



**REGULAR COUNCIL MEETING MONDAY, APRIL 11, 2011
5:30 P.M.**

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE <i>Mayor Rusty L. Dunn</i>		
3.0 ROLL CALL <i>Clerk to Call the Roll</i>		
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 March 14, 2011 and Special Council Meeting of March 17, 2011. VOTE REQUIRED		
6.0 PUBLIC INPUT ON AGENDA ITEMS <i>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.</i>		
7.0 CONSENT AGENDA		
7.1 Receive and File Monthly Reports and Minutes: Police Department March 2011 Report; Traffic Safety Committee April 1, 2011 Minutes; Liquor Commission February 24, 2011 and unapproved March 24, 2011 Minutes.		2
7.2 Proclamations: Pekin Main Street Month – April Parkinson's is the Pits Month – April		4
7.3 Charitable Solicitations: Benefit Bryan Dunn Benefit Derek Roberts – May 14, 2011 Benefit Lisa Schmidgall Benefit Blanche Smith – May 14, 2011 Tag Day Pekin Lil Lettes – April 23, 2011 Tag Day ALS Lou Gehrig's Disease – May 14, 2011		4
7.4 Resolution No. 92-10/11 – Mayor's Appointment of Christopher Joey Meskimen to the Mayor's Advisory for Persons with Disabilities until May 2014.		4
7.5 Receive and File Check from Tazewell County Health Department for West Nile Virus Grant.		2

7.6 Receive and File Letter from U. S. Department of Housing and Urban Development CDBG Program Timeliness of Expenditure Grant Funds 2010 Program.		4
7.7 Receive and File Zoning Board of Appeals Minutes Dated March 9, 2011.		3
7.8 Receive and File Pekin Planning Commission Minutes Dated March 9, 2011.		3
7.9 Receive and File Pekin Planning Commission Hearings: Hearing #11-1829 Recommends to approve Special Use for Loft Living at 17 North 4th Street.		4
<i>ACTION: Motion to approve all items listed on the Consent Agenda by Omnibus Vote.</i>		
VOTE REQUIRED TO APPROVE CONSENT AGENDA		
8.0 COMMUNICATIONS, PETITIONS, REPORTS		
9.0 NEW BUSINESS		
9.1 Special Use DESCRIPTION: Recommendation of the Pekin Planning Commission for Special Use for Loft Living at 17 North 4 th Street. ACTION: Motion to approve the Special Use. VOTE REQUIRED	JW	4
9.2 2011 Community Development Block Grant – CDBG Action Plan DESCRIPTION: HUD required report each year stating the needs, priorities, and plans for the upcoming fiscal year and performance measurements based on the Five Year Consolidated Plan. ACTION: Motion to approve the Action Plan. VOTE REQUIRED	PA	4
9.3 City of Pekin Policy No. 20-10/11 DESCRIPTION: Revises/replaces Reserves Policy 18-10/11 with General Fund Reserve Policy. ACTION: Motion to adopt the Policy. VOTE REQUIRED	FM	5
9.4 Engineering Agreement with Maurer- Stutz DESCRIPTION: Agreement for design of the new bridge for Sheridan Road crossing over Lick Creek. This amount is in FY2012 Budget. ACTION: Motion to approve the agreement in the amount of \$80,151.00 VOTE REQUIRED	JW	3

9.5 Amendment to Participation Agreement DESCRIPTION: Amendment for East Ramp-Rehabilitation Project at the Pekin Airport. This is a no-cost amendment. ACTION: Motion to approve the amendment. VOTE REQUIRED	JW	3
9.6 Engineering Agreement with Foth for Stormwater Utility Planning and Pre-Implementation DESCRIPTION: Agreement to commence the stormwater planning. This amount is required to meet Council's direction in the process. The amount is not budgeted. ACTION: Motion to approve the agreement in the amount of \$89,000. VOTE REQUIRED	JW	3
9.7 Resolution No. 91-10/11 – Revision to the City of Pekin Employee Handbook DESCRIPTION: Amendment to the personnel policy to change the residency requirement of staff. ACTION: Motion to adopt the Resolution. VOTE REQUIRED	FM	5
9.8 Ordinance No. 2637-10/11 – Amending Title 6, Chapter 2, Section 10 of the City of Pekin Code Regarding Public Solicitation of Funds; Registration Required. DESCRIPTION: Removes needed Council consent for approval of solicitation. Meets Council's direction to review language in the Code for Charitable Solicitation. ACTION: Motion to adopt the Ordinance. VOTE REQUIRED	FM	4
9.9 Ordinance No. 2638-10/11 – Approving the Transfer of Volume Cap in Connection with Private Activity Bond Issues, and Related Matters DESCRIPTION: 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. Funds provide closing cost and down payment to first time buyers. ACTION: Motion to adopt the Ordinance. VOTE REQUIRED	PA	4
10.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL 10.1 Council Members Council Member Orientation Council Member Appointment 10.2 Staff 10.3 Public Questions 10.4 Press Time		

11.0 Executive Session 11.1 5ILCS 120/2 (c) (1) Personnel		
12.0 ADJOURNMENT With no further action to come before the Council the Mayor declares meeting closed in open session. NO VOTE REQUIRED		

Column 1 Key:

FM Frank Mackaman, Interim City Manager
JW Joe Wuellner, Public Works Director
RD Mayor Rusty Dunn
PA Pamela Anderson, Community Development 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.

**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, MARCH 14, 2011 AT 5:30 O'CLOCK P.M.
RUSTY L. DUNN, MAYOR PRESIDING**

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

ABSENT: COUNCIL MEMBER KORTKAMP

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

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

AGENDA

Motion by Council Member Schmidgall, seconded by Council Member Strand, that **the agenda be approved as presented.** Council Member Blanchard questioned the placement of the Treasurer's Report and requested it be moved under New Business. Following an explanation by Mayor Dunn that non-action item can be presented under New Business and that the item deserved the attention rather than under Consent, Council Member Schmidgall moved and Council Member Barra seconded that item 9.1 and 9.2 be flipped. On roll call vote, Ayes, Schmidgall, Strand, Barra, Abel, and Dunn; Nay, Blanchard. Motion Carried. Council Member Schmidgall re-read the motion as follows, that the revised agenda be approved. On roll call vote, Ayes, Schmidgall, Strand Barra, Abel, and Dunn; Nay, Blanchard. Motion Carried.

MINUTES

Motion by Council Member Schmidgall, seconded by Council Member Abel, that the **minutes of the Regular City Council Meeting of February 28, 2011, be approved as written.** On roll call vote, all present voted Aye.

CONSENT AGENDA

Motion by Council Member Schmidgall, 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 February 2011 Report; Traffic Safety Committee March 4, 2011 Minutes, and Building Department Reports February 2011.
7.2 Charitable Solicitation: Benefit for Tina Sea Benefit Donna Wolfe March 26, 2011 Benefit Jennifer Estes March 27, 2011 Tag Day Pekin Lil Lettes 12U Girls Fast Pitch
7.3 Resolution No. 85-10/11 - Mayor's Appointment of Michele Moul to the Human Rights Committee to fill the unexpired term of Lynette Steger until May 2011 and a subsequent three year term expiring 2014.
7.4 Resolution No. 86-10/11 - Mayor's Appointment of Steve Thompson to the Pekin Planning Commission to fill the unexpired term of Scott Plotner until May 15, 2011 and a subsequent three year term expiring May 15, 2014.
7.5 Resolution No. 87-10/11 - Mayor's Reappointment of Michael Franks to the Fire and Police Commission until the first Monday in May 2014.
7.6 Resolution No. 88 - 10/11 - Publication of City of Pekin Zoning Map

On roll call vote, all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

A **Public Hearing** was opened by Mayor Dunn at 5:37 p.m. for the purpose of considering and hearing testimony relative to the adoption of the budget for the City of Pekin for fiscal year May 1, 2011 through April 30, 2012. As published, interested parties were given the opportunity to be heard. Jim Mangan 1200 North Parkway Drive, addressed the Council recommending they not approve this budget and that the newly elected members be given the responsibility. No addition comments were received. The hearing was closed at 5:47p.m.

NEW BUSINESS

TREASURER'S REPORT

City Treasurer James Wolfe presented the 3rd Quarter Financial Report. Major Revenue Sources, Investment Earnings, and Revenues Over Expenses – All City Funds was distributed. Mr. Wolfe highlighted any significant changes to fund changes for nine months ended January 31, 2011. He stated the economy seemed to be coming around as noted in the higher property, income and state replacements taxes received. He noted the State was still running 4 months behind in payment of the revenues. Mr. Wolfe also indicated that the City received \$57,255.00 less in interest from investments over same period last year. Healthcare benefits for Early Retirement Incentive retirees had eaten way at the reserve funds.

RESOLUTION NO. 84-10/11

ADOPTING THE FISCAL YEAR MAY 1, 2011 THROUGH APRIL 30, 2012 BUDGET FOR THE CITY OF PEKIN

Motion by Council Member Strand, seconded by Council Member Abel, that Resolution No. 84-10/11 be adopted. City Manager Frank Mackaman informed the Council that the FY2012 budget for all City funds projects totaled revenues of \$66,820,464 and expenses of \$66,528,519 for a surplus of \$291,945. For the General Fund and General Fund-Related categories, however, projected revenues total \$42,384,614 and projected expenses totaled \$42,681,988 for a deficit of \$297,374. Discussed followed regarding the use of Reserves fund for the deficit needed. Council Member Schmidgall expressed concern in adopting the budget until the specifics of the Reserves Fund Policy were in place. Council Member Blanchard restated the need to cut more from the budget rather than use reserves. He felt there was a need to change the mindset for approving a deficit budget. Comments were heard from other members that they were confident on the work put in preparing the budget and were ready to vote for its approval using reserves if necessary on April 30, 2012. On roll call vote Ayes, Schmidgall, Strand, Barra, Abel, Dunn; Nay, Blanchard. Motion Carried.

Motion by Council Member Strand, seconded by Council Member Barra, that **ECONOMIC DEVELOPMENT COUNCIL FOR CENTRAL ILLINOIS BE APPROVED IN THE AMOUNT OF \$10,000.00**. City Manager Frank Mackaman asked Council's direction in paying the annual dues for membership in the EDC organization without the expenditure being included in the current fiscal year budget. Council questioned why the previously paid membership was taken out of this budget but replaced for FY2012. On roll call vote Ayes, Schmidgall, Strand, Barra, Abel, Dunn; Nay, Blanchard. Motion Carried.

ORDINANCE NO. 1462-A303 - 10/11

AMENDING TITLE 8 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING STOP SIGNS ON GRANADA DRIVE AT ALHAMBRA COURT

Motion by Council Member Blanchard, seconded by Council Member Strand, that Ordinance No.1462-A303-10/11 be adopted. Police Chief Greg Nelson advised the Council that the intersection was currently uncontrolled. The Traffic Safety Committee reviewed, acted on a neighborhood concern, and recommended the installation of a stop sign on Granada Drive at Alhambra Court. On roll call vote all present voted Aye.

ORDINANCE NO. 1462-A304 - 10/11

AMENDING TITLE 8 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING YIELD SIGNS ON GRANDVIEW AT COMMONWEALTH

Motion by Council Member Blanchard, seconded by Council Member Abel, that Ordinance No.1462-A304-10/11 be adopted. Police Chief Greg Nelson advised the Council that the intersection was currently uncontrolled. The Traffic Safety Committee reviewed, acted on a neighborhood concern, and recommended the installation of a yield sign on Grandview Avenue at Commonwealth Avenue. On roll call vote all present voted

Aye.

Motion by Council Member Abel, seconded by Council Member Schmidgall, that **TIF FAÇADE APPLICATION 343 COURT STREET** be approved in the amount of \$12,500.00. Council gave authorization to pay to the property owners the eligible amount under the terms of the façade guidelines for windows, awning, sandblast and paint after satisfactory completion of the work. On roll call vote all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Strand, that the **ENGINEERING AGREEMENT WITH FROTH FOR COMBINED SEWER REHABILITATION ON N. 2ND STREET**, in the amount of \$21,700.00, be approved. Public Works Director Joe Wuellner advised Council on the agreement with Foth to provide plans and specifications for a cured in place pipe (CIPP) liner on N. 2nd Street from Henrietta Street to State Street Lift Station. On roll call vote all present voted Aye.

RESOLUTION NO. 89-10/11
IDOT IMPROVEMENT BY MUNICIPALITY UNDER ILLINOIS HIGHWAY CODE
SECTION 10-00179-00-FP

Motion by Council Member Barra, seconded by Council Member Strand, that Resolution No. 89-10/11 Appropriating Motor Fuel Tax Funds in the amount of \$150,000 for Phase 2 design of Petri Lane be adopted. Council Member Blanchard questioned what repercussions would occur if the funds for Petri were not accepted or used. He spoke in non support of the expenditure to expand Petri to 14th Street for a connection that is not widely used. On roll call vote Ayes, Schmidgall, Strand, Barra, Abel, Dunn; Nay, Blanchard. Motion Carried.

Motion by Council Member Barra, seconded by Council Member Blanchard, that **CHANGE ORDER 3 WITH WILLIAMS BROTHERS CONSTRUCTION, INC. FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PHASE I** in the total amount of \$51,845.00 be approved. Council was informed the amount included additional work required to make changes to piping, address changes due to unknown existing conditions and safety revisions. Council Member Schmidgall requested the change order spread sheet be updated. On roll call vote all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council expressed condolences to the family of Fire and Police Commission Board Member and former Council Member James Wallinger.

Council Member Strand raised the question of verifying the legitimacy of fund-raisers permitted with consent of Council. She asked that the provisions of Charitable Solicitations in the City Code be reviewed.

Several Council Members indicated they would be out of the City and State the second Tuesday of the month. Council agreed to cancel the regular meeting of March 28, 2011. Mayor Dunn announced that due to a time sensitive matter the Council would need to meet for a short Special Meeting on Thursday, March 17, 2011 at 4:30 P.M.

Joe Wuellner announced a Public Hearing set for Wednesday, March 16, 2011 at 6:00 p.m. in the Council Chambers to receive comments and display plans for upcoming work at the Wastewater Treatment Plant expansions.

EXECUTIVE SESSION

Motion by Council Member Barra, seconded by Council Member Blanchard, that the Council move to Executive Session at 7:06 P.M. to discuss:

5 ILCS 120/2 (c) 5. Acquisition of property for use of the Public Body.

5 ILCS 120/2 (c) 1. Personnel. On roll call vote all present voted Aye.

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

COUNCIL ADJOURNED AT 8:00 P.M.

**PROCEEDINGS OF A SPECIAL MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON THURSDAY, MARCH 17, 2011 AT 4:30 O'CLOCK P.M.
RUSTY L. DUNN, MAYOR PRESIDING**

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

ABSENT: COUNCIL MEMBER KORTKAMP

Council set a special meeting at the regular Council meeting held on Monday, March 14, 2011. Notice was properly posted and Council received notice of the special meeting on Tuesday, March 15, 2011.

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

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

NEW BUSINESS

Mayor Dunn read the agenda item as follows: Presentation of information respecting possible violations of the City's email policy and Code of Conduct by Council Member Tom Blanchard in the repeated improper distribution of confidential information. Consideration by the Council of possible sanctions if violations are found.

Interim City Manager Frank Mackaman provided chronology of events:

- 2/6/11 Information Technology (IT) department's request to discuss a possible ethical issue discovered in E-mail.
- Request for Corporation Counsel opinion on facts
- 2/22/11 met with Mayor
- 3/14/11 Report delivered to Council

Attorney Burt Dancey summarizes the findings:

- 2/12/07 Council Member aware of unacceptable use of email – adoption of Rules of Electronic Emails
- 3/22/10 Code of Conduct approved

In conclusion Attorney Dancey's opinion found Council Member Blanchard had on numerous occasions forward emails to Charles Renner's yahoo account that he was not entitled to receive. The information divulged personnel, negotiations, sales of property, litigation, City Manager evaluation, and Economic Development Director employment.

Attorney Dancey next read the Affidavit of Dave Hess. It started Council Member Blanchard requested a review by the network administrator of a perceived problem of missing emails. Upon review Mr. Hess notice a pattern of forward emails. He delivered the log history from 2009, 2010, and 2011 which verified over 2800 emails forward to the yahoo account. On 3/3/11 an alternative address began to be used.

Council Member Blanchard read a prepared statement in response to the allegations.

RESOLUTION NO. 90-10/11

Motion by Council Member Abel, seconded by Council Member Strand that Resolution No. 90-10/11 Council Member Tom Blanchard is hereby censured and reprimanded for violating the City's email policy and the Code of Conduct by improperly divulging and distributing confidential information to an outside third party on a repeated basis, be adopted.

Mayor Dunn allowed each Council Member's comment regarding the censure to be heard. Discussion followed regarding the infraction of the Code of Conduct and other sanctions which might be deemed more appropriate.

