 29** **(JW)**
*DESCRIPTION: The Illinois Department of Transportation is planning pavement improvements on Routes 9 & 29 that run through the City of Pekin. They have sent a letter requesting signature to show Project Support and Letter of Understanding for this work. There is no cost to the City of Pekin for this work.*

*ACTION*: Accept Letter of Understanding and authorize Joe Wuellner to sign the letter and return to IDOT.

***VOTE REQUIRED***

9. **Teamster General Unit Contract Extension Agreement – May 31st. 2009**
*DESCRIPTION: One month extension of existing Teamster's General Unit Contract to May 31st, 2009..*

*ACTION*: Accept General Unit Contract Extension Agreement.

***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.) 2.** Collective Bargaining

**5 ILCS 120/2 (c.) 1.** Personnel

*ACTION: Motion to move to Executive Session.*

***VOTE REQUIRED***

**XII. ADJOURNMENT**

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

***NO VOTE REQUIRED***

************************************************************************************

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, APRIL 13, 2009 AT 5:30 O'CLOCK P.M.
RUSTY DUNN MAYOR PRESIDING**

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

**ABSENT: JONES**

************************************************************************************

The **Pledge of Allegiance** was led by Council Member Blanchard.

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

**AGENDA**

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

Motion by Council Member Abel, seconded by Council Member Blanchard, that the **minutes of the Regular City Council Meeting of March 23, 2009 be approved as written.** Council Member Kortkamp noted she was not present at the meeting and would abstain from voting. On roll call vote, Strand, Blanchard, Abel, and Dunn; Abstained, Kortkamp. Motion Carried.

**CONSENT AGENDA**

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

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

1. **Receive and File Monthly Reports and Minutes:** Liquor Commission Minutes dated February 26, 2009, Building Department March Reports, and Police Department March Report.

2. **Proclamations:** Arbor Day – April 24$^{th}$, 2009

3. **Charitable Solicitation:** Pekin Lil Lettes, Saturday, April 25$^{th}$, 2009

4. **Receive and File** Annual 2008 Year End Police Department Report

5. **Receive and File** Award of $5,000 West Nile Virus Grant from Tazewell County Health Department

Code Enforcement Officer Ron Sieh explained the grant award. The monies are used to support the County program in eliminating standing water that breed's mosquitoes and education of the public through brochures, tire drives, and government access channel.. Mr. Sieh was congratulated for his work in seeking the grant. On roll call vote, all present voted Aye.

**COMMUNICATIONS, PETITIONS, REPORTS**

Treasurer James Wolf reported to Council on the finances of the City. In a Power Point presentation he reviewed and commented on the **MAJOR REVENUE SOURCES FOR FISCAL YEAR 2009 THROUGH MARCH 31, 2009 AND INVESTMENT EARNINGS NINE MONTHS ENDED MARCH 31, 2009.** He indicated that earnings were down due to low interest rates yet the over all 1% decline from 3.68% of 2008 to 2.71% was not bad. Better interest rates were captured by moving out of money market accounts to better interest rate in cds. Council Member Blanchard requested that interest-earning move to accrual basis reporting. There was no objection from the Council.

Marge Shepler representing **TAZEWELL COUNTY GENEALOGICAL AND HISTORICAL SOCIETY** and Rindi Shannon, Cory Shannon, John Durdle, and David Perkins, presented to Council the book TAZEWELL COUNTY VETERANS OF WORLD WAR II *Remembrances*. The collection of materials furnished by veterans and family interviews of experiences in the European and Pacific theaters of the war was published by the World War II Book Committee as a way of honoring the brave of our community that endured the quest for freedom.

**NEW BUSINESS**

**ORDINANCE NO. 2580-08/09**
**APPROVING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES**

Motion by Council Member Blanchard, seconded by Council Member Strand, that Ordinance No. 2580-08/09 be approved. Community Development Director Pam Anderson presented the ordinance authorizing the transfer of Pekin's volume cap to join communities in issuing tax-exempt mortgage revenue bonds. Proceeds applied to The Assist Program sponsored by the State of Illinois, which offers families the opportunity to buy their own home. Funds provide closing cost and down payment to first time buyers. It was explained to Council that Stern Brothers & Company would administer the transfer of State funds that go to the City of Aurora for the program. On roll call vote, all present voted Aye.

Council Member Strand informed the Council that she would be abstaining from the discussion and vote of the next two business item because of her work relationship to the Advocacy Center's construction project.

Motion by Council Member Abel, seconded by Council Member Blanchard, that the **SITE PLAN FOR AN ADDITION AND EXPANSION OF THE SPECIAL USE FOR THE ADVOCACY CENTER AT 341 BUENA VISTA** be approved. Public Works Director Joe Wuellner addressed the recommendation of the Pekin Planning Commission to approve the site plan, noting all requirements were met and zoned correctly. Council members discussed the plans for the Center as the best fit for the clientele served. The converted residential structure's esthetics were less institutional in a neighborhood that contains, business, multi family, church, school, and a residence. On roll call vote, Ayes, Kortkamp, Blanchard, Abel, and Dunn. Motion Carried.

Motion by Council Member Abel, seconded by Council Member Kortkamp, that the **SPECIAL USE FOR AN ADDITION AND EXPANSION OF THE SPECIAL USE FOR THE ADVOCACY CENTER AT 341 BUENA VISTA** be approved. On roll call vote, Ayes, Kortkamp, Blanchard, Abel, and Dunn. Motion Carried.

**RESOLUTION NO. 75-08/09**
**ILLINOIS DEPARTMENT OF TRANSPORTATION RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE SECTION 09-00000-00-GM**

Motion by Council Member Strand, seconded by Council Member Blanchard, that Resolution No. 75-08/09 be adopted appropriating $630,000.00 of Motor Fuel Tax (MFT) Funds for maintaining Street Department Operations approved at the meeting of March 23, 2009. On roll call vote, all present voted Aye.

**ORDINANCE NO. 2582-08/09**
**AUTHORIZING THE AMENDMENT AND EXTENSION OF A LEASE AGREEMENT**

Motion by Council Member Kortkamp, seconded by Council Member Strand, that Ordinance No. 2582-08/09 be adopted subject to the $21,161.34 "catch up" payment being made to the City of Pekin within 60 days. City Manager Dennis Kief stated the original agreement with Tomen Grain Company for Municipally owned property at the riverfront expired May 31, 2007. The City agreed to continue under existing terms with a stipulation that retroactive payments needed to be caught up. Attorney Dancey addressed Council Member Blanchard questions regarding a 25-year term and negotiations of calculation and retroactive payments due. On roll call vote, Ayes, Strand, Kortkamp, Abel, and Dunn; Nay, Blanchard. Motion Carried.

Motion by Council Member Abel, seconded by Council Member Blanchard, that the **FAÇADE GRANT EXPENDITURE IN THE AMOUNT OF $57,468.71 FOR WORK COMPLETED AT 437 COURT STREET**, be approved. Steve Brown Economic Development Coordinator presented the recommendation by the Main Street Design Committee to approve this eligible Façade Grant for work completed at Instant Replay Sports Bar, located at 437 Court Street. He reported that owner Cathy Espinoza had windows replaced and removed, stabilized, and replaced a deteriorating wall. The program reimburses 1/3 the cost. On roll call vote, all present voted Aye.

**ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL**
Council Member Strand congratulated those that ran for election to office and stated she was looking forward to serving with, Chad Schmidgall, Laurie Barra, and Tom Blanchard.

Council Member Kortkamp read a prepared letter from members of Bark & Purr an organization to feed and save pets from being put to sleep. The group asked for donations of pet food to be given away on May 6, at the Pekin Township Building.

Council Member Abel questioned the responsibility of the developer in fixing the potholes behind CEFCU and in front of Staples. Mr. Wuellner was not in favor of the City fixing the roads and billing the owners.

Director of Sanitation Greg Ranney advised the public to set their cans and recycling out at 7:00 a.m. of collection day or prior to in order to avoid having the resident's pickup missed..

Police Chief Gillespie sent condolences to the family on the death of 30 year Police Officer Dick Litz.

Katie Meskimen S. 14th Street addressed Council about her input for better bus service in Pekin. As a disable patron she had concerns with transportation available only Monday through Fridays from 8:20 a.m. – 4:45 p.m. and that ADA pickups of door to door results in drivers being late for normal routes. She offered the following solutions:

- Longer hours
- Weekend service
- Designated ADA bus service
- Specific bus from door to Wal Mart

Director of transportation indicated that these same issues were currently being addressed through additional funding that was available from the Illinois Department of Transportation for the City Bus Grant.

**EXECUTIVE SESSION**
Motion by Council Member Blanchard, seconded by Council Member Abel, that **Council move to Executive Session** at 6:45 P.M. to discuss 5 ILCS 120/2 (c.) 2. Collective Bargaining and 5 ILCS 120/2 (c) 1. Personnel

On roll call vote, all present voted Aye.

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

**COUNCIL ADJOURNED AT 7:00 P.M.**

Sue E. McMillan
City Clerk

# CITY OF PEKIN TRAFFIC SAFETY COMMITTEE MINUTES
# APRIL 3, 2009 @ 8:30 a.m.
# CITY HALL CONFERENCE ROOM

PRESENT: Joe Wuellner, Tim Gillespie, Denny Kief, Chuck Lauss, Dave Pagliaro, Will Taylor. Also present, Lee Ann Wrhel.

**Old Business:**

1. *Restricted Parking*
   This item was passed due to time restraints.

2. *Diagonal Parking/Court St. from 2nd St. to 6th St.*
   The committee discussed the traffic safety issues surrounding diagonal parking in this area. Denny Kief presented a motion to change the parking on the north side of Court Street from Second Street to Sixth Street to diagonal to increase the number of parking spaces. Parking on the south side of Court Street would remain as is. Chuck Lauss seconded the motion. Those in favor, Denny Kief, Chuck Lauss. Those opposed, Tim Gillespie, Dave Pagliaro, Will Taylor and Joe Wuellner.

3. *Parking Stickers*
   Denny Kief presented a motion to discuss the idea of issuing parking stickers downtown. Chuck Lauss seconded the motion. This idea was discussed. All opposed.

**New Business:**

1. *Court Street Between Second Street and Third Street*
   An anonymous citizen who lives in the Court Place high rise sent a note showing counts of traffic violations on Court Street between Second and Third Streets. The committee took the note under advisement.

2. *No Parking Signs Vienna Ct. Cul-de-sac*
   The committee will look at this area when they go out on the restricted parking tour.

3. *Traffic Control Signs in Sun Valley Subdivision*
   The committee discussed traffic control signs in this area. The only signs in the subdivision are at Rosemary Rd. There are many residential areas in the city with no signage. Chuck Lauss presented a motion to leave the area as is. The motion was seconded by Denny Kief. All in favor.

