



City of Pekin

REGULAR COUNCIL MEETING OF MARCH 12, 2007

4:30 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Clerk to Call the Roll

IV. APPROVAL OF AGENDA

ACTION: Motion to approve the meeting agenda.

VOTE REQUIRED

V. APPROVAL OF MINUTES

ACTION: Motion to approve minutes of Regular Council Meeting of February 26, 2007, the Special Council Meeting of February 20, 2007, and the Special Candidate Forum February 20, 2007.

VOTE REQUIRED

VI. PUBLIC INPUT ON AGENDA ITEMS

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

VII. CONSENT AGENDA

1. **Receive and File Reports and Minutes:** Police Report for February, Airport Minutes Dated February 14, 2007, Traffic Safety Committee Minutes Dated March 2, 2007, Liquor Commission Minutes Dated January 25, 2007, T/PCCC Report for February, and Building Report
2. **Proclamation:**

Homeless Prevention Day	March 22, 2007
National Crime Victims' Rights Week	April 22-28, 2007
Week of the Young Child	April 22-28, 2007
3. **Receive and File Pekin Police Department 2006 Year End Report**
4. **Receive and File Illinois Department of Transportation Letter for Improvement of SW Quadrant of IL 9 Margaret Street and IL 29**
5. **Receive and File Pekin's El Camino Drive Extension Development and Land Use Study Scope of Services**
6. **Resolution No. 188-06/07 – The Mayor's Appointment of Thomas Cullen to the Pekin Library Board to fill a vacancy in the three-year term until June 30, 2009**

ACTION: Motion to approve the Consent Agenda

VOTE REQUIRED TO APPROVE CONSENT AGENDA

VIII. COMMUNICATIONS, PETITIONS, REPORTS

1. Monthly Department Report

DESCRIPTION: A report to Council on the structure and duties of the Clerk's Office.

PRESENTATION: Sue McMillan City Clerk

ACTION: No Action to be taken.

2. Public Hearing

DESCRIPTION: This Public Hearing for the purpose of discussing the sale of property will take place at a future meeting. Notice of action will be posted accordingly.

PRESENTATION: Dennis Kief City Manager

ACTION: No Action to be taken.

IX. NEW BUSINESS

1. Illinois Department of Transportation Truck Access Route Program Agreement (TARP)

(JW)

DESCRIPTION: TARP contract for cost allocation in the extension of Hanna Drive from the east end of existing Hanna Drive to South 5th Street. Total projected costs \$2,155,000. A Federal EDA Grant will furnish \$1.1 million; State of Illinois will pay \$45,000; the balance of \$1,010,000 will be paid by the City from budgeted funds.

VOTE REQUIRED

2. IDOT Division of Aeronautics Agreement for the Pekin Municipal Airport

(JW)

DESCRIPTION: To maintain eligibility for Federal funding for maintenance, expansion and Upgrades of the airport, an updated layout plan is required every 5 years.

ACTION: Motion to approve agreement.

VOTE REQUIRED

3. Pekin Public School District 108 Easement Agreement

(JW)

DESCRIPTION: Agreement to install a storm drain through property located behind Willow School for Knollwood and Parkway drainage control.

ACTION: Motion to approve easement.

VOTE REQUIRED

4. Right of Way Agreement with Herget Bank

(JW)

DESCRIPTION: Agreement for ROW acquisition at the Herget Bank Office at corner of Broadway and Parkway.

ACTION: Motion to approve the Right of Way agreement in the amount of \$38,000.00.

VOTE REQUIRED

5. Right of Way Agreement with Pekin Park District

(JW)

DESCRIPTION: Agreement for ROW acquisition at the corner of Broadway and Parkway.

ACTION: Motion to approve purchase for right of way in the amount of \$5,200.00.

VOTE REQUIRED

6. Right of Way Agreement with Bush Property

DESCRIPTION: Agreement for ROW acquisition at the corner of Broadway and Parkway.

ACTION: Motion to approve purchase for right of way in the amount of \$4,250.00.

VOTE REQUIRED

7. Right of Way Agreement with Maquet Property

(JW)

DESCRIPTION: Agreement for ROW acquisition at the corner of Broadway and Parkway.

ACTION: Motion to approve purchase for right of way in the amount of \$1,220.00.

VOTE REQUIRED

8. Right of Way Agreement with Davis Property

(JW)

DESCRIPTION: Agreement for ROW acquisition at the corner of Broadway and Parkway.

ACTION: Motion to approve purchase for right of way in the amount of \$450.00

VOTE REQUIRED

X. ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council members

Staff

Public Questions

Press Time

XI. ADJOURNMENT

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

NO VOTE REQUIRED

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY FEBRUARY 26, 2007 AT 5:30 O'CLOCK P.M.
FRANK M MACKAMAN * MAYOR * PRESIDING**

PRESENT: COUNCIL MEMBERS, BLANCHARD, JONES, MADDOX AND DAGIT

ABSENT: NONE

The Pledge of Allegiance was led by Mayor Mackaman.

Roll was called and all Council Members were present.

Mayor Mackaman thanked Council Member Dagit for his role at the last Council Meeting as Mayor Pro Tem.

Agenda

The Chair requested that New Business item 9. Agreement with Pekin Grade School District 108 be moved to item 2. on the agenda in order that the Director of Public Works Greg Ranney be able to attend District 108 Board Meeting.

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

Minutes

A motion by Council Member Maddox, seconded by Council Member Blanchard, that the **Minutes of the Regular City Council Meeting of February 12, 2007 be approved as written**. On roll call vote, all present voted Aye.

Public Input

Garnet Meischner 1401 Janssen Street spoke in support of Ordinance No. 1462-A259 to amend the Traffic Code by deleting the requirement of lights on parked vehicles from 1:30-4:00 a.m.. Mr. Meischner stated the provision should be repealed.

Keith Gleason President of Teamsters Union 627 addressed Council regarding the School District bus contract. He requested Council disregard concerns that they may have heard regarding liability. He justified his position with the fact that there had never been a serious bus accident from the beginning of the agreement to transport students. Mr. Gleason assured the safety record of the bus drivers that he represented by acknowledging the training and safety classes they attend.

Daniel DeHoog 619 South 12th Street encouraged Council Members to vote for the majority of the public and approve the ordinance to delete the restriction of parking without a lighted vehicle at night on City streets. He felt the law targeted people who least have the money.

Jerry Pemberton 1821 North Shore Drive spoke in support of passage of the amendment to the Traffic Code supporting his opinion with the statement that vehicles were still hit and stolen with lights flashing.

John McCabe 1407 Glendale addressed Council on his opinion that the unique provision of restricting parking on City streets unless lighted and the safety matters justifying the requirement had been an issue for a long time. He felt the public should know the financial impact or loss of income charged for violation of the ordinance.

Consent Agenda

Mayor Mackaman presented and read the following items under Consent Agenda.

Motion by Council Member Maddox, seconded by Council Member Blanchard, that the Consent Agenda be approved as presented.

1. Proclamation: Young Author Week March 26, 2007
2. Pekin Zoning Board of Appeals Minutes dated February 14, 2007
3. Pekin Planning Commission Minutes dated February 14, 2007
4. Pekin Planning Commission Hearings and Recommendations:
 - a. Hearing # 07-1735 – Approval of the Special Use for a Drive-Thru Window at 1400 Broadway from property owner David Milam PIN # 04-10-02-214-001, 04-10-02-214-003, and 04-10-02-217-001
 - b. Hearing #07-1736 – Approval of the Site Plan for a Drive-Thru Window at 1400 Broadway from property owner David Milam PIN # 04-10-02-214-001, 04-10-02-214-003, and 04-10-02-217-001
 - c. Hearing # 07-1737 – Approval of the Special Request to allow a hair salon in OS-1 (Office Service District) 2506 Court Street Briggs Heights PIN # 04-10-01-416-028
 - d. Hearing #07-1738 – Approval of the Site Plan Request for special use to allow a hair salon in OS-1 (Office Service District) 2506 Court Street Briggs Heights PIN # 04-10-01-416-028

On roll call vote, all present voted Aye.

Communications, Petitions, Reports

FINANCIAL REPORT AND TREASURER REPORT

Assistance Finance Director Angie Evans presented the monthly finance report for which she briefed Council on the percentages of revenues and expenditure balances $\frac{3}{4}$ into the Fiscal Year. Treasurer Chic Renner advised Council that interest earnings would be declining because of the drop in the rates. He confirmed that the present rate of return was 5.2-5.25%.

PUBLIC HEARING

A Public Hearing was opened at 6:01 p.m. by Mayor Mackaman to receive input on an ordinance authorizing the vacation of that portion of three alleys and a portion of Sara Ann Street. Proper Notice was published in the *Pekin Times* on February 14, 2007. City Manager Dennis Kief explained to Council that several alleys that were not being used at the riverfront needed to be vacated to clean-up for marketing to make one parcel. There was also identified a business that sat on an alley and the street Sara Ann that did not exist. There were no additional comments received. The Hearing was closed at 6:05 p.m.

RETIREMENT RECOGNITION

Municipal Bus Driver Mary Lou Wyman was recognized for 32 years of service to the City of Pekin. Director of Transportation Greg Ranney read from a plaque honoring her efforts and presented a watch to her. As a retirement gift.

New Business

ORDINANCE NO. 2517-06/07

VACATING MUNICIPALLY OWNED ALLEYS AND STREET WITHIN THE CITY OF PEKIN SARA ANN STREET AND VARIOUS ALLEYS AT FRONT STREET IN ORIGINAL TOWN PIN # 04-04-34-458-001

Motion by Council Member Maddox, seconded by Council Member Blanchard, that Ordinance No. 2517-06/07 be adopted. On roll call vote, all present voted Aye.

Motion by Council Member Dagit, seconded by Council Member Jones, that the **AGREEMENT WITH PEKIN SCHOOL DISTRICT 108 FOR SCHOOL BUS SERVICE** be approved. City Manager Dennis Kief and Director of Transportation Greg Ranney presented to Council background information and terms of an agreement to enter into a three-year contract to provide school busing with first year costs of \$1,067,433.70. Mr. Ranney indicated that the City had been providing bus service since 1947 and transportation for School District 108 since 1970. It was stated that the next lowest bid was over \$350,000 higher, which cost would be passed on to the taxpayers. 6

Council Member Dagit asked that the presenters address the concerns that were voice in respect to liability. He questioned Corporation Counsel Burt Dancey on the financial magnitude of a major catastrophe. He indicated that Illinois Municipal League Risk Management felt that the 8 million dollar cap per occurrence was sufficient. It was reported that the City had been receptive to the underwriters need when advised to discontinue charter busing because of the high exposure.

Council Member Blanchard spoke in support of the contract expressing confidence in the highly trained drivers and the savings to the taxpayers. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Dagit, that the **SPECIAL USE REQUEST FOR DRIVE-THROUGH AT 1400 BROADWAY FROM DAVE MILAM** be approved. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Dagit, that the **SITE PLAN SUBMITTED FOR DRIVE-THROUGH AT 1400 BROADWAY FROM DAVE MILAM** be approved. Council Member Blanchard questioned the reason for the drive-through to the present owners of Creative Landscaping and the name of the purchaser for who the drive-through was intended. Council was advised that the information was not to be publicly revealed. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Dagit, that the **SPECIAL USE REQUEST TO ALLOW A HAIR SALON AT 2506 COURT STREET** be approved. On roll call vote, all present voted Aye.

Motion by Council Member Jones, seconded by Council Member Dagit, that the **SITE PLAN SUBMITTED TO ALLOW A HAIR SALON IN OS-1 AT 2506 COURT STREET** be approved. On roll call vote, all present voted Aye.

RESOLUTION NO. 186-06/07

YEAR 2007 STREET MAINTENANCE AND MFT FUNDING RESOLUTION

Motion by Council Member Blanchard, seconded by Council Member Maddox, that Resolution No. 186-06/07 be adopted. David Pagliaro Superintendent of Streets presented the request to the Council to authorize the use of Motor Fuel Tax Funds in the amount of \$147,200.00 for the heat and scarify portion of the 2007 project. He explained to Council the specialized scarify process that is contracted with the City of Peoria and the cost comparables to overlaying the streets. On roll call vote, all present voted Aye.