Motion by Council Member Schmidgall, seconded by Council Member Strand that Resolution No. 90-10/11 be amended to include suspension of the remuneration paid to Council Member Blanchard in respect to his or her services as a Council Member for a period of 30 days. On roll call vote of the amendment Ayes, Strand, Barra, Abel, Schmidgall, Dunn; Nay, Blanchard. Motion Carried.

Roll call vote to adopt amended Resolution No. 90-10/11; Ayes, Strand, Barra, Abel, Schmidgall, Dunn; Nay, Blanchard. Motion Carried.

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

COUNCIL ADJOURNED AT 5:10 P.M.

Sue E. McMillan
City Clerk

CITY OF PEKIN
POLICE DEPARTMENT

PEKIN POLICE DEPARTMENT
END OF MONTH REPORT FOR MARCH 2011

	FEBRUARY 2010	JANUARY 2010	FEBRUARY 2011
TRAFFIC TICKETS	388	294	212
WARNING TICKETS	255	207	186
OFFENSES	394	434	292
ARRESTS	132	196	141
PARKING TICKETS	322	190	278
STOPS	662	767	608

CITY ORDINANCE TICKETS FOR FEBRUARY 2011

NUMBER OF TICKETS WRITTEN **58**
NUMBER OF TICKETS PAID OVER THE COUNTER **15**
FINES COLLECTED OVER THE COUNTER **\$4100**

IMPOUNDED VEHICLES FOR FEBRUARY 2011

TOTAL VEHICLES IMPOUNDED: **30**
AMOUNT OF FINES COLLECTED: **\$15,500**

OFFENSES	
DRUG RELATED	11
DUI	6
DWLS/R	13
UOW	0

MULTIPLE OFFENSES	
DRUGS/DUI	0
DRUGS/DWLS-R	0
DRUGS/UOW	0
DUI/DWLS-R	0
TOTAL	30

CITY OF PEKIN TRAFFIC SAFETY COMMITTEE MINUTES
APRIL 1, 2011 @ 8:30 a.m.
CITY HALL CONFERENCE ROOM

PRESENT: Greg Nelson, Kurt Nelson, Frank Mackaman, Joe Wuellner, Bob Shaw, Bill Scarcliff, Will Taylor, Tim Gillespie. Also present: Lee Ann Wrhel.

Joe introduced Bob Shaw, new Supervisor of the Street and Solid Waste Departments to the committee.

Old Business:

None

New Business:

1. *Broadway Crosswalk*

Tom Elliott made a request regarding signage for the crosswalk that is painted on Broadway in the area where the depot was moved to. Joe indicated that when the HAWK signal has been installed on Parkway at Coal Miner's Park, he plans to move the flashing pedestrian signs to this crosswalk on Broadway. Joe further stated that the HAWK signal installation will, hopefully, be completed within a month. At this time, some parts for the signal installation have not yet been received. Frank made a motion to approve this plan as outlined by Joe. Tim seconded the motion. All in favor.

Joe will contact Tom Elliott and advise him of this upcoming action.

Greg informed the committee that when a crosswalk is striped, vehicles are to stop when a pedestrian steps into the crosswalk. He also informed the committee that he has viewed a video that outlines how the HAWK signal operates. For public safety reasons, he is recommending that when the signal is in place, the public will need to be educated on how the signal works since no other signals like it are in use in the area.

2. *Speed Limit Sign – Rose Court*

A citizen called with a concern regarding traffic on Rose Court. He originally requested a "Children at Play" sign for the neighborhood. When it was explained to him that "Children at Play" signs are no longer posted, he then asked for consideration of installation of a speed limit sign. The members of the committee individually went out and reviewed this area. The committee concluded that there is not a valid reason for a speed limit sign on Rose Court, as it is unlikely that a vehicle could ever reach the speed limit on that street. Will made a motion to leave the area as is at this time. Bob seconded the motion. All in favor.

Around the Table

Will reported that he has informed shifts of the concern that was addressed at last month's meeting regarding motorists passing vehicles from the turn lane on Broadway. So far, officers haven't seen any violations. A reminder has also been posted on Channel 22.

Two items were forwarded to the committee after the agenda had been posted. These concerns were briefly discussed and will be placed on the May agenda for formal action.

- Two requests referring to the curves and width of Audubon Drive. Joe stated that the city is responsible for maintenance and enforcement of Audubon Drive from Court Street to Valley High because the property on the east side of Audubon Drive is in the city.
- A request asking for additional stop signs in Marigold Estates.

Respectfully Submitted,
Lee Ann Wrhel

NEXT REGULAR MEETING MAY 6, 2011 @ 8:30 A.M.



**LIQUOR COMMISSION MINUTES
THURSDAY, FEBRUARY 24, 2011
4:00 P.M.
COUNCIL CHAMBERS**

Liquor Commissioner Rusty Dunn called the meeting to order at 4:10 p.m.

Fire Chief Kurt Nelson entered meeting at 4:30pm

PLEDGE of ALLEGIANCE

ROLL CALL

The following members were present for roll call: Liquor Commissioner Rusty Dunn, Interim Police Chief Greg Nelson, Fire Chief Kurt Nelson, and Commissioner Buster Hanley.

Also present: Corporation Counsel Scott Kriesgman

APPROVAL OF AGENDA

Motion made by Commissioner Hanley to approve the Agenda of February 24, 2011, seconded by Interim Police Chief Nelson. On roll call vote all present voted Aye. Motion Carried.

APPROVAL OF MINUTES

Motion made by Interim Police Chief Nelson to approve the January 27th Liquor Commission Minutes, seconded by Commissioner Hanley. On roll call vote all present voted Aye. Motion carried.

PUBLIC INPUT/COMMENTS/QUESTIONS

Nothing at this time.

NEW BUSINESS

1) New Liquor Application – Spencer Cox – Bottom’s Up – 431 ½ Court Street

Discussion: Spencer Cox stated that he is working on getting the “check-list” from Police, Fire and Inspections Departments’ finished and everything should be wrapped up hopefully by Monday, February 28th. Spencer also stated he will have a manager on duty. That manager will need to come down and get his background check done. Spencer told the Commission that he is starting off slow to see how the business will be. He’ll have family helping at the bar.

Commission informed Spencer that if he has any questions regarding the Liquor Code to call the City Clerk’s Office.

Commissioner Hanley made a motion to approve the liquor license for Spencer Cox, dba Bottom’s Up contingent upon meeting final requirements of the “check-list” from Police, Fire and Inspections Department, and background check from the manager, seconded by Fire Chief Nelson. All on roll call vote all present voted Aye. Motion Carried.

2) Shelie Denis – Friends Tap – 200 Derby Street

Discussion: Shelie Denis informed the Liquor Commission that she hasn't heard from the Insurance Company regarding her Fire claim. Illinois Casualty Company is handling the investigation, and has been 15 weeks today since the fire. She stated she has been disposed and her employees are in the process of being disposed now. She thought this may take several weeks. Shelie is asking the Commission to extend her liquor fines for another 30 days. They are due March 29, 2011 and she would like an extension of another 30 days. Shelie also stated that she knows her current liquor license is to expire on April 30, 2011 and that her fines would have to be paid before she can renew. Shelie stated that Illinois Casualty Insurance has not treated her very well in this matter. Fire Chief Nelson said he would call them and find out how the process is going.

Motion made by Fire Chief Nelson to extend Shelie Denis's/Friends Tap fines for another 30 days or April 30th, 2011, seconded by Interim Police Chief Nelson. All on roll call vote all present voted Aye. Motion carried.

Any Other Business

Nothing at this time

Meeting adjourned at 4:50pm

Next Meeting: March 24th at 4:00pm

Respectfully submitted by Paula Gensel



**LIQUOR COMMISSION MINUTES
THURSDAY, MARCH 24, 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

Police Chief Greg 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 Scott Kriesgman

APPROVAL OF AGENDA

Motion made by Fire Chief Nelson to approve the Agenda of March 24, 2011, seconded by Liquor Commissioner Dunn. On roll call vote all present voted Aye. Motion Carried.

APPROVAL OF MINUTES

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

PUBLIC INPUT/COMMENTS/QUESTIONS

Nothing at this time.

NEW BUSINESS

1) New Liquor Application – Josie Manning – Club Grind, Inc. dba Club Grind – 17 N. 4th Street

Discussion: Liquor Commissioner Dunn asked what type of environment and vision she had for the place. Josie Manning stated she wants it to be a place where friends can go and have fun and relax.

Commission informed Josie Manning that if she has any questions regarding the Liquor Code to call the City Clerk's Office.

Deputy Liquor Commissioner VonRohr made a motion to approve the liquor license for Club Grind, Inc., dba Club Grind. All on roll call vote all present voted Aye. Motion Carried.

Any Other Business

Corporation Counsel Sue Bosich will be back next meeting. Liquor Commissioner VonRohr stated there will be a couple violations at the next meeting.

Meeting adjourned at 4:10pm

Next Meeting: April 28th at 4:00pm

Respectfully submitted by Paula Gensel

WHEREAS, Pekin Main Street is celebrating its 12th birthday on April 5; and

WHEREAS, Pekin Main Street has been committed to historic preservation on our downtown district; and

WHEREAS, Pekin Main Street seeks to restore our downtown through revitalization programs, education and activism; and

WHEREAS, Pekin Main Street actively promotes all of the businesses and services in the downtown district and encourages all citizens of Pekin to support our local businesses; and

WHEREAS, Pekin Main Street is comprised of a volunteer board of 16 wonderful individuals, over 100 members and many, many, many volunteers; and

WHEREAS, Pekin Main Street is a valuable asset to not only our downtown, but to our entire community in the planning of excellent quality of life events, such as the Eagle Census Festival, Downtown Farmer's Market, Pekin Main Street Super Cruise, Friday Night Family Fest and Christmas on Court. These events are accessible and affordable to everyone in our community and help further develop civic pride in our entire community.

NOW, THEREFORE, BE IT RESOLVED that I, Rusty L. Dunn, Mayor of the City of Pekin, Illinois, do hereby proclaim the month of April 2011, to be

"PEKIN MAIN STREET MONTH"

in the City of Pekin, Tazewell County, Illinois

ADOPTED, this 11th day of April, in the Year of Our Lord, Two Thousand and Eleven.

RUSTY L. DUNN
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

WHEREAS, Parkinson's disease produces physical, emotional, and financial stress for patients, families and caregivers, and there are approximately 6 million Parkinson's Disease patients in the United States; and

WHEREAS, Central Illinois, provides some services, support groups, research, activities, and referrals for needed services; and

WHEREAS, April is National Parkinson's Awareness month for families and caregivers; and

WHEARAS, Pekin's 4th annual Don Bohlander, Race for Parkinson's research team will hold several events in Pekin and Peoria to raise funds for Parkinson's research, all of which stay in Central Illinois.

NOW, THEREFORE, BE IT RESOLVED that I, RUSTY L. DUNN, Mayor of the City of Pekin, Tazewell County, Illinois, do hereby proclaim the month of April, 2011 and every April to come as:

Parkinson's is the Pits Month

in the City of Pekin, Tazewell County, Illinois.

ADOPTED, this 11th Day of April, in the Year of Our Lord, Two Thousand and Eleven.

RUSTY L. DUNN
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

CHARITABLE SOLICITATION REGISTRATION FORM

1. Date Submitted 3/22/11
 Address of Organization Kristine Ray
 Telephone Number (309) 635-9776
 Name, Address and Telephone Number of person filling out form:
200 Turnron
2. Name, Title and Address of Principal Executive Officer of Organization: N/A
3. If your Organization is a subsidiary or an affiliate of another Organization such as a National Association, list Name and Address of such Organization: N/A
4. Specifically where in the Pekin area is your group staying so contact can be made within a twelve (12) hour period if necessary: Goodfellas
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:
Abencefit is being held on May 14th 2011 for Derek Robert, who has brain cancer, there will be an auction, ticket raffle and sales of merchandise, to help Derek and his family, see Flyer.
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
Atkinson	Asnley		8/10/86	Fiancee'
Kristine Ray	Kristine			Fiancee's mom
Wendy	Nunnly			Fiancee's Aunt
Ray	Beau	Arlyn		
Ray	Lynda			
7. General nature of activities conducted by Organization (Service Club, Church, Veterans Club, Youth Club, United Fund, etc):
N/A

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":

N/A

9. Do you employ a full-time salaried Executive Director: N/A
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: _____

N/A

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

N/A

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

no

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

DATE:

2/22/11

SIGNED:

Adelphi Chikawa

DEREK ROBERTS BENEFIT

In February 2011, Derek Roberts, 24 years old, had a large tumor removed from his brain. After a biopsy it was found to be a grade 3 Anaplastic Astrocytoma tumor, which is highly cancerous and reoccurring. The tumor was completely removed, but the cancer had spread from the tumor to the surrounding areas of the brain. Derek will soon begin chemotherapy and radiation treatment to fight the cancer and limit the possibility of future tumor growth. He resides in East Peoria with his fiancée, Ashley Atkinson, and their 5 year-old son, Riley.

Please come out and support this family and have a great evening while you're at it! Thank you and God bless!

Saturday, May 14th, 2011 2:00 PM to 9:00 PM
Goodfellas, 1414 North 8th Street Pekin, IL

There will be food, raffles, auctions and more. Bubble Gum Jack will play live at the end of the evening



Spaghetti Dinner - \$7

To reserve tickets or for more information, please contact:

Terra	309-369-8890	TLH81@hotmail.com
Wendy	309-263-5888	bunkersduck@yahoo.com

Advance ticket orders are greatly appreciated; tickets can also be purchased at the door.

*****Donations may also be made to the Derek Roberts Benefit Fund at Morton Community Bank or any of its branches. Call or email for more information.*****

CHARITABLE SOLICITATION REGISTRATION FORM

1. Date Submitted 3-25-11
Address of Organization 4504 W Nagel Rd
Telephone Number 669-6041
Name, Address and Telephone Number of person filling out form:
Teresca Dunn 4504 W Nagel Rd Bartonville, IL 669-6041
2. Name, Title and Address of Principal Executive Officer of Organization: N/A
3. If your Organization is a subsidiary or an affiliate of another Organization such as a National Association, list Name and Address of such Organization: N/A
4. Specifically where in the Pekin area is your group staying so contact can be made within a twelve (12) hour period if necessary: _____
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 Businesses Benefit for Bryan Dunn
Auction
6. Supply the following information for each member of the group, including who is in charge:
- | Name: Last | First | M | Date of Birth | Name, Address Relationship of next of kin |
|-------------|----------------|----------|----------------|---|
| <u>Dunn</u> | <u>Teresca</u> | <u>A</u> | <u>3-20-82</u> | <u>4504 W Nagel Rd Bartonville, IL wife</u> |
| | | | | |
| | | | | |
| | | | | |
7. General nature of activities conducted by Organization (Service Club, Church, Veterans Club, Youth Club, United Fund, etc):
N/A

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": Parents of deceased deceased

Funeral costs and Burial. Whatever is left
over to be divided between his 3 children
for College fund, Benefit for Bryan Dunn

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: N/A If YES, give name and address of such Organization or person:

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

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

no

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

DATE: 3-25-11

SIGNED: Lorosea Dunn

CHARITABLE SOLICITATION REGISTRATION FORM

1. Date Submitted 5/7/2011
 Address of Organization 2116 WILDWOOD DR
 Telephone Number 309-241-3990
 Name, Address and Telephone Number of person filling out form:
Lisa D. Schmidgall 2116 Wildwood Dr 241-3991
2. Name, Title and Address of Principal Executive Officer of Organization: SEE ABOVE
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: _____
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:
Vendor Fair fundraiser for Schmidgall Family
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 |
|------------|---------|---|---------------|---|
| SCHMIDGALL | CHAD | | 4/29/76 | SPOUSE |
| SCHAFFLIN | NICKI | | | FRIEND |
| CULLEN | AMY | | | FRIEND |
| YANCY | HEATHER | | | SISTER-IN-LAW |
7. General nature of activities conducted by Organization (Service Club, Church, Veterans Club, Youth Club, United Fund, etc): _____

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":

LISA SCHMIDGALL

2116 WILLOW DR

PERLIN IL 61354

9. Do you employ a full-time salaried Executive Director: _____
If YES, give name and business of residence address:

NO

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

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

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:

NO

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

DATE: 3-17-2011

SIGNED: [Signature]

CHARITABLE SOLICITATION REGISTRATION FORM

1. Date Submitted 4-4-2011
 Address of ~~Organization~~ Blanche Smith
 Telephone Number 309-840-2940
 Name, Address and Telephone Number of person filling out form:
Blanche Smith 1320 Highland Ave, Pekin IL 840-2940
2. Name, Title and Address of Principal Executive Officer of Organization: _____

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: _____

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 businesses for donations for Blanche Smith
6. Supply the following information for each member of the group, including who is in charge:

Name: Last	First	M	Date of Birth	Name, Address Relationship of next of kin
<u>Smith</u>	<u>Blanche</u>	<u>M</u>	<u>9-15-71</u>	
<u>Atterberry</u>	<u>David</u>			
<u>Horacek</u>	<u>Robert</u>	<u>S</u>	<u>8-24-77</u>	
7. General nature of activities conducted by Organization (Service Club, Church, Veterans Club, Youth Club, United Fund, etc):

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": _____
9. Do you employ a full-time salaried Executive Director: NO
If YES, give name and business of residence address: _____
10. Do you now employ or anticipate employing the services of a person or Organization that conducts fund-raising drives or activities for profit: NO If YES, give name and address of such Organization or person: _____
11. Estimated gross percentage of contributions which are devoted to administrative expenses of collection by your Organization: _____
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: _____

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

DATE: 4-4-11
SIGNED: *Edw Lin*



Benefit for Blanche Smith

We will be holding a benefit for Blanche Smith, Saturday May 14th 2011 starting at 4 pm - ? at Amvets, 1426 S. 2nd St., Pekin. She is a single mother, diagnosed with Stage 4 Colon Cancer in Febuary 2010. Money from this benefit will be going for Dr. bills, rent and other expenses.