4. *Flashing Lights on Parkway at Coal Miner's Park*
   Dave Pagliaro and Joe Wuellner will continue to explore light options in this area. There are issues with the visibility of the yellow flashing lights.

5. *Traffic Speed on Valle Vista at Summit Drive*
   Jake Swearingen of 1811 Valencia Place, phone 241-4063, attended the meeting on behalf of his grandmother who lives at 1621 Summit Drive regarding the speed of traffic at the intersection of Valle Vista and Summit Drive. He is requesting a stop sign at the intersection. The committee informed him that this issue has come up in the past and at that time there was not enough traffic at the intersection to warrant a traffic control device. The committee will have the counters put out and place the speed spy at that location and will re-address this issue at the next meeting.
   Mr. Swearingen stated that the police are welcome to put an unmarked car in his grandmother's driveway to monitor traffic in that location.

6. *Parking Sign at Derby and Hoff*
Evelyn Waggoner of 228 Sapp, phone 202-3293, was in attendance at the meeting to voice her concerns regarding being able to safely turn onto Derby Street from Hoff Street due to parked vehicles blocking the view. This is especially an issue when the restaurant is open. The committee informed her that they will go out, check the area and discuss this safety issue at the next meeting.

**Around the Table**

Chuck Lauss made a request to address the feasibility of installation of parking meters downtown. This item will be on next month's agenda.

Denny Kief stated that if loft living downtown becomes a reality, the diagonal parking could be addressed again.

Respectfully Submitted,
Lee Ann Wrhel

**NEXT REGULAR MEETING MAY 1, 2009 @ 8:30 A.M.**

# *City of Pekin*

**LIQUOR COMMISSION MINUTES**
**THURSDAY, MARCH 26, 2009**
**4:00 P.M.**
**CITY HALL COUNCIL CHAMBERS**

Deputy Liquor Commissioner Rick VonRohr called the meeting to order at 4:09p.m.

**PLEDGE of ALLEIGENCE**
Eitenmiller led the pledge

**ROLL CALL**
The following members were present for roll call: Deputy Liquor Commissioner Rick VonRohr, Dave Eitenmiller, Fire Chief Chuck Lauss, Police Chief Timothy Gillespie, and Rusty Dunn, Liquor Commissioner.
Also present: Sue Bosich, Assistant Corporation Counsel, Sue McMillan, City Clerk.
Absent: Holly Brown

**APPROVAL OF AGENDA**
VonRohr entertained a motion to amend the Agenda by removing Centerpunch, LLC dba Valhalla Hearing, Motion made by Eitenmiller, seconded by Gillespie. Motion passed. Eitenmiller made a motion to approve the amended Agenda, seconded by Gillespie. Motion passed.

**APPROVAL OF MINUTES**
Eitenmiller made a motion to approve the February 26, 2008 minutes as presented, seconded by Dunn. Motion passed.

**PUBLIC INPUT/COMMENTS/QUESTIONS**
Nothing at this time

**NEW BUSINESS**
Pekin Boat Club – Ron Burlingame – had questions if the new Commodore has to have a background check done. He is new one this year. Ron also asked about a special license to be able to sell packaged liquor. Asked about making an allowance or charge another fee. The Pekin Boat Club is a "Safe Harbor for Boaters", they sell gasoline on the river to boaters, have carry out food in the summer time. Also members who camp down there would like to buy packaged liquor to take back to their camping area.

Discussion: Always a new manager of the licensed establishment has to have one done or a new owner. Consensus was yes, the new Commodore has to have a background check done. Commission would like to discuss this further. Commission stated to Ron Burlingame they will discuss this in the meeting and that he is welcome to stay since this is a Public Meeting. Ron left the meeting and the Commission stated they would let him know the outcome after the discussion.

General Discussion on Beer Gardens – Code provisions – City Clerk Sue McMillan asked the Commission if we should charge more for the Liquor establishments who have Beer Gardens.

Discussion followed: how would you charge them on next renewal, would this be a one time fee? How do other cities do this? Commission decided to not charge a fee.

General Discussion on how many members from Clubs would need background checks – City Clerk Sue McMillan asked the Commission their thoughts on this.

Discussion followed: We have always had new owners and managers get their background checks done. We do not require by State Statute to have bar tenders background checked.

General discussion on Sunset Hills Golf Course to be a Class C Liquor License – City Clerk Sue McMillan asked the Commission their thoughts on changing his License from an A to a C.

Discussion followed: Dan Wolf, Sunset Hills Golf Course will need to submit a detailed site plan specifying where alcohol will be served on the golf course. Is this a private club, who would have to enforce, can police go on private property. Yes, since they have a City of Pekin Liquor License can go on private property to enforce. Will have to have a plan with certain restrictions like what the Commission just did with the Pekin Park District Golf Course and Lick Creek Golf Course. Suggested that a letter be typed and sent to Dan Wolf asking him to attend our next Liquor Commission meeting on April 16, 2009. For as follow-up Deputy Liquor Commissioner VonRohr will call Dan Wolf to discuss the Class C liquor license. This will be on the next Agenda.

**Any Other Business to Come Before the Commission:**
Deputy Liquor Commissioner VonRohr informed the Commission of the State Police sting done over the weekend. 9 Pekin Liquor establishments were cited for serving minors. VonRohr requested the reports from the State and then will forward them to Attorney Sue Bosich for review and to set for Hearing.

Discussion followed: Should the Commission consider a stiffer fine even if some of these liquor establishments would be a 1st offender. Commission does not think a letter of reprimand in these cases will be strict enough. Need to send them a message that the Liquor Commission will not tolerate serving alcohol to minors. Attorney Bosich can get history of fines in past to show Liquor Commissioner Dunn.

Attorney Bosich to research what class of liquor license for "Marina's". A Class C license would work for the Pekin Boat Club with restrictions. The licensed premises would be the Island. Members could not leave the island with the packaged liquor. The Liquor Code would need to be changed to reflect that. Attorney Bosich also to draft letters to go to past liquor establishments that had violations.

Discussion on next meeting: With vacations and annual renewals in the month of April, the Commission will meet on the 3rd Thursday in April.

**Gillespie entertained a motion to adjourn, seconded by Lauss.**

**Meeting adjourned at 5:25P.M. Next Meeting: Thursday, April 16, 2009 at 4:00pm.**
Respectfully submitted Paula Gensel

***WHEREAS,*** *the Benevolent and Protective Order of Elks has designated the week of May as Youth Week to honor America's Junior Citizens for their accomplishments, and to give fitting recognition of their services to Community, State and Nation; and*

***WHEREAS,*** *Pekin Lodge #1271 will sponsor an observance during that week in tribute to the junior citizens of this community; and*

***WHEREAS,*** *no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and*

***WHEREAS,*** *our Youth need the guidance, inspiration and encouragement which we alone can give in order to develop those qualities of character essential for future leadership; and go forth to serve America; and*

***WHEREAS,*** *to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship;*

***NOW, THEREFORE, BE IT RESOLVED,*** *that I RUSTY L. DUNN, Mayor of the City of Pekin, do hereby proclaim the week of May 3rd thru May 9th, 2009 to be*

***"NATIONAL YOUTH WEEK"***

*in the City of Pekin, Tazewell County, Illinois, and urge all departments of government, civic, fraternal and patriotic groups, and our citizens generally, to participate wholeheartedly in its observance*

***ADOPTED,*** *this 28th day of April, in the Year of Our Lord, Two Thousand and Nine.*

*RUSTY L. DUNN*
*Mayor*

*ATTEST:*

*SUE E. McMILLAN*
*City Clerk*

***WHEREAS,*** *the YWCA of the U.S.A. has been committed to racial justice and human rights for more than 150 years; and*

***WHEREAS,*** *the mission of the YWCA is the Empowerment of Women and Girls and the One Imperative is the Elimination of Racism; and*

***WHEREAS,*** *the One Imperative of the YWCA is a goal statement formally expressed in these words: "To thrust our collective power toward the elimination of racism wherever it exists and by any means necessary; and*

***WHEREAS,*** *racism is any attitude or act by any individual or institution that discriminates on the basis of color; and*

***WHEREAS,*** *racism, bigotry and hate remain far too prominent in our public institutions, news and entertainment media, political discourse, laces of work, schools and neighborhoods; and*

***WHEREAS,*** *the YWCA of Pekin, for over 79 years has shared the mission and One Imperative of the YWCA of the U.S.A.; and*

***WHEREAS,*** *by examining institutional practices, racism can be addressed and eliminated.*

***NOW, THEREFORE, BE IT RESOLVED*** *that I, Rusty L. Dunn, Mayor of the City of Pekin, Illinois, do hereby proclaim April 30th, 2009 as*

**"YWCA National Day of Commitment to Eliminate Racism"**

*in the City of Pekin, Tazewell County, Illinois and urge citizens to recognize it as a day to take steps to eliminate racism in their homes, schools, and workplaces.*

***ADOPTED,*** *this 28th day of April, in the Year of Our Lord, Two Thousand and Nine.*

RUSTY L. DUNN
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

***WHEREAS,*** *The purpose of the Pekin Community High School Dragon Pride school-wide student recognition event is to provide Pekin High School students the opportunity to showcase to the community their accomplishments in various classroom activities; and*

***WHEREAS,*** *In addition, selected students from the various academic departments will be honored for their outstanding accomplishments; and*

***WHEREAS,*** *The faculty and administration of Pekin Community High School believe that the public should have the opportunity to be more aware of the quality and variety of activities performed by our high school students; and*

***WHEREAS,*** *The Dragon Pride event is just such an opportunity; and*

***NOW, THEREFORE, BE IT RESOLVED,*** *that I RUSTY L. DUNN, Mayor of the City of Pekin, do hereby proclaim the week of May 1st, 2009 to be*

***"DRAGON PRIDE WEEK"***

*in the City of Pekin, Tazewell County, Illinois, and urge all citizens to participate on Dragon Pride night, held on Wednesday, April 29th, 2009 from 6:00 to 8:00PM in the Hawkins gymnasium. The public is cordially invited to attend.*

***ADOPTED,*** *this 28th day of April, in the Year of Our Lord, Two Thousand and Nine.*

*RUSTY L. DUNN*
*Mayor*

*ATTEST:*

*SUE E. McMILLAN*
*City Clerk*

CHARITABLE SOLICITATION REGISTRATION FORM

1. Date Submitted 7-16-09

Address of Organization ~~840-1679~~ 212 Country Ln. Green Vally

Telephone Number 840-1679

Name, Address and Telephone Number of person filling out form:

Diana Miller 1113 Court St Pekin 346-0999

2. Name, Title and Address of Principal Executive Officer of Organization:

Judy Sigler (sister of Billy Rhoades)

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:

—0—

4. Specifically where in the Pekin area is your group staying so contact can be made within a twelve (12) hour period if necessary: —0—

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:

Calling on business

holding benefit at Marine Corp League

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 |
|---|---|---|---|---|
| Judy Sigler | | | 3-17-58 | 212 Country Dr. Greenvally |
| Diana Miller | | | 7-24-54 | 1113 Court St. Pekin |
| Connie (Rhoades) Brady | | | | 212 Country Ln. |

7. General nature of activities conducted by Organization (Service Club, Church, Veterans Club, Youth Club, United Fund, etc):

0

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": Proceeds will go to Billy Lee Rhoades

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: _______ If YES, give name and address of such Organization or person: NO

11. Estimated gross percentage of contributions which are devoted to administrative expenses of collection by your Organization: 0

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: 0

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

DATE: 4-16-9

SIGNED: [signature]

# CHARITABLE SOLICITATION REGISTRATION FORM

1. Date Submitted 4-17-09 Date of Event: 4-25th 09

   Address of Organization Julie Rosenak

   Telephone Number 360-0839

   Name, Address and Telephone Number of person filling out form:
   202-9829
   Deborah Mercer 1718 Hazel St Pekin

2. Name, Title and Address of Principal Executive Officer of Organization: Paul Reece — 241-0310

   Mackinaw

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: ________

4. Specifically where in the Pekin area is your group staying so contact can be made within a twelve (12) hour period if necessary: Autumn Landi Vitton 231-0719

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:

   Asking Donations from Businesses

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 |
|---|---|---|---|---|
| Paul Reece | 241-0310 | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

7. General nature of activities conducted by Organization (Service Club, Church, Veterans Club, Youth Club, United Fund, etc):

**Saturday, April 25th at 3p.m.**
**The family and friends of Dean Culp**
**invite you to a Benefit**
**at the American Legion Post 1276**
**in DEER CREEK Illinois**

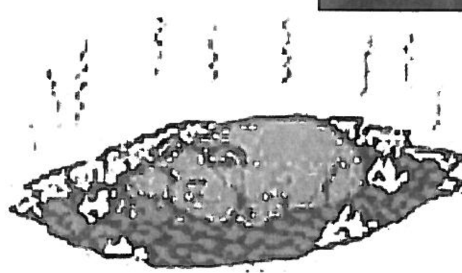
**Dean Culp age 36, a loving husband and father, was rushed to OSF St. Francis Hospital on February 12th after having multiple strokes.**
**His friends, coworkers, and family are organizing this benefit to help offset some of Dean's expenses.**

**A benefit account has been set up at CEFCU and Goodfield State Bank.**

**Time: 3:00 - ??**
**Garage Sale will run from 8:00 a.m. - 2:00 p.m.**
**Auction will begin at 5:00 p.m.**
**Suggested Donation $6.00 per person at the door**
**Available throughout the event**

| | |
|---|---|
| **Pig roast** | **Cash bar** |
| **Bake Sale** | **50/50 Raffle** |

**Prize Drawings**
**Music provided by Wally D**



**Anyone that would like to make donations for the raffle or the auction please call Julie Rosenak @ 309/360-0839 or Paul Reece @ 309/241-0310.**

**Directions to the American Legion #1276**

1. From MORTON IL
2. Take W JACKSON ST/US-150. Continue to follow US-150.
3. Turn RIGHT onto DEE-MACK RD/CR-6.
4. Turn SLIGHT LEFT onto WURSTER RD.
5. Turn RIGHT onto AMERICAN LEGION RD.
6. End at American Legion Rd DEER CREEK IL 61755

**Main Street**
NATIONAL TRUST FOR
HISTORIC PRESERVATION

Dear Main Street Organization,

Congratulations on being accredited as a *2009 National Main Street Program*! Your coordinating Main Street program has evaluated your organization's performance in 2008 and determined that you have met all ten performance standards and criteria required to be named an accredited Main Street program.

These standards of performance help us keep the Main Street movement strong and focused nationally. The ten standards of performance require that a Main Street Program:

1. Has broad-based community support for the commercial district revitalization process, with strong support from both the public and private sectors.
2. Has developed vision and mission statements relevant to community conditions and to the local Main Street program's organizational stage.
3. Has a comprehensive Main Street work plan
4. Possesses and exhibits an historic preservation ethic
5. Has an active board of directors and committees
6. Has an adequate operating budget
7. Has a paid professional program manager
8. Conducts a program of ongoing training for staff and volunteers
9. Reports key statistics
10. Has current membership in the *National Main Street Network*® membership program

For more detailed information on the accreditation program, please visit www.mainstreet.org/nationalprograms. If you have any questions about your individual accreditation evaluation, please contact your state, city, or regional Main Street program coordinator directly.

Congratulations on your achievements this year and best wishes for continued success.

Sincerely,

Doug Loescher

Doug Loescher
Director

1785 Massachusetts Avenue, NW Washington DC 20036 P 202.588.6219 F 202.588.6050 E mainst@nthp.org
1785 Massachusetts Avenue, NW Washington, DC 20036
P 202.588.6219 F 202.588.6050 E mainstreet@nthp.org www.mainstreet.org

# THE NATIONAL TRUST *for* HISTORIC PRESERVATION

*and The*

## ILLINOIS MAIN STREET PROGRAM

*certify that*

## Pekin Main Street

*has been accredited as a*

## 2009 National Main Street Program

*for meeting the ten standards of performance for a Main Street organization in 2008*

Director
National Trust Main Street Center

**Main Street**
NATIONAL TRUST FOR
**HISTORIC PRESERVATION**

# REQUEST FOR COUNCIL ACTION

**To:** **Honorable Mayor and Members of the City Council**

**CC:** **Sue McMillan, City Clerk**

**From:** **Dennis Kief (04/21/2009)**

**AGENDA ITEMS:** Teamster General Unit Contract Extension Agreement

**AGENDA DATE REQUESTED:** April 27, 2009

**ACTION REQUESTED:** Approval of the One Month Contract Extension

Articles of Agreement between City of Pekin, Illinois, and Teamsters, Chauffeurs and Helpers Local Union No. 627, Effective May 1, 2005 – April 30, 2009, General Unit Agreement.

It is hereby mutually agreed by the signatory parties' to extend the above referenced Collective Bargaining Agreement as follows:

1. This Agreement shall be extended through and including May 31, 2009.

2. Any negotiated wage increases shall be retroactive to and including May, 1, 2009.

3. Nothing in this extension Agreement would preclude the parties' signatory hereto, to mutually agree to extend this extension agreement for like periods.

Upon expiration of this extension Agreement the parties' signatory hereto shall have the right to full economic recourse to support their demands, provided, however; that the procedures set forth in the applicable Illinois State Labor Relations Act are followed.

**FINANCIAL IMPACT:** N/A

**NEIGHBORHOOD CONCERNS:** N/A

**IMPACT IF APPROVED:** Terms of Existing Contract Remain in effect for one month

**IMPACT IF DENIED:** Contract expires

**ALTERNATIVES:** N/A.

**RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS:** Important part of the Effective Government theme

**REQUIRED SIGNATURES**

| | | |
|---|---|---|
| **Department Director** | [signature] | 4/21/09 |
| **Finance Department** | (Certification of Availability of Funds) | |
| **Corporation Counsel** | (Certification of Review) | |
| **City Manager** | | |

CONTRACT EXTENSION AGREEMENT

Re: Articles of Agreement between City of Pekin, Illinois, and Teamsters, Chauffeurs and Helpers Local Union No. 627, Effective May 1, 2005 – April 30, 2009, General Unit Agreement.

It is hereby mutually agreed by the signatory parties' to extend the above referenced Collective Bargaining Agreement as follows:

1. This Agreement shall be extended through and including May 31, 2009.

2. Any negotiated wage increases shall be retroactive to and including May, 1, 2009.

3. Nothing in this extension Agreement would preclude the parties' signatory hereto, to mutually agree to extend this extension agreement for like periods.

Upon expiration of this extension Agreement the parties' signatory hereto shall have the right to full economic recourse to support their demands, provided, however; that the procedures set forth in the applicable Illinois State Labor Relations Act are followed.

| | |
|---|---|
| ______________________ | Keith S. Allen |
| City of Pekin, Illinois | Teamsters Local Union 627 |
| Dated, April 27, 2009 | Dated, April 27, 2009 |

RESOLUTION NO. 76-08/09

**RESOLUTION URGING PASSAGE OF A COMPREHENSIVE CAPITAL INFRASTRUCTURE PROGRAM**

WHEREAS, passing a comprehensive Capital Infrastructure Program in the 2009 Legislative Session is critical to Illinois; and

WHEREAS, ten years have passed since the Illinois General Assembly and Governor last passed and signed into law a comprehensive Capital Infrastructure Program; and

WHEREAS, local communities are facing the problem of maintaining their roadways, bridges, water systems and sewer systems to meet growing needs; and

WHEREAS, units of local government have responsibility for over 88% of the public roads; and

WHEREAS, Motor Fuel Tax Allocations for municipal, county and township roads and bridges are only 10% higher than they were eight years ago, yet the cost of construction on local roads is 90% higher during that same timeframe; and

WHEREAS, the Motor Fuel Tax has not been changed since it was raised to 19 cents a gallon in 1990; and after expenses are removed the balance of the 19 cent Motor Fuel Tax is distributed as follows: 45.6% to the state, 26.7 % to municipalities; 19.1% to counties; and 8.6% to townships; and

WHEREAS, it is extremely important that the dollars are divided by formula and that the current formula is kept intact; and that units of local government have the opportunity to control what projects (such as Veteran's Drive) will be funded in their respective jurisdictions; and

WHEREAS, regardless of the funding source (a Motor Fuel Tax or income tax increase), it is critical that local governments receive their fair share and are treated equitably in any capital bill; and

THEREFORE, BE IT RESOLVED that the Illinois Municipal League and all units of local government believe it is imperative that a comprehensive capital infrastructure bill be passed in 2009; and that local governments receive an equitable share of such capital infrastructure program to be delivered through existing formula.

ADOPTED THIS 28th day of April 2009.

Rusty L. Dunn, Mayor

ATTEST:

Sue E. McMillan, City Clerk

# INTERGOVERNMENTAL AGREEMENT

The City of Pekin hereby agrees to include in our Contract to Heater Scarify streets in the City of Pekin, a quantity of streets from the **City of East Peoria, Illinois.** This work will be done by a contractor under contract to the City of Pekin and will follow the specifications and special provisions of City of Pekin

The **City of East Peoria** hereby agrees that upon receipt of a billing statement from the Contractor to make payment within 60 days.

All quantities used are from figures supplied by the **City of East Peoria** or its Engineering Firm. Actual Bid prices are as follows:

| | Quantity | Unit Cost | | Total |
|---|---|---|---|---|
| 1. HEATER SCARIFY | 6,169 SY | 3.40 | | 20,974.60 |
| | | | | |
| | | | | 20,974.60 |

The following are two paragraphs taken from the Contract:

**MULTIPLE AGENCY CONTRACT**

This contract includes quantities from several Pekin Area communities. Each community has submitted to the City of Pekin their Quantities that they want included in this contract. The contractor is entering into one contract with several different governmental agencies. The specifications apply to all agencies the only variations are that **each agency is responsible for their own inspection, preparation, cleaning, scheduling (within the contract completion date) and payments.** Each agency understands that the bid prices are for this contract and if an agency can not schedule the work during the contract dates the contractor may or may not be willing or able to do the work at a later date at the price bid on this contract.