RESOLUTION NO. 187-06/07

YEAR 2007 STREET MAINTENANCE AND MFT FUNDING RESOLUTION

Motion by Council Member Blanchard, seconded by Council Member Maddox, that Resolution No. 187-06/07 be adopted. Superintendent Pagliaro recommended the use of Motor Fuel Tax Funds in the amount of \$652,800.00 for the seal-coating portion of the 2007 improvement project. On roll call vote, all present voted Aye.

ORDINANCE NO. 2518-06/07

AMENDING TITLE 3, CHAPTER 3 OF THE CODE OF THE CITY OF PEKIN REGARDING PENALTIES FOR LIQUOR LICENSE VIOLATIONS & NOTICE OF HEARING DISPOSITIONS

Motion by Council Member Blanchard, seconded by Council Member Maddox, that Ordinance No. 2518-06/07 be adopted. Council was informed that the action would amend the penalty section of the Liquor Code to increase the fines the maximum allowed and would correct the days required to give notice on hearing dispositions to licensees. On roll call vote, all present voted Aye.

ORDINANCE NO. 1462-A-259
AMENDING THE CITY OF PEKIN TRAFFIC CODE
REGARDING LIGHTS ON PARKED VEHICLES

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Motion by Council Member Dagit, seconded by Council Member Jones, that Ordinance No. 1462-A-259 be adopted.

Council Members debated the advantages and disadvantages of the provision of the traffic code that required a light be visible 100 ft in front and behind a vehicle parked on a City street between the hours of 1:30-4:30am. Council Member Maddox spoke in opposition to the ordinance presented to eliminate the requirement. He stated the following 5 concerns:

- 1) Streets would become parking lots
- 2) Hit and run accidents rate up
- 3) More complaints if alternative of limiting
- 4) Restricted parking presently State law at \$75 for violation-City option \$10
- 5) Cost to poor not a burden

Council Member Blanchard expressed his opinion that it was time lights on parked vehicles law should go. He felt officers had better things to do, lighting on streets was better than the intention of the original law, the cost was a burden to those who could least afford it, and that he should listen to the public's concerns to vote to repeal the ordinance.

Council Member Dagit next addressed the issue. He spoke in support of deleting the provision from the code. The councilman read a prepared letter submitted by the Traffic Safety Committee to the Council, stating that they did not object to elimination of the lights if Council would approve restricting parking on City streets that were of substandard width. Council Member Dagit noted the argument for safety was an issue during the day light hours not just 1:30-4:30am.

Council Member Jones felt the requirement should be eliminated, but not without an alternative plan recommended by the Traffic Safety Committee.

Police Chief Timothy Gillespie asked that Council not base their vote on hearing from the vocal minority, but rather consider the experience of the police department in knowing the streets would be cluttered with vehicles. David Pagliaro, Superintendent of Streets read from a prepared statement 3 reasons elimination of restricted parking would affect the Street Department with respect to sewer maintenance sweeping leaves and snow removal.

There were rebuttals to the arguments presented for and against by Council Members.

On roll call vote, Nays, Jones and Maddox; Ayes, Blanchard, Dagit, and Mackaman. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Mayor Mackaman reminded the public of the Municipal Primary Elections on Tuesday, February 17, 2007 and challenge citizens to vote. The Mayor also announced candidates' orientation where he would set aside time for those remaining in the General Election to ask questions one on one.

He informed the public that there were two expiring terms on the Liquor Commission. Applications were available for the 2 openings.

Council agreed to the Mayor's request to begin the Council Meeting of March 12th at 4:30 p.m. in order for Council Member to attend the Heart of Illinois Legislative Reception from 5:00 – 7:00 p.m.

Council Member Blanchard offered condolences to the family of Larry and Shawn Black who lost their lives in a recent fire.

City Manager Dennis Kief briefed Council on the status of the landlord registration draft amendment. He urged Council Members to comment on the registration component and discuss any concerns for final action with Public Works Director Joe Wuellner.

Council Member Maddox encouraged the younger generation to vote on Election Day. Council Member 8
Jones reminded the public that you did not have to declare a party in this municipal non-party election. The
City Manager emphasized voting could make a difference.

Daniel DeHoog and Garnet Meischner made last comments regarding the vote to remove the requirement for
lights in parked vehicles.

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

COUNCIL ADJOURNED AT 7:44 P.M.

Sue E. McMillan
City Clerk

**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 TUESDAY, FEBRUARY 20, 2007 AT 5:30 O'CLOCK P.M.
FRANK H. MACKAMAN * MAYOR * PRESIDING**

PRESENT: COUNCIL MEMBERS, JONES, DAGIT, AND BLANCHARD

ABSENT: COUNCIL MEMBER MADDOX

Council received an agenda and proper notice was posted on Friday, February 16, 2007, of a special meeting called by the Council to consider the purchase of electric power.

Pledge of Allegiance was led by Mayor Mackaman.

Roll was called and all Council Members were present except Council Member Maddox. A quorum was present.

Agenda

Motion by Council Member Dagit, seconded by Council Member Jones that the agenda be approved as presented. On roll call vote, all voted Aye.

New Business

Motion by Council Member Blanchard, seconded by Council Member Dagit, that the City Manager be authorized to negotiate and enter into a contract to receive electric power at a lesser amount than provided by Ameren/CILCO.

On roll call vote, all voted Aye.

City Manager Dennis Kief requested that Council allow him to enter into a contract to purchase electricity for the City buildings. He explained it was no longer prudent to wait for State action with respect to a rate freeze. Since CILCO's 55% increase in costs to supply, the City had been attempting to coordinate the purchase with the Library and the Park District for economy in scale.

Public Works Director Joe Wuellner and Library Director Jeff Brooks reported on their negotiations with Good Energy, L.P. to broker the best price for the electric generation contract by watching the market daily. Authorization was needed to react in a few hours to enter into a contract with the supplier Sempra.

Discussion followed regarding:

- Corporation Counsel's review of a generic contract
- Escape clause and provisions for termination damages
- Commission percentage paid to consultant
- Effect on franchise distribution by CILCO with respect to backup at the Treatment Plant, rebate on street lighting, reinstatement should new provider default

Mayor Mackaman summarized that staff heard the concerns of Council and directed the manager to act accordingly in negotiations of the final contract.

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

COUNCIL ADJOURNED AT 6:00 P.M.

Sue E. McMillan
City Clerk

PROCEEDINGS OF A SPECIAL MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS
IN CONJUNCTION WITH
FRIENDS OF THE PEKIN PUBLIC LIBRARY AND THE PEKIN DAILY TIMES
CANDIDATE FORUM
HELD AT THE PEKIN PUBLIC LIBRARY
301 SOUTH FOURTH STREET
PEKIN, IL 61554
ON TUESDAY, FEBRUARY 20, 2007 AT 6:30 O'CLOCK P.M.

PRESENT: MAYOR MACKAMAN, COUNCIL MEMBERS DAGIT, JONES, AND
BLANCHARD

ABSENT: COUNCIL MEMBER MADDOX

Council received proper notice of a meeting because more than one member of the City Council had indicated an interest in attending the Candidate Forum on February 16, 2007. The City was required to post the meeting, in addition, as a Special Council meeting under the provisions of the Open Meetings Act.

Mayor Mackaman called the meeting to order at 6:35 p.m.

Roll was called. Council Members, Blanchard, Jones, Dagit and Mayor Mackaman were present for Roll Call.

Members of the City Council observed the proceedings of the Forum where each candidate running for in the Municipal Primary Election to fill 5 vacancies, 4 for Council and 1 for Mayor were introduced by the Moderator, Tanya Koonce News Reporter WCBU.

The following spoke on issues they face for election., and answered a series of questions directed to them.

Mayor
Fran Oberle
R. David Tebben
William Toel

Council Member
John Abel
Chad E. Schmidgall
James E. Jim" Jones
Barbara A. Strand
Neva L. Farson
Jason Juchems
Brian A. Graham
John W. Gay
Harvey F. Richmond
Rusty Dunn

Random questions were asked by citizens in attendance.

The Council took no action.

THE MEETING WAS CLOSED AT 8:45 P.M.

Sue E. McMillan
City Clerk

City of Pekin

Police Department

PEKIN POLICE DEPARTMENT END OF MONTH REPORT FOR FEBRUARY 2007

	FEBRUARY 2006	JANUARY 2007	FEBRUARY 2007
TRAFFIC TICKETS	316	479	421
WARNING TICKETS	417	407	437
OFFENSES	417	434	405
ARRESTS	191	221	199
PARKING TICKETS	733	742	523
STOPS	856	832	721

Breakdown of Parking Tickets

Abandoned Vehicle	3	3	1
Fire Lane	0	4	1
No Parking Light	430	363	327
Handicapped	10	8	4
Improper Parking	28	19	16
Restricted Parking	245	308	126
No Parking Zone	14	22	24
Fire Hydrant	1	2	4
Meter Violation	2	14	6
Snow Ban	0	0	14
TOTAL	733	328	523

City of Pekin
Airport Commission Meeting Minutes
February 14, 2007

Commissioners: Present – Peter Kalman, Charles Thomas, & Lillard Hedden
Attendees: Joe Wuellner, Lori Justus, Bill Baker, Ric Woldow, & Murray Brian

Chairman Kalman opened the meeting at 3:00pm.

Mail: None.

Old Business:

1. Mr. Wuellner stated that the contract to do the back half of the hangar roof had been signed and returned to the contractor. They have tentatively put us on the schedule for June.
2. Mr. Thomas asked about the economic impact study status. The last we were told it was held up due to problems between the IDA and the U of I. He feels that it is important that there be one created for the airport to demonstrate the value added to the community. Ms. Justus passed out a copy of the last one that was done in 1999.

New Business:

1. Mr. Wuellner reported that there may be a possibility that the hangar door work could be done sooner than expected. IDA has gotten new information from the FAA and as soon as he gets this information he will pass it on.
2. The engineers are working on the plans for the ramp projects. It was determined that in an effort to get the best possible price for the sealcoat of the west end that this would be couple with the east ramp project.
3. Copy of a list of pending State House and Senate Bills was handed out for the members to review and respond as they saw necessary.
4. Copies of the current budget sheets were handed out and discussed.
5. Bill Baker stated that he had a computer that he would donate to the airport for pilots to use to check weather and file flight plans. Mr. Wuellner will find a table that can be used for this and Mr. Baker will be sure that the computer has a wireless card in order to use the Internet.
6. Mr. Kalman requested that an updated planning map be put up on the wall in the lobby. Mr. Wuellner will get one printed and sent out.

Other item discussed involved a request for a porta-pot by Mr. Baker. The history of this subject was explained and at this time it is not planned on having one installed.

Nothing else came before the commission and the meeting was adjourned at 4:15 PM.

Next meeting will be February 14, 2007 at 3pm.

CITY OF PEKIN TRAFFIC SAFETY COMMITTEE MINUTES
MARCH 2, 2007
CITY HALL CONFERENCE ROOM

PRESENT: Tim Gillespie, Chuck Lauss, Dave Pagliaro, Denny Kief, Joe Wuellner and Joe Berardi. Also present was Mayor Frank Mackaman, Officer Will Taylor, and Lee Ann Wrhel.

The meeting was called to order by Chairman Chief Tim Gillespie.

Old Business:

1. *254 Derby Street – Obstructed View Exiting Driveway*
 Zoning has addressed the matter. The issue has been resolved.

New Business:

1. *1400 Block of Ann Eliza*
 A resident had made a request for the street to be one-way. The committee recommendation is to leave the street as is.
2. *Railroad Crossings*
 Canadian National Railroad allows the city three street crossings. Due to the railroad crossing at the new Hanna Drive extension, one street railroad crossing will need to be eliminated to avoid the expense to take Veterans Drive over the railroad tracks. The committee recommends gathering information to pursue vacating the crossing at Winter Street.
3. *Lights on Parked Vehicles*
 Resident Susan Bolen of 208 Cottage Grove attended the meeting to voice her concerns regarding the City Council decision to eliminate the requirement regarding lights on parked vehicles. She was in favor of the requirement. She addressed the committee asking for suggestions regarding a solution for her street.