Donations will be taking at the door to help pay for the food. Also there will be a regular Auction and a silent Auction that will be from 6 pm - 8 pm plus kareoke. Please come and show your support.

I Joe Smith am Requesting to
hold a Tag Day for April 23rd 2011
at wal-mart, Kroger, Thorton's and
walgreens. This tag day is for
the Pekin Lil' Lettes Fire to help
fund our team. Thank You for
your time.

Joe Smith
04-1-11

April 02, 2011

To Whom It May Concern,

This letter is being sent to ask for permission to have a Tag Day at Wal-mart located on Veteran's Drive in Pekin. We would like to have the Tag Day on Saturday May 14, 2011. All money raised will be donated to the ALS (Lou Gehrig's Disease) foundation.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Melanie Dittrich". The signature is written in dark ink and is positioned above the printed name.

Melanie Dittrich

1016 Buff St Pekin, IL 61554

(309)267-9620

RESOLUTION NO. 92-10/11

PEKIN, ILLINOIS, April 11, 2011 19

RESOLUTION BY COMMISSIONER _____

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

the Mayor's appointment of Christopher Joey Meskimen to the Mayor's Advisory Committee
for Persons with Disabilities until the first Monday in May 2014 is hereby approved.

~~1010 Black Street~~

~~Pekin, Illinois 61554~~

~~(309) 620-8343 cell~~

~~joeym@gmail.com~~

SIGNED BY _____

MAYOR.



Application for Appointment to a City Commission, Board, or Committee

The City of Pekin welcomes your interest in an appointment to a commission, board, or committee. These organizations are intended to help city government deliver high quality programs and services to the residents of our community and to our visitors. Broad community representation on these groups is crucial to their effectiveness.

Your Name:

Christopher J (Joey) Meskimen

Your Address:

1010 Black Street

Your Telephone Number:

209-620-8343

Your E-Mail Address:

Joey.Mes@gmail.com

You are interested in serving on which commission, board, or committee?

Mayor's Disability Ad Hoc Board.

Why are you interested in serving?

Served Before, would like to serve again.

What qualifications do you have to serve? A resume is not required, but if you have one please attach it to this application.

I am a Disabled Person, who has served on this Board Before, and feel I have a lot to offer.

What happens next?

Your application will be evaluated by the Mayor, the City Manager, and the department head who works most closely with the commission, board, or committee. If you are selected, the Mayor will propose your appointment at a meeting of the Council subject to ratification by the Council. We will let you know of our decision before the meeting takes place.

**MAYOR'S ADVISORY COMMITTEE FOR PERSONS WITH
DISABILITIES**

4:00 P.M. 2ND THURSDAY OF EVERY OTHER MONTH
AUGUST, OCTOBER, DECEMBER, FEBRUARY, APRIL, JUNE

MAYOR EX-OFFICIO

TERMS END FIRST MONDAY IN MAY, 2011

JAMES KOLZOW
124 BELOIT ROAD MARQUETTE HEIGHTS
202-8299 (home) james.kolzow@illinois.gov
353-5996 (work)

LIBBY HOLBROOK
21310 IL RT 9 TREMONT
347-7148 (home) libby@tcrorg.com

TERMS END FIRST MONDAY IN MAY, 2012

JIM DEFORD
1837 PARKFIELD DRIVE
347-1751

PERRY MARTIN
600 PRINCE STREET
241-4861

VACANCY

TERMS END FIRST MONDAY IN MAY, 2013

TAMMY HELM
1707 CRESCENT DRIVE
682-3500 (work) thelm@advocatesforaccess.com
353-4356 (home)

ROY DAVIS
1814 VALENCIA PLACE
346-0544 (home)

NANCY J. HEALY
1505 TERRACE BLVD.
642-6490 (cell)
nbh1505@gmail.com

TERMS END FIRST MONDAY IN MAY, 2014

CHRISTOPHER MESKIMAN
1010 BLACK STREET
620-8343 (cell)
joeym@gmail.com



Receive
and
File

March 15, 2011

City of Pekin
Ronald Sieh
111 S. Capitol St.
Pekin, IL 61554

Dear Mr. Sieh:

Enclosed is your grant money check to be used for the plans you submitted on your West Nile Virus Grant information sheet.

If you have any questions please feel free to contact me at 309-477-2223, ext. 286.

Sincerely,

TAZEWELL CO. HEALTH DEPT.

Melissa J. Goetz

Melissa J. Goetz, B.S.
Environmental Health Specialist

SUBMITTED THROUGH & APPROVED BY:

Evelyn Neavear

Evelyn Neavear, B.S., L.E.H.P.
Director of Environmental Health

TAZEWELL COUNTY
TREASURER OF SAID COUNTY
FOURTH & COURT STREETS - PEKIN, IL 61554-4298

HERGET NATIONAL BANK
OF PEKIN, ILLINOIS

70-232
711

DATE 03/25/2011 CHECK NUMBER 115807 VOID IF NOT CASHED WITHIN 60 DAYS AMOUNT \$*****537.00

115807

FIVE HUNDRED THIRTY-SEVEN AND 00/100 DOLLARS*****

CITY OF PEKIN

38452

COUNTY GENERAL FUND OUT OF ANY MONIES IN THE
TREASURY HERE TO FORE APPROPRIATED
BY ORDER OF COUNTY BOARD

PAY
TO THE
ORDER OF

Christina A. Webb

Wendy J. Burrows
TWO AUTHORIZED SIGNATURES REQUIRED

⑈ 115807 ⑈ ⑈ 071102322⑈

34 3404 ⑈



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Illinois State Office
77 W. Jackson Blvd.
Chicago, Illinois 60604-3507

OFFICE OF
COMMUNITY PLANNING & DEVELOPMENT

MAR 04 2011

Honorable Rusty Dunn
Mayor, City of Pekin
Attention: Pamela Anderson
Assistant Planning & Economic Dev. Dir.
111 S. Capitol
Pekin, IL 61554

Dear Mayor Dunn:

SUBJECT: Community Development Block Grant (CDBG) Program
Timeliness of Expenditure of Grant Funds
2010 Program Year

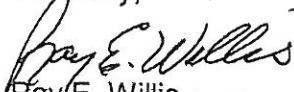
In order to effectively fulfill HUD's responsibility of stewardship of our program funds, we must use a variety of opportunities to evaluate and validate grantee performance throughout the program year. This process, which is called performance-based management, includes the application of a timeliness test regarding the expenditure of CDBG funds. The timeliness test, as prescribed by 24 CFR 570.902(a)(1), states that HUD will consider an entitlement recipient to be failing to carry out its CDBG activities in a timely manner if:

- (i) Sixty days prior to the end of the grantee's current program year, the amount of entitlement grant funds available to the recipient under grant agreements but undisbursed by the U.S. Treasury is more than 1.5 times the entitlement grant amount for its current year; and
- (ii) The grantee fails to demonstrate to HUD's satisfaction that the lack of timeliness has resulted from factors beyond the grantee's reasonable control.

We have reviewed your performance and determined that your CDBG funded activities are being carried out in a timely manner, consistent with the above cited requirement. Your ratio was .89 which is below the 1.5 threshold.

The Department congratulates you and your staff for your efforts in expending funds during the last year.

Sincerely,


Ray E. Willis
Director

Pekin Zoning Board of Appeals

March 9, 2011

Present:

Mary Lanane
Ron Boehm
Gary Sciortino, Vice Chairman
Bob Barra

Absent:

David Moehring, Chairman
Michael Walker

Staff Present: Joe Wuellner, Attorney Scott Kriegsman, Paula Gensel and Jamie Evans

Gary Sciortino, Vice Chairman led the pledge of allegiance.

Gary Sciortino, Vice Chairman called regular meeting of the Zoning Board of Appeals to order.

Roll call was taken and a quorum declared.

Gary Sciortino, Vice Chairman asked for approval of the Agenda.

MOTION by Bob Barra seconded by Ron Boehm to approve the Agenda as presented. On roll call vote, all present voted **AYE**. **MOTION APPROVED**.

Gary Sciortino, Vice Chairman asked for Approval of the December '2010 Meeting Minutes.

MOTION by Mary Lanane seconded by Bob Barra to approve the December '2010 Minutes as presented. On roll call vote, all present voted **AYE**. **MOTION APPROVED**.

Correspondence: (1) One Correspondence from Marilyn Kelso on January 4, 2011.

MOTION by Mary Lanane seconded by Ron Boehm to accept the resignation of Marilyn Kelso as a member of the board with regret. On roll call vote, all present voted **AYE**. **MOTION APPROVED**.

Hearing #1: Wayne Shafer, Owner, a variance of 656 square feet to allow for a 24 x 40 addition on the back of the garage which currently exceeds the 75% ratio of the main floor square footage of the home as stated in the Zoning Code for R- 4 (Single Family Residential) at 1209 Willow Street.

Open Public Hearing: 5:27PM

Wayne Shafer, 1209 Willow Street, presented his case and remained for questions.

Close Public Hearing: 5:30PM

Mary Lanane and Bob Barra asked if the neighbors were notified and if there were any comments or concerns.

Juanita VanBuskirk stated there were no letters sent.

Mary Lanane asked for clarification that the request for the variance is due to the percentage of coverage regarding the house and not the lot size.

Attorney Scott Kriegsman confirmed that is the reason for the request.

MOTION by Bob Barra seconded by Mary Lanane to **Approve** the variance of 656 square feet to allow for a 24 x 40 addition on the back of the existing garage. On roll call vote, all present voted **AYE**.

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

Meeting Adjourned at 5:30pm

Juanita VanBuskirk, Secretary
Zoning Board of Appeals

Pekin Planning Commission Minutes

March 9, 2011

Present:

Dick Cohenour
Jim Bradshaw
Don Hild
Daryl Dagit
Bill Craig, Chairman
Steve Huey

Absent:

Jim Jones
Ron Knautz

Chairman, Bill Craig led the pledge of allegiance.

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

Staff Present: Ron Sieh and Attorney Scott Kriegsman

Chairman, Bill Craig asked for the approval of the Agenda.

MOTION by Steve Huey, Seconded by Daryl Dagit to Approve the Agenda as presented. On roll call vote, All present voted **AYE**. **MOTION APPROVED**.

Chairman, Bill Craig asked for the Approval of the February 9, 2011 minutes.

MOTION by Jim Bradshaw, Seconded by Dick Cohenour to Approve the February 9, 2011 minutes as presented. On roll call vote, (4) Four present voted **AYE**. (2) Two present (Steve Huey and Bill Craig, were not present at the February meeting) **ABSTAINED**. **MOTION APPROVED**.

City Council Action Report:

February 28, 2011 Council Meeting:

Received and filed the minutes from the February 9, 2011 meeting.

Approved the following recommendations for Hearings:

Hearing #11-1826 & 11-1827 / To Approve the Preliminary Plat for Deerfield Estates Section 6a & 6b as described in Exhibit "A" and the Zoning Assignment of R-2 (Single Family Residential) pending Annexation.

Hearing #11-1828 / To Approve the Zoning Code Amendment 9-10-8h-4b and 9-1-8h-9c.

PPC Correspondence: No Correspondence.

Application #1: Mr. Abraham, Owner

Hearing #1(11-1829): Special Use for Loft Living at 17 N 4th Street with the Legal Description of Original Town, Lot #8 & East 6.58' of Lot #7 in Block #64 Section 34 T25N SE ¼ and PIN #04-04-34-434-005 in Tazewell County, Illinois.

Open Public Hearing: 6:34PM

Ron Sieh spoke in the absence of the owner. Basically they placed an apartment above the business without City knowledge. They were unaware of the procedure. He was notified as to what he should have done. That is why the request is before the Commission.

Close Public Hearing: 6:36PM

Special Use Review Committee:
Steve Huey, Chairman

Chairman, Steve Huey stated there was no Committee meeting and turned it over to the Commission for discussion.

Don Hild questioned why the Fire Chief commented only to be occupied by owner only.

Ron Sieh stated that is why changes were made to the code and is no longer a requirement.

Jim Bradshaw inquired as to the nine spaces indicated and asked if one was going to be dedicated to the apartment use.

Ron Sieh stated she leases (9) spaces from the City on a monthly basis. When the restaurant closes all nine spaces will be available for the Loft Tenant.

Motion by Don Hild, seconded by Steve Huey to Approve the Special Use for Loft Living at 17 N 4th Street. On Roll Call Vote. All Present Voted **AYE**. **Motion Approved**.

Future Items: 1) Renewal Forms for Expiring Term Members
2) Election of Chairman and Vice Chairman for the next (4) four years.

Motion by Dick Cohenour seconded by Jim Bradshaw to Adjourn the meeting. On Roll Call Vote. All Present Voted **AYE**. **Motion Approved**

Meeting adjourned at 6:55PM.

Juanita K VanBuskirk, Secretary
Pekin Planning Commission

Pekin Planning Commission
March 9, 2011

HEARING #11-1829

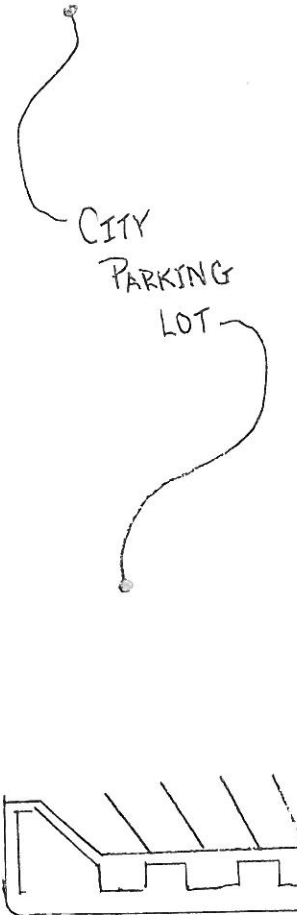
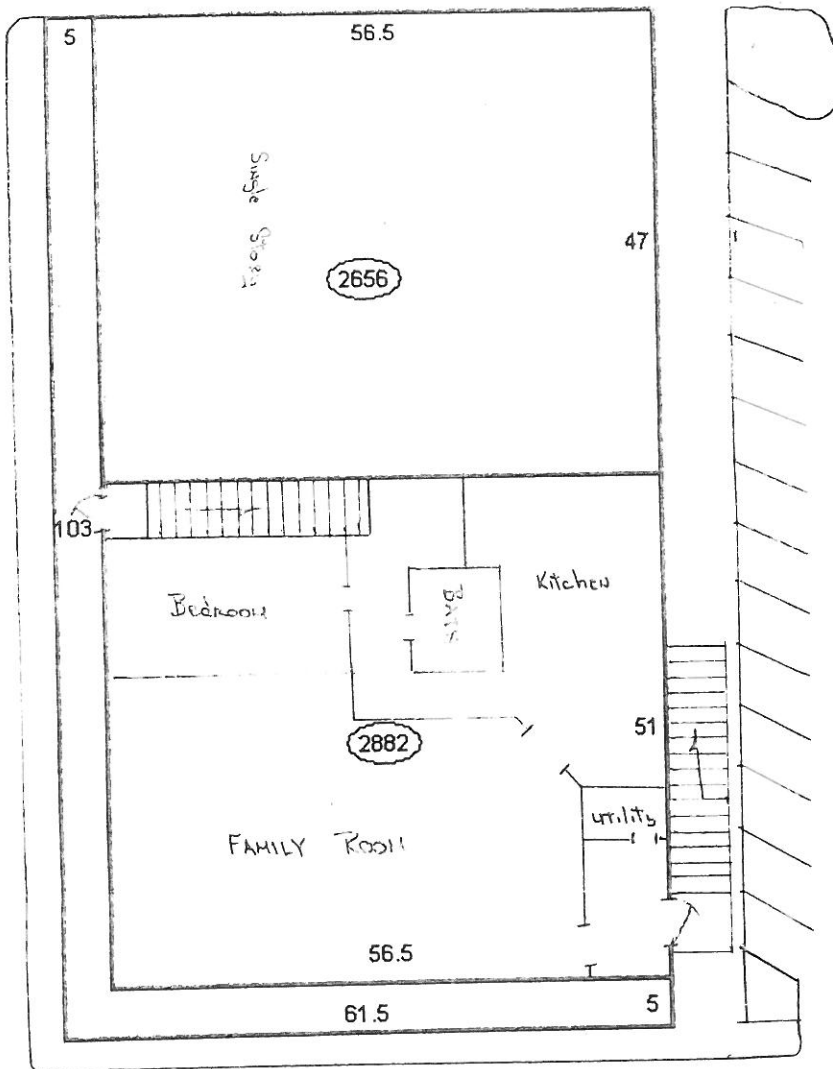
The Pekin Planning Commission recommends to Approve the
Special Use for Loft Living at 17 N 4th Street to the Pekin
City Council.