**ESTIMATED COMPLETION DATE**

Completion date for the City of Pekin shall be **JULY 1, 2009.**
Completion date for the other agencies involved in this contract shall be **JULY 15, 2009.**

Submitted by: Gene Ferguson / Director of Public Works — 4/20/09
(Mayor, Clerk, Engineer), City of East Peoria — Date

Accepted by: Joseph Wendland — 4/20/09
Director of Public Works, City of Pekin — Date

Accepted by: ______________________ — ________
City Manager, City of Pekin — Date

# INTERGOVERNMENTAL AGREEMENT

The City of Pekin hereby agrees to include in our Contract to Heater Scarify streets in the City of Pekin, a quantity of streets from the **City of Washington, Illinois.** This work will be done by a contractor under contract to the City of Pekin and will follow the specifications and special provisions of City of Pekin

.

The **City of Washington** hereby agrees that upon receipt of a billing statement from the Contractor to make payment within 60 days.

All quantities used are from figures supplied by the **City of Washington** or its Engineering Firm. Actual Bid prices are as follows:

| | Quantity | Unit Cost | | Total |
|---|---|---|---|---|
| 1. HEATER SCARIFY | 14765 SY | 3.40 | | 50201.00 |
| | | | | |
| | | | | |
| | | | | 50201.00 |

The following are two paragraphs taken from the Contract:

**MULTIPLY AGENCY CONTRACT**

This contract includes quantities from several Pekin Area communities. Each community has submitted to the City of Pekin their Quantities that they want included in this contract. The contractor is entering into one contract with several different governmental agencies. The specifications apply to all agencies the only variations are that **each agency is responsible for their own inspection, preparation, cleaning, scheduling (within the contract completion date) and payments.** Each agency understands that the bid prices are for this contract and if an agency can not schedule the work during the contract dates the contractor may or may not be willing or able to do the work at a later date at the price bid on this contract.

**ESTIMATED COMPLETION DATE**

Completion date for the City of Pekin shall be **JULY 1, 2009.**
Completion date for the other agencies involved in this contract shall be **JULY 15, 2009.**

Submitted by: Robert M Morris (Mayor, Clerk, Engineer) City Administrator — Washington of — 3-3-09 Date

Accepted by: Joseph Wuellner Director of Public Works, City of Pekin — 3/30/09 Date

Accepted by: ______________________ City Manager, City of Pekin — ________ Date

# REQUEST FOR COUNCIL ACTION

**To:** Council Members

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

**From:** Joe Wuellner

**AGENDA ITEM:** **Accept Heat & Scarify Bid and Approve Intergovernmental Agreements**

**AGENDA DATE REQUESTED:** **April 28, 2009**

**ACTION REQUESTED: Approve recommendation to accept the low bid of $295,824.75 from American Asphalt Surface Recycling, Inc. to do the heat and scarify work on Parkway and Broadway and approve intergovernmental agreements with the Cities of East Peoria and Washington.**

**BACKGROUND:** The Street Department has utilized the heating and scarifying process in the past on streets with excessive stress cracks to extend the life of the pavement. We have always partnered with the City of Peoria and others to take advantage of scale to get an excellent price. This year, the City of Peoria was not able to put together a program but the Cities of East Peoria and Washington were so we took the lead to coordinate the effort to get the work done. By working as a group we are able to save on having to pay the full mobilization costs associated with bringing in the heating equipment, rollers, and crew. The process heats the pavement down to over an inch where it becomes pliable, it is then raked (scarified), sprayed with a coating of fresh emulsion to rejuvenate the original bituminous material, and then rolled to smooth and seal the surface. The area is then seal coated to protect the surface and extend the life of the pavement. This process has been used in various areas throughout the city over the past few years and has been very effective in extending the life of the pavement. This bid reflects a savings of about $10,000 by working with other communities this year.

As a part of this request is the request to approve the intergovernmental agreements with East Peoria and Washington. These agreements state that they are aware of the work and that they are responsible for their portion of the cost.

**FINANCIAL IMPACT:** This is in the annual street maintenance budget item. Costs are covered with MFT, HUD, and Street funds

**NEIGHBORHOOD CONCERNS:** Maintain streets in passable condition

**IMPACT IF APPROVED:** Scheduled work will proceed

**IMPACT IF DENIED:** Scheduled work will be postponed until a future date

**ALTERNATIVES:** Expend additional funds to remove and replace the pavement at a higher cost.

**RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation**

**REQUIRED SIGNATURES**

| | | |
|---|---|---|
| **Department Director** | J Wm Ellis | 3/24/09<br>Date |
| **Finance Department** | Angela Evans<br>(Certification of Availability of Funds) | 3.24.09<br>Date |
| **Corporation Counsel** | (Certification of Review) | Date |
| **City Manager** | Dan King | 4/17/09<br>Date |

**BID TABULATIONS**
**HEAT & SCARIFICATION**
**VARIOUS STREETS**
**PEKIN, ILLINOIS 61554**

OPENING APRIL 21, 2009 @ 2:00 P.M.

| NAME & NUMBER | ADDRESS | BID BOND | BASE BID |
|---|---|---|---|
| CHERYL JAGER<br>AMERICAN ASPHALT | 12954 WEST BAKER<br>MANHATTAN IL 60442<br>FED-X #2195-0421-7 | **5%** | **$295,824.75** |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

ESTIMATE $309,478.20

Illinois Department of Transportation

# Municipal Maintenance Operations

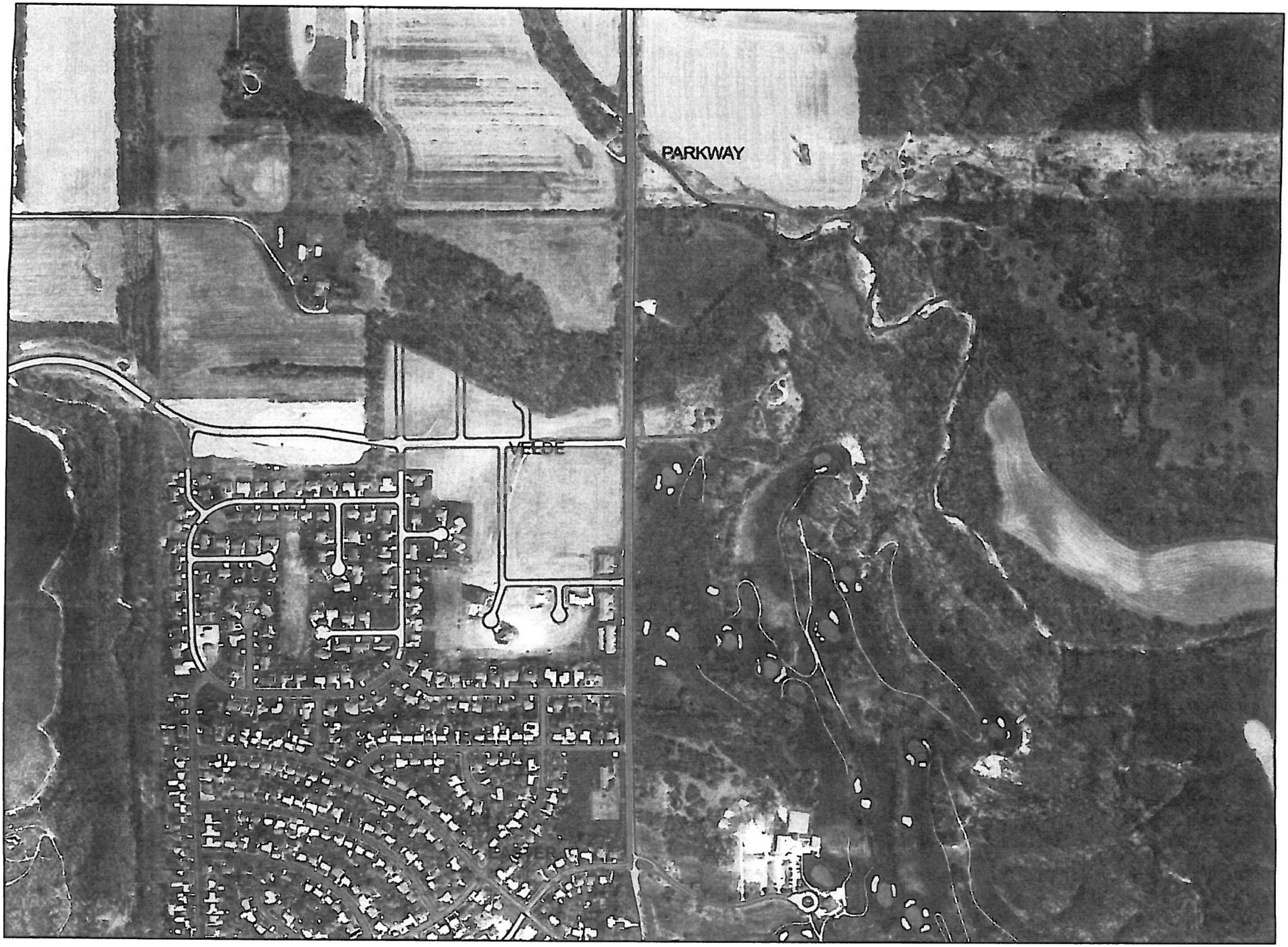
Section Number 09 - 00000 - 02 - GM
Municipality PEKIN

| Location | | | Surface | | | Maintenance Operation | | |
|---|---|---|---|---|---|---|---|---|
| Street | From | To | Existing Type | Length | Width | No. | Description | Quantity & Unit |
| PARKWAY DR | Easter | Velde | | 2100 | 45 | | HEATER SCARIFICATION | 10500SY |
| | Velde | Bridge | | 1200 | 45 | | | 6000SY |
| BROADWAY RD | 8TH | 14TH | | 2600 | 53 | | | 15311SY |
| | 14TH | Parkway Dr | | 3400 | 53 | | | 20022SY |
| | Parkway Dr | Schramm Dr | | 3100 | 53 | | | 18256SY |
| | | | | | | | | 70089SY |

Submit Four (4) copies to Regional Engineer



BLR 14232 (Rev. 7/05)


