



REGULAR COUNCIL MEETING MONDAY, FEBRUARY 27, 2012
5:30 P.M.

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE <i>Mayor Laurie L. Barra</i>		
3.0 ROLL CALL <i>Clerk to Call the Roll</i>		
4.0 APPROVAL OF AGENDA <i>ACTION: Motion to approve the meeting agenda.</i> VOTE REQUIRED		
5.0 APPROVAL OF MINUTES <i>ACTION: Motion to approve minutes of the Regular Council Meeting of February 13, 2012.</i> VOTE REQUIRED		
6.0 PUBLIC INPUT ON AGENDA ITEMS <i>Speakers to state name, address, and spell last name. Speakers will be given 5 minutes to address the Council. Questions unrelated to agenda items are accepted during "Public Questions" near the end of the meeting.</i>		
7.0 CONSENT AGENDA		
7.1 Receive and File January Monthly Reports and Minutes: Police Department		5
7.2 Receive and File Traffic Safety Committee Report on Council's direction for narrow streets over night parking.		5
7.3 Proclamation: "Young Authors Week" March 15, 2012 – March		5
7.4 Receive and File Bids Sludge Removal Project Wastewater Treatment Plant		3
7.5 Resolution No. 30-11/12 – Approving Specific Use of Bow Within the City of Pekin Tazewell County 4-H Program		2
<i>ACTION: Motion to approve all items listed on the Consent Agenda by Omnibus Vote.</i> VOTE REQUIRED TO APPROVE CONSENT AGENDA		

8.0 COMMUNICATIONS, PETITIONS, REPORTS		
8.1 Year End / Quarterly Finance Report	JSW	5
9.0 NEW BUSINESS		
9.1 Ordinance No. 2654-1 1/12 – Amending Title 6, Chapter 3 of the Code of the City of Pekin Regarding Animals DESCRIPTION: Amends the Code regarding vicious dog and dangerous dog to comply with the State Animal Control Act 510 ILCS 5/1 et al. ACTION: Motion to adopt the ordinance. VOTE REQUIRED	SB	5
9.2 Sludge Removal Contract DESCRIPTION: Bids were received for the sludge removal at the Wastewater Treatment Plant. ACTION: Motion to approve the bids for the Sludge Removal Project and award the contract to Synagro Central, LLC in the amount of \$392,890.00. VOTE REQUIRED	MG	3
9.3 Ordinance No. 2655-11/12 – Authorize Loan Agreement DESCRIPTION: Authorizes the City to borrow funds from the Water Pollution Control Loan Program fund as part of the Illinois Environmental Protection Agency (IEPA) requirements of the low interest loan terms and conditions. The ordinance is rewritten to reflect total dollar amount originally authorized 7-11-11 by Ordinance No. 2641-11/12. ACTION: Motion to adopt the ordinance. VOTE REQUIRED	JW	3
10.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL 10.1 Council Members 10.2 Staff 10.3 Five Minute Public Questions 10.4 Press Time		
11.0 EXECUTIVE SESSION 65 ILCS 120/2 (c)		
12.0 ADJOURN NO VOTE REQUIRED		

Column 1 Key:

DG	Assistant City Manager Darin Girdler	MG	City Engineer Mike Guerra
JW	City Manager Joseph Wuellner	SB	Attorney Sue Bosich
JSW	Treasurer James Wolf		

Column 2 Key:

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

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, FEBRUARY 13, 2012 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA, MAYOR PRESIDING**

**PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, SCHMIDGALL, MASSAGLIA,
HENDRICKS, MCCABE, AND BARRA**

ABSENT: NONE

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

Roll was called and all Council Members were physically present. A quorum was present.

AGENDA

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

MINUTES

Motion by Council Member Hendricks, seconded by Council Member Abel, that the **minutes of the Regular City Council Meeting of January 23, 2012, be approved as written**. On roll call vote, all present voted Aye.

CONSENT AGENDA

Motion by Council Member Hendricks, seconded by Council Member McCabe, that the **CONSENT AGENDA be approved as presented**. The following were presented for consideration of the Consent Agenda items by Omnibus Vote.