Ron Knautz, Chairman

Bill Craig, Vice-Chairman

ALLEY

4th STREET



MARGARET STREET



Original Town, Lot # 8 and East 6.58' of Lot # 7 in Block # 64
Section 34, T25N, SE ¼

P.I.N.: 04-04-34-434-005

Common address: 17 N 4th Street



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk

From: Frank Mackaman, Interim City Manager

AGENDA ITEM: Special-Use for loft living at 17 N. 4th Street.

AGENDA DATE REQUESTED: April 11, 2011

ACTION REQUESTED: Approve recommendation from Pekin Planning Commission to allow loft living at 17 N. 4th Street

DESCRIPTION: Allow the 2nd level of 17 N. 4th to have a single dwelling unit

FINANCIAL IMPACT: None

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: Fits theme for downtown redevelopment

IMPACT IF DENIED: None

ALTERNATIVES: Leave 2nd level of building an empty space

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 improve the quality of life for Pekin's residents.
	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.

REQUIRED SIGNATURES

Department Director: Ronald W. Sieh

Date: April 5, 2011

Finance Department (Certification of Availability of Funds):

Date:

Corporation Counsel:

Date:

City Manager:

Date:

SITE PLAN CHECKLIST
For Special Use Request

Name Joe Abraham & Sons Amusements
Address 17 N. 4th Street (Missy's Café)
Phone # 689-0844
Contact Person Joe Abraham (owner of building)

<i>Required Information – Approval Dates</i>		Public Works Director	City Engineer	Code Enforcement	Fire Chief
1.	Subdivision Name and Lot Number	ok		OK	
2.	Local Cross Streets	ok		OK	
3.	Lot Layout, Dimension and Setbacks	shown		OK	
4.	Public Access	existing		Existing	
5.	Easements	existing		Existing	
6.	Sanitary Sewer Locations, Size	existing		N/A	
7.	IEPA Sanitary Sewer Permit	N/A		N/A	
8.	Storm Sewer Location and Size	N/A		N/A	
9.	Proper Zoning (Current)	B-3		B-3	
10.	Parking Spaces and Surface	in lot		Note #1	
11.	Sidewalks	existing		OK	
12.	Landscaping	N/A		OK	
13.	ADA Compliance	N/A		OK	
14.	Driveway Openings (curb cuts)	N/A		Existing	
15.	TIF Area	Yes		Yes	
16.	Signage Exterior	N/A		N/A	
17.	Lighting Exterior	existing		Existing	
18.	Floor Plan Shown and Dimensions	ok		OK	
19.	Screening or Fencing – Barbed Wire or Electric	N/A		N/A	
20.	Loading and Unloading Areas Shown and Dimensions	N/A		OK	
21.	Fire Hydrant Location	on 4 th		S.E. CORNER 4 th & Margaret	
22.					
23.					
24.					

Public Works Comments:

City Engineer Comments:

Code Enforcement Comments: "Special use request for loft living above existing business"

#1. Missy leases spaces from City in adjacent parking lot.

9 spaces

Fire Chief Comments:

Occupancy for owner only. 

Other Comments:



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk

From: Frank Mackaman, Interim City Manager

AGENDA ITEM: 2011 Action Plan (Community Development Block Grant - CDBG)

AGENDA DATE REQUESTED: April 11, 2011

ACTION REQUESTED: City Council approval of the 2011 Action Plan for CDBG

DESCRIPTION: HUD requires an Action Plan every year stating the needs, priorities, and plans for the upcoming fiscal year and performance measurements based from the Five Year Consolidated Plan. These are stated within the 2011 Action Plan.

FINANCIAL IMPACT: Please see attached document.

NEIGHBORHOOD CONCERNS: A draft of the 2011 Action Plan is on public review from March 10 to April 8, 2011 at the City of Pekin, Pekin Housing Authority and the Pekin Public Library. A Public Hearing is scheduled for April 8, 2011 at 5:30pm in the Council Chambers. Comments will be included within the final draft of the Action Plan that will be submitted to HUD on April 14, 2011.

For the past nine years, HUD has responded to the submittal of the end of the year plans (what was actually completed) as "the City of Pekin's CDBG program is competently administered and in compliance with the statues and operating regulations. We find that the City has the continuing capacity to successfully administer its Consolidated Plan covered programs."

IMPACT IF APPROVED: The 2011 Action Plan will be mailed to HUD for review and their approval.

IMPACT IF DENIED: The deadline for submittal of the 2011 Action Plan will be missed and an extension request will be submitted to HUD. HUD must approve the Action Plan before CDBG dollars are allocated or expended for the upcoming fiscal year.

ALTERNATIVES: none proposed

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 improve the quality of life for Pekin's residents.

	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.
REQUIRED SIGNATURES	
Department Director: <i>Ramona Anderson</i>	
Date: <i>3-25-11</i>	
Finance Department (Certification of Availability of Funds): <i>Angela Evans</i>	
Date: <i>3-25-11</i>	
Corporation Counsel:	
Date:	
City Manager:	
Date:	

2011 HUD, 2012 City of Pekin
CDBG

2011 CDBG Budget	2011 HUD Allocation	Leveraged funds	
Street Maintenance	\$ 84,085.00	\$ 400,000.00	(\$200,000) State MFT & 2/3 MFT and (\$200,000) General Fund 1/3 General
Rehabilitation programs (3 houses)	\$ 60,000.00	\$ 480.00	permit fees (general) * 8%
Code Enforcement	\$ 20,845.55	\$ 44,959.50	City
Rehab Prog Delivery	\$ 84,064.96	\$ -	
CDBG for HOME (4 houses)	\$ 48,000.00	\$ 168,000.00	IHDA
Public services			
Pekin United Way	\$ 40,000.00	\$ 562,164.77	Corporate and Individual - Local
other Public Services (District #108 poverty & HMIS)	\$ 35,000.00		
Public facilities	\$ 30,000.00		
Pekin Coalition for Equality	\$ 5,000.00		
Administration	\$ 95,586.94	\$ -	
Total	\$ 502,582.45	\$ 1,175,604.27	*
Grant allocation	\$ 448,491.14		20% Administrative cap: \$100,586.94
Estimated Program Income 2011	\$ 54,443.55		Pekin Coalition for Equality \$ 5,000.00
Total	\$ 502,934.69		Administration: \$ 95,586.94 Remaining funds in cap: \$ (0.00)
Difference	\$ 352.24		**
Grant allocation	\$448,491.14		15% Public Services cap: \$ 75,870.02
2010 / last year's program income	\$57,309.00		Public Services: \$ 75,000.00
Total	\$505,800.14		Remaining funds in cap: \$ 870.02

2011 HUD CDBG Fiscal Year program Summary

Project	Objective	Outcome	Evaluation of past performance
Owner Occupied Homeowner Rehabilitation	Decent Housing	Sustainability	A well performing program that assists the City of Pekin in meeting the documented need of low and moderate-income households in rehabilitating their homes.
Seal Coating	Suitable living environment	Sustainability	A well performing program that coordinates efforts with the Public Works Dept. to improve the streets in the low to moderate income Census Tracts and block groups.
Code Enforcement	Decent Housing	Sustainability	A well performing program that coordinates efforts with the Inspections Department with a systematic approach to inspections of low to moderate income housing Census Tracts.
Public Services	Decent Housing; Suitable Living Environment;	Availability/Accessibility; Sustainability	A well performing program that coordinates efforts with the Pekin United Way in allocating a portion of its CDBG dollars to fund agencies that serve target populations that were identified in the January 2008 gaps analysis.; Two additional needs have presented themselves within the Community - HMIS and poverty issues with District #108.
Public Facilities	Suitable living environment	Sustainability	A well performing program that coordinates efforts with local not-for-profits to provide facility improvements that would not be possible without the CDBG allocation.

2005-2009 Five Year Consolidated Plan cumulative data 2009 CAPER

Goal A: To develop a viable urban community by providing decent housing principally to low and moderate-income persons.

A1. The City of Pekin Code Enforcement program, as a high priority, will inspect 2,750 residential units in the Target Area by April 30, 2010.

2005	558
2006	588
2007	529
2008	502
<u>2009</u>	<u>470</u>
Total:	2,647/2,750

A2. The City of Pekin Rehabilitation single-family owner occupied program, as a high priority, will rehabilitate a total of 16 homes by April 2010.

2005	14 (2 from 2004, 8 completed in 2005 and 4 carried over to 2006)
2006	20 (17 from 2006 and 3 from 2005)
2007	5 (3 from 2006 FY and 2 from FY 2007)
2008	10 (3 from 2007 FY and 7 from 2008 FY)
2009	12 (1 carried over from 2008 FY; 3 HOME & 8 CDBG from 2009 FY)
Total:	61/16

The City of Pekin Rehabilitation program, as a high priority, will purchase and install carbon monoxide detectors for the hearing impaired for a total of 13 individuals with hearing issues. (8 for 2007 and 5 in 2008)

2007	0 (carried over to be completed in fiscal year 2008)
2008	13
2009	33

A3. The City of Pekin intends to actively support appropriate long and short-term objectives and continuum of Care projects proposed by the Heart of Illinois Homeless Continuum of Care as a high priority.

2005	yes
2006	yes
2007	yes
2008	no
2009	yes

A4. The City of Pekin will, as a high priority, participate in the IDHA HOME/SFOOR program to apply and receive funds to completely rehabilitate a total of 22 houses.

2005-2009 Five Year Consolidated Plan cumulative data 2009 CAPER

2005	0
2006	4 (2 from 2006 and 2 from 2005)
2007	3
2008	3
2009	<u>3</u>
Total:	13/22

Goal B: To develop a viable urban community by providing a suitable living environment principally to low and moderate-income persons.

B1. The City of Pekin will, as a high priority, contract with public and private agency/ies that will provide needed services to 10,000 low and moderate-income persons/households for the long term goal.

2005	13,080
2006	13,080
2007	2,728
2008	5,613
2009	<u>14,821</u>
Total:	49,322/10,000

B2. The City of Pekin will, as a high priority, reconstruct streets, reconstruct limited parking facilities; install five emergency sirens; install a sidewalk and make other necessary public facility improvements on public streets, alleys and other city property that is located in low to moderate-income Census tracts or slum and blight areas.

Seal Coating program:

2005	6,789
2006	2,750
2007	0
2008	2,859
2009	<u>988</u>
Total:	13,386

ADA Sidewalk program:

2007	0	(carried over to 2008 FY)
2008	10,142	
2009	0	

2005-2009 Five Year Consolidated Plan cumulative data 2009 CAPER

B3. The City of Pekin will, as a high priority, inspect 2,750 residential properties for compliance with environmental, Boca and state building codes in the Target Area by April 2010.

2005	558
2006	588
2007	529
2008	502
<u>2009</u>	<u>470</u>
Total:	2,647/2,750

B4. The City of Pekin will provide Planning and Administrative services, as a high priority, that are necessary for the administration of HUD grants primarily serving low and moderate income people through April 2010.

2005	yes
2006	yes
2007	yes
2008	yes
2009	yes

B5. The City of Pekin will, as a high priority, provide matching dollars for the 2005 or 2006 Super NOFA application for a Case Manager position to coordinate the transition process of homeless individuals.

2005	Exhibit 1 did not pass threshold; amended plan to remove goal
2006	n/a
2007	n/a
2008	n/a
2009	n/a

Goal C: To develop a viable urban community by expanding economic opportunities principally to low and moderate income persons.

C1. The City of Pekin may assist as appropriate, the growth of one business with direct assistance or other incentive in support of economic opportunity projects by April 2010.

2005	0
2006	0
2007	0
2008	1
<u>2009</u>	<u>0</u>
Total:	1



Community Development Department

March 9, 2011

U.S. Dept of Housing & Urban Dev't
Com. Planning & Dev't
77 W. Jackson Blvd, Rm 2401
Chicago, IL 60604

Re: Extension request for the submittal of the City of Pekin 2011 CDBG Action Plan

Dear Mr. Prates-Reyes,

City of Pekin staff (Pamela) spoke with you, our HUD representative, today concerning an issue that was brought to our attention this morning. Due to the local newspaper not publishing the requested notice for the 2011 CDBG Action Plan during the week of February 2 – 7, 2011, the City of Pekin is requesting an extension be granted for the submittal of the 2011 Action Plan to HUD until April 14, 2011. The 2011 Action Plan was posted on the City of Pekin web site and drafts were available for review at the City of Pekin, Pekin Housing Authority and the Pekin Library from February 8 thru March 9, 2011.

The originally scheduled public hearing will be held tonight (3/9/11), in addition to the newly scheduled public hearing on April 8, 2011. The 2011 Action Plan has been pulled from the originally scheduled Council meeting on March 14th and rescheduled to go before City Council on April 11, 2011 with the recommendation to approve. Pending Council approval, City staff will then copy and Fed-Ex the written document to HUD to be received, at the latest, by April 14th, 2011. City staff will also e-mail the completed document to HUD on April 12, 2011.

Thank you for your consideration in providing the extension for the City of Pekin 2011 CDBG Action Plan.

Respectfully,

A handwritten signature in dark ink, appearing to read "Frank Mackaman", is written over a horizontal line.

Mr. Frank Mackaman
Interim City Manager
City of Pekin



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Chicago Regional Office
77 W. Jackson Blvd.
Chicago, Illinois 60604-3507

OFFICE OF
COMMUNITY PLANNING & DEVELOPMENT

MAR 21 2011

Honorable Rusty Dunn
Mayor, City Of Pekin
Attn: Pamela Anderson
Community Development Director
111 South Capitol Street
Pekin, Illinois 61554-4188

Dear Mayor Dunn:

SUBJECT: Extension Request
Program Year 2011 Annual Action Plan
City of Pekin, IL

This letter approves the City's March 9, 2011 request for an extension to the Program Year 2011 Annual Action Plan due date. The City requested an extension based on the following circumstances:

- The local newspaper did not publish the notice for the 2011 CDBG Action Plan.
- The notice is part of the Citizen Participation Plan

As a result of these circumstances, we approve your request for a four-week extension. The original due date was March 17, 2011. The new due date for the 2011 Annual Action Plan is April 14, 2011.

We remind the City that in accordance with Sec. 91.500(a), HUD is to review and approve the plan within 45 days after it is received by HUD. We also advise you that the extended submission, review and approval dates could delay the expeditious release of the City's 2011 Annual Action Plan funds.

Please contact Community Planning and Development Representative Edgardo Prats-Reyes at 312-913-8707 or edgardo.prats-reyes@hud.gov if you have any questions or need additional information.

Sincerely,

Ray E. Willis
Director



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk

From: Frank Mackaman, Interim City Manager

AGENDA ITEM: Proposal to Revise City of Pekin Policy No. 18-10/11, the "Fund Balance Policy"

AGENDA DATE REQUESTED: April 11, 2011

ACTION REQUESTED: Revise/replace the above named policy with a "General Fund Reserves Policy"

DESCRIPTION: The "Fund Balance Policy" did not anticipate distortions in City expense categories. As a result, the policy does not accurately reflect General Fund reserves requirements. The Interim City Manager will present information comparing the current and proposed reserves policy as affected by the FY2012 budget recently adopted.

FINANCIAL IMPACT: Adoption of the policy will permit more accurate and precise calculations of reserves requirements and assist in future budgeting.

NEIGHBORHOOD CONCERNS: NA

IMPACT IF APPROVED: Adoption of the policy will permit more accurate and precise calculations of reserves requirements and assist in future budgeting.

IMPACT IF DENIED: The City will risk falling short of the distorted reserves requirement currently in place.

ALTERNATIVES: NA

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.
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☐	A High Quality of Life. To support or provide services that improve the quality of life for Pekin's residents.
☒	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.

REQUIRED SIGNATURES

~~Department Director:~~ **TREASURER**

Date: 3/16/11 *James D. Wolf*

Finance Department (Certification of Availability of Funds):

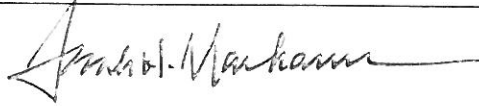
Date:

Corporation Counsel:

Date:

City Manager:

Date: 3.16.2011

A handwritten signature in black ink, appearing to read "Andrew B. Vanham", written over a horizontal line.