PARKWAY
VEEDE

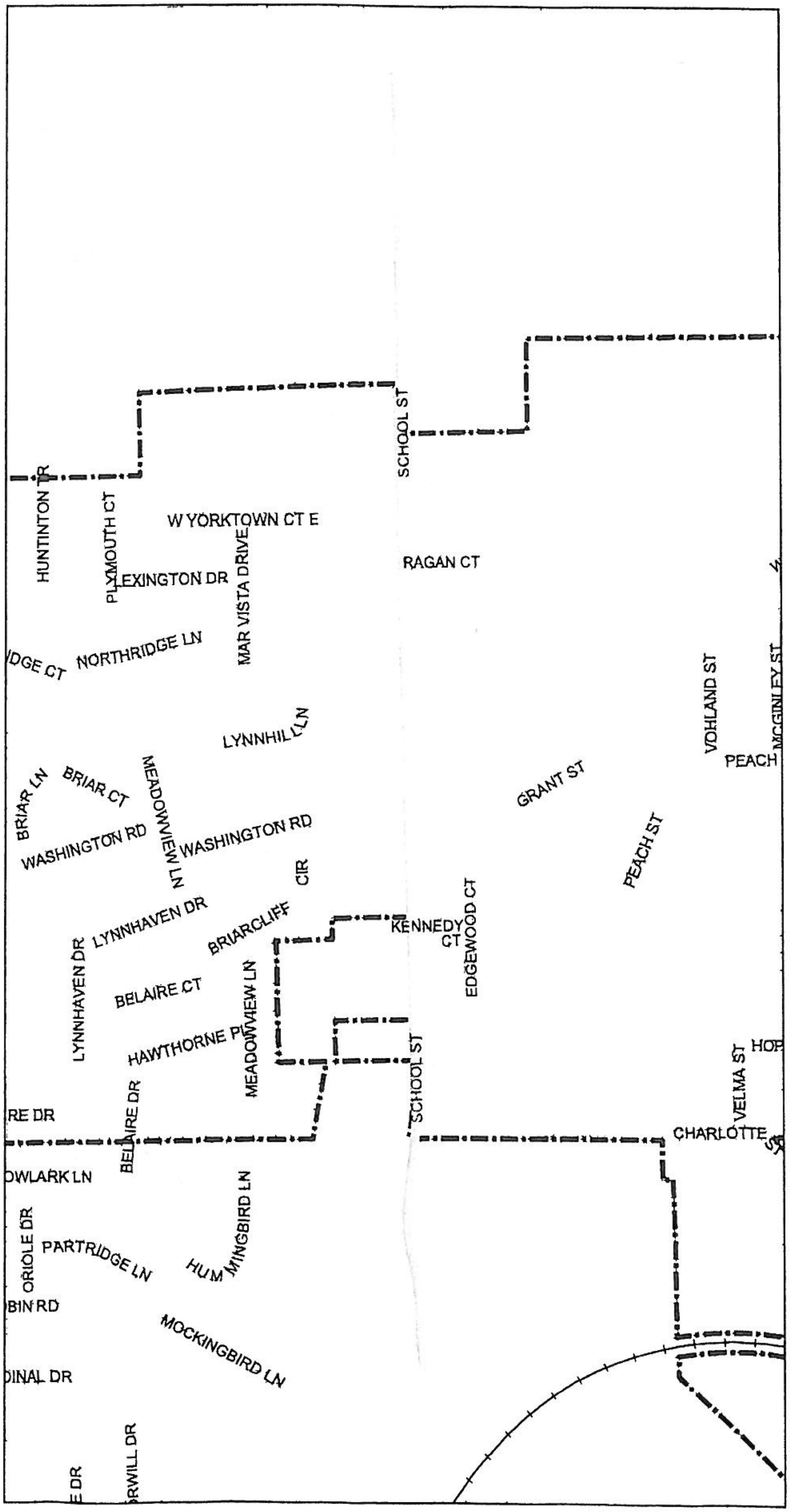
Illinois Department of Transportation

# Municipal Maintenance Operations

Section Number 09 - 00000 - 03 - GM
Municipality City of Washington

| Location | | | Surface | | | Maintenance Operation | | |
|---|---|---|---|---|---|---|---|---|
| Street | From | To | Existing Type | Length | Width | No. | Description | Quantity & Unit |
| N. School Street | Route 8 | Centennial Drive | BIT | 3490 | 21 | | Heat Scarify | 8143 SY |
| | | | | | | | Asphalt Modifier | 814 GAL |
| | | | | | | | Second Roller | 8143 SY |
| S. School Street | Route 8 | Old Mink Farm Road | BIT | 2980 | 20 | | Heat Scarify | 6622 SY |
| | | | | | | | Asphalt Modifier | 662 GAL |
| | | | | | | | Second Roller | 6622 SY |

Submit Four (4) copies to Regional Engineer




# CITY OF WASHINGTON

## Streets Heat Scarification - 2009 -

**LEGEND**

Heat Scarification & Seal Coat
railroads
City Limits

N
W E
S

1 inch = 750 feet

0 0.05 0.1 0.2 Miles

*Prepared by the City of Washington*
*Department of Planning and Development*
*January 23, 2009*

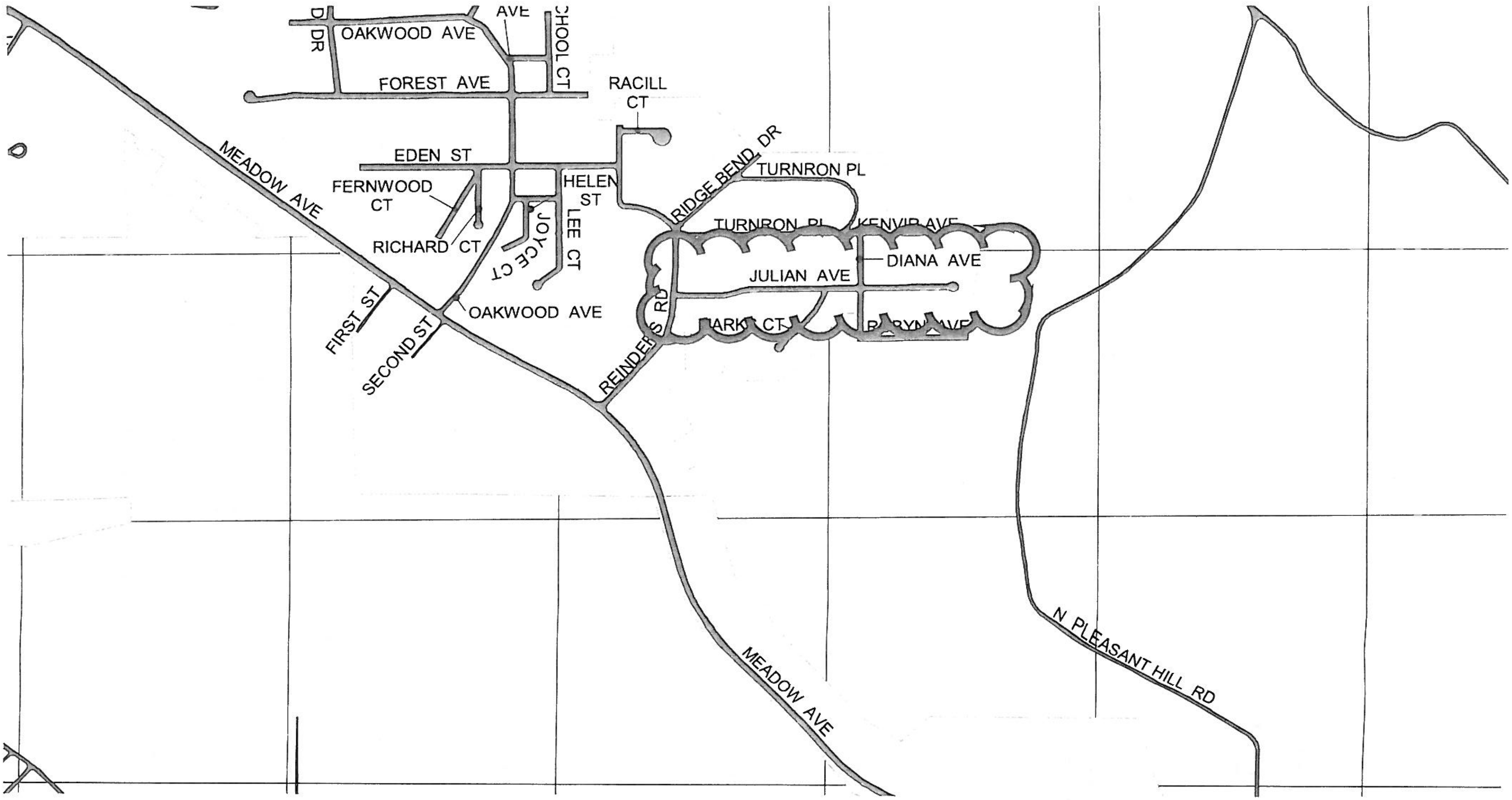
**Municipal Maintenance Operations**

PRINTED ON 3/30/2009

Section Number 09-00000-00-GM
Municipality EAST PEORIA

| Location | | | Surface | | | Maintenance Operation | | |
|---|---|---|---|---|---|---|---|---|
| Street | From | To | Existing | Length (ft) | Width (ft) | No. | Description | Quantity & Unit |
| JULIAN | REINDERS | END | BIT | 1633 | 34 | | HEATER SCARIFICATION | 6,169 SQ YD |
| | | | | | | | STEEL ROLLER | 6,169 SQ YD |
| | | | | | | | ASPHALT MODIFIER | 617 GAL |
| | | | | | | 5% | BASE REPAIR | 308 SQ YD |
| | | | | | | | SPRAY PATCH | 0.50 DAY |
| | | | | | | 0.80 | BIT A-1 SEALCOAT-CRSP | 4,935 GAL |
| | | | | | | 32 | SEALCOAT AGG -TRAP ROCK | 99 TON |
| SEE NOTES ON PREVIOUS PAGE | | | | | | | | |

Submit Four (4) copies to Regional Engineer


OAKWOOD AVE
AVE
FOREST AVE
RACILL CT
EDEN ST
RIDGE BEND DR
TURNRON PL
FERNWOOD CT
HELEN ST
TURNRON PL
JOYCE CT
LEE CT
RICHARD CT
DIANA AVE
JULIAN AVE
MEADOW AVE
FIRST ST
SECOND ST
OAKWOOD AVE
REINDERS RD
MEADOW AVE
N PLEASANT HILL RD

# REQUEST FOR COUNCIL ACTION

**To:** **Council Members**

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

**From:** **Joe Wuellner**

**AGENDA ITEM: Annual Intergovernmental Agreement with IDOT - Maintenance of Municipal Streets**

**AGENDA DATE REQUESTED: April 28, 2009**

**ACTION REQUESTED: Approve Intergovernmental Agreement with IDOT for the Maintenance of Municipal Streets for reimbursement in the amount of $78, 797.57**

**BACKGROUND:** The City has had an Intergovernmental Agreement for many years where IDOT reimburses us for the work we do to maintain, clean, and snow plow streets within the city limits that are part of the state highway system. Over the past few years, there have been questions as to the number of lanes covered and the adjustment factors utilized to come up with the value. Street Superintendent, Dave Pagliaro has been working with them on this for the past year and through his efforts the numbers have been adjusted to more closely reflect actual lane miles. This has resulted in an increase of $8,645 this agreement period. Past increases have only been in the range of $800 to $1,200 per year since the agreement was last adjusted in 2004. By the City providing these services, we are assured that maintenance items and snow removal are done in a timely manner versus waiting for IDOT crews to come once their more critical areas have been addressed.