After much discussion, the committee agreed to begin work right away to develop a resolution to the issue of safely parking on city streets. The committee will have a special meeting within the next two weeks to begin to develop a proactive recommendation.

4. *Snow Ban Ordinance*
 Hopefully this is done for the season. Parking bans were used only when absolutely necessary.
5. *Handicapped Parking Space, 245 Sapp Street*
 Resident request for a handicapped space in front of their home to accommodate their disabled daughter. The proper form filled out by their doctor was brought to the meeting by Dave Pagliaro. The committee agreed to the handicapped space request.

Respectfully Submitted,
 Lee Ann Wrhel

SPECIAL MEETING MARCH 9, 2007 @ 8:30 A.M.
NEXT REGULAR MEETING APRIL 6, 2007 @ 8:30 A.M.

City of Pekin

**LIQUOR COMMISSION MINUTES
THURSDAY, JANUARY 25, 2007
4:00 P.M.
CITY HALL COUNCIL CHAMBERS**

Chairman Dave Eitenmiller called the meeting to order at 4:00 p.m.

PLEDGE of ALLEIGENCE

ROLL CALL

The following members were present for roll: Dave Eitenmiller, Gary Allen, Fire Chief Chuck Lauss, Police Chief Tim Gillespie, Holly Brown, John McCabe, and Roy Bockler.

Also present: Liquor Commissioner Frank H. Mackaman, Attorney Sue Bosich, and Joe Wuellner, Public Works Director.

APPROVAL OF AGENDA

Motion by Lauss seconded by Gillespie that the Agenda be approved as presented. Motion passed.

APPROVAL OF MINUTES

Motion by Allen, seconded by Lauss to approve the November 16, 2006 minutes as presented. Motion passed.

PUBLIC INPUT/COMMENTS/QUESTIONS

Nothing at this time.

HEARING

Liquor Commissioner Mackaman called the Hearing to order at 4:03pm.

Mackaman read the charges on the Class A Liquor License held by Schnuck's.

Hearing adjourned at 4:12pm

Liquor Commissioner Mackaman called the Hearing to order at 4:12 ½ pm. Mackaman read the charges on the Class A Liquor License held by Double G Enterprises, Inc. DBA Ace Liquors.

Hearing adjourned at 4:18pm.

Liquor Commissioner Mackaman left the meeting at 4:18pm.

Attorney Bosich waived opening statement. Bosich read the evidence if it would have gone to trial. Schnuck's stipulated to the charges. Robert Weiger, Spokesperson for Schnuck's explained procedures on the cash register, updates on training they provide. Explained that all clerks' are trained and have a set group that works in the Liquor Store.

Motion made by Bockler to send a Letter of Reprimand and pay Hearing Cost. Brown seconded. All in favor, motion passed.

Attorney Bosich read the evidence of it would have gone to trail. Double G Enterprises, Inc. DBA as Ace Liquors stipulated to the charges. Mike Gardner, owner gave a brief statement on that all staff are trained on checking ID's and that this person looked at the wrong sign posted.

NEW BUSINESS

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La Villetta Italian Restaurant – application is not complete. Waiting on Inspections and Fire Department to sign off on Check List Sheet. Chairman Eitenmiller suggested they bring completed application to the February 22nd meeting.

Discussion: Check sheet was not attached with new application. Changed the check sheet list back to add Inspections, Fire and Police to sign off on new applications.

Matt Stropes - Elk's Lodge at 320 Derby

Discussion: Reviewed site plan of new Elk's Lodge – View from the Street. Stropes talked about using monitors in the front and side. Windows were going to be higher so there would be no view from the street. Questions arose regarding private clubs and trouble with police not seeing in the buildings and not having the same problems as other liquor establishments. Exit is Derby Street with panic bar and entrance is on Summer with key pad. Stropes mentioned they would like to have a beer garden also. No Beer garden at this time until plans are submitted to Inspections and the Liquor Commission for review.

Gillespie made a motion for the Elk's Lodge to put in 4 cameras/2 monitors on Derby Street side (foyer) and west side of Summer Street. Seconded by Lauss. All in favor, Bockler opposed.

Discussion followed:

Roy had problems with private clubs not being in compliance with the Liquor Code and having the “view from the street”. Other liquor establishments were told to comply. Stay consistent with the Liquor Code. McCabe stated with having monitors is this going to happen all the time? Private clubs are different, members only, no trouble. Attorney Bosich stated that the Liquor Commission can make rules and considerations on what type of private clubs – bars. If there is ever an issue with the monitors the Liquor Commission can change or put on stipulations on his liquor license.

ANY OTHER BUSINESS TO COME BEFORE THE COMMITTEE

Holly asked if the Liquor Commission meetings are private or public information. She was at a private party one evening and a person was telling her all about a Liquor Commission meeting, how she voted, what she said, and that she always seconded the Chief of Police's motions. This was very upsetting and awkward for her. Attorney Bosich stated these are public meetings, but there should be a code of ethics and the Commission should not talk about them freely. If a person wants to know what goes on in these meetings they can request a copy of the minutes. The Commission can vote to deliberate in private. It was suggested for the Commission to not talk about how a person voted or what was said in a meeting.

Joe spoke for Sue McMillan on the 2007-2008 Liquor License renewals. Asked Commission if there were going to be any changes on the renewals. No changes at this time.

Joe questioned the reason the new application on the Agenda was not brought to Inspections for sign off before being brought to the Commission. Any brand new liquor licenses need to be sent to Inspections, Police and Fire for sign off before being brought to the Liquor Commission for recommendation.

Eitenmiller adjourned meeting.

Meeting adjourned at 5:30P.M.

Respectfully submitted
Paula Gensel

NEXT MEETING THURSDAY, FEBRUARY 22, 2007 @ 4:00 P.M.



Tazewell / Pekin Consolidated Communications Center
1130 Koch St. Pekin, IL 61554 • Office (309) 478-5410 Fax (309) 477-2302

TPCCC MONTHLY STATISTICAL REPORT

Month FEBRUARY 2007

Number of phone calls received 22,761

Number of 9-1-1 Calls 1614

Number of calls dispatched (all agencies) 3436

*= Included in total # of calls received

Additional Comments:

Steven F. Thompson, ENP
Director

BUILDING REPORT 2007

MONTH	DWELLINGS 1	GARAGES 2	MULTI-FAMILY 3	COMMERCIAL 4	COMMERCIAL REMODELING 5	RESIDENTIAL REMODELING 6	MISC. 7	RESIDENTIAL DEMOLITIONS 8	COMMERCIAL DEMOLITIONS 9	BUILDING DOLLARS	BUDG PERMITS	
JANUARY	6.00	\$1,096,940	2.00	\$1,600	1.00	\$1,000	15.00	\$204,945	3.00	\$9,000	\$1,313,485	27.00
FEBRUARY	2.00	\$524,230			3.00	\$425,692	6.00	\$39,235	3.00	\$57,000	\$1,046,157	14.00
MARCH											\$0	0.00
APRIL											\$0	0.00
MAY											\$0	0.00
JUNE											\$0	0.00
TOTAL 6 MO.	8.00	\$1,621,170.00	2.00	\$1,600.00	4.00	\$425,692.00	21.00	\$244,180.00	6.00	\$56,000.00	\$2,359,642	41.00
JULY											\$0	0.00
AUGUST											\$0	0.00
SEPTEMBER											\$0	0.00
OCTOBER											\$0	0.00
NOVEMBER											\$0	0.00
DECEMBER											\$0	0.00
TOTAL 12 MO.	8.00	\$1,621,170.00	2.00	\$1,600.00	4.00	\$425,692.00	21.00	\$244,180.00	6.00	\$56,000.00	\$2,359,642	41.00

WHEREAS, housing is a basic human need and more than 1 million Illinois households having housing affordability problems. More than 200,000 of these are overcrowded. Nearly 800,000 households pay more than 35% of their income on housing; and

WHEREAS, today in Tazewell County, 43% of all renter households do not earn sufficient income to afford a two-bedroom unit at fair market rent; and

WHEREAS, because of the difference between what people earn and what is paid for housing and utilities, more than 40,000 requests for assistance from the State's Homelessness Prevention Program went unmet due to a lack of funds in 2006; and

WHEREAS, 332 families remain on the waiting list for housing with the Pekin Housing Authority; and

WHEREAS, the talents of grassroots organizations, non-profit housing professionals, financial institutions, elected officials, and government must continue to address the immense challenge of ensuring that every person in Illinois has access to safe, decent, and affordable housing.

NOW, THEREFORE, BE IT RESOLVED that I, FRANK H. MACKAMAN, Mayor, City of Pekin, Illinois, do hereby proclaim March 22, 2007, as

"HOMELESS PREVENTION DAY"

in the City of Pekin, Tazewell County, Illinois, as Homeless Prevention Day in Pekin in order to recognize the benefits of safe, decent, and affordable housing.

ADOPTED, this 12th day of March, in the Year of Our Lord, Two Thousand and Seven.

FRANK H. MACKAMAN
Mayor

ATTEST:

SUE E. MCMILLAN
City Clerk

WHEREAS, as a nation devoted to liberty and justice for all, America must increase its efforts to protect, restore, and expand crime victims' rights and services so that they apply to every victim, every time; and

WHEREAS, 23 million Americans are victims of crime each year, and of those, 5.2 million are victims of violent crime; and

WHEREAS, all victims of crime deserve respect, resources, restoration, and justice; and

WHEREAS, all fifty states, the District of Columbia, and the federal government grant crime victims certain legal rights; and

WHEREAS, National Crime Victims' Rights Week – April 22-28, 2007- offers us all the opportunity to recommit ourselves to ensuring that every victim is afforded his or her legal rights and treated as a crucial participant in our criminal justice system; and

WHEREAS, as we carry crime victims' rights into 2007 and beyond, we must strive to create a nation where the legal rights of victims are honored and individuals are accountable for their treatment of victims; and

WHEREAS, despite significant progress in providing rights and services to crime victims over the past two decades, large segments of our population, including crime victims with disabilities, victims with mental illness, victims who are immigrants, victims who are teenagers, victims who are elderly, and victims in rural areas, are still underserved.

NOW, THEREFORE, BE IT RESOLVED that I, Frank H. Mackaman, Mayor of the City of Pekin, Tazewell County, Illinois, do hereby proclaim the week of April 22-28, 2007, as

"NATIONAL CRIME VICTIMS' RIGHTS WEEK"

in the City of Pekin, Tazewell County, Illinois.

ADOPTED, this 12th day of March, in the Year of Our Lord, Two Thousand and Seven.

FRANK H. MACKAMAN
Mayor

ATTEST:

SUE E. McMILLAN

WHEREAS, the Heart of Illinois Association for the Education of Young Children, and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 22-28, 2007; and

WHEREAS, these organizations are working to improve early learning opportunities, which are crucial to the growth and development of young children, and to building better futures for everyone in Pekin, Illinois; and

WHEREAS, all young children and their families across the country and in Pekin, Illinois deserve access to high-quality early education and care; and

WHEREAS, in recognizing and supporting the people, programs and policies that are committed to high-quality early childhood education as the right choice for kids;

NOW, THEREFORE, BE IT RESOLVED that I, FRANK H. MACKAMAN, Mayor of the City of Pekin, do hereby proclaim April 22-28, 2007, as

"WEEK OF THE YOUNG CHILD"

in the City of Pekin, Tazewell County, Illinois, and urge all our citizens of Pekin to work to make a good investment in early childhood.

ADOPTED, this 12th day of March, in the Year of Our Lord, Two Thousand and Seven.