CITY OF PEKIN POLICY NO. 20-10/11

GENERAL FUND RESERVES POLICY

PURPOSE OF POLICY

The purpose of this policy is to establish a key element of the financial stability of the City by setting guidelines for the General Fund Reserves. General Fund Reserves, also known as “Fund Balance,” is an important measure of economic stability. It is essential that the City maintain adequate levels of reserves to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances. Reserves also provide cash flow liquidity for the City’s general operations.

DEFINITIONS

General Fund Reserves. General Fund Reserves are related to the following General Fund accounts: General Fund, Solid Waste, Storm Sewer, Capital (adjusted as a five-year rolling average), School Bus, Airport, and Economic Development. It excludes Internal Service Funds, i.e., Insurance and Vehicle Maintenance. The balance in the General Fund is called “reserves.”

Fund Balance. A practical definition of fund balance follows: When liabilities are subtracted from assets, there is a fund balance. A positive fund balance means there are more assets than liabilities; a negative fund balance means just the opposite. Fund balance can be complicated by the fact that part of the fund balance is reserved and part unreserved. The difference between reserved and unreserved is that the unreserved can potentially be authorized for future expenditures while the reserved cannot. Additionally, the fund balance is a combination of liquid and Illiquid assets.

Considerations. Credit rating agencies determine the adequacy of the unreserved fund balance, or reserves, using a complex series of financial evaluations. The size of the fund balance is an important but not the only consideration in the City’s rating. Other important factors are the reliability of a government’s revenue sources, economic conditions, community wealth factors, cash position, debt ratios, management performance, and fiscal decisions made by the legislative body.

The Government Finance Officer’s Association of the US & Canada (GFOA) recommends, for cities of comparable size to Pekin, maintaining a fund balance of as high as 25% of annual general fund expenditures. This percentage varies depending on individual community situations, based on the above mentioned considerations and risk.

OTHER PROVISIONS

Maintenance. In the event that General Fund Reserves is so calculated to be less than the policy anticipates, the City shall plan to adjust budget resources in the subsequent fiscal years to restore the balance. Except in extraordinary circumstances, General Fund Reserves should not be used to fund any portion of the ongoing and routine year-to-year operating expenditures of the City. It should be used primarily to insure adequate designated reserves, to respond to unforeseen emergencies, to provide cash flow, and to provide overall financial stability.

Administrative Responsibilities. The Treasurer and Assistant Finance Director shall be responsible for monitoring and reporting the City’s various reserves. The City Manager is directed

to make recommendations to the City Council on the use of reserve funds both as an element of the annual operating budget submission and from time to time throughout the year as needs may arise.

Annual Report. The Treasurer and Assistant Finance Director shall annually submit a report to the City Council outlining the status of the City's various components of the fund balance. This report shall be submitted within thirty days of the receipt of the annual financial audit. The Treasurer and Assistant Finance Director shall also provide status reports at other times to the City Council as may be requested .

POLICY

It is the goal of the City to achieve and maintain a General Fund Reserve equal to 25% of annual expenditures for the following functions: General Fund, Solid Waste, Storm Sewer, Capital (adjusted as a five-year rolling average), School Bus, Airport, and Economic Development.¹ The City considers a balance of less than 25% to be cause for concern, barring unusual or deliberate circumstances, and a balance of more than 40% as excessive. An amount in excess of 40% is to be considered for reservation to accumulate funding for capital projects and equipment, and/or to reduce the tax levy requirements.

Replaces Policy No.18-10/11

Adopted this 11th day of April 2011.

¹ This calculation excludes Insurance and Vehicle Maintenance.



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & City Manager

From: Joseph W. Wuellner, Public Works Director

AGENDA ITEM: Engineering Agreement with Maurer-Stutz for Sheridan Road Bridge

AGENDA DATE REQUESTED: March 28, 2011

ACTION REQUESTED: Approve engineering agreement with Maurer-Stutz in the amount of \$80,151 for the design of the new bridge for Sheridan Road crossing over Lick Creek.

DESCRIPTION: The bridge that carries Sheridan Road over Lick Creek was rated below allowable limits in 2008 and has since had the allowable load limits downgraded. A preliminary study was started in 2009 to see what it will take to replace this structure and during this time we also received \$750,000 in bridge replacement funding through Tazewell County. The process required approval from the IL Nature Preserve commission since this area was put into Reserve status by the Pekin Park District. Permission has finally been granted and we are in the process of securing an easement for construction and future maintenance from the Park District. This agreement will have M-S complete the construction drawings and specifications to allow for bidding the project possibly next year should the bridge condition worsen or there are delays in the county's projects. I recommend that this agreement be approved.

FINANCIAL IMPACT: \$80,151 from MFT funds. In the budget for FY2011 at \$125,000.

NEIGHBORHOOD CONCERNS: Bridge is vital to residents living in the new subdivisions on the east side of the creek and also to emergency response vehicles.

IMPACT IF APPROVED: Project design is completed and project ready to bid as soon as the funds are available.

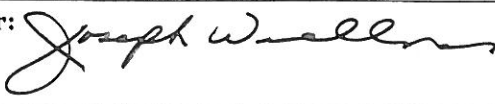
IMPACT IF DENIED: Project design will be delayed.

ALTERNATIVES: None

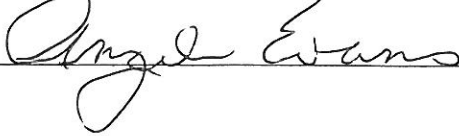
RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: [check no more than 2 boxes. Copy this check mark ✓ and paste it to the left of the relevant theme.]

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REQUIRED SIGNATURES

Department Director: 
Date: 3/14/11

Finance Department (Certification of Availability of Funds):

Date: 3-14-11 

Corporation Counsel:

Date:

City Manager: 
Date: 3.15.11

**MAURER & STUTZ, INC.****ENGINEERS****SURVEYORS**7615 North Harker Dr.
Peoria, IL 61615TEL 309-693-7615
FAX 309-693-7616PROJECT: Sheridan Road BridgePROJECT NO.: 237-09001BY: GBMDATE: March 10, 2011

LETTER OF TRANSMITTAL

TO: City of Pekin
Department of Public Works
111 S. Capitol Street
Pekin, IL 61554

SUBJECT: Phase II Manhours

ATTENTION: Joe Wuellner

TRANSMITTING: ☒ Herewith
☐ Under Separate Cover

BY: Messenger
Mail ☒
UPS _____

ENCLOSED: ☐ Prints
☐ Specifications
☐ Shop Drawings
☐ Copies
☒ Other

FOR: Approval
Your Files ☒
Your Signature _____
Distribution _____
Per Your Request _____

COPIES:	DESCRIPTION:
1	Phase II Manhour Estimate

REMARKS:

Enclosed is a copy of our estimated manhours for Phase II plus the Phase I carryover amount. Please feel free to call if you have any questions or wish to discuss. Once we can come to an agreement, I can prepare the engineering agreement and we can proceed with design once the Project Development Report is approved.

Thank-you,

FROM: George B. Merkle
George B. Merkle, P.E.
Senior Project Engineer

CC: File



7615 North Harker Dr. TEL 309-693-7615
Peoria, IL 61615 FAX 309-693-7616

PROJECT: City of Pekin - Sheridan Road Culvert
PROJECT NO: 237-09001
COMPUTATION BY: JDS
CHECKED BY: _____
DATE: 3/7/2011
DATE: _____

MANHOOR ESTIMATE SUMMARY

ITEM	TASK HOURS	TASK COST	TOTAL
Culvert			
1. Design	76	\$7,186	
2. Drawing Preparation	126	\$10,686	
3. Quantity Calculations	32	\$2,952	
4. Specifications	9	\$1,110	
5. Pay Item Worksheet	6	\$596	
6. QC/QA	12	\$1,440	
7. Final Review	16	\$1,860	
8. Shop Drawing Review	11	\$1,166	
9. Construction Consultation	10	\$1,140	
Sub-Total	298	\$28,136	\$ 28,136
Roadway			
1. Design	49	5445	
2. Drawing Preparation	172	9840	
3. 404 and Water Quality Permit	4	540	
4. Specifications	10	1230	
5. Quantity Calculations	24	2640	
6. Field Check	12	1530	
7. Estimate of Time	3	390	
8. Estimate of Cost	3	390	
9. Meetings	4	510	
10. QC/QA	16	2220	
11. Final Review	12	1500	
12. Construction Consultation	6	780	
Sub-Total	315	\$27,015	\$ 27,015
Phase I Carryover			\$ 25,000
ESTIMATED FEE:			\$ 80,151

MANHOUR ESTIMATION SHEET

[illegible]

Sheridan Road Bridge - Phase II Culvert Design

TOTAL COST



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & City Manager

From: Joseph W. Wuellner, Public Works Director

AGENDA ITEM: Amendment to Participation Agreement – Ramp Rehabilitation Project at the Pekin Airport

AGENDA DATE REQUESTED: April 11, 2011

ACTION REQUESTED: Approve the amendment to the Participation Agreement for East Ramp Rehabilitation Project at the Pekin Airport.

DESCRIPTION: Changes have been made at the State Comptroller's Office on how consultant services are to be paid. In the past, the checks were paid directly to the consultants by the Comptroller but with the recent change the Airport Sponsor will pay the consultant. When the consultant submits an invoice, the Airport Sponsor will forward the invoice to the Comptroller's Office for payment. The Comptroller will cut the check to the Sponsor who will then pay the consultant. (I have attached a copy of the letter and email explaining the change.) This will not affect the overall cost of the project or the City's share.

I recommend that this amendment to the Participation Agreement be approved.

FINANCIAL IMPACT: Amendment does not affect the cost of the project.

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: Project will continue on schedule.

IMPACT IF DENIED: Project will be delayed until this can be resolved.

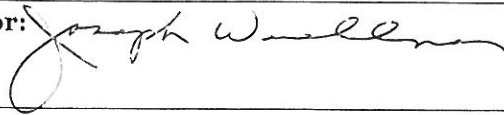
ALTERNATIVES: N/A

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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REQUIRED SIGNATURES**Department Director:**

Date: 3/27/11

**Finance Department** (Certification of Availability of Funds):

Date:

N/A

Corporation Counsel:

Date:

City Manager:

Date:



Illinois Department of Transportation

Division of Aeronautics

1 Langhorne Bond Drive / Springfield, Illinois / 62707-8415

March 18, 2011

Mr. Robert Ehrich
Chairman, Airport Commission
Pekin Municipal Airport
111 South Capitol Street
Pekin, Illinois 61554-4188

Re: Amendment to Participation Agreement
Illinois Project: C15-3990
AIP Project: 3-17-0078-B11

Dear Mr. Ehrich:

Enclosed you will find an original and two copies of an Amendment to the Participation Agreement for C15-3990 at Pekin Municipal Airport. The amendment is due to two issues. First, the Participation Agreement was executed before an exemption excluding the Division from Senate Bill 51. All Participation Agreements executed between July 1, 2010 and December 30, 2010 will fall under the guidance of SB51. The second is due to how we have been processing consultant payments. The Illinois Office of the Comptroller has determined that we can no longer pay the consultant directly. Consultant invoices for eligible services incurred will be paid to you, the Airport Sponsor and in turn, you will send a check to the consultant for the amount of the approved invoice. An Administrative Bulletin will be forthcoming from the Division providing more detailed information regarding the consultant payments.

Please read the amendment, sign and return it to the Division, so that we may proceed in processing these documents with the Comptroller's Office. This Amendment will enable us to begin making payments on C15-3990. An executed copy of this Amendment will be returned to you for your files.

You can find more information on Senate Bill 51 on the following websites. The web addresses are: <http://www.dot.il.gov/procurementreform.htm> and http://www.sell2.illinois.gov/laws_regulations/. If you should have any questions, please call our office. Thank you for your patience in this matter.

Sincerely,

A handwritten signature in black ink that reads "Steven J. Long".

Steven J. Long, PE
Acting Chief Engineer

Wuellner, Joe

From: Baskett, Rhonda S [Rhonda.Baskett@illinois.gov]
Sent: Saturday, March 19, 2011 8:57 AM
To: City of Pekin; Mike Reed
Subject: FW: C15-3990
Attachments: C15 3990A.pdf; C15 3990A trans1.pdf

Mr. Wuellner / Mr. Reed,

I have inserted a cover letter and an amendment for Illinois Project C15-3990; AIP Project 3-17-0078-B11. This is a project that has been hung up because of a Senate Bill (51) regarding procurement and the Comptroller's Office regarding how we pay consultant services. After many months of going back and forth and pleading our case, an end result has been reached. While it is not perfect by any means, the Comptroller's Office has the authority to deny or accept our documents and then issue payments, so we have made the changes requested. A little confusion arose from the transmittal letter inserted in this e-mail, so I will try to clarify. In the letter it states: "Consultant invoices for eligible services incurred will be paid to you, the Airport Sponsor and in turn, you will send a check to the consultant for the amount of the invoice." The airport sponsor is not paying these invoices and then getting reimbursed like our local let projects. This is a 'just in time' payment. Once the invoice has been approved, you will receive that amount from the Comptroller's Office and then in turn, you pay your consultant. You are not paying the invoice first, then receiving reimbursement. I realize this is somewhat confusing, so if you should have any questions, please let me know. I will do my best to assist you.

After you read the transmittal letter and the amendment, please have **three (3) copies** signed and return them to our office. Thank you very much for your assistance and patience with this matter.

<<C15 3990A.pdf>> <<C15 3990A trans1.pdf>>

On another note, I tried to send this to Robert Ehrich, who we have listed as the Chairman of the Airport Commission. Apparently, his e-mail is no longer valid. It would be appreciated if we were to receive any updates to e-mail addresses. We will be using these for communicating information regarding the consultant payments. Thank you very much.

Rhonda Baskett

IDOT-Division of Aeronautics

Special Programs Manager

Voice - (217) 785-4255

Fax - (217) 785-4533

Rhonda.Baskett@illinois.gov

AMENDMENT TO PARTICIPATION AGREEMENT
CFDA 20-106

ILLINOIS PROJECT: C15-3990
FEDERAL PROJECT: 3-17-0078-B11

This Amendment made and entered into by and between the ILLINOIS DEPARTMENT OF TRANSPORTATION (Department), for and on behalf of the State of Illinois, and the City of Pekin (Municipality) to the original Agreement (Agreement) between the parties dated the 3rd day of September, 2010.

The Department and the Municipality hereby agree that the following provisions are to be incorporated into and made a part of said Agreement and, in all other respects, said Agreement is to remain in full force and effect:

ILLINOIS GRANT FUNDS RECOVERY ACT

Grant funds shall be available for expenditure or obligation by the Municipality for two years from the date of execution of the Agreement. All funds remaining at the end of the Agreement or the expiration of time grant funds are available for expenditure or obligation by the Municipality must be returned to the State of Illinois within 45 days. Any grant funds which have been misspent during the period of time set forth in the Agreement or are being improperly held by the Municipality are subject to recovery in accordance with the Illinois Grant Funds Recovery Act (30 ILCS 705).

The Municipality shall maintain, for a minimum of three years after the completion of the period of time set forth in the Agreement, all books, records and supporting documents related to the program, project or use for which grant funds were provided which shall be made available for review and audit by the Department, the Auditor General, or the Attorney General. The Municipality agrees to cooperate fully with any audit conducted by the Department, the Auditor General or the Attorney General and to provide full access to all relevant material. Failure to maintain the books, records and supporting documents required by this Section shall establish a presumption in favor of the State of Illinois for the recovery of any funds paid by the State under the grant for which the books, records and supporting documents are not available.

For any grant in excess of \$25,000, the Municipality shall file quarterly reports, specifying at a minimum the progress of the program, project or use and the expenditure of the grant funds related thereto. Each report shall be due and must be received by the Department no later than 30 days after the end of each quarter for which the report is made and shall be filed as instructed by the Department. Failure to file or late filing of the required report may result in the delay, suspension or withholding of grant funds.

The Municipality, by signature below of its authorized representative, certifies under oath that all information in the Agreement is true and correct to the best of the Municipality's knowledge, information and belief and that grant funds shall be used only for the purposes described in the Agreement and that the award of grant funds is conditioned upon such certification.

ENGINEERING CONSULTANT PAYMENTS

Payments for consultant services may be made directly to the Sponsor instead of being paid from the Department to the consultant, upon receipt of an invoice for services rendered by the consultant.

Whenever such payments are made directly to the Sponsor, the sponsor must pay the consultant within 5 business days upon receipt of said payment. If the sponsor fails to pay the consultant as directed herein, such payment must be returned to the Department, unless an extension or other arrangement is approved, in writing, by the Department.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to Participation Agreement to be executed on the dates respectively hereafter set forth. The Agreement will expire two years from the date of execution.