**FINANCIAL IMPACT:** Revenue to offset expenses incurred to maintain streets that are part of the highway system

**NEIGHBORHOOD CONCERNS:** Keep streets maintained and clear in a timely manner

**IMPACT IF APPROVED:** Continue receiving reimbursement from IDOT for work that we do

**IMPACT IF DENIED:** Turn maintenance and plowing back to IDOT

**ALTERNATIVES:** N/A

**RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation**

**REQUIRED SIGNATURES**

| | | |
|---|---|---|
| **Department Director** | Joseph Whalen | 4/17/09<br>Date |
| **Finance Department** | (Certification of Availability of Funds) | 4.19.09<br>Date |
| **Corporation Counsel** | (Certification of Review) | Date |
| **City Manager** | | 4/19/09<br>Date |

Illinois Department of Transportation
Division of Highways / Region 3 / District 4
401 Main Street / Peoria, Illinois / 61602-1111
Telephone 309/671-3333

April 13, 2009

City of Pekin
111 S. Capitol Street
Pekin, IL 61554-4108

Dear City Clerk:

The State of Illinois, acting through its Department of Transportation, entered into an Intergovernmental Agreement for the Municipal Maintenance of State Highways with your municipality. This agreement is extended by mutual agreement between this Department and your municipality in 12-month increments through June 30, 2015.

A new computation sheet(s) for FY 2010 is enclosed. The adjustment factor used to determine the rates of compensation shown on the Computation Sheet is 5.0. The computation sheet has been reviewed to insure your municipality is being compensated correctly for the state highways it maintains.

The Department will reimburse your municipality $78,797.57 as compensation for the satisfactory maintenance and operation of the streets in accordance with the terms of this new Agreement.

If you have any questions, or if we can be of any assistance, please contact Cliff Williams, Services and Development Technician, at (309) 671-4485.

Very truly yours,

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

CW:bh\s:\gen\winword\serv&dev\maintenance agreements 2009\pekin09.doc

Enclosure

cc: File

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

For the Period
*Beginning July 1, 2009 Ending June 30, 2010*

CITY OF PEKIN COMPUTATION SHEET - MUNICIPAL MAINTENANCE FY 10

| ROUTE | SECTION | STREET NAME | FROM | TO | TOTAL WIDTH | BUILT BY | WIDTH | NO. LANES | LOCATION | LENGTH IN FEET | LANE MILES | ADT | ADT/ LANES | SOURCE | RATE PER LN. MI | ADJ. FACTOR | ROUTE TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| ILL 9 | | One Way EB | | | | | | | | | | | | | | | |
| | | Margret | Second | Sixth | 40' & var | C/S | 28 | 3-of 3 | left/center | 2434 | 1.38 | 6066 | 3033 | 2007 | 502 | 5 | $3,463.80 |
| | | Margret | sixth | court & Eighth | 40' & var | C/S | 30 | 2 of2 | | 1079 | 0.42 | 7550/ | 3775 | 2007 | 539 | 5 | $1,131.90 |
| ILL 9 | | One Way WB | | | | | | | | | | | | 2007 | | 5 | $0.00 |
| | | Eighth | court | Broadway | 60' | C/S | 30' | 2 of4 | Center | 300 | 0.11 | 8800 | 4400 | 2007 | 570 | 5 | $313.50 |
| | | Eighth | Broadway | Ann Eliza | 30' & var | C/S | 30' | 2 of 2 | All | 300 | 0.11 | 8700 | 4400 | 2007 | 570 | 5 | $313.50 |
| | | Ann Eliza | Eighth | Fifth | 30' | C/S | 30' | 2 of 2 | All | 1253 | 0.48 | 5900 | 2950/ | 2007 | 497 | 5 | $1,192.80 |
| ILL 9/29 | | Ann Eliza | Fifth | Second | 36' | C/S | 24' | 2 OF 3 | left/center | 1854 | 1.05 | 7266 | 3633 | 2007 | 644 | 5 | $3,381.00 |
| | | Second | Ann Eliza | Margaret | 40' | C/S | 40' | 3 of 3 | All | 240 | 0.14 | 3800 | 1266 | 2007 | 577 | 5 | $403.90 |
| ILL 9 | | Two-Way | | | | | | | | | | | | | | 5 | |
| | | Court | Eighth | 160' W. of Hilltop rd. | 52' | C/S | 10' &11' | 5 of5 | Center | 10610 | 10 | 21325 | 4265 | 2007 | 563 | 5 | $28,150.00 |
| | | Court | 160' W. of Hilltop Drive | TR93A (Mall Rd.) | 52' | C/S | 10' &11' | 2 of 4 | Center | 6072 | 2.3 | 20505 | 10262 | 2007 | 705 | 5 | $8,107.50 |
| | | Court | 300' W. of Pwy | 300' W. of Cottage Grove Ave. | | | 4' &var | C & G | | 600 | 0.11 | | | 2007 | 330 | 5 | $181.50 |
| | | Court | 160' W. of Hilltop Drive | TR93A (Mall Rd.) | | | 4' &var | C & G | | 6072 | 1.15 | | | 2007 | 330 | 5 | $1,897.50 |
| ILL 9 | Lt. Turn lanes | Court | | Valle Vista | | | 12 | 1 | | 186 | 0.04 | 1750 | 1750 | 2007 | 265 | 5 | $53.00 |
| | 3-Lt. Turn EB | Court | Valle Vista | Olt | | | 12 var | 3 | | 430 | 0.24 | 2100 | 700 | 2007 | 255 | 5 | $306.00 |
| | 2-Lt. Turn WB | Court | Olt | Valle Vista | | | 12 var | 2 | | 293 | 0.11 | 1400 | 700 | 2007 | 255 | 5 | $140.25 |
| | 3-Lt. Turn EB | Court | Olt | Barney Dr. | | | 12 var | 3 | | 583 | 0.33 | 3000 | 1000 | 2007 | 257 | 5 | $424.05 |
| | 2-Lt. Turn WB | Court | Barney Dr. | Olt | | | 12 var | 2 | | 237 | 0.09 | 2000 | 1000 | 2007 | 257 | 5 | $115.65 |
| | 3-Lt. Turn EB | Court | Barney Dr. | Veterans | | | 12 var | 3 | | 624 | 0.354 | 5700 | 1900 | 2007 | 266 | 5 | $470.82 |
| | 3-Lt. Turn WB | Court | Veterans | Barney Dr. | | | 12 var | 3 | | 555 | 0.315 | 5700 | 1900 | 2007 | 266 | 5 | $418.95 |
| | Lt. Turn WB | Court | E of Veterans | Veterans | | | 12 var | 1 | | 306 | 0.06 | 670 | 670 | 2007 | 254 | 5 | $76.20 |
| ILL 29 | | Second | Koch | 3rd street connection | 40' | C & S | 24' | 3 of 3 | Center | 4900 | 2.79 | 13750 | 4583 | | 579 | 5 | $8,077.05 |
| | Lt. Turn | Second | N. of Derby | | | | 12' | 1 | | 210 | 0.04 | 600 | 600 | 2007 | 285 | 5 | $57.00 |
| | Rt. Turn | Second | S. of Derby | | | | 12' | 1 | | 200 | 0.04 | 600 | 600 | 2007 | 285 | 5 | $57.00 |
| | | Second | 3rd St connection | Washington | var | C & S | 10'-12' | 4 of 4 | | 500 | 0.38 | 5400 | 1350 | 2007 | 360 | 5 | $684.00 |
| | Median | Second | Franklin | 3rd St. | var | | 4' & var | raised | | 1000 | 0.19 | | | 2007 | 330 | 5 | $313.50 |
| | Lt. Turn | Second | | Washington | | | 21' | 1 | | 200 | 0.04 | 1000/ | 1000 | 2007 | 325 | 5 | $65.00 |
| | | Second | Washington | Franklin | var | C & S | 10'-12' | 4 | | 500 | 0.38 | 6400 | 1600 | 2007 | 442 | 5 | $839.80 |
| | | Second | Franklin | Magaret | 40' | C & S | 12' | 3 of 3 | | 2550 | 1.45 | 6400 | 2133 | 2007 | 438 | 5 | $3,175.50 |
| | | Second | Magaret | Ann Eliza | 40' | C & S | 12' | 3 of 3 | | 220 | 0.13 | 3800 | 1266 | 2007 | 352 | 5 | $228.80 |
| | Lt. Turn | Second | | Court St. | | | 12' | 1 | | 250 | 0.05 | 3000 | 3000 | 2007 | 500 | 5 | $125.00 |
| | | 3rd st. | 2nd st connection | Margaret | 30' | C & S | 12' | 2 of 2 | | 2940 | 1.11 | 7700 | 3850 | 2007 | 542 | 5 | $3,008.10 |
| | Lt. Turn | 3rd st. | | Margaret | | C & S | 12' | 1 | | 150 | 0.03 | 1500 | 1500 | 2007 | 375 | 5 | $56.25 |
| ILL 9 | | 3rd st. | Margaret | Ann Eliza | | C & S | 12' | 2 of 2 | | 220 | 0.08 | 7400 | 3700 | 2007 | 535 | 5 | $214.00 |
| ILL 29 | | Fifth | Ann Eliza | Charlotte | 40' | C & S | 36' | 3 of 3 | | 1576 | 0.9 | 12600 | 4200 | 2007 | 560 | 5 | $2,520.00 |
| | | Fifth | Charlotte | Eight | | | 38' | 3 of 3 | | 513 | 0.29 | 12600 | 4200 | 2007 | 560 | 5 | $812.00 |
| | | Fifth | Margaret | Ann Eliza | | | 24' | 2 of 2 | | 200 | 0.08 | 8400 | 4200 | 2007 | 560 | 5 | $224.00 |
| | Lt. Turn | Fifth | S of Ann Eliza | | | | 10 | 1 | | 100 | 0.02 | 1600 | 1600 | 2007 | 385 | 5 | $38.50 |
| | Lt. Turn | Fifth | N. of Margaret | | | | 10' | 1 | | 100 | 0.02 | 3900 | 3900 | 2007 | 545 | 5 | $54.50 |
| | Median | Fifth | Eighth | Ann Eliza | | | 10' & var | flush | | 2164 | 0.41 | | | 2007 | 165 | 5 | $338.25 |
| | | Eighth | Fifth | 4'N of Colidge Ave. | 60' | C & S | 58' | 5 of 5 | | 3700 | 3.5 | 9800 | 1960 | 2007 | 421 | 5 | $7,367.50 |
| | | | | | | | | | TOTAL | Lane miles | 30.719 | | | | Total amount | | $78,797.57 |

# REQUEST FOR COUNCIL ACTION

**To:** **Council Members**

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

**From:** **Joe Wuellner**

**AGENDA ITEM: Amend Agreement with Dr. Farrell for Broadway-Parkway Project.**

**AGENDA DATE REQUESTED: April 28, 2009**

**ACTION REQUESTED: Approval of amendment to original agreement to purchase right of way.**

**BACKGROUND:** During negotiations with Dr. Farrell for the property needed for right of way for the construction of the Broadway – Parkway intersection and agreement was prepared that required the City to pay for re-doing the signs in front of his business. This amendment lowers the amount for that work if the electrical disconnect for the traffic signals is relocated to a place where it will not restrict view of the sign. Overall, with the new cost for the sign and the cost to move the disconnect, this amendment reduces the cost to the City by $4,200.