FRANK H. MACKAMAN
Mayor

ATTEST:

SUE E. MCMILLAN
City Clerk

PEKIN POLICE DEPARTMENT



COMMITTED TO THE COMMUNITY

2006 Year End Report



Illinois Department of Transportation

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

received
2/26/07-DK

3/12 Const. Agendas

February 23, 2007

PROJECT SUPPORT
INFORMATIONAL LETTER
FAP Route 693 (IL 29)
Section D4 Radius Improvement
Tazewell County
Contract No. 68649
Job No. C-94-182-06

SW quadrant of IL 9 (Margaret St.)
and IL 29 (2nd St.) in Pekin

Mr. Dennis Kief
City Manager
City of Pekin
111 South Capitol Street
Pekin, IL 61554

Dear Mr. Kief:

The Division of Highways is proposing to improve the southwest quadrant of IL 9 (Margaret St.) and IL 29 (2nd St.) in Pekin. This improvement will consist of widening the radius of the right-turn lane on Margaret Street by removing and replacing a portion of it with new concrete pavement, and all other work necessary to complete this project. The proposed improvement will be constructed under traffic, and we do not foresee a need to close any roads or streets. Local property owners will be provided access at all times.

The Division of Highways will assume the entire cost of this improvement. Upon completion of the improvement, the State and the City of Pekin will continue their respective existing maintenance responsibilities.

This project is tentatively scheduled for the April 27, 2007 letting. The estimated time is 20 working days. Enclosed is a set of plans for your information.

If you have any questions regarding this information, please contact our Agreements Unit at (309) 671-3496.

Very truly yours,

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

RH:kme
Enclosure(s)
cc: Construction
Studies & Plans
Agreements

DETO
SOU
IL
29

#1

1. THE PROPOSED IMPROVEMENTS TO THE SW QUADRANT OF MARGARET STREET WITH ACCOMMODATE THIS WORK WILL BE ESTABLISHED AND AS DESCRIBED IN PLAN IN THE SPECIAL
2. ALL DETOUR SIGNS THE IDOT BUREAU OF CONTRACTOR SHALL CONTACT (309)370-7513 A MINUTE TO CONSTRUCTION.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DETOUR SIGNAGE. THE DETOUR SIGNAGE SHALL BE AS SHOWN IN THE PLAN BY THE RESIDENT. ANY CHANGES TO THE PLAN WILL BE NEEDED FOR THIS SHALL BE INCLUDED IN THE COST CONTROL ITEMS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING PEKIN COUNTY OF THE WORK 2 WEEKS PRIOR TO THE

REVISIONS		ILLUSTRATION
NAME	DATE	
		ILLUSTRATION

SCALE

DATE



96
APPROVED
DATE: 5/3/07 BY: DK
PPATS Policy

PEKIN'S EL CAMINO DRIVE EXTENSION DEVELOPMENT AND LAND USE STUDY

SCOPE OF SERVICES

INTRODUCTION

The Proposed Pekin El Camino Drive Extension Area Development and Land Use Study will provide detailed recommendations for how the City of Pekin and the surrounding region can develop an efficient transportation corridor extending from 14th Street west to 5th Street to include better access to the expanded Riverway Business Park and promotes balanced development and preserve open space. The Study will lie within the city's planning boundaries, and facilitates inter-governmental cooperation on land-use and zoning issues.

For a number of years, the City of Pekin has been working towards the development of a new East-West (collector street) corridor that would mitigate traffic congestion in its central commercial and business district and provide an efficient link to Illinois Route 29 for its growing industrial park located on its southwestern border. The 2001 Comprehensive Plan Update documented the need for the extension of El Camino Drive. The distance between East-West Collector streets is less than ideal with Koch Street the nearest on the north and VFW Road on the south. To ensure that this new road compliments the city's Comprehensive Plan and supports balanced growth, Pekin has committed to performing a land-use and zoning study of this area. A new Comprehensive Plan will be presented to the Pekin City Council in March of 2007.

In addition to providing traffic congestion mitigation, this new road provides an opportunity to create a new entrance to Pekin's recently expanded Riverway Business Park. Business growth in this area along with continued residential growth would both benefit from this roadway extension by providing a direct connection to 14th Street as well as Fifth Street and ultimately Second Street (Illinois Route 29).

It is anticipated that the City of Pekin will have the aerial photography available and can provide digital files for use in the study. This proposed Study will compliment the "Southern Veteran's Drive Land Use Plan" prepared by the Tri-County Regional Planning Commission in 2004. The scope of this study is very similar and the southerly boundary of this proposed study is the same as the northerly boundary of the Veteran's Drive Study.

TECHNICAL WORK PROGRAM

At the conclusion of this study, a number of planning documents and detailed drawings/maps will be produced. These detailed planning documents will provide clear direction for how Pekin and the region can meet the pressing needs for traffic mitigation, accommodate new growth and strengthen existing residential, park and business uses. Brief overviews of the actions that will be taken under this grant are outlined below.

1. Roadway Inventory (typical sections, traffic counts, etc.) and Highway Statistics for existing streets in the area.
2. Truck Route and Weight Analysis of adjacent streets (specifically 14th, 5th, El Camino, Hanna)
3. Trip Generation study and Travel Analysis for Riverway Business Park, Proposed Park and neighboring residential areas
4. Turning Movement Studies (14th @ El Camino, 5th @ El Camino and Hanna @ 5th)
5. Economic, Demographic and Land Use Data Analysis

B Comprehensive Land Use Planning

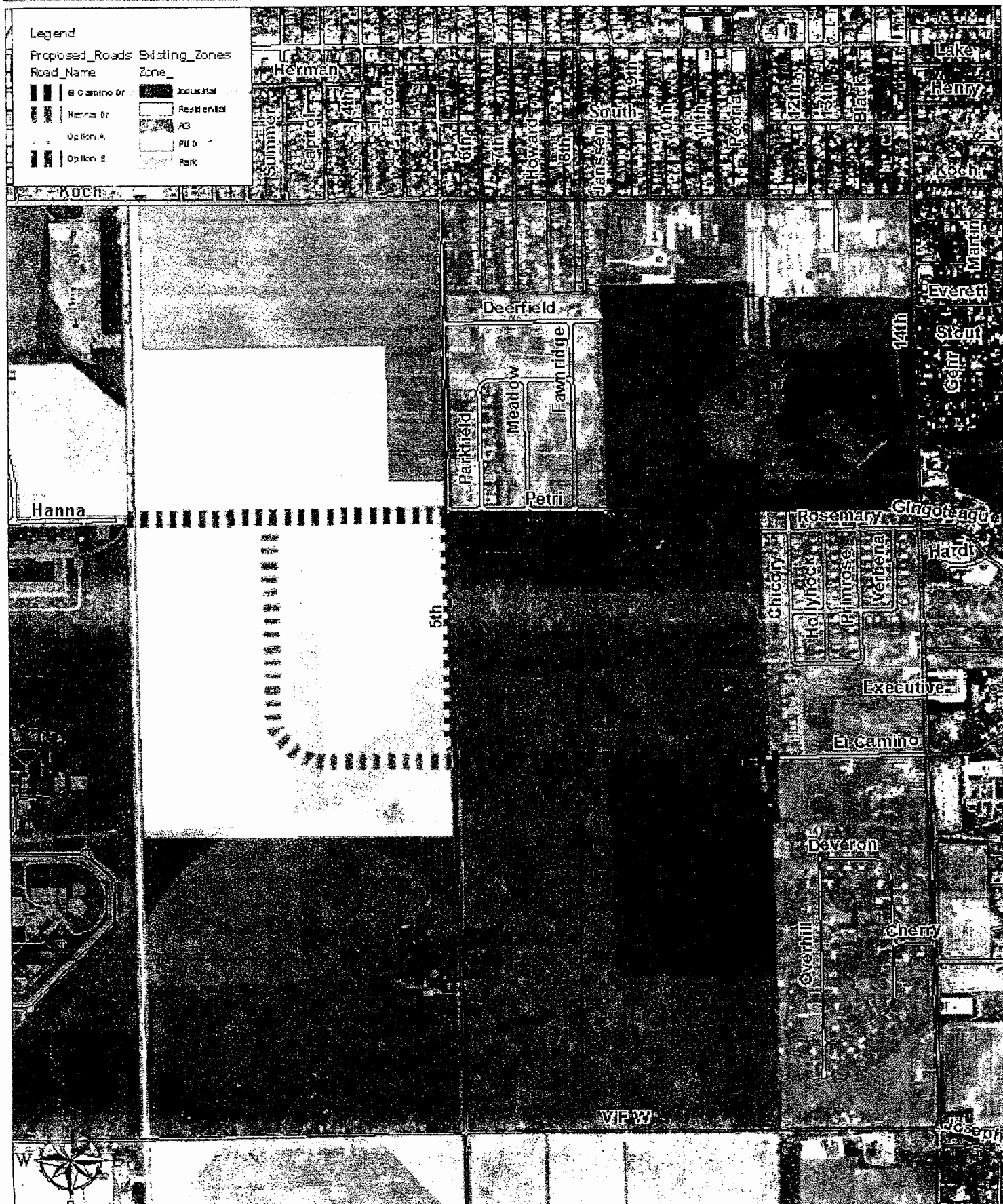
This land use review will include a detailed analysis of a number of important strategies, including:

- (1) Develop detailed zoning and land-use recommendations for limits of this study
- (2) Review the existing zoning and land use patterns for the corridor and evaluate the impact of the road under existing zoning, land use and development patterns. Based upon this review, recommended changes to the City of Pekin's existing comprehensive plan that will integrate the roadway into the city's comprehensive plan.
- (3) Review the City's Residential development in the area and the Development Plans for Riverway Business Park. Also review the Park Districts plans for their major 80 acre sports complex being planned in the southwest corner of Koch Street at 5th Street.

C Recommend Regulatory Changes for Multi-Jurisdictional Land Use Decisions

Based upon a review of the current land use decision making processes with the local elected officials, municipal staff, and community stake holders, the study team will develop recommended land use decision making models that could be incorporated into the development of the corridor

Proposed El Camino Extension



PEKIN, ILLINOIS, March 12, 2007 19

RESOLUTION BY COMMISSIONER

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

the Mayor's appointment of Thomas Cullen to the Pekin Library Board of Trustees to fill a vacancy in a three year term until June 30, 2009 is hereby approved.

812 Washington Avenue

Pekin, Illinois

353-8648

SIGNED BY_

MAYOR.

LIBRARY BOARD**5:00 P.M. 3RD TUESDAY OF THE MONTH (LIBRARY)**

LYNETTE STEGER 601 SOUTH 6TH STREET 353-8069	TERM ENDS JUNE 30, 2007
TIMOTHY WILLIAMS 504 SOUTH 8TH STREET 346-2602	TERM ENDS JUNE 30, 2007
J. SCOTT PLOTNER 909 ILLINOIS 353-3881	TERM ENDS JUNE 30, 2007
CARRIE ALLEN 816 STATE STREET 347-1092 633-3721	TERM ENDS JUNE 30, 2008
VICKIE KOCH 2503 N. PARKWAY DRIVE 347-6119	TERM ENDS JUNE 30, 2008
LESLIE LEITNER 3 VETTER COURT 353-2771	TERM ENDS JUNE 30, 2008
THOMAS CULLEN 812 WASHINGTON AVENUE 353-8648	TERM ENDS JUNE 30, 2009
RANDY TURNER 1607 NORTH 8TH STREET 353-4394	TERM ENDS JUNE 30, 2009
SUE CROWELL 332 PARK AVENUE 346-2432	TERM ENDS JUNE 30, 2009

TO: PEKIN DAILY TIMES

Please publish one time only, March 2, 2007 and forward statement and certificate of publication to Sue E. McMillan, City Clerk, 111 S. Capitol, Pekin, Illinois 61554.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the City of Pekin, Illinois, will conduct a public hearing on March 12, 2007 at 4:30 P.M. (special time) in the City Hall Council Chambers 111 S. Capitol, Pekin, Illinois, for the purpose of discussing the sale of the following described real estate:

A part the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 34, Township 25 North, Range 5 West, more particularly described as:

Point of Beginning being the northwest corner of Lot 4 in Block 1 of the Original Town; thence southwesterly 250 feet along the easterly Right-Of-Way of Front Street to the southerly Right-Of-Way of the Vacated Sara Ann Street; thence southeasterly along the southerly Right-Of-Way of the Vacated Sara Ann Street a distance of 50 feet; thence northeasterly along the easterly lot lines of Lots 1, 2, 3, and 4 to the southerly Right-Of-Way of Cynthiana Street a distance of 250 feet; thence northwesterly along the southerly Right-Of-Way of Cynthiana Street a distance of 50 feet to the Point of Beginning.