City of Pekin
a Municipal Corporation

Attest:

By: _____
City Clerk

By: _____
Mayor

Printed or Typed Name

Printed or Typed Name

Date: _____

Date: _____

DIVISION OF AERONAUTICS

By: _____
Susan R. Shea
Director of Aeronautics

Date: _____

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

Charles Ingersoll, Director
Office of Planning & Programming

Matthew R. Hughes, Acting Director
Office of Finance and Administration

Date: _____

Date: _____

Ellen Schanzle-Haskins
Chief Legal Counsel

Gary Hannig
Secretary of Transportation

Date: _____

Date: _____



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & Interim City Manager

From: Joseph W. Wuellner, Public Works Director

AGENDA ITEM: Engineering Agreement with Foth for Stormwater Utility Planning and Pre-Implementation

AGENDA DATE REQUESTED: April 11, 2011

ACTION REQUESTED: Approve the agreement with Foth for \$89,000 to commence the Stormwater Utility Planning and Pre-Implementation process.

DESCRIPTION: As part of the requirements of the Clean Water Act, municipalities are to establish a stormwater utility to cover all items necessary to come into compliance with the Act. This agreement with Foth is to start the process. They will review our existing ordinances and make recommendations for changes, create a committee of citizens and business representative to help create a stormwater utility program, and put together a program and possible ordinance language to present to the council, and assist in setting up the program management and administration if implemented. This will assist us with getting the information out to the public and get their input on the program. Implementing a stormwater utility has been something that we have been working on for several years and as stated this is required by the Clean Water Act.

Funding will come from the Stormwater budget where there is funding in the FY11 budget for engineering but nothing at present in the FY12. Funding was originally put in the budget but removed since this process has never been supported in the past. Since you showed consensus on starting this process a few weeks ago, I am hoping that even with the lack of funding in the upcoming budget year that you will stay with your commitment to start the process and approve this agreement.

FINANCIAL IMPACT: \$89,000

NEIGHBORHOOD CONCERNS: Flooded streets and erosion

IMPACT IF APPROVED: Produce a Stormwater Utility Program that can be implemented that has been created utilizing a committee of citizens and business representatives that will work for the City.

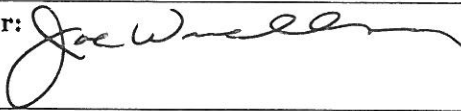
IMPACT IF DENIED: Continue to remain without a plan to become compliant with the stormwater requirements of the Clean Water Act.

ALTERNATIVES: N/A

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.]

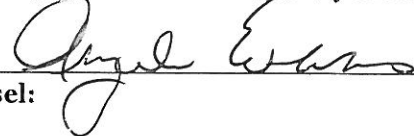
	A Prosperous Community. To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.
	A Safe Community. To protect community life and property by providing effective, principled police and fire services.
✓	A Strong Foundation. To improve and maintain existing infrastructure 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: 4/5/11

Finance Department (Certification of Availability of Funds):

Date: 4-5-11 

Corporation Counsel:

Date:

City Manager:

Date:



March 31, 2011

Joseph Wuellner, P.E.
Public Works Director
City of Pekin
111 S. Capital Street
Pekin, IL 61554

RE: Stormwater Utility Planning and Pre-Implementation

Dear Mr. Wuellner:

Enclosed please find two copies of an Agreement for Professional Services for planning and pre-implementation of a stormwater utility for the City of Pekin.

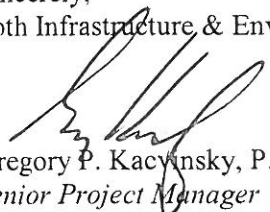
Foth proposes to complete this project for an estimated fee of \$89,000. This fee would be distributed among the key project tasks as follows:

Task	Description	Fee
A	Data Collection and Staff Interviews	\$ 9,500
B	Existing Stormwater Program Summary	\$ 14,500
C	Stormwater Advisory Committee	\$ 17,000
D	Future Stormwater Program Summary	\$ 16,500
E	Develop Rate Model	\$ 16,000
F	Top Ratepayer Coordination and Ordinance Language Recommendations	\$ 9,000
G	Scoping for Stormwater Utility Implementation	\$ 2,500
--	Project Management and Administration	\$ 4,000
Estimated Project Total		\$ 89,000

The detailed scope is included in the enclosed Agreement. Please review the enclosed Agreement and, upon Council approval, sign both copies and return one for our file.

We appreciate the opportunity to assist the City in this important endeavor and we look forward to helping you establish a dedicated funding source for your stormwater infrastructure.

Sincerely,
Foth Infrastructure & Environment, LLC


Gregory P. Kacyvinsky, P.E.
Senior Project Manager


Andrea M. Klopfenstein, P.E.
Senior Engineer

AGREEMENT FOR PROFESSIONAL SERVICES

(BETWEEN CITY OF PEKIN AND FOTH INFRASTRUCTURE & ENVIRONMENT, LLC)

THIS IS AN AGREEMENT made as of April 11, 2011, between:

City of Pekin, 111 S. Capital Street, Pekin, Illinois 61554.

hereinafter referred to as "OWNER" and Foth Infrastructure & Environment, LLC a Wisconsin corporation with its principal place of business in Green Bay, Wisconsin, hereinafter referred to as "ENGINEER."

WHEREAS the OWNER intends to implement Stormwater Utility planning and pre-implementation services, hereinafter referred to as "PROJECT," and

WHEREAS the ENGINEER has the necessary personnel and facilities to provide the professional service described and,

WHEREAS the ENGINEER desires to contract with the OWNER for the purpose of rendering professional services for the PROJECT.

NOW, THEREFORE, for and in consideration of the mutual covenants hereinafter contained, subject to the terms and conditions set forth below, on the reverse side, and/or attached hereof, the OWNER and the ENGINEER do hereby covenant and agree as follows:

PART I- SERVICES

The following services will be provided under this Agreement:

Task A: Data Collection and Staff Interviews

- Organize and attend a Project Kickoff Meeting. Provide a written record of the meeting.
- Request documents and related data on the OWNER's existing stormwater expenditures, including, but not necessarily limited to:
 - O&M costs for sewers, ditches and ravines
 - NPDES Compliance costs
 - Current capital improvement expenditures
 - Staff salaries and overhead costs (those staff supporting the OWNER's stormwater program)
 - Combined sewer maintenance and wet weather reduction programs
 - Other programs supporting stormwater infrastructure
- Retrieve and review OWNER's budget data.
- Retrieve GIS data from the OWNER and the Tri-County Regional Planning Commission (TCRPC), including aerial photography, contours, parcel data, zoning data and sewer layers.
- Retrieve existing examples of Illinois American water bills (which include the local sewer fee component).
- Interview key City of Pekin staff on the existing stormwater program, including interviews of legal, finance, and permit compliance staff. A questionnaire will be provided to assist in gathering key information.

Task B: Existing Stormwater Program Summary

- Prepare a summary report on the OWNER's existing stormwater program, including an analysis of the existing organizational structure, cost structure, and known deficiencies. Deficiencies will include those programs identified by the OWNER as necessary to maintain the stormwater infrastructure but without existing funding.
- **DELIVERABLE:** Summary report on existing stormwater program, including cost detail, personnel needs, and equipment/materials needs.

Task C: Stormwater Advisory Committee (SWAC)

During the initial stages of this project, the OWNER will select up to 12-15 members of the SWAC. These members should include a broad cross-section of the community, including:

- Business leaders
- Church representative(s)
- Largest 1-2 potential ratepayers
- School district representatives
- Homeowners' Association representative
- Local contractor
- Local property owner/manager (such as Leman Property Management or similar)

5 meetings will be held with the SWAC to adequately educate the group on stormwater infrastructure and to develop meaningful recommendations to the Pekin City Council. The following is a summary of the recommended meeting topics and follow-up activities:

SWAC Meeting 1:

- Introduce the SWAC to the concept of stormwater management.
- Summarize the City of Pekin's current stormwater program, highlighting maintenance, capital improvements, and permit compliance (include photos of existing drainage problems).
- Lay out the ground rules for the SWAC process, encourage member involvement and regular attendance.
- Develop a draft Program Mission Statement.

SWAC Meeting 2:

- Revise and finalize the Program Mission Statement.
- Present additional detail on the City of Pekin's stormwater program, focusing on annual costs, staffing, and limitations of the existing program.
- Discuss the future of the City of Pekin's stormwater program, including:
 - Future NPDES regulations and cost implications
 - Addressing drainage complaints and channel erosion issues
 - Implementing needed capital improvement projects
 - Wet weather reduction needs for CSO compliance
- **GROUP EXERCISE: Set Priorities for Future Stormwater Program.**

SWAC Meeting 3:

- Discuss results from Group Exercise (from Meeting 2).
- Discuss the City of Pekin's future stormwater program needs in the context of:
 - Program priorities (as established in the Group Exercise)
 - Cost estimates for satisfying these program needs
- **PRESENTATION: Introduction to Stormwater Program Funding Options.**

SWAC Meeting 4:

- Wrap up discussion of stormwater funding options and answer group questions.
- Introduce the following draft Policy Papers for the SWAC to review, amend and approve:
 - Recommended Funding Methods
 - Stormwater Credit Program

SWAC Meeting 5:

- Amend and finalize Policy Papers as necessary.
- Discuss rate model and likely rate/bill scenarios.
- Answer outstanding questions.

Task D: Future Stormwater Program Summary

- Prepare summary document highlighting the future stormwater program, outlining a "business plan" for the management of the OWNER's stormwater infrastructure. This document will include program cost estimate and a 5-year cash flow analysis to determine program funding needs.
- **DELIVERABLE:** Summary report on the proposed stormwater program, including cost summaries and a 5-year cash flow analysis. This document will serve as the basis for rate determination.
- The Future Stormwater Program will be developed during the SWAC process. Feedback from SWAC members will help to formulate the desired future stormwater program. The completion of this task will happen concurrently with the SWAC process.

Task E: Develop Rate Model

- Review existing calculations previously performed by City of Pekin staff on impervious area coverage.
- Sample parcels in each zoning district to determine mean and median percentage of impervious coverage. This will be used to extrapolate to all areas within the corporate boundary for determination of available billing units. GIS data, including aerial photography, parcel data and zoning data, will be used for this task.
- Collect a statistically-significant sample of single-family residential parcels to estimate the average and median impervious coverage for the development of Equivalent Residential Unit (ERU) areas. The sample size will be large enough to meet the OWNER's needs, depending on the rate base selected.
- Review the distribution of impervious area coverage for single-family residential parcels and determine appropriate cutoff points for a tiered billing system option.
- Estimate the number of ERUs within the City of Pekin and classify total ERUs per zoning class or land use type.

- Use the rate model to estimate revenue potential for given base rates. Determine the rates necessary to generate the revenues identified in Task D.
- Identify the top 15 ratepayers and estimate monthly/annual payments based on the revenue needs identified in Task D. Prepare exhibits and calculations for each ratepayer for use in Task F.

Task F: Top Ratepayer Coordination and Ordinance Language Recommendations

- Meet with key ratepayers to discuss the need for a stormwater fee. These meetings are intended to provide outreach prior to Council action on a rate ordinance and will help to educate property owners on the options they have with respect to stormwater credits to reduce their fee.

Task G: Scoping for Stormwater Utility Implementation

- Prepare a written scope and fee estimate for the effort necessary to complete the stormwater utility implementation. *The full implementation of the Stormwater Utility will be performed under a separate agreement.* The key tasks for which a scope/fee estimate will be prepared:
 - Develop a Master Account File.
 - Establish a Stormwater Credit Program.
 - Coordination with the billing entity, including data QA/QC and assistance with initial billing roll-out.
 - Assistance with City communications during the Stormwater Utility roll-out.

OPTIONAL SERVICES

The following is a list of services not covered under this Agreement. Should the OWNER wish to expand the scope to cover activities that may be related to the project but are not necessary under the base scope, the additional tasks, outlined below, can be performed on a Time & Materials basis, to be separately negotiated.

1. Additional SWAC meetings (beyond 5 meetings)

PART II- COMPENSATION

Whereas the OWNER has elected to compensate the ENGINEER for services on a Hourly Rate and Expenses Basis, such compensation shall include payment for labor, direct expenses, and other compensation as follows:

HOURLY LABOR RATES

Hourly labor rates for services shall be as shown in Attachment A - Standard Hourly Rates incorporated into this agreement. The ENGINEER reserves the right to adjust the rate schedule show in Attachment A on a yearly basis.

Direct Expenses:

Reimbursement of direct expenses incurred in connection with the PROJECT, including but not limited to the following:

- ♦ Reimbursable expenses +15% (e.g. transportation, postage and shipping, expense of purchased services, lease of specialized equipment, etc.).
- ♦ Mileage at Foth Resource Charge Rates (such rate to be adjusted to match the published federal rate)
- ♦ Mileage for survey vehicles at Foth Resource Charge Rates (such rate to be adjusted to reflect vehicle and fuel costs).
- ♦ Fees paid for securing approval of authorities having jurisdiction over the PROJECT.
- ♦ Printing and reproduction.
- ♦ Equipment costs (e.g. computers, automated survey instruments, CADD equipment, etc.).
- ♦ The OWNER will reimburse the ENGINEER for taxes or levies (excluding Federal, State and Local income taxes) which may be assessed against the ENGINEER by the Federal Government or any State or political subdivision directly on services performed or on payments for services performed, by the ENGINEER and which taxes or levies the ENGINEER may be required to collect or pay.

Payments are due and payable thirty (30) days from the date of the ENGINEER's invoice. Amounts unpaid thirty (30) days after the invoice date shall bear interest at the rate of one percent (1%) per month from invoice date.

The estimate for engineering services under this agreement is \$89,000. If additional services (outside the scope of the Agreement) are requested by the OWNER, the ENGINEER will provide a written estimate of additional fees for OWNER review and approval prior to commencing additional work. Additional services will be billed on a Time & Materials basis using the Billing Rates outlined in Attachment A.

Other Compensation:

It is understood that when requested by the OWNER, the ENGINEER shall procure the services of independent inspection bureaus, laboratories, soil exploration firms, etc. However, this is for the convenience of the OWNER and the ENGINEER shall provide coordination only of these services at the labor rates determined above. The ENGINEER shall pass the costs of the independent services directly to the OWNER for payment with a surcharge of 15% to cover the processing expenses of the ENGINEER.

Payments are due and payable thirty (30) days from the date of the ENGINEER's invoice. Amounts unpaid thirty (30) days after the invoice date shall bear interest at the rate of one percent (1%) per month from invoice date.

PART III- SPECIAL CONDITIONS

The OWNER is responsible for the following information and activities:

- Provide a single contact for review, comment, and decision making on all issues related to the project.
- Establish meetings with key City staff for the data collection / interview task.
- Provide access to GIS information such as aerial images, zoning data, parcel data and other data as requested by the ENGINEER.
- Provide meeting locations and prepare meeting announcements for SWAC meetings and top ratepayer meetings.

PART IV- TIMETABLE

The PROJECT will be completed according to the following schedule, unless circumstances beyond the ENGINEER's control require modification of the schedule:

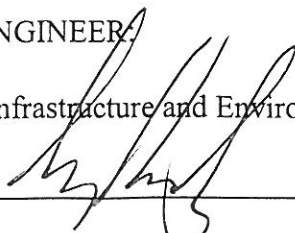
Notice to Proceed:	April 12, 2011
Task A:	April 12, 2011 – May 6, 2011
Task B:	April 25, 2011 – May 13, 2011
Task C:	May/June 2011 – October 2011
Task D:	August 2011 – September 2011
Task E:	June 2011 – July 2011
Task F:	September 2011 – October 2011
Task G:	November 2011
Implementation:	December 2011 – May 2012

Subject to the attached Standard Conditions of Agreement (Form RSK001, Rev. 10/97).

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and date first above written.

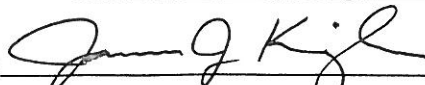
For ENGINEER:

Foth Infrastructure and Environment, LLC

By:  _____

Name (Please print): Gregory P. Kacvinsky

Title: Senior Project Manager

By:  _____

Name (Please print): James J. Keigher

Title: Illinois Operating Unit Leader

For OWNER:

City of Pekin

By: _____

Name (Please print): _____

Title: _____

By: _____

Name (Please print): _____

Title: _____

Foth Infrastructure & Environment, LLC
City of Pekin
2011 Rate Schedule
Attachment A

Classification	Hourly Rate
Project Manager	\$145.00
Senior Engineer	\$130.00
Project Engineer	\$110.00
Professional Surveyor	\$110.00
Staff Engineer	\$85.00
Principal	\$155.00
Senior Technician	\$100.00
Project Technician	\$85.00
Staff Technician	\$75.00
Survey Chief	\$85.00
Survey Assistant	\$60.00
Administrative	\$80.00
Clerical	\$60.00

The cost of specific technical equipment and employee travel expenses are not included in the above hourly rates. The rates shown in this exhibit will be revised in January of each year.

STANDARD CONDITIONS OF AGREEMENT

SECTION 1 DESCRIPTION OF SERVICES

1.1 General

1.1.1 ENGINEER agrees to provide professional services for the PROJECT as more completely described in this Agreement and in Addenda to this Agreement.