**FINANCIAL IMPACT:** Re-work sign and relocate disconnect - $7,800

**NEIGHBORHOOD CONCERNS:** No concerns expressed.

**IMPACT IF APPROVED:** Completes agreement items.

**IMPACT IF DENIED:** Original agreement will be complied with at a cost of $12,000.

**ALTERNATIVES:** N/A.

**RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation and Safe Community**

**REQUIRED SIGNATURES**

| | | |
|---|---|---|
| **Department Director** | Joseph Woolley | 4/17/09<br>Date |
| **Finance Department** | Angela Evans<br>(Certification of Availability of Funds) | 4-19-09<br>Date |
| **Corporation Counsel** | (Certification of Review) | Date |
| **City Manager** | Dan Kolf | 4/17/09<br>Date |

# AMENDMENT TO AGREEMENT

THIS AMENDMENT TO AGREEMENT is made and entered into this _______ day of April, 2009, between JAMES W. FARRELL, individually, and JAMES W. FARRELL, as Trustee under the Susan R. Farrell Trust, dated December 26, 2002 (collectively the "Owner") and the CITY OF PEKIN (the "City").

## WITNESSETH:

WHEREAS, the Owner and the City entered into a certain agreement, hereinafter referred to as the "Agreement", dated the 19th day of June, 2007 and recorded in the Office of the Tazewell County Recorder as document number 200700021904; and

WHEREAS, the parties have mutually agreed to modify the terms of paragraph 5 of the Agreement as it pertains to Owner's signs; and

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. That the recitals set forth above are made a material part of this Amendment to Agreement.

2. That upon completion, at the City's expense, the work described in the proposal attached hereto and incorporated herein by reference, submitted by "The Signman", be and is accepted by the parties as satisfying the City's obligations as to the replacement of Owner's large sign near the corner of Broadway Road and Parkway Drive and entrance sign. The Owner shall contract with "The Signman" and have the work completed. The City will reimburse the

expense incurred by the Owner not to exceed Four Thousand Eight Hundred Dollars ($4,800) within thirty (30) days of the Owner submitting a copy of the invoice from The Signman to Owner following completion of work.

3. That the City shall relocate, at the City's sole expense on or before June 30, 2009, the electric box currently located between Owner's existing sign and Parkway Drive to a location reasonably acceptable to the Owner that will not obstruct the view of Owner's sign from Parkway Drive.

4. In the event either party defaults in any obligation set forth under this Agreement, the non-defaulting party shall be entitled to reasonable attorney's fees and court costs from the defaulting party.

5. Except as modified herein, all of the remaining terms and conditions of said Agreement shall remain in full force and effect.

THE CITY OF PEKIN,
a Municipal Corporation

By: ______________________________
Its Mayor

ATTEST:

______________________________
JAMES W. FARRELL, individually

______________________________, Trustee
JAMES W. FARRELL, as Trustee of
The Susan R. Farrell Trust dated
December 26, 2002

By:

______________________________
Its Clerk

STATE OF ILLINOIS )
) SS.

COUNTY OF TAZEWELL )

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JAMES W. FARRELL, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his free and voluntary act both individually and as Trustee of the Susan R. Farrell Trust Dated December 26, 2002, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this ____ day of March, 2009.

____________________________________

Notary Public

# PROPOSAL

THE SIGNMAN
14535 CHESTER L RD
PEKIN, IL 61554 348-1133 OFFICE/FAX

| PROPOSAL NO. | |
|---|---|
| SHEET NO. | |
| DATE | 4-1-09 |

PROPOSAL SUBMITTED TO:

| | |
|---|---|
| NAME | MIDWEST EYE CARE |
| ADDRESS | 101 N. PARKWAY |
| | PEKIN, IL 61554 |
| PHONE NO. | 347-5115 |

WORK TO BE PERFORMED AT:

| | |
|---|---|
| ADDRESS | SAME |
| DATE OF PLANS | |
| ARCHITECT | |

We hereby propose to furnish the materials and perform the labor necessary for the completion of

- RE-SURFACE EXISTING SANDBLASTED SIGN/FRAME
  REPLACE WOOD AS NEEDED - SCRAPE/CLEAN/SAND PAINTED SURFACES
  REMOVE VINYL LETTERING/CLEAN
  PRIME/FINISH COAT ALL PAINTED SURFACES
  FRAME MAY BE WRAPPED IN ALUMINUM IF REQUESTED
  INSTALL NEW VINYL LETTERING OR RAISED LASER-CUT IF REQUESTED
- FABRICATE + INSTALL - 1 PARKING LOT ENTRANCE SIGN ON SOUTH SIDE OF BUILDING - SIZE TO AVAILABLE AREA POST AND PANEL STRUCTURE

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work, and completed in a substantial workmanlike manner for the sum of NOT TO EXCEED Dollars ($ 4,800.00 )

with payments to be made as follows:

Respectfully submitted [signature]

Per THE SIGNMAN

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Note - This proposal may be withdrawn by us if not accepted within ______ days.

## ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature ______________________

Date ______________________ Signature ______________________

# REQUEST FOR COUNCIL ACTION

**To:** Mayor Rusty Dunn and Members of the City Council

**CC:** Dennis Kief, City Manager and Sue McMillan, City Clerk

**From:** Greg Ranney, Supt. of Transportation and Solid Waste

**AGENDA ITEM:** Approval of the Amendment to the FY09 State Operating Assistance Grant Contract No. 3797

**AGENDA DATE REQUESTED:** April 28, 2009

**ACTION REQUESTED:** Approval to increase the maximum amount of Contract No. 3797 grant from $343,194 to $639,925.

**BACKGROUND:** The Mayor and Council passed the '09 Operating Grant on January 12, 2009 for Municipal Transportation. I received notification from IDOT on April 9, 2009 saying our funding will increase from $343,194.00 to $639,925.00

**FINANCIAL IMPACT:** This would increase the possible amount of funding by the amount of $296,731.00.

**NEIGHBORHOOD CONCERNS:** Non-Applicable

**IMPACT IF APPROVED:** Additional funding could manage concerns like were brought to council on April 13, 2009. Additional hours and services could be added to address some of the concerns mentioned.

**IMPACT IF DENIED:** Non-Applicable

**ALTERNATIVES:** Non-Applicable

**RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS:**

**REQUIRED SIGNATURES**

**Department Director** ______________________ Date

**Finance Department** ______________________
(Certification of Availability of Funds) Date

**Corporation Counsel** ______________________
(Certification of Review) Date

**City Manager** [signature] 4/17/09
Date

Illinois Department of Transportation
Division of Public and Intermodal Transportation
300 West Adams Street / 2nd Floor / Chicago, Illinois / 60606

April 9, 2009

Mr. Greg Ranney
Director of Public Property
City of Pekin, c/o Pekin Municipal Bus Service
1130 Koch Street
Pekin, Illinois 61554

RE: Fiscal Year 2009 State Operating Assistance Grant OP-09-09-IL
Contract No. 3797

Dear Mr. Ranney:

Enclosed is your executed copy of Amendment No. 1 to FY09 Downstate Operating Assistance Grant Agreement No. 3797. The amendment was fully executed on March 26, 2009 and increased the maximum contract amount from $343,194 to $639,925.

If you have any questions regarding this matter, please contact Karen Strell at (312)793-5230, or by e-mail at Karen.Strell@illinois.gov.

Sincerely,

Nancy L. Stwora
Acting Section Chief
Downstate Urbanized Area Programs

enclosure

AMENDMENT NO. 1 TO THE
DOWNSTATE PUBLIC TRANSPORTATION
OPERATING ASSISTANCE GRANT AGREEMENT
between
STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION
DIVISION OF PUBLIC AND INTERMODAL TRANSPORTATION
and
CITY OF PEKIN
CONTRACT NUMBER: 3797
GRANT NUMBER: OP-09-09-IL

This Amendment No. 1 to an Agreement dated January 20, 2009 between the State of Illinois, Department of Transportation, Division of Public and Intermodal Transportation, and the City of Pekin, is made and entered into by and between the parties thereto. In consideration of the mutual covenants contained herein and in such Agreement, the Parties agree as follows:

To amend the "Downstate Public Transportation Operating Assistance Grant Agreement" by deleting ITEM 2 and replacing it with the following:

## ITEM 2 - PROJECT BUDGET

Under the Act, the Department enters into this Grant Agreement to implement Grantee's approved program of expenditures, within the following condition:

The Grantee shall be paid under this Agreement sixty-five percent (65%) of Grantee's eligible operating expenses incurred during fiscal year 2009, up to the amount appropriated to the Department relative to the Grantee in Public Act 95-0732, as long as there are sufficient funds transferred into the Downstate Public Transportation Fund (30 ILCS 740/2-7 (b)), and provided that the amount paid under this Agreement together with any operating assistance received by the Grantee from any other state or local agency for fiscal year 2009 does not exceed Grantee's actual operating deficit for that year.

The Department has approved and agrees to make a grant in the estimated amount of $639,925, subject to the limitations set forth above, the Act and the Rules.

In the event that a Grantee receives an amount in excess of the amount provided to be paid to the Grantee above, or the combined state and local operating assistance grants for fiscal year 2009 exceed Grantee's actual operating deficit for that year, Grantee agrees to remit to the State any excess funds received. For purposes of this Agreement, the term "operating deficit" shall have the following meaning set forth in Section 2-2.03 of the Act (30 ILCS 740/2-2.03): "the amount by which eligible operating expenses exceed revenue from fares, reduced fare reimbursements, rental of properties, advertising, and any other amounts collected and received by a provider of public transportation, which, under standard accounting practices, are properly classified as operating revenue or operating income attributable to providing public transportation and revenue from any federal financial assistance received by the participant to defray operating expenses or deficits. For purposes of determining operating deficits, local effort from local taxes or its equivalent shall not be included as operating revenue or operating income."

Grantee agrees to commit the necessary local funding to cover costs incurred in providing public transportation which are not reimbursed under this Agreement or by other federal, state or local assistance programs.