Block 1 of the Original Town, City of Pekin, Tazewell County, containing 12,500 Square Feet (0.287 acres).

Commonly known as 101 Broadway Road, 216 Front Street, and 102 Cynthiana

PIN# 04-04-34-459-004, 04-04-34-459-003, and 04-04-34-459-001

Copies of the proposal to sell said real estate will be submitted and will be on file in the Office of the City Clerk. The City reserves the right to accept, modify or reject said proposal.

All persons having an interest therein may appear to be heard or may file comments concerning the proposed sale of this property in the Office of the City Clerk.

DATED at Pekin, Illinois, February 28, 2007.

Sue E. McMillan
City Clerk



REQUEST FOR COUNCIL ACTION

To: Pekin City Council

CC: Denny Kief, Sue McMillan, & Angie Evans

From: Joe Wuellner

AGENDA ITEM: IDOT Truck Access Route Program (TARP) Agreement for Hanna Dr. Extension

AGENDA DATE REQUESTED: March 12, 2007

ACTION REQUESTED: Approval of TARP Agreement for Hanna Drive Extension

BACKGROUND: With the acquisition of additional property for the Riverway Business Park it is now necessary to extend Hanna Drive to provide access from the new areas to IL Route 29. This project has received 50% funding from the USEDPA and now we have secured this \$45,000 through the IDOT TARP program.

FINANCIAL IMPACT: Lessens the amount of funds required from the Capital Fund.

NEIGHBORHOOD CONCERNS: Will provide a direct connection to Route 29 for potential industries that will build in the expanded Business Park.

IMPACT IF APPROVED: Lessen the amount of funds required from the Capital Fund.

IMPACT IF DENIED: Loss of additional outside funding to extend Hanna Dr. and use strictly Capital Funds.

ALTERNATIVES: Use more out of the General Funds to cover this cost.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation – Expanding Streets for new businesses: Prosperous Community – Create better access to the Business Park to encourage development.

REQUIRED SIGNATURES

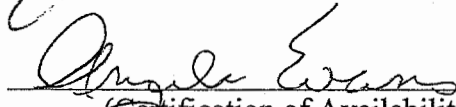
Department Director



2/21/07

Date

Finance Department



(Certification of Availability of Funds)

2-21-07

Date

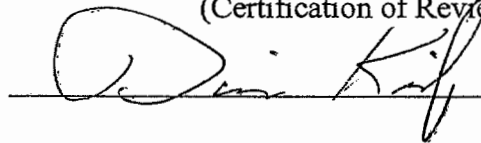
Corporation Counsel

NA

(Certification of Review)

Date

City Manager



3/8/07

Date

Local Agency	 Illinois Department of Transportation Truck Access Route Program (TARP) Agreement	Job Number - Construction 104
City of Pekin		C-94-086-07
Section 07-00159-01-FP		Job Number - Engineering

This Agreement is made and entered into between the above local agency hereinafter referred to as "LA", and the State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LA jointly propose to improve the designated location as shown below.

Location

Local Name Hanna Drive Extension Route Muni 4155 Lane Miles 2,700 feet

Number of Eligible Intersections 1

Termini Easterly end of existing Hanna Drive easterly to South 5th Street.

Current Jurisdiction City of Pekin

Project Description

Improvement consists of new full depth bituminous pavement, at-grade rail crossing, sanitary sewer, water main, earthwork grading, storm sewer, street lighting and other related items.

Division of Cost

Type of Work	TARP (1)	LA (2)	Total
Participating Construction	45,000	2,155,000	2,200,000
Non-Participating Construction			0
Preliminary Engineering			0
Construction Engineering			0
			0
			0
TOTAL	\$45,000	\$2,155,000	\$2,200,000

Note

- 1/ It is mutually agreed that the STATE'S share of the PROJECT cost under the Truck Access Route Program shall be a lump sum amount of \$45,000 not to exceed 50% of the final construction cost, whichever is the lesser.
- 2/ Any remaining balance shall be the responsibility of the LA.

Upon award of the project and request of payment from the LA, the STATE will pay the LA its share of the project costs.

1. It is mutually agreed that the PROJECT will be processed, let and constructed in accordance with Motor Fuel Tax standards, policies and procedures.
2. The LA will certify to the STATE that all necessary right-of-way, temporary and permanent easements, and temporary use permits have been obtained or are not required, prior to the LA advertising for bids for the PROJECT.
3. The PROJECT will be let and awarded by the LA upon approval of the plans and specifications by the STATE.
4. The LA agrees to retain jurisdiction and to maintain or cause to be maintained in a manner satisfactory to the STATE, the completed PROJECT.
5. Upon approval of the final plans and specifications by the STATE and the LA, the LA agrees to accept bids and award the contract for construction of the proposed improvements after receipt of a satisfactory bid and after concurrence in the award has been received from the STATE and provide, or cause to be provided, all of the initial funding necessary to complete the project subject to partial reimbursement by the STATE.
6. The LA agrees to pass an ordinance/resolution clearly defining the limits of the proposed 80,000 pound truck route and identifying the truck route class. A copy of said ordinance/resolution is attached as Exhibit B. Such truck route shall be properly signed in accordance with the Illinois Manual on Uniform Traffic Control Devices. Cost of truck route signing is included in estimated cost of the PROJECT.
7. The LA shall maintain, for a minimum of 3 years after the completion of the project, adequate books, records, and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with this Agreement. All books, records, and supporting documents related to the project shall be available for review and audit by the Auditor General and the Department. The LA agrees to cooperate fully with any audit conducted by the Auditor General and the Department and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under the contract of which adequate books, records, and supporting documentation are not available to support their purported disbursement.
8. Obligations of the STATE shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly fails to appropriate or otherwise make available funds for the work contemplated herein.
9. All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application.
10. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

Local Agency City of Pekin	Section 07-00159-01-FP
-------------------------------	---------------------------

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Exhibit A - Location Map

Exhibit B - 80,000lb Truck Route Resolution/Ordinance

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all exhibits indicated above.

APPROVED

Name Frank H. Mackaman

Title City of Pekin Mayor
Mayor

Signature _____

Date _____

TIN Number 37-6002169

APPROVED

State of Illinois
Department of Transportation

Milton R. Sees - Acting Secretary of Transportation

Date _____

Milton R. Sees - Director of Highways/Chief Engineer

Ellen Schanzle-Haskins - Chief Counsel

Ann L. Schneider - Director of Finance and Administration

NOTE: If signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.

Local Agency
City of Pekin

Section
07-00159-01-FP



REQUEST FOR COUNCIL ACTION

To: Council Members

CC: Dennis Kief, Sue McMillan, Angie Evans, & Burt Dancey

From: Joe Wuellner

AGENDA ITEM: Approval of Participation Agreement for Airport Layout Plan

AGENDA DATE REQUESTED: March 12, 2007

ACTION REQUESTED: Approve Agreement with IDOT-IDA

BACKGROUND: The Pekin Airport receives Federal funding for maintenance and upgrade items through the State of Illinois Division of Aeronautics annually. In order to qualify for this funding, an airport layout plan must be on file and updated every 5 years. This agreement covers the update process and is funded 50 – 50 between the City and the IDA. The plan will depict what is currently in place at the airport and what is envisioned for expansion and upgrading. The funding that the airport has received over the last 5 years has allowed for a completed rebuilding of the runway, rehabilitated the taxiway, and expanded the access roads to the hangars. Funding from this source is on a 95% Federal, 2.5% State, and 2.5% City. To maintain our eligibility for the funding, this update must be completed and filed.

FINANCIAL IMPACT: The \$ 41,100 for this effort was in the approved FY07 Budget.

NEIGHBORHOOD CONCERNS: Airport provides easy access to several of the industrial businesses as well as the prison.

IMPACT IF APPROVED: Continued funding from the State and Federal Government for improvements and maintenance.

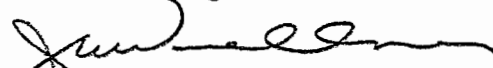
IMPACT IF DENIED: Loss of outside funding which would reduce that amount of work done to maintain and improve the airport.

ALTERNATIVES: Limited due to the size of the airport. Fuel tax and ramp fees are used at major airports but there is not enough usage to get the amount we would be losing.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Prosperous Community – allows for quick access for local businesses.

REQUIRED SIGNATURES

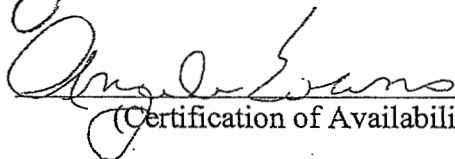
Department Director



2/27/07

Date

Finance Department



2.27.07

(Certification of Availability of Funds)

Date

Corporation Counsel

(Certification of Review)

Date

City Manager

Date



Illinois Department of Transportation

Division of Aeronautics

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

February 22, 2007

Mayor Frank Mackaman
City Hall
111 South Capitol St.
Pekin, IL 61554

RE: Pekin Municipal Airport
IL Proj. C15-3670

Dear Mr. Mackaman:

Enclosed for execution by the City is the original and three (3) copies of the Participation Agreement for the above referenced project. **Please have all copies executed along with your FEIN number and Legal Status and returned to our office.** The description of the project is as follows:

Airport Layout Plan & Exhibit A.

After execution by the State, a fully executed copy will be returned for your files. If there are any questions, feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. J. Long'.

Steven J. Long, P.E.
Acting Chief Engineer

enclosure (4)
c153670trans1

IL Proj. C15-3670**PARTICIPATION AGREEMENT**

This Agreement made and entered into by and between the ILLINOIS DEPARTMENT OF TRANSPORTATION (hereinafter referred to as the "Department"), for and on behalf of the State of Illinois, and the City of Pekin (hereinafter referred to as the "Municipality" even when there are more than one local sponsor).

WITNESSETH:

WHEREAS, the Department and the Municipality desire to sponsor a project for the further development of a public airport, known or to be designated as the Pekin Municipal Airport under Title 49, U.S.C., Subtitle VII, as amended (hereinafter referred to as "Act"); rules, regulations, and procedures promulgated pursuant thereto; the Illinois Aeronautics Act (620 ILCS 5); and the Intergovernmental Cooperation Act (5 ILCS 220); and

WHEREAS, the Municipality has applied for State assistance in procuring State or federal funds and hereby designates the Department as required by the above legal authority to accomplish the Project described below; and

WHEREAS, when applicable, the Department has filed a preapplication for federal funds with the Federal Aviation Administration ("FAA") on behalf of the Municipality and has appropriated certain monies for the Project; and

WHEREAS, the Department, by this Agreement, does prescribe the respective responsibilities of the parties, with reference to each other, with reference the relationship of the parties to any agency or department of the federal government of the United States of America (hereinafter referred to as the "United States" or "federal"),

NOW, THEREFORE, for and in consideration of the benefits which will accrue to the parties hereto by virtue of completion of the Project, and the respective rights and obligations of the parties, IT IS MUTUALLY COVENANTED AND AGREED as follows:

DEFINITIONS

A. The words "Airport" and "facility" as used herein mean the air navigation, take-off areas, landing areas, taxiways, and all similar areas of the Municipality's property used for the purpose of air transportation, including but not limited to all areas of the Municipality's property where improvements have been previously made and funded in whole or in part with funds provided by the Division or the FAA.

B. The words "Grant Offer" as used herein mean the notice of availability of funds from (when applicable) the FAA or the State of Illinois to be used in connection with the project, pursuant to any applicable rules and regulations of the FAA and the State of Illinois.