1.1.2 ENGINEER agrees to provide all professional services within a reasonable period of time following the date of authorization to proceed by OWNER. If a special time schedule must be met for a PROJECT, it shall be specifically set forth by Addenda to this Agreement.

1.2 Pertaining To The ENGINEER'S Services

1.2.1 ENGINEER agrees to perform all services in a thorough and professional manner and to hold OWNER harmless from any liens for materials and labor furnished by ENGINEER in connection with his work.

1.2.2 ENGINEER agrees to maintain insurance for public liability, property damage, workmans compensation, and errors and omissions for services performed by ENGINEER on PROJECT. The foregoing insurance shall cover ENGINEER only.

1.2.3 ENGINEER intends to render his services under this Agreement in accordance with generally accepted professional practices for the intended use of the PROJECT and makes no warranty either express or implied.

1.2.4 ENGINEER reserves the right to enter into agreements with other design professionals for portions of the work included under this Agreement. Where this subagreement would represent a major portion of the design work, ENGINEER shall receive approval of OWNER for this subagreement.

1.2.5 All documents including, but not limited to, drawings, specifications, electronic media, or other media furnished by ENGINEER pursuant to this Agreement, are the instruments of his services in respect to the PROJECT. The ENGINEER grants to the OWNER a nonexclusive license for OWNER'S use of the documents on the PROJECT. They are not intended or represented to be suitable for reuse by OWNER or others on extensions of the PROJECT or on any other project. Any reuse without the specific written verification or adaptation by ENGINEER will be at OWNER'S sole risk and without liability or legal exposure to ENGINEER from all claims, damages, losses and expenses, including attorneys fees, arising out of or resulting therefrom. Any such verification, adaptation or reuse will entitle ENGINEER to further compensation to be agreed on by OWNER and ENGINEER.

1.2.6 When electronic data is to be furnished as a part of this agreement and/or addendum, ENGINEER will not be held liable for the completeness or correctness of the electronic media after an acceptance period of 30 days from delivery date. Hard copies of documents control over any variances between electronic media and hard copy.

During the 30 day Acceptance Period, any errors detected or problems with the media used, will be corrected by the ENGINEER as part of the basic agreement. Any changes requested after the Acceptance Period or a request for additional restored electronic files from archives will be considered additional services to be performed on a time and materials basis at the ENGINEER'S standard cost plus terms and conditions.

The ENGINEER makes no warranty as to the compatibility of data files beyond that specified in this Agreement.

The ENGINEER will take reasonable precautions to prevent the transmission of any virus, or other contamination with the exchange of electronic media, but the ENGINEER makes no assurances that those precautions are adequate to assure a contamination free transmission.

1.2.7 Whenever the OWNER elects to enter into any contract or agreement with any person or entity other than ENGINEER for the performance of services on the PROJECT, ENGINEER will not be responsible for the acts or omissions of said persons or entity at the site or otherwise performing such services. This includes those parties for whom the ENGINEER is

providing coordination. Neither the ENGINEER'S authority to act under the Contract Documents or under this Agreement nor any decision made by ENGINEER in good faith either to exercise or not exercise such authority shall give rise to any duty or responsibility of ENGINEER to the above, or any of their agents or employees or any other person performing any services for the OWNER.

1.2.8 ENGINEER has not been retained or compensated to provide design and construction review services relating to safety precautions or to means, methods, techniques, sequences, or procedures, all as may be required for any person or entity other than the ENGINEER to perform their work, including but not limited to shoring, scaffolding, underpinning, temporary retention of excavations and any erection methods or temporary bracing methods.

1.2.9 ENGINEER in no way undertakes to be responsible for any personal injury or property damage occurring to any person or entity arising out of the construction or subsequent operation of this PROJECT by a person or entity unless same shall be found to be the result of a design error. In spite of this if any claims shall be brought against ENGINEER of that nature, OWNER agrees to defend, indemnify and hold harmless ENGINEER from all claims, damages and expenses including attorneys fees arising out of such claim, which claim, damages and expenses are the result or attributable to the acts or omissions in whole or in part of any person or entity other than ENGINEER.

1.2.10 Original documents, notes, and the like, except those furnished to ENGINEER by OWNER, represent the ENGINEER'S cumulative knowledge and are, and shall remain, the property of ENGINEER and shall not constitute the work product of this Agreement.

1.2.11 It is hereby acknowledged that the ENGINEER has procured a professional liability insurance policy to protect it from certain claims, as more fully described therein.

OWNER shall indemnify ENGINEER against and hold ENGINEER harmless from all claims, damages and expenses, including attorney's fees which are beyond the liability limits of ENGINEER'S professional liability insurance policy, including such claims, damages and expenses which arise out of the acts or omissions of ENGINEER.

OWNER shall also indemnify ENGINEER against and hold ENGINEER harmless from all claims, damages and expenses, including attorney's fees which are beyond the liability limits of ENGINEER'S professional liability insurance policy, including such claims, damages and expenses which arise out of the act or omissions of ENGINEER.

Notwithstanding the above, ENGINEER and OWNER hereby acknowledge that ENGINEER'S professional liability insurance policy does not, nor does any other insurance policy reasonably obtainable by ENGINEER, protect ENGINEER from any claims, damages and expenses, including attorney's fees, arising out of or resulting from the ENGINEER'S acts or omissions relating to the investigation, deduction, abatement, materials or processes containing asbestos. Accordingly, OWNER agrees not to bring any claim whatsoever against ENGINEER, its principals, employees, agents and consultants if such work in any way involves the ENGINEER'S services for the investigation of or remedial work related to asbestos in the PROJECT. OWNER shall indemnify ENGINEER against and hold ENGINEER harmless from all claims, damages and expenses, including attorney's fees, arising out of or resulting from such acts or omissions.

1.3 Pertaining To The Owner

1.3.1 OWNER shall provide at OWNER'S expenses (unless ENGINEER has specifically included them in Addenda to this Agreement) and in such a manner that ENGINEER may rely upon them in the performance of his services under this Agreement, all criteria, design, and construction standards including full information as to OWNER'S requirements for the PROJECT, including all document specifications. Such information may include but not be limited to:

a. A complete survey of the PROJECT site which shall include but not be limited to easements, right-of-way, encroachments, zoning and deed restrictions, existing buildings and improvements.

b. Soils data, laboratory tests, reports and inspections of samples, materials or other items, with appropriate professional interpretations.

c. Legal, accounting, financial and insurance counseling services necessary for the PROJECT including legal review of the Construction Contract Documents.

d. Permits and approvals from any authorities having jurisdiction over the PROJECT.

1.3.2 Designate a person authorized to act as OWNER'S representative. OWNER or his representative shall receive and examine documents submitted by ENGINEER and shall be empowered to interpret and define OWNER'S policies and render decisions and authorizations in writing promptly to prevent unreasonable delay in the progress of ENGINEER'S services.

1.3.3 Guarantee full and free access for ENGINEER to enter upon all property required for the performance of ENGINEER'S services under this Agreement.

1.3.4 Give prompt written notice to ENGINEER whenever OWNER observes or otherwise becomes aware of any defect in the PROJECT or other event which may substantially affect ENGINEER'S performance of services under this Agreement.

SECTION 2 COMPENSATION FOR SERVICES

2.1 General

2.1.1 OWNER shall compensate ENGINEER for services rendered under this Agreement. The method of compensation for said services shall be as set forth in Addenda to this Agreement.

2.1.2 Payments for Services are due when invoiced based on actual engineering services furnished unless another schedule of payments is agreed upon, by Addenda.

2.1.3 Where OWNER disputes some portion of the charges contained in ENGINEER'S bill for services, he shall make payment of that portion of the bill which is undisputed and shall notify ENGINEER in writing of the reason for his dispute. In no case may OWNER elect to withhold payment to ENGINEER of the entire amount due. This would constitute a failure to make payment.

2.1.4 If OWNER fails to make any payment due ENGINEER for services and expenses after receipt of ENGINEER'S bill therefore, the amounts due ENGINEER shall bear interest from invoice date at the rate set forth in this agreement, or in the absence thereof at the legal rate prevailing from time to time at the principal place of business of the ENGINEER. In addition ENGINEER may, after giving ten (10) days written notice to OWNER, suspend services under this agreement until paid in full all amounts due under this agreement. In the event OWNER does not pay, or does not pay timely, ENGINEER shall be entitled to collect from OWNER all amounts due plus expenses, including but not limited to attorney fees, incurred by the ENGINEER in connection with collection efforts, in addition, the reasonable value of ENGINEER'S time spent in connection with collection efforts, computed at the ENGINEER'S prevailing fee schedule.

SECTION 3 GENERAL PROVISIONS

3.1 General

3.1.1 This Agreement is the result of final negotiations between OWNER and ENGINEER and represents the entire and integrated agreement between OWNER and ENGINEER for the PROJECT and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both OWNER and ENGINEER.

3.1.2 Neither party shall hold the other responsible for damages or delay in performance by acts of God, strikes, lockouts, accidents, or other events beyond the reasonable control of the other or the other's agents. However, when these delays require additional work to be performed by ENGINEER, ENGINEER shall be entitled to additional compensation at the prevailing "Per Diem Rates" or as otherwise agreed to between OWNER and ENGINEER.

3.1.3 This Agreement may be terminated by either party if the other party fails to fulfill its obligations under this Agreement through no fault of the terminating party. No such termination may be effected unless the other party is given not less than ten calendar days written notice of intent to terminate and an opportunity for correcting the default and for consultation with the terminating party before termination. In addition, OWNER may terminate this Agreement, in whole or in part, for cause (such as for legal or financial reasons, or major changes in the work or program requirements), and ENGINEER is given not less than ten (10) calendar days written notice and an opportunity for consultation before termination. If OWNER terminates as a result of ENGINEER'S default, any payment due ENGINEER at the time of termination may be adjusted to the extent of any additional cost the OWNER incurs due to ENGINEER'S default. If ENGINEER terminates as a result of OWNER default or the OWNER terminates for cause, ENGINEER shall be paid for services performed to the termination date including reimbursable expenses due plus termination expenses. Termination expenses are defined as expenses directly attributable to termination, plus 15% of the total compensation anticipated for the project to account for engineering rescheduling, adjustment, reassignment of personnel, and related indirect costs incurred due to termination. Upon receipt of the terminating action, ENGINEER shall promptly discontinue all services unless the notice directs otherwise, and upon receipt of final compensation make available to OWNER all appropriate documents prepared under the Agreement whether completed or in process.

3.1.4 All claims, counter-claims, disputes and other matters in question between the parties hereto arising out of this Agreement shall be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association subject to the condition that the amount sought by the party initiating arbitration shall be less than \$25,000. The mechanics of initiating arbitration, picking arbitrators and setting up the hearing shall be conducted in accordance with the rules of the American Arbitration Association.

This arbitration provision shall not be applicable to claims where the presence of a party, who is not subject to this Agreement, would be necessary to a full and complete determination of the controversy, and in this respect, reference shall be made to the provisions of Section 803.03 of the Wisconsin Statutes and the cases decided thereunder.

No demand for arbitration shall be valid if made after the institution of civil suit or after the matter in question would be barred by the applicable Statute of Limitations.

3.1.5 The parties to this agreement, each acknowledging that he has a constitutional and statutory right to trial by jury, hereby waive this right in any action or proceeding of any kind or nature in any court to which they may both be parties arising out of this Agreement or the transaction associated with this Agreement regardless of the nature of the causes of action alleged.

3.1.6 Unless otherwise specified within this Agreement, this Agreement shall be governed by the law of the principal place of business of ENGINEER.

3.1.7 In the event any provisions of this Agreement or any subsequent Addendum shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term, condition or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk

From: Frank Mackaman, Interim City Manager

AGENDA ITEM: Residency Requirement for City Staff

AGENDA DATE REQUESTED: April 11, 2011

ACTION REQUESTED: Approve a change in the City of Pekin Personnel Manual to change the residency requirement for City staff.

DESCRIPTION: Replace Section 2.9 of the Personnel Manual with the following:

General Conditions. All employees shall reside within 10 miles of the corporate limits of the City of Pekin. Residency requirements for employees covered under collective bargaining agreements shall be governed by those agreements. Residency requirements for non-union sworn police and fire personnel shall also be governed by the police and fire collective bargaining agreements.

Newly hired employees who do not reside within 10 miles of the corporate limits of the City of Pekin may have up to twelve (12) months from the end of their probationary period to establish residency.

Exceptions to this policy may only be temporary, for personal hardship reasons, and must be authorized in writing by the City Manager. An employee who fails to meet this requirement shall be terminated.

Special Conditions. Employees occupying the following positions shall be required to live within the corporate limits of the City of Pekin: City Manager, Public Works Director, Operations Supervisor (for Public Works), Superintendent of Transportation, Police Chief, and Fire Chief.

Newly hired employees who do not reside within the corporate limits of the City of Pekin may have up to twelve (12) months from the end of their probationary period to establish residency.

Exceptions to this policy may only be temporary, for personal hardship reasons, and must be authorized in writing by the City Manager. An employee who fails to meet this requirement shall be terminated.

FINANCIAL IMPACT: NA

NEIGHBORHOOD CONCERNS: NA

IMPACT IF APPROVED: Improves the ability of the City to attract and retain high quality staff; keeps Pekin competitive with other communities; codifies current practice

IMPACT IF DENIED: Continues current practice as follows:

All existing employees, except Department Heads, hired prior to May 1, 2005, must live within

the following boundaries: Interstate 474 (north), Springfield Road (east), Townline Road (south), and Manito Blacktop north from Townline Road to the Illinois River (west).

Department Heads, and all employees hired after May 1, 2005, shall reside within the corporate limits of the City of Pekin. Residency requirements for employees covered under collective bargaining agreements shall be governed by those agreements. Residency requirements for non-union sworn police and fire personnel shall also be governed by the police and fire collective bargaining agreements. Employees hired after May 1, 2005, who do not reside in Pekin, may have up to twelve (12) months from their date of hire to establish residency. Exception to this policy may only be temporary, for personal hardship reasons, and must be authorized by the City Manager. An employee who fails to meet this requirement shall be terminated. Those employees hired prior to the adoption of this policy, and pursuant to a policy permitting residency outside the City limits, may retain that residence without penalty, provided that any relocation they may make during their employment shall only be into the City limits.

ALTERNATIVES: Variations on the 10 mile limit

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 improve the quality of life for Pekin's residents.
✓	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.

REQUIRED SIGNATURES

Department Director:

Date:

Finance Department (Certification of Availability of Funds):

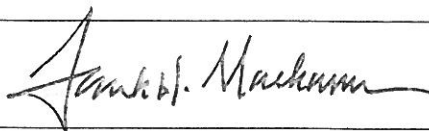
Date:

Corporation Counsel:

Date:

City Manager:

Date: 4.5.2011



RESOLUTION NO. 91-10/11

***A RESOLUTION AMENDING THE PERSONNEL POLICY
WITHIN THE EMPLOYEES HANDBOOK
OF THE CITY OF PEKIN***

WHEREAS, the City of Pekin reviewed existing policies and substantially revised the Personnel Policy by rescinding Resolution No. 140 dated March 25, 1996; amended by Resolution No. 70; Resolution No. 392; Resolution No. 50 E-mail Policy dated April 11, 2000; and Resolution No. 177 Sexual Harassment Policy dated April 22, 2002; and

WHEREAS, the City of Pekin adopted Resolution No. 123-05/06 a New Personnel Policy for Employees of the City of Pekin on September 12, 2005; and

WHEREAS, the City of Pekin adopted Resolution No. 178-06/07 Amending the City of Pekin Employee Handbook on December 11, 2006 by 8.3 E-MAIL AND THE INTERNET; and

WHEREAS, the City of Pekin adopted Resolution No. 190-06/07 Amending the Personnel Policy Employees Handbook of the City of Pekin on March 27, 2007

6.2 INCLEMENT WEATHER
4.8 VACATION
8.3 EMAIL AND INTERNET POLICY
6.8 COMPENSATORY TIME OFF (COMP TIME)
; and

WHEREAS, the City of Pekin adopted Resolution No. 35-10/11 Amending the Personnel Policy Employees Handbook of the City of Pekin on January 25, 2010

4.8 VACATION
4.10 PAY UPON RETIREMENT
; and

WHEREAS, after further review by staff and with Council direction it is in the best interest of the City of Pekin to adopt an amendment to the City of Pekin Personnel Policy consistent with bargaining union contracts in the following sections:

2.9 RESIDENCY

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

SECTION I. The City Council of the City of Pekin finds as facts the recitals hereinabove set forth.

SECTION II. That the City of Pekin Amendments to the Personnel Policy presented to the City Council attached hereto as Exhibit A and the same are hereby adopted.