The parties hereto agree that the Agreement dated January 20, 2009, between the Parties is in all other respects ratified and reaffirmed and that it continues in full force and effect as hereby amended.

IN WITNESS WHEREOF, the parties have caused this Amendment No. 1 to be made effective and executed as of the 26th day of March, 2009, by their respective duly authorized officials.

Accepted on behalf of the City of Pekin:

Gregory J Ranney
Signature of Authorized Representative

Gregory J. Ranney
Type or Print Name of Authorized Representative

3/23/09
Date

Director of Public Property
Type or Print Title of Authorized Representative

Accepted on behalf of the State of Illinois, Department of Transportation:

By: Gary Hannig
Gary Hannig, Acting Secretary of Transportation

By: JPC
Joseph P. Clary,
Director, Division of Public and Intermodal Transportation

3/26/09
Date

# REQUEST FOR COUNCIL ACTION

**To:** Mayor Rusty Dunn and Members of the City Council

**CC:** Dennis Kief, City Manager and Sue McMillan, City Clerk

**From:** Greg Ranney, Supt. of Transportation and Solid Waste

**AGENDA ITEM:** Approval to execute the two option years of the heating and air conditioning contract with Xcell Mechanical Systems

**AGENDA DATE REQUESTED:** Tuesday, April 28, 2009

**ACTION REQUESTED:** Approval the two option years of our heating and air conditioning contract

**BACKGROUND:** Xcell Mechanical Systems to receive the heating and air conditioning contract by the bid process for the maintenance of all city buildings. They have done an excellent job since May 1, 2005

**FINANCIAL IMPACT:** The bids in 2005: Xcell $7,960.00, Johnson $14,040.00, Robinson $12,939.96 and Central $11,894.00. The contract is a low increase of 2.5% and a high cost of 4% based on the CPI for the year.

**NEIGHBORHOOD CONCERNS:** Non-Applicable

**IMPACT IF APPROVED:** Continued great service while holding down the cost on the maintenance of the heating and air conditioning equipment.

**IMPACT IF DENIED:** Non-Applicable

**ALTERNATIVES:** Non-Applicable

**RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS:**

**REQUIRED SIGNATURES**

**Department Director** ______________________________
Date

**Finance Department** ______________________________
(Certification of Availability of Funds) Date

**Corporation Counsel** ______________________________
(Certification of Review) Date

**City Manager** ______________________________
Date

Transportation and Solid Waste Department

March 18, 2008

XCell Mechanical Systems
P.O. Box 800
Mackinaw, IL 61755

Dear Mr. Hamilton

In a letter dated, April 22, 2005, the City of Pekin awarded the three-year contract to XCell Mechanical Systems. In that letter it was stated the City of Pekin could exercise the one-year option for the next three years. The City of Pekin is notifying you that we want to exercise that first option year. The contract also states the contract amount would increase not less than 2.5% and not more than 4% any one year. The Tazewell County Clerk's office confirmed CPI was 2.5% for the upcoming year. So based on the contract, the contract amount will increase by 2.5%. Please feel free to contact me if anything further is needed.

Sincerely,

Greg Ranney

Greg Ranney
Superintendent of Transportation & Solid Waste

City of Pekin Transportation and Solid Waste Department
1130 Koch Street, Pekin, IL 61554
Phone (309) 478-5444 * Fax (309) 346-6878

City of Pekin

April 22, 2005

Dennis Kief, City Manager
111 N. Capitol St.
Pekin, IL 61554

Mr. Kief,

After making the two changes advised by our legal counsel to clear up any possible confusion the Heating, Ventilation and Air Conditioning maintenance contract has been re-bid. The bid packets submitted have been reviewed and it is my recommendation that the low annual bid of XCELL Mechanical Systems be accepted in the amount of $7,960.00. Attached is a copy of the bid tabulation sheet and hourly costs outside of the contract. This will be a three-year contract with the City of Pekin to have the option to renew 3 one-year contracts to follow after the initial three years are complete. This contract will include maintenance of the HVAC equipment in all city buildings. Please contact my office if you have any further questions.

Sincerely,

Greg Ranney

Greg Ranney
Director of Public Property

GJR:lmr

cc: Mayor & Council

## BID PROPOSAL

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

1. Proposal of XCELL Mechanical Systems for providing the annual and regular maintenance of heating, ventilating, and air conditioning equipment in all city owned buildings:

2. The specifications of proposed maintenance, are those prepared by the Public Works Department, 111 S. Capitol Street, Pekin, IL. (309) 477-2315.

3. The specifications herein referred to are the "International Property Maintenance Code", 2003 Edition.

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

4. The undersigned agrees to complete the work in the timeframes set forth by manufacturer's recommended maintenance schedules or these specifications, unless additional time is granted by the City of Pekin.

5. The undersigned submits herewith his bid for each location covering the work to be performed as specified.

6. Proposed annual costs: $7,960.00

| | | |
|---|---|---|
| City Hall Building, 111 S. Capitol St | | |
| Service Center, 1130 Koch St. | | |
| Street Department, 1208 Koch St. | | |
| East Side Fire Station, 3232 Court St. | | |
| North Side Fire Station, 1000 N. 14th St. | | |
| South Side Fire Station, 272 Derby St. | | |

7. Hourly costs not included in the contract:

| | |
|---|---|
| 1st year costs | $72.00 |
| 2nd year costs | $75.50 |
| 3rd year costs | $80.00 |
| Option year 1 costs | $84.00 |
| Option year 2 costs | $88.00 |
| Option year 3 costs | $92.00 |

Signature of Bidder [signature] (Seal)

Business Address 30068 Illinois Route 9, Mackinaw, IL 61755

Phone 309-359-3084 Cell Phone 309-241-3554

# REQUEST FOR COUNCIL ACTION

**To:** **Council Members**

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

**From:** **Joe Wuellner**

**AGENDA ITEM:** **Letter of Understanding – IDOT for Routes 9 and 29**

**AGENDA DATE REQUESTED:** **April 28, 2009**

**ACTION REQUESTED:** **Authorize Joe Wuellner to sign Letter of Understanding**

**BACKGROUND:** The Illinois Department of Transportation is scheduled to improve 4.9 miles of State Routes 9 and 29 that run through the City of Pekin. The Letter of Understanding is a standard document that restates the limits of responsibility for the roads once the work is completed and to show that the City supports the planned work. There is no cost to the City for this work and the responsibility afterwards is a continuation of what we have now.

Work is scheduled for a bid letting on May 15, 2009 with work starting as early as mid-June. Work will involve patching, milling, and resurfacing the pavement, and performing all other work necessary to complete the improvements. The limits will be for Route 29 – Route 98 to Route 9 (Margaret Street) and for Route 9 – Route 29 (3rd Street) to Audubon Drive.

**FINANCIAL IMPACT:** None

**NEIGHBORHOOD CONCERNS:** Improve roadway surfaces on highway sections through town.

**IMPACT IF APPROVED:** Planned IDOT work will proceed

**IMPACT IF DENIED:** No work will be done on the State Highways through town

**ALTERNATIVES:** N/A

**RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS:** **Strong Foundation**

| REQUIRED SIGNATURES | | |
|---|---|---|
| **Department Director** | Joseph Wuellner | 4/21/09 |
| | | Date |
| **Finance Department** | | |
| | (Certification of Availability of Funds) | Date |
| **Corporation Counsel** | | |
| | (Certification of Review) | Date |
| **City Manager** | | |
| | | Date |

CERTIFIED MAIL

**Illinois Department of Transportation**

Division of Highways / Region 3 / District 4
401 Main Street / Peoria, Illinois / 61602-1111
Telephone 309/671-3333

April 17, 2009

PROJECT SUPPORT
LETTER OF UNDERSTANDING
FAP Route 669 (IL 29)
FAP Route 693 (IL 9)
State Section (10,15)RS-5,9RS,13RS-2,15RS-4
Tazewell County
IL 29 from IL 98 to IL 9 and IL 9 from IL 29 (S)
to Audubon Drive
Contract No. 68892
Catalog No. 034241-00D
Letter No. LU-409-040

Mr. Joseph W. Wuellner
Public Works Director
City of Pekin
111 South Capitol Street
Pekin, IL 61554

Dear Mr. Wuellner:

The Illinois Department of Transportation is proposing to improve approximately 4.9 miles of IL 29 from IL 98 to IL 9 and IL 9 from IL 29 (S) to Audubon Drive by patching, milling, and resurfacing the existing pavement, and by performing all other work necessary to complete the improvement in accordance with the approved plans and specifications. This improvement will impact the facilities under your agency's jurisdiction. Local property owners will be provided access at all times.

The sideroads and frontage roads (Brenkman Drive to the alley at Left Station 71+86) listed on Sheet 14 of the plans are currently under your jurisdiction. Each of these sideroads and frontage roads will be milled and resurfaced according to the dimensions shown on Sheet 14 of the plans.

Upon completion of the improvement, the State will maintain or cause to be maintained on IL 29 and IL 9 the through traffic lanes and turn lanes, and the curb and gutter or stabilized shoulders adjacent to those traffic lanes and turn lanes. We expect the City of Pekin to continue its existing maintenance responsibilities on the sideroads and frontage roads (Brenkman Drive to the alley at Left Station 71+86) listed on Sheet 14 of the plans, including snow and ice removal, up to the edge of pavement of IL 29.

I have included two (2) copies of this letter, both with my original signature. Each copy contains a space for your signature. Additionally, I have included a set of plans for your review and approval. If you concur with the conditions set forth in this Letter of Understanding, I ask that you have both copies signed, along with the plan approval, and return one copy to me by May 4, 2009. Upon receipt of these copies, we will assume the City of Pekin agrees to all terms stated herein.

This project is tentatively scheduled for the May 15, 2009 letting. If you have any questions/comments regarding this Letter of Understanding, please contact our Agreements Unit at (309) 671-3496.

Very truly yours,

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

RH:kme

s:\mgr1\winword\progdev\agreements\letters\understanding\lu409040.docx

Enclosure(s)

cc: Studies & Plans (E. Elderzi)
Agreements

Examined and accepted on behalf
of the City of Pekin

______________________________
Joseph Wuellner, Director of Public Works

Date: ________________________

FAP Route 669 (IL 29)
FAP Route 693 (IL 9)
State Section (10,15)RS-5,9RS,13RS-2,15RS-4
Tazewell County
IL 29 from IL 98 to IL 9 and IL 9 from IL 29 (S)
to Audubon Drive
Agreement No. LU-409-040
Contract No. 68892
Catalog No. 034241-00D

I approve the portions of the final plans for the above-captioned project that pertain to the City of Pekin's maintenance obligations.

____________________________________
Joseph Wuellner, Director of Public Works

____________________________________
Date

RH:kme
s:\mgr1\winword\progdev\agreements\plan approval\lu409040.docx