C. The word "Project" as used herein means this project which shall be identified as IL Proj. C15-3670, and described as:

Airport Layout Plan & Exhibit A

D. The words "Project Completion Date" as used herein mean the date by which the Department certifies in writing to the Municipality all of the following: the Project has been completed; all contractor and material supplier releases have been obtained; and, record drawings have been submitted to and approved by the Department.

E. The words "Project Coordinator" as used herein mean an employee of the Department who shall be responsible for the overall coordination and accomplishment of the Project.

F. The words "Consulting Engineer" as used herein mean a person, firm, corporation or entity employed by the Municipality, by a contract approved by the Department or the FAA in connection with this Project, who is prequalified in accordance with the Department's procedures and whose resident or project engineer(s) assigned to the Project are registered in the State of Illinois.

G. The word "Grant" as used herein shall mean those funds from (where applicable) the FAA or the State of Illinois to be used in connection with the Project, pursuant to the terms of a Grant Offer and Grant Agreement.

H. The word "Contractor" as used herein shall mean a person, firm, corporation, or entity employed by the Municipality, by a contract approved by the Department or the FAA, to complete this Project.

RECEIPT AND DISBURSEMENT OF FUNDS

1. Prior to the Project Completion Date, the Department shall insure that all aspects of the Grant and Project are done in compliance with all applicable state and/or federal requirements. The Municipality shall provide such assistance as reasonably requested by the Department to enable the Department to perform its obligations herein.

2. The Department shall accept and disburse all federal, State, and municipal funds, as applicable under this grant, used or to be used in payment of the costs of said Project or in reimbursement to either of the parties hereto for costs previously incurred.

A grant offer from the United States or the State of Illinois has been or will be tendered in connection with this Project. It is estimated that the total Project costs will be approximately \$82,200.00

50% State \$41,100.00

50% Local \$41,100.00

The Municipality specifically agrees that it shall pay the above percentages of all project costs and shall pay such additional project costs which exceed the sum of the Department's funds and Federal funds as are herein committed for this Project.

The Department hereby agrees to participate as stated above to the extent allowed under Sections 34 and 34a of the Illinois Aeronautics Act (620 ILCS 5/34 & 34a). Subject to the approval of the Governor, the Department will participate to the extent of the aforesaid appropriate percentages in overruns and contingencies approved by the Department.

The Department will also participate, in an appropriate percentage to be determined by the Department, in additive change orders and contingencies approved by the Department. It is further agreed that the Municipality will reimburse the Department for any payment or payments made hereunder by the Department which are in excess of the Department's percentage of financial participation as heretofore stated or in excess of the Department's agreed total participation. If additional payments are made pursuant to a Court of Claims award, then Municipality agrees to reimburse the Department for such additional payment or to pay the balance when the United States furnishes funds to pay a portion of any such award.

Payments to the Contractor or Consulting Engineer shall be made by the Department in accordance with the provisions and requirements of the contract entered into by the Contractor or Consulting Engineer for this project.

3. Any payment to Municipality made by a surety pursuant to a bid bond, performance bond, or payment bond for this Project shall be held by Municipality solely for the purpose of reducing what Municipality, Department, and/or FAA would otherwise have to pay for the Project. The pro rata shares of the amount received under bond credited to Municipality, Department, and/or FAA shall be the same as the ratio between what Municipality, Department, and/or FAA are obligated to pay under item #2 above. If a share exceeds what a party is obligated to pay, the surplus shall go to the Federal/Local Fund Account to be used for other airport improvement projects.

4. By executing this Agreement, the Municipality certifies, and shall furnish proof to the Department upon request, that it has sufficient funds to meet its share of the costs as heretofore stated. The Municipality hereby grants to the Department the right to audit any books and records of the Municipality to verify said funds. The Municipality's financial obligation is

payable in part or in full to the State Treasurer as requested by the Department. Should the Municipality fail to pay said obligation within 30 days of written request by the Department, the Department may exercise its rights under Paragraph 6 hereof.

5. Following the Project Completion Date and the Department's financial closure of the project, the Department shall credit or reimburse to the Municipality any excess funds provided by the Municipality.

RIGHTS AND OBLIGATIONS OF THE DEPARTMENT

6. Prior to the Project Completion Date, the Department shall have complete charge of and authority over the Project for all purposes including but not limited to the following actions:

- a. to participate and assist the Municipality in preparing the grant application for this project;
- b. to accept and deposit with the State Treasurer any and all Project funds granted, allowed, and paid or made available as required under this Project by (1) the United States under the Act and congressional appropriation made pursuant thereto, (2) the Municipality, and (3) the State of Illinois;
- c. to let and enter into contracts for the completion of the Project;
- d. to coordinate pre-construction conferences and issue orders as it deems appropriate regarding construction progress, including, but not limited to, Notices to Proceed, Stop Work Orders, and Change Orders;
- e. to monitor the progress and performance of the Project work through the Project Coordinator and the Consulting Engineer;
- f. to receive, review, approve, and pay invoices and payment requests for services and materials supplied in accordance with all approved contracts;
- g. to coordinate and conduct semi-final and final inspections;
- h. to obtain contractor and material supplier releases in accordance with State law;
- i. to review and approve record drawings and to provide copies to the Municipality and the FAA;
- j. to perform an audit if required by Federal regulations and procure and forward to the FAA such specific project documentation as is necessary to complete all aspects of the Project;

k. to reimburse to the Municipality, from federal or State Project funds, where the Municipality has contributed more than its share of reasonable land acquisition costs, the excess portion of costs so incurred by the Municipality. This provision shall apply only to land acquired for airport purposes and only upon proof that clear title to said land is vested in the Municipality. These costs include purchase price, relocation costs, legal fees, title costs, and other costs incidental to acquisition of the said land, excluding administrative costs of the Municipality;

l. to reimburse the Municipality, from federal or State Project funds, the portion of reasonable and eligible project costs incurred by the Municipality that are in excess of the Municipality's proportionate share of the completed Project; and

m. to the extent the Department deems it appropriate, keep and maintain all construction progress reports, material reports, material certifications, and similar documents, such that the Department shall be recognized as the "single audit source" by the FAA.

7. In the event the Municipality breaches this Agreement in any way whatsoever, the Department shall have any or all of the following non-exclusive remedies available to it:

- a. the right to seek specific performance;
- b. the right to refuse to provide State assistance for future aviation programs and to terminate any current State assistance;
- c. the right to seek reimbursement of all State or federal funds provided for the Project; and
- d. any other remedy available at law or in equity.

8. In addition to the remedies set forth in paragraph 6 above;

a. in the event the Municipality undertakes any significant action before or after the Project Completion date to abandon or substantially diminish the aviation resources of the Airport, the Department shall have the right to assume control and operation of the Airport (or fails to act in a way which has the same effect) for the useful life of the Airport or 20 years from the execution date of this Agreement, whichever is later, which right the Department may assign to any public agency as defined in the Act.

b. Prior to invoking the remedy set forth in subparagraph (a) above, the Department shall first: (i) provide written notice to the Municipality and inform the Municipality of those actions or failures to act which the Department considers to be an abandonment or substantial diminishment of the aviation resources; and (ii) the Department shall provide a reasonable period of time for the Municipality to take corrective action to the satisfaction of the Department.

RIGHTS AND OBLIGATIONS OF THE MUNICIPALITY

9. Prior to the Project Completion Date, the Municipality shall:

- a. execute on its own behalf, when applicable, the Application for Federal Assistance made or to be made to the FAA, the acceptance of such Grant Offer as shall be tendered by the United States through the FAA, and any and all amendments to such grant agreement. The Department after approval thereof shall submit this Participation Agreement to the FAA when applicable.
- b. employ a Consulting Engineer who is qualified to provide:
 - 1. qualified resident or project engineer(s), registered in the State of Illinois and approved by the Department;
 - 2. materials testing technician(s) approved by the Department;
 - 3. any project reports required by the Department or the FAA; and
 - 4. compliance with Disadvantaged Business Enterprise goals for the Project.

Further, for each phase of Project work which is covered by separate contract, the Consulting Engineer shall render to the Department, through the Project Coordinator, both a semifinal and final inspection report. The final inspection report(s) shall certify to the Department and to the Municipality that the work involved has been fully completed in accordance with the plans, specifications and contract(s), including modifications or supplements by the Department or the FAA through an approved change order, supplementary contract, or otherwise. The final inspection report(s) shall also certify that the work is acceptable to the Consulting Engineer.

Further, during the construction of the Project and prior to the Project Completion Date, the Consulting Engineer shall report directly to the Project Coordinator and may receive from the Project Coordinator such delegations of authority as the Project Coordinator believes to be reasonably appropriate to act and approve routine items on behalf of the Project Coordinator and the Department.

- c. obtain for the benefit of the Department all federal, State, and local permits as may be necessary to complete the Project.

10. The Municipality shall agree that it will strictly comply with all State or Federal laws, rules, regulations, Program Guidance Letters, Assurances and Covenants which are relevant to this Project, including, but not limited to, those stated in or incorporated by reference in the federal Grant Agreement during construction of the Project.

11. After the Project Completion Date, the Municipality agrees that:

- a. the airport which is the subject of this Agreement will be owned or effectively controlled, operated, repaired and maintained adequately during its full useful life, or a period of 20 years, whichever is longer, for the rightful, fair, equal, and uniform use and benefit of the public; and
- b. it will comply with all applicable State and Federal laws, rules, regulations, procedures, covenants and assurances required by the State of Illinois or the FAA in connection with any grant under the Act in the operation of the airport; and
- c. it will file with the Department and the FAA such reports as may be requested concerning the use, maintenance, and operation of the Airport.

12. The Municipality agrees to keep complete and adequate books and records in accordance with standard accounting procedures prescribed by the Department or the FAA relating to the Project described in this Agreement. All books and records of the Municipality shall be open to inspection and examination by the Department or the FAA at any reasonable time.

- a. Municipality shall keep project accounts and records which fully disclose the amounts and disposition of the proceeds of the grant, received by the Municipality.
- b. If Municipality receives proceeds of \$300,000 or more during its fiscal year in Federal financial assistance from the Department, it shall have an audit made in accordance with Office of Management and Budget Circular A-128 or A-133, whichever is appropriate.
- c. The Department reserves the right for its auditors to review and audit any and all records relating to projects funded by the Department or the FAA at the Municipality's office or location. Such audits can be used to expand on the audit work already performed by the independent auditor. These audits can also be made based on special requests from Department officials.

13. No leases will be entered into by the Municipality which grant exclusive use rights to any grantee for any facilities which are the subject of this Project.

14. The Municipality agrees not to dispose of airport land, purchased either wholly or partially by a grant of State funds, by sale or lease without the consent of the Department. In the event such consent is obtained, the Municipality further agrees to utilize for airport development the State's share of the acquisition cost or the fair market value of the land at the time of the sale, whichever is greater, based upon the percent of participation by the State in the original purchase. The proceeds from the sale of airport land which has had State participation shall be reserved and expended on items of work which would be normally eligible for State participation. Toward this end, the Municipality shall include a provision in each instrument

recorded for every interest in land acquired or for which reimbursement is made under this Agreement which reads as follows:

The property interest of the Municipality in this real estate cannot be transferred without the written approval of the Illinois Department of Transportation, Division of Aeronautics. Further, in the event any such interest is no longer used for an approved airport purpose without the written approval of the Department, that interest shall revert to a public airport entity appointed by the Department.

15. The Municipality covenants to zone (within its powers to do so) the Airport and its environs for compatible land uses. The Municipality shall adopt airport hazard zoning regulations or shall request the Department to adopt airport hazard zoning under Section 17 of the Airport Zoning Act, (620 ILCS 25/17).

16. Land acquired or for which reimbursement is made under this Agreement which is farmed shall conform to the Department's guidelines for the development of a farming plan and shall comply with the erosion sediment control program and standards as developed by the Illinois Department of Agriculture or pertinent standards promulgated by a soil and water conservation district pursuant to Sections 36 and 38 of the Illinois Soil and Water Conservation District Act (70 ILCS 405/36 & 38).