ADOPTED AND APPROVED at a regular meeting of the Council of the City of Pekin, this 11th day of April, 2011.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING: _____

APPROVED this _____ day of _____, 2011

MAYOR

ATTEST:

CITY CLERK

EXHIBIT "A"

2.9 RESIDENCY REQUIREMENT

General Conditions. All employees shall reside within 10 miles of the corporate limits of the City of Pekin. Residency requirements for employees covered under collective bargaining agreements shall be governed by those agreements. Residency requirements for non-union sworn police and fire personnel shall also be governed by the police and fire collective bargaining agreements.

Newly hired employees who do not reside within 10 miles of the corporate limits of the City of Pekin may have up to twelve (12) months from the end of their probationary period to establish residency.

Exceptions to this policy may only be temporary, for personal hardship reasons, and must be authorized in writing by the City Manager. An employee who fails to meet this requirement shall be terminated.

Special Conditions. Employees occupying the following positions shall be required to live within the corporate limits of the City of Pekin: City Manager, Public Works Director, Operations Supervisor (for Public Works), Superintendent of Transportation, Police Chief, and Fire Chief.

Newly hired employees who do not reside within the corporate limits of the City of Pekin may have up to twelve (12) months from the end of their probationary period to establish residency.

Exceptions to this policy may only be temporary, for personal hardship reasons, and must be authorized in writing by the City Manager. An employee who fails to meet this requirement shall be terminated.

Individual departments may, with City Manager approval, establish additional testing requirements to evaluate the capacity and fitness of candidates to effectively and efficiently perform the duties of the specific job for which they have applied. For example, the Board of Fire and Police Commissioners may establish testing for strength, dexterity, agility, etc. beyond the basic employment physical examination for specific positions in the fire and police departments. In no case will such job or department specific rules or procedures be inconsistent or in conflict with City policies.

2.9 RESIDENCY REQUIREMENT

All existing employees, except Department Heads, hired prior to May 1, 2005, must live within the following boundaries: Interstate 474 (north), Springfield Road (east), Townline Road (south), and Manito Blacktop north from Townline Road to the Illinois River (west).

Department Heads, and all employees hired after May 1, 2005, shall reside within the corporate limits of the City of Pekin. Residency requirements for employees covered under collective bargaining agreements shall be governed by those agreements. Residency requirements for non-union sworn police and fire personnel shall also be governed by the police and fire collective bargaining agreements. Employees hired after May 1, 2005, who do not reside in Pekin, may have up to twelve (12) months from their date of hire to establish residency. Exception to this policy may only be temporary, for personal hardship reasons, and must be authorized by the City Manager. An employee who fails to meet this requirement shall be terminated. Those employees hired prior to the adoption of this policy, and pursuant to a policy permitting residency outside the City limits, may retain that residence without penalty, provided that any relocation they may make during their employment shall only be into the City limits.

2.10 LICENSING AND PERMITTING

Various permits, licenses and certificates are required of employees by State and National agencies, as a prerequisite to performing various municipal tasks. The City will insure that all such licenses and certificates are in the possession of the applicable department or the employee before authorizing the employee to perform such regulated work.

Costs for such permits, licenses and certificates may be paid by the City (except regular vehicular drivers' licenses), together with any specialized training required to achieve such permits, licenses or certificates, on approval of the department head or City Manager.

2.11 EMPLOYEE ORIENTATION

We all know how critical first impressions are. They establish a foundation for everything that follows. A New Employee Orientation procedure has been established to provide new staff with the initial information and tools they need to be successful. It provides a comprehensive introduction to employment with the City of Pekin.

The orientation will cover a variety of topics including: policies and procedures, expectations, and management style; the new employee's role in the overall picture; benefit programs; rules

ORDINANCE NO. 2637 – 10/11

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 2, SECTION 10
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING PUBLIC SOLICITATION OF FUNDS; REGISTRATION REQUIRED**

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

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

WHEREAS, it is in the best interests of the City of Pekin, Tazewell County, Illinois that persons identify the cause, its officers, and soliciting agents within the City when publicly soliciting money, services, or subscriptions for any religious, charitable, or philanthropic cause; and

WHEREAS, it has become unnecessary for the City Council to formally express their consent for the City Clerk to issue a certificate of registration for the solicitation of funds.

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

1. That Title 6, Chapter 2, Section 10, subsection 5 be amended by deleting the following:

C. No such certificate shall be issued by the City Clerk without the express consent of the City Council.

2. That Title 6, Chapter 2, Section 10, subsection 5 be amended by changing D. to C.

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

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

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

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this _____ day of _____, 2011; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2011

Mayor

ATTEST:

City Clerk

- A. Elements of the Offense: A person commits conspiracy when, with intent that an offense be committed, he agrees with another to the commission of that offense. No person may be convicted of conspiracy to commit an offense unless an act in furtherance of such agreement is alleged and proved to have been committed by him or by a co-conspirator.
- B. Co-Conspirators (720 ILCS 5/8-2.): It shall not be a defense to conspiracy that the person or persons with whom the accused is alleged to have conspired:
 - 1. Has not been prosecuted or convicted;
 - 2. Has been convicted of a different offense;
 - 3. Is not amendable to justice;
 - 4. Has been acquitted; or
 - 5. Lacked the capacity to commit an offense.
- C. Solicitation and Conspiracy; Affirmative Defense (720 ILCS 5/8-3.): It shall be a defense to a charge of solicitation or conspiracy that if the criminal object were achieved the accused would not be guilty of the offense.

6-2-10-5: PUBLIC SOLICITATION OF FUNDS; REGISTRATION REQUIRED (720 ILCS 5/17-1.):

- A. It shall be unlawful for any person to solicit any money, services, subscriptions or other valuable thing for any religious, charitable or philanthropic cause without having first obtained a certificate of registration from the City Clerk, which certificate shall identify the cause, its officers, soliciting agents within the City and the duration of such solicitation.
- B. Application for such certificate of registration shall be made to the City Clerk, setting forth the information required in subsection A above, accompanied by an affidavit sworn to by the applicant as to the veracity of such information.
- C. No such certificate shall be issued by the City Clerk without the express consent of the City Council.
- D. Such certificate of registration, or a certified copy thereof, shall be displayed by any person soliciting under authority thereof upon demand of any police officer or any person so solicited.

6-2-10-6: TELEPHONE SOLICITATION OR PROMOTION; REGISTRATION REQUIRED:



REQUEST FOR COUNCIL ACTION

To: Mayor & Council

CC: City Manager, City Attorney, & Assistant Finance Director

From: Community Development Director

AGENDA ITEM: 2011 Assist inducement resolution

AGENDA DATE REQUESTED: April 11, 2011

ACTION REQUESTED: Approval of the 2011 Assist Inducement Resolution.

BACKGROUND: The Assist program is sponsored by many communities throughout the State of Illinois that offers families the opportunity to buy their own home by issuing tax-exempt single-family bonds. This program provides families with funds to pay all or most of their closing costs and down payment, enabling families with good credit but little extra capital to buy their first home. Over the past year, the program has assisted 15 purchases of homes in the City of Pekin totaling just over \$1 million with an average loan size of \$71,665.

Please see attached documents for additional information.

FINANCIAL IMPACT: none

NEIGHBORHOOD CONCERNS: none

IMPACT IF APPROVED: Additional families/individuals will be assisted in purchasing their first home.

IMPACT IF DENIED: The City of Pekin will not participate.

ALTERNATIVES: There are other first time homebuyer programs available.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: supports a high quality of life

REQUIRED SIGNATURES

Department Director

Barbara Anderson

4-6-11

Date

Finance Department

Angela Evans
(Certification of Availability of Funds)

4-6-11

Date

Corporation Counsel

(Certification of Review)

Date

City Manager

Date

SternBrothers&Co.

Investment Banking Since 1917

220 West Huron Street
Suite 500 East
Chicago, Illinois 60654
Tel: 312.664.5656
Fax: 312.664.5650

April 5, 2011

Ms. Pamela Anderson
Economic Development Coordinator
City of Pekin
111 South Capitol Street
Pekin, Illinois 61554

Re: **Assist 2011 First-Time Homebuyer Down Payment Assistance Program**

Dear Ms. Anderson:

The housing market this past year has presented a variety of challenges to homebuyers, mortgage lenders and the affordable housing community. After studying a variety of bond structures to address these conditions, we have developed a financing option that allows us to issue bonds through the City of Aurora in support of the Assist program. Funding is now available through our participating lender network. In mid-2008 there was a disruption to Assist mortgage funding that lasted through early 2010. Since mid 2010, however, we have resumed funding Assist loans originating a total of 15 loans valued at almost \$1.1 mm.

In anticipation of additional funding of Assist first mortgages for residents of Pekin, we ask that the City again commit its 2011 home rule volume cap for Assist. This year, based on a population of 33,580 Pekin's 2011 home rule cap is \$3,190,100. Reservation of the City's cap needs to be accomplished not later than April 30, 2011. Any transfers of 2011 cap need to be reported to the State within 14 days of the transfer (this is a new condition contained in the 2009 Private Activity Bond Guidelines). Attached is the required form of transfer ordinance for 2011 and letter to the Governor's Office of Management & Budget.

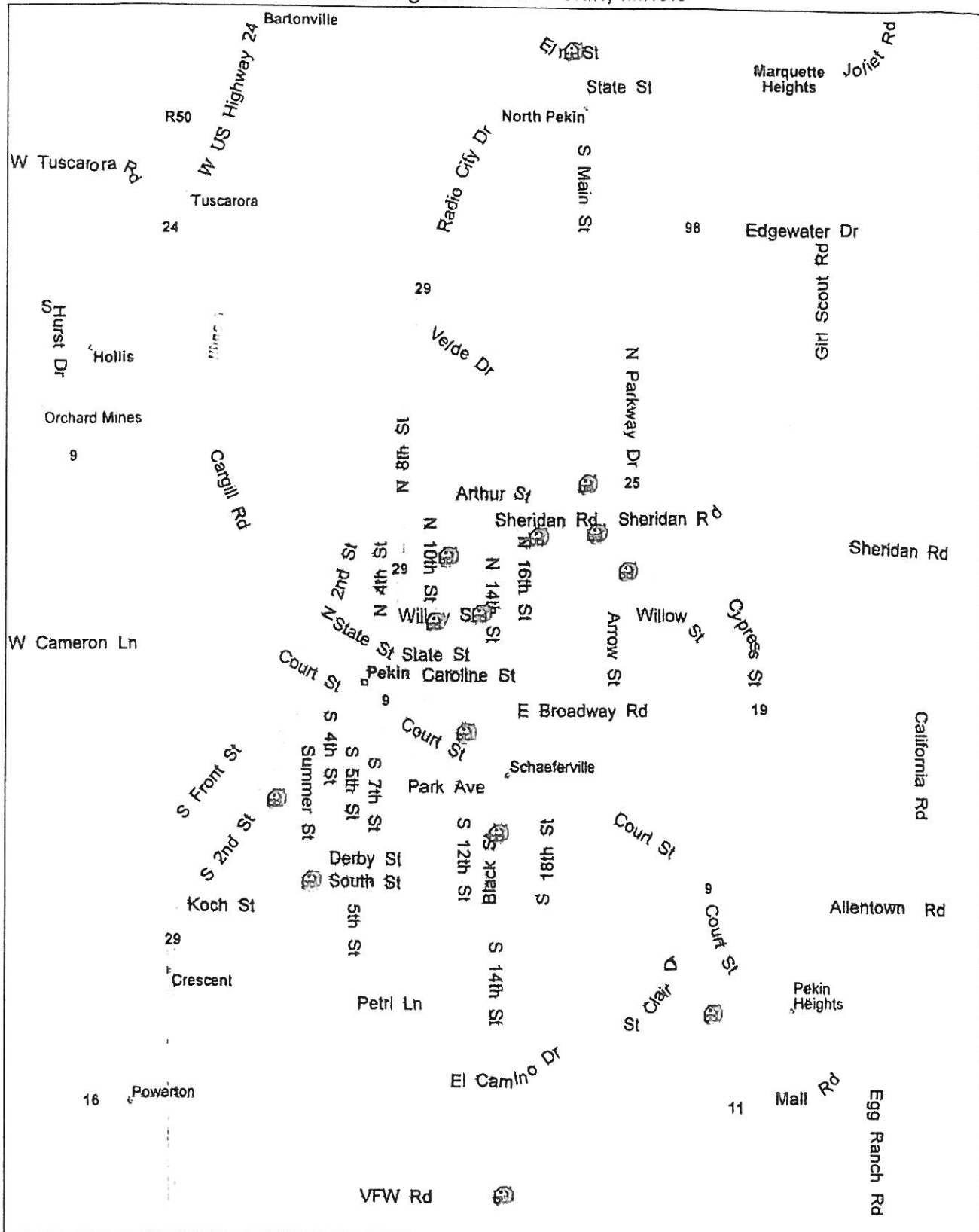
Thanks for your continued support of Assist, City, and we look forward to working with you and the City in the year to come.

Best Regards,

David S. Rasch
Managing Director

attachments

Assist Originations in Pekin, Illinois



CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS

Assist First-Time Home Buyer Down Payment Assistance Program Loan Originations

ADDRESS	CITY	STATE	ZIP	LOAN AMOUNT
1 . 1505 SUMMER ST	PEKIN	IL	61554	\$82,357.00
2 . 321 SOUTH	PEKIN	IL	61554	\$58,378.00
3 . 1007 AUGUSTA ST	PEKIN	IL	61554	\$55,943.00
4 . 1820 HIGHWOOD AVE	PEKIN	IL	61554	\$103,790.00
5 . 1304 WILLOW ST	PEKIN	IL	61554	\$48,732.00
6 . 1103 S 14TH ST	PEKIN	IL	61554	\$55,555.00
7 . 1211 ROYAL AVE	PEKIN	IL	61554	\$85,769.00
8 . 1412 N 11TH ST	PEKIN	IL	61554	\$63,050.00
9 . 1715 HOLIDAY DR	PEKIN	IL	61554	\$109,160.00
10 . 1212 TIMBER LANE	PEKIN	IL	61554	\$59,170.00
11 . 102 WALNUT ST.	PEKIN	IL	61554	\$83,819.00
12 . 1348 GEORGEANNE DR.	PEKIN	IL	61554	\$84,510.00
13 . 1014 HAMILTON	PEKIN	IL	61554	\$92,150.00
14 . 16408 VFW ROAD	PEKIN	IL	61554	\$49,609.00
15 . 1029 MAPLE ST.	PEKIN	IL	61554	<u>\$42,990.00</u>

Total: **\$1,074,982.00**

Average: **\$71,665.47**

ORDINANCE NO. 2638-10/11

AN ORDINANCE APPROVING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS.

WHEREAS, the City of Pekin, Peoria and Tazewell Counties, Illinois (the "*Municipality*") is a municipality and a home rule unit of government under Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986, as amended (the "*Code*"), provides that the Municipality has volume cap equal to \$95 per resident of the Municipality in calendar year 2011, which volume cap may be allocated to certain tax-exempt private activity bonds; and

WHEREAS, the Illinois Private Activity Bond Allocation Act, 30 *Illinois Compiled Statutes 2008*, 345/1 *et seq.*, as supplemented and amended (the "*Act*"), provides that a home rule unit of government may transfer its allocation of volume cap to any other home rule unit of government, the State of Illinois or any agency thereof or any non-home rule unit of government; and

WHEREAS, it is now deemed necessary and desirable by the Municipality to transfer its entire volume cap allocation for calendar year 2011 to the City of Aurora, Kane, DuPage, Will and Kendall Counties, Illinois (the "*Issuer*") to be applied toward the issuance of single family mortgage revenue bonds by the Issuer (the "*Bonds*") or for such other purpose permitted by this Ordinance;

NOW, THEREFORE, Be It Ordained by the Mayor of the City of Pekin, Tazewell County, Illinois, as follows:

SECTION 1. That, pursuant to Section 146 of the Code and the Act, the entire volume cap of the Municipality for calendar year 2011 is hereby transferred to the Issuer, which shall issue the Bonds using such transfer of volume cap, without any further action required on the part of the Municipality, and the adoption of this Ordinance shall be deemed to be an allocation of such volume cap to the issuance of the Bonds or other private activity bonds.

SECTION 2. That the Municipality and the Issuer shall maintain a written record of this Ordinance in their respective records during the term that the Bonds or any other such bonds to which such volume cap is allocated remain outstanding.

SECTION 3. That the Mayor, the City Clerk and all other proper officers, officials, agents and employees of the Municipality are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to further the purposes and intent of this Ordinance.

SECTION 4. That the provisions of this Ordinance are hereby declared to be separable, and if any section, phrase or provision of this Ordinance shall for any reason be declared to be invalid, such declaration shall not affect the remainder of the sections, phrases and provisions of this Ordinance.

SECTION 5. That all ordinances, resolutions or orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded; and that this Ordinance shall be in full force and effect upon its adoption and approval.

Presented, passed, approved and recorded this ____ day of _____, 2011.

Approved:

Mayor

[SEAL]

ATTEST:

City Clerk

Ayes: _____

Nays: _____

Absent or Not Voting: _____