17. The Municipality hereby certifies to the Department that it will have acquired, in its name prior to construction, clear title in fee simple to all real estate upon which construction work is to be performed and a sufficient interest (by easement or otherwise) in any other real estate which may be affected by the construction process.

18. All commitments by the Municipality hereunder are subject to constitutional and statutory limitations and restrictions binding upon it.

MISCELLANEOUS PROVISIONS

19. This agreement is entered into pursuant to the Illinois Aeronautics Act ("Act") and shall be subject to and construed in accordance with said statutes. In the event of a conflict between State and federal law, rule, regulation, etc., the federal provision shall control on federally-aided projects.

20. Any grant under this Agreement shall be valid for the useful life of the Project or for twenty (20) years, whichever is longer.

21. The Municipality and the Department agree that this document constitutes the Grant Agreement required by the "Illinois Grant Funds Recovery Act" (30 ILCS 705). The parties also agree to amend this Agreement if necessary to comply with said statute.

22. Obligations of the State will cease immediately without penalty or further payment being required in any fiscal year the Illinois General Assembly fails to appropriate or otherwise make available sufficient funds for this Agreement

23. This Agreement constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to the Project and shall not be modified, amended, rescinded, or revoked unless both parties agree to such modification, amendment, rescission, or revocation in writing.

24. This Agreement is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.

25. The Municipality shall comply with all of the attached assurances, federal regulations, and laws, as shall apply to the Project, which are hereby incorporated into this Agreement by reference.

26. Notices, reports, or other communications required by or transmitted pursuant to this Agreement to the Department shall be directed to the attention of:

Director Susan R. Shea
Division of Aeronautics
Department of Transportation
One Langhorne Bond Drive, Capital Airport
Springfield, Illinois 62707-8415

Notices, reports, or other communications required by or transmitted pursuant to this Agreement to the Municipality shall be directed to the attention of:

Mayor Frank Mackaman
City Hall
111 South Capitol St.
Pekin, IL 61554

SPECIAL CONDITIONS

27. The Municipality shall maintain, for a minimum of 5 years after the completion of the contract, adequate books, records, and supporting documents to verify the amounts, receipts, and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records, and supporting documents related to the contract shall be available for review and audit by the Auditor General or the Illinois Department of Transportation; and the Municipality agrees to cooperate fully with any audit conducted by the Auditor General or the Illinois Department of Transportation and to provide full access to all relevant materials. Failure to maintain the books, records, and supporting documents required by this section shall establish

a presumption in favor of the State for recovery of any funds paid by the State under the contract for which adequate books, records, and supporting documentation are not available to support their purported disbursement."

28. The Municipality shall comply with Debarment provisions as contained in 49 Code of Federal Regulations, Part 29, including Appendices A and B as amended. The Municipality certifies that to the best of its knowledge and belief, the Municipality and the Municipality's principals:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;
- b. within a three-year period preceding this Agreement have not been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction, violation of federal or state anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
- c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in subsection (b), above;
- d. have not within a three-year period preceding this Agreement had one or more public transactions (federal, state or local) terminated for cause or default.

The inability of a prospective the Municipality to certify to the certification in this section will not necessarily result in denial of participation in this Agreement. The prospective Municipality shall submit an explanation of why it cannot provide the certification in this section. This certification is a material representation of fact upon which reliance was placed when the Department determined whether to enter into this transaction. If it is later determined that the Municipality knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Department may terminate this Agreement for cause. The Municipality shall provide immediate written notice to the Department if at any time the Municipality learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this Part shall have the meaning set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549.

The Municipality agrees that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized, in writing, by

the Department. The Municipality agrees that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the Department, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. The Municipality may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless the Municipality knows the certification is erroneous. The Municipality may decide the method and frequency by which it determines the eligibility of its principals. Each Municipality may, but is not required to, check the Non-procurement List. If a Municipality knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation, in addition to other remedies available to the federal government, the Department may terminate this Agreement for cause or default.

Nothing contained in this section shall be construed to require establishment of a system of records in order to render in good faith the certification required by this section. The knowledge and information of a Municipality is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

29. The Municipality certifies that its' Legal Status and Employee Identification Number are as completed below:

F.E.I.N. Number _____

Legal Status (check one)

_____ Individual

_____ Governmental

_____ Sole Proprietorship

_____ Nonresident Alien

_____ Partnership/Legal Corporation

_____ Estate or Trust

_____ Tax-Exempt

_____ Pharmacy (non-corporate)

_____ Corporation providing or billing
Medical and /or health care services

_____ Pharmacy/Funeral Home/Cemetery
(Corp.)

_____ Corporation NOT providing or
Billing medical and /or health care
Services

_____ Other

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and their respective seals affixed as of the dates respectively hereafter set forth.

City of Pekin
a Municipal Corporation

Attest:

By: _____
City Clerk

By: _____
Mayor

Date: _____

Date: _____

(SEAL)

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS

By: _____
Susan Renee' Shea, Director of Aeronautics

(SEAL)

Date: _____

State Num: C15-3670-0000

Program Year: 2007

Project Status Report

Exhibit 1

As of 22 Feb 2007 16:37

Page 1

Federal Num:

Airport: PEKIN MUNICIPAL

Fed Status: Pending

State Status: Pending

Description: Airport Layout Plan & Exhibit A

Line Item Status

Num	Description	Total	Federal	State	Local	Pd to Date	Balance
1	EXHIBIT A - CM&T	9,900.00	0.00	4,950.00	4,950.00	0.00	9,900.00
2	Planning, Airport Layout Plan - CM&T	72,300.00	0.00	36,150.00	36,150.00	0.00	72,300.00
3	Inter-fund transfer OUT					0.00	
4	Inter-fund transfer IN					0.00	

TOTAL ELIGIBLE COSTS 82,200.00 0.00 41,100.00 41,100.00 0.00 82,200.00

Reserves (a)/shortfalls (c) 0.00 0.00 0.00 0.00 0.00 0.00

TOTAL APPROVED FUNDING 82,200.00 0.00 41,100.00 41,100.00 0.00 82,200.00

Funding Summary

Amend Num	Description	Total	Federal	State	Local
	Agency agreement	82,200.00	0.00	41,100.00	41,100.00
	TOTAL APPROVED FUNDING	82,200.00	0.00	41,100.00	41,100.00
	Program budget (for information only)	82,200.00	0.00	41,100.00	41,100.00



REQUEST FOR COUNCIL ACTION

To: Council Members

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

From: Joe Wuellner

AGENDA ITEM: Permanent Drainage Easement – District 108

AGENDA DATE REQUESTED: March 12, 2007

ACTION REQUESTED: Approval of a permanent drainage easement with District 108 to install storm drain through property located behind Willow School.

BACKGROUND: The design of the Parkway Storm Drain requires a permanent drainage easement through property own by District 108. Drawings were sent to them and reviewed and approved by the School Board.

FINANCIAL IMPACT: None.

NEIGHBORHOOD CONCERNS: Will alleviate flooding issues once the line is installed and this easement is a major piece to that occurring.

IMPACT IF APPROVED: Project will proceed.

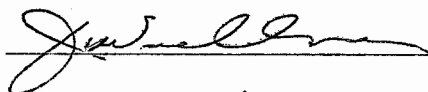
IMPACT IF DENIED: Project will either be dropped or a new location to run the stormwater and re-design the entire project.

ALTERNATIVES: Find new location for stormwater discharge or do not do the project.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation – Improving the infrastructure.

REQUIRED SIGNATURES

Department Director



2/22/07

Date

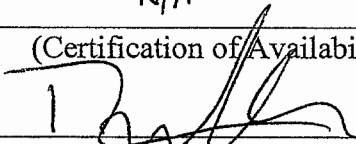
Finance Department

N/A

(Certification of Availability of Funds)

Date

Corporation Counsel



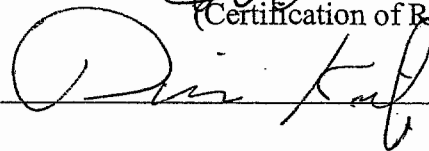
2-28-07

Date

(Certification of Review)

Exhibits not
finalized

City Manager



3/8/07

Date

PERPETUAL DRAINAGE EASEMENT

THIS INDENTURE WITNESSETH, that the undersigned, BOARD OF EDUCATION OF PEKIN PUBLIC SCHOOLS, DISTRICT NO. 108 (Grantor), for and in consideration of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, and the benefits resulting from the maintenance of said drainage system, herein referred to, does by these presents, hereby grant, bargain, sell, convey and dedicate to the CITY OF PEKIN, an Illinois Municipal Corporation, and to its successors and assigns, for the purpose of a perpetual drainage easement, a tract of land situated in the City of Pekin, Tazewell County, Illinois. Said Perpetual Drainage Easement shall be over, under and across the following described property:

SEE ATTACHED EXHIBIT A INCORPORATED HEREIN BY THIS REFERENCE.

Part of Tax ID No.:04-04-36-113-001

Said Drainage Easement includes, the right to install, operate and maintain storm sewer lines in said easement; together with the right to install, operate and maintain storm sewer lines, culverts and drainage ditches and other services and appurtenances thereto.

Said Drainage Easement shall be subject to modification, upon the written request of the Grantor to the CITY OF PEKIN, to accommodate any expansion and/or construction projects contemplated now or hereafter, by the Grantor or its successors and assigns. Upon receipt of any request for such modification, the CITY OF PEKIN shall, at its sole expense, relocate any and all sewer and drainage lines, equipment and appurtenances located on the Drainage Easement described herein and relocate such equipment pursuant to said modified Drainage Easement. Grantor shall further grant to the CITY OF PEKIN any such Temporary Construction Easements as may be reasonably necessary to relocate drain and storm sewer lines and equipment.

This grant includes the rights of ingress and egress to and from the above described tract of land for the uses and purposes set forth herein.

To these covenants and agreements, the undersigned hereby binds the Grantor , and its successors and assigns forever.

The Grantor hereby releases and waives all rights under and by virtue of the Homestead Exemption Laws of this State.

IN WITNESS WHEREOF, the Grantor has affixed his hand and seal this _____ day of

_____, 2007.

BOARD OF EDUCATION OF PEKIN PUBLIC
SCHOOLS DISTRICT NO. 108

By: _____

Its: President

By: _____

Its: Secretary

STATE OF ILLINOIS)

COUNTY OF TAZEWELL) S.S.

I, the undersigned, a Notary Public in and for said County and State aforesaid, Do Hereby Certify That Richard Root and Peggy Eldredge personally known to me to be the President and Secretary, respectively, of the BOARD OF EDUCATION OF PEKIN PUBLIC SCHOOLS DISTRICT NO. 108 and to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument in such capacities, as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this _____ day of _____, 2007.

Notary Public

ACKNOWLEDGEMENT AND ACCEPTANCE

The City of Pekin hereby accepts the foregoing perpetual drainage easement and agrees to be bound by the conditions therein set forth including, without limitation, the obligation to relocate the drainage easement at the request of the Grantor in order to accommodate any expansion and/or construction projects contemplated now or hereafter by the Grantor or its successors and assigns.

DATED this ___ day of _____, 2007.

CITY OF PEKIN

By: _____

Its Mayor

ATTEST:

By: _____

Its City Clerk

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) S.S.

I, the undersigned, a Notary Public in and for said County and State aforesaid, Do Hereby Certify That _____ and _____ personally known to me to be the Mayor and City Clerk, respectively, of the City of Pekin and to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument in such capacities, as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this ____ day of _____, 2007.

Notary Public

This Instrument Prepared By:

Thomas R. Cullen
Elliff, Keyser, Oberle & Dancey, P.C.
109 S. Fourth Street
Pekin, IL 61555-0873

TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE WITNESSETH, that the undersigned, BOARD OF EDUCATION OF PEKIN PUBLIC SCHOOLS, DISTRICT 108 (Grantor), for and in consideration of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, and the benefits resulting from the maintenance of said drainage system, herein referred to, does by these presents, hereby grant, bargain, sell, convey and dedicate to the CITY OF PEKIN, an Illinois Municipal Corporation, and to its successors and assigns, for the purpose of a temporary construction easement, a tract of land situated in the City of Pekin, Tazewell County, Illinois. Said Temporary Construction Easement shall be over, under and across the following described property:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY
THIS REFERENCE.

Part of Tax ID No.: 04-04-36-113-001

Said Temporary Construction Easement includes without limitation, the right to install sewer lines excavate and store materials within in said easement; together with the right to install culverts and drainage ditches and other services and appurtenances thereto engage in other activities incidental to the construction of drainage facilities within an adjoining permanent easement. Upon completion of such activities, Grantee shall return the surface of the temporary easement area to substantially the condition as existed prior to the commencement of such activities.

This grant includes the rights of ingress and egress to and from the above described tract of land for the uses and purposes set forth herein.

To these covenants and agreements, the undersigned hereby binds the Grantor and its successors and assigns forever. This temporary easement shall automatically expire upon completion of drainage facilities within an adjoining permanent easement.

The Grantor hereby releases and waives all rights under and by virtue of the Homestead Exemption Laws of this State.

IN WITNESS WHEREOF, the Grantor has affixed its hand and seal this ____ day of _____, 2007.

BOARD OF EDUCATION OF PEKIN PUBLIC
SCHOOLS DISTRICT NO. 108

By: _____
Its: President

By: _____
Its: Secretary

STATE OF ILLINOIS)
) S.S.
COUNTY OF TAZEWELL)

I, the undersigned, a Notary Public in and for said County and State aforesaid, Do Hereby Certify That Richard Root and Peggy Eldredge personally known to me to be the President and Secretary, respectively, of the BOARD OF EDUCATION OF PEKIN PUBLIC SCHOOLS, DISTRICT NO. 108, and to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this _____ day of _____, 2007.

Notary Public

This Instrument Prepared By:

Thomas R. Cullen
Elliff, Keyser, Oberle & Dancey, P.C.
109 S. Fourth Street
Pekin, IL 61555-0873

PART OF P.I.N. 04-04-36-113-001



REGIONAL BOARD SCHOOL TRUSTEES OF
FAZEWELL COUNTY, ILLINOIS
SCHOOL DISTRICT NO. 198

EXHIBIT "A"

STS CONSULTANTS
111 NE Jefferson Ave.
Peoria, Illinois 61602
Ph 309/676-8404
FAX 309/676-5445
IL Design Firm Reg.
No. 184-001518
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MAKE THE SAME TITLE CHANGE
HERE AS ON THE DRAWING.

Exhibit B

Drainage Easement Description

~~Regional Board School Trustees of Tazewell County, Illinois (School District No. 108)~~
Part of Tax I.D. # 04-04-36-113-001

A tract of land being 20 feet of even width and being a part of Lot D of East Willow Addition, a subdivision to the City of Pekin, Illinois (as recorded in Plat Book P, Page 291 at the Tazewell County Recorders Office) and further being a part of the Northwest Quarter of Section 36, Township-25-North, Range-5-West of the Third Principal Meridian, Tazewell County, Illinois and being more particularly described as follows:

Commencing at the northeast corner of said Lot D; thence North 89 degrees 59 minutes 22 seconds West, (bearings are assumed for purpose of description only) along the north line of said Lot D, a distance of 292.27 feet to the northwest corner of Tract D1 as recorded in book 3700, Page 212 at the Tazewell County Recorders Office as Document No. 846869; thence South 09 degrees 14 minutes 02 seconds East, along the west line of said Tract D1, a distance of 54.46 feet to the Point of Beginning; thence continuing South 09 degrees 14 minutes 02 seconds East, along said west line, a distance of 36.39 feet; thence South 24 degrees 06 minutes 37 seconds West, a distance of 166.69 feet; thence South 35 degrees 06 minutes 22 seconds West, a distance of 325.46 feet to the south line of said Lot D; thence South 89 degrees 54 minutes 17 seconds West, along said south line, a distance of 24.48 feet; thence North 35 degrees 06 minutes 22 seconds East, a distance of 337.65 feet; thence North 24 degrees 06 minutes 37 seconds East, a distance of 195.17 feet to the Point of Beginning.

~~Said Lot D further being subject to a temporary construction easement being 20 feet of even width that is west of and parallel to the westerly line of the above described drainage easement and as shown on the plat hereto attached. This temporary easement shall no longer be in effect after the construction of the storm sewer that is a part of this drainage project.~~

L:\200607098\DOC\District 108 Drainage Easement Description.doc

"The permanent easement being" a tract even width "with a temporary easement being 20 feet of even width that is west of and parallel to the westerly line of said permanent easement" and being a part.....

Karen/Skip - see if you can make this flow and make sense.



REQUEST FOR COUNCIL ACTION

To: Council Members

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

From: Joe Wuellner

AGENDA ITEM: Right of Way Agreement with Herget Bank

AGENDA DATE REQUESTED: March 12, 2007

ACTION REQUESTED: Approval of the agreement with Herget Bank for right of way acquisition at their office at Broadway and Parkway.

BACKGROUND: The design of the Parkway – Broadway Intersection requires purchasing additional right of way from the Herget Bank. There were a few items that had to be addressed in addition to the right of way that are covered in this agreement. Two sources of funding have been received for this project.

FINANCIAL IMPACT: \$38,000

NEIGHBORHOOD CONCERNS: Project designed to improve traffic flow through this intersection thereby reducing the number of accidents.

IMPACT IF APPROVED: Project will proceed.

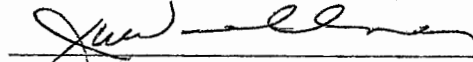
IMPACT IF DENIED: Project will have to be abandoned since there are no options for redesign.

ALTERNATIVES: None.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation – Improving the infrastructure. Safe Community – Improving traffic safety at this location.

REQUIRED SIGNATURES

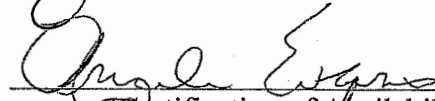
Department Director



2/27/07

Date

Finance Department

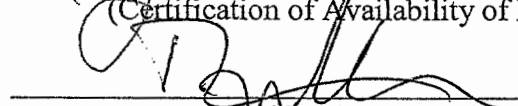


2-27-07

Date

(Certification of Availability of Funds)

Corporation Counsel



2-28-07

Date

(Certification of Review)

City Manager



Date



REQUEST FOR COUNCIL ACTION

To: Council Members

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

From: Joe Wuellner

AGENDA ITEM: Purchase Right of Way, Broadway – Parkway Project: Park District Property

AGENDA DATE REQUESTED: March 12, 2007

ACTION REQUESTED: Approve purchase of property from the Pekin Park District for the Broadway-Parkway Project.

BACKGROUND: The Broadway-Parkway Project requires additional right of way in order to reconfigure the intersection. This project is designed to promote smoother traffic flow which should improve the safety.

FINANCIAL IMPACT: \$5,200 *not budgeted*

NEIGHBORHOOD CONCERNS: This acquisition has no detrimental effects on the neighborhood.

IMPACT IF APPROVED: Allows project to move forward.

IMPACT IF DENIED: Project will more than likely be cancelled.

ALTERNATIVES: There are no alternatives for this location.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation – improves traffic flow through a heavily traveled intersection; Safe Community – should lower the accident rate at this location which is the second highest in the City.

REQUIRED SIGNATURES

Department Director

Joseph Whalen 2/22/07
Date

Finance Department

Angela Evans
(Certification of Availability of Funds) Date

Corporation Counsel

Title work reviewed RLH 3-1-07
(Certification of Review) Date

City Manager

Date



REQUEST FOR COUNCIL ACTION

To: Council Members

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

From: Joe Wuellner

AGENDA ITEM: Purchase Right of Way, Broadway – Parkway Project: Bush Property

AGENDA DATE REQUESTED: March 12, 2007

ACTION REQUESTED: Approve purchase of property from Larry Bush for the Broadway-Parkway Project.

BACKGROUND: The Broadway-Parkway Project requires additional right of way in order to reconfigure the intersection. This project is designed to promote smoother traffic flow which should improve the safety.

FINANCIAL IMPACT: \$4,250 *not budgeted*

NEIGHBORHOOD CONCERNS: This acquisition has no detrimental effects on the neighborhood.

IMPACT IF APPROVED: Allows project to move forward.

IMPACT IF DENIED: Project will more than likely be cancelled.

ALTERNATIVES: There are no alternatives for this location.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation – improves traffic flow through a heavily traveled intersection; Safe Community – should lower the accident rate at this location which is the second highest in the City.

REQUIRED SIGNATURES

Department Director

Joseph Whalen 2/27/07
Date

Finance Department

Angela Evans 2-27-07
(Certification of Availability of Funds) Date

Corporation Counsel

Title work reviewed Bull 3-1-07
(Certification of Review) Date

City Manager

Date



REQUEST FOR COUNCIL ACTION

To: Council Members

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

From: Joe Wuellner

AGENDA ITEM: Right of Way Agreement with Broadway Liquor (Ron Maquet)

AGENDA DATE REQUESTED: March 12, 2007

ACTION REQUESTED: Approval of the agreement with Broadway Liquor owner Ron Maquet for right of way acquisition at his store on Broadway.

BACKGROUND: The design of the Parkway – Broadway Intersection requires purchasing additional right of way from the Broadway Liquor. Two sources of funding have been received for this project.

FINANCIAL IMPACT: \$1,220 *not budgeted*

NEIGHBORHOOD CONCERNS: Project designed to improve traffic flow through this intersection thereby reducing the number of accidents.

IMPACT IF APPROVED: Project will proceed.

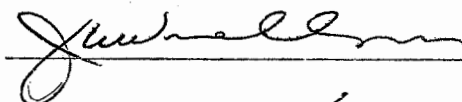
IMPACT IF DENIED: Project will have to be abandoned since there are no options for redesign.

ALTERNATIVES: None.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation – Improving the infrastructure. Safe Community – Improving traffic safety at this location.

REQUIRED SIGNATURES

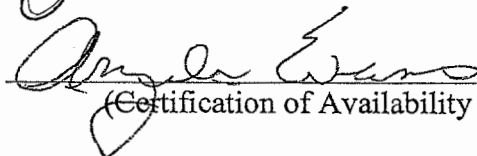
Department Director



3/2/07

Date

Finance Department



(Certification of Availability of Funds)

3-2-07

Date

Corporation Counsel

(Certification of Review)

Date

City Manager

Date



REQUEST FOR COUNCIL ACTION

To: Council Members

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

From: Joe Wuellner

AGENDA ITEM: Purchase Right of Way, Broadway – Parkway Project *Davis*

AGENDA DATE REQUESTED: March 12, 2007

ACTION REQUESTED: Approve purchase of property from Paula Davis for the Broadway-Parkway Project.

BACKGROUND: The Broadway-Parkway Project requires additional right of way in order to reconfigure the intersection. This project is designed to promote smoother traffic flow which should improve the safety.

FINANCIAL IMPACT:

\$450

not budgeted

NEIGHBORHOOD CONCERNS: This acquisition has no detrimental effects on the neighborhood.

IMPACT IF APPROVED: Allows project to move forward.

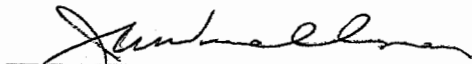
IMPACT IF DENIED: Project will more than likely be cancelled.

ALTERNATIVES: There are no alternatives for this location.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: Strong Foundation – improves traffic flow through a heavily traveled intersection; Safe Community – should lower the accident rate at this location which is the second highest in the City.

REQUIRED SIGNATURES

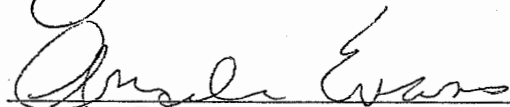
Department Director



3/2/07

Date

Finance Department



3-2-07

(Certification of Availability of Funds)

Date

Corporation Counsel

(Certification of Review)

Date

City Manager

Date