7.1 Receive and File December Monthly Reports and Minutes: Building Department January Reports, Liquor Commission Minutes dated January 26, 2012 and Traffic Safety Committee Minutes dated February 3, 2012.		5
7.2 Resolution No. 27-11/12 (duplicate) – Reappointment of Robert Small to the Pekin Housing Authority for a five year term until January 14, 2017.		5
7.3 Receive and File Bids Wastewater Treatment Plant Improvement - Phase 2B. Opened January 17, 2012.		3
7.4 Resolution No. 28-11/12 – Regarding Minutes of Executive Session Meetings for the City Council of the City of Pekin.		5

On roll call vote all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

City Manager Joseph Wuellner recognized the **RETIREMENT OF GARY HALLER**. He congratulated his service since 1987 to the City as an employee of the Street Department in the early years and as operator at the Wastewater Treatment Plant for the last 18 years. Mr. Haller was presented a watch for his dedication.

Mayor Barra opened a **PUBLIC HEARING** at 5:35 p.m. for the purpose of considering and hearing testimony as to the adoption of ordinances authorizing the execution of annexation agreements and ordinances providing for the annexation of approximately 271.218 acres commonly known as the Adwell and the Irwin farm properties. No comments were received. Mayor Barra closed the meeting at 5:36 p.m.

NEW BUSINESS

Mayor Barra asked that the Assistant City Manager Darin Girdler speak to the following 4 business items in as much as they were related in furthering economic development opportunities and providing business expansion to the Riverway Business Park. Council was informed that petitions were received from owners of tracts of real estate, agreements entered into, and zoning assigned which would allow for proceeding with the establishment of a Tax Increment Financing Redevelopment Plan Project for the South Industrial Park Conservation Area. Council Member Schmidgall questioned and was told the farms would be allowed to continue until development occurred.

ORDINANCE NO. 2652-11/12

PROVIDING FOR THE EXECUTION OF AN ANNEXATION AGREEMENT AND ACCEPTANCE OF A PETITION FOR ANNEXATION

PIN # 10-10-11-300-011 AND PIN # 10-10-14-100-002

Motion by Council Member Blanchard, seconded by Council Member Massaglia that Ordinance No. 2652-11/12 be adopted. The ordinance provided for the acceptance of the petition received from L. Dianne Barnett, Secretary of The Adwell Corporation and an agreement entered into with the property owner of the farm land in the area of VFW Road to annex 117.3 acres into the City. On roll call vote all present voted Aye.

ORDINANCE NO. 2653-11/12

PROVIDING FOR THE EXECUTION OF AN ANNEXATION AGREEMENT AND ACCEPTANCE OF A PETITION FOR ANNEXATION

PIN # 10-10-15-200-005 AND PIN # 10-10-15-200-007

Motion by Council Member Blanchard, seconded by Council Member Massaglia that Ordinance No. 2653-11/12 be adopted. The ordinance provided for the acceptance of the petition received from Norman Irwin, not personally, but as Trustee Under the Provisions of a Trust Agreement Incorporated in the Last Will and Testament of Albert F. Smith, dated February 6, 2003, and an agreement entered into with the property owner of the farm land in the area of VFW Road to annex 153.88 +/- into the City. On roll call vote all present voted Aye.

ORDINANCE NO. 1568-A187-11/12

PROVIDING FOR REZONING OF CERTAIN PROPERTY

PIN # 10-10-11-300-011 AND PIN # 10-10-14-100-002

Motion by Council Member Blanchard, seconded by Council Member Massaglia that Ordinance No. 1568-A187 be adopted. Petitioner request within The Adwell Corporation annexation agreement to rezone parcels from their current zoning of AG (Agricultural) District to PUD (Panned Unit Development) District. On roll call vote, all present voted Aye.

ORDINANCE NO. 1568-A188-11/12

PROVIDING FOR REZONING OF CERTAIN PROPERTY

PIN # 10-10-15-200-005 AND PIN # 10-10-15-200-007

Motion be Council Member McCabe, seconded by Council Member Abel that Ordinance No. 1568-A188 be adopted. Petitioner request within the Norman Irwin annexation agreement to rezone parcels from their current zoning of AG (Agricultural) to I-1 (Industrial) District. On roll call vote, all present voted Aye.

Motion by Council Member Schmidgall, seconded by Council Member Massaglia that bids for the **WASTEWATER TREATMENT PLANT (STP #1) IMPROVEMENTS PHASE 2B** be approved and the contract awarded to Williams Brothers Construction, Inc. in the amount of \$14,850,000.00. City Engineer Mike Guerra provided the Council with information in considering the award of the bids opened on January 17, 2012 at 2:00 p.m. Construction of the plant was broken up into two parts to receive multiple IEPA low interest loans. Farnsworth Group reviewed the two bids from regional general contractors and recommended the lowest qualified bidder with a base lump sum that compared favorably with the estimate of \$16,894,000. Concerns regarding the \$2 million difference in the two bidders were addressed. Phase 1 contractor, Williams Brothers was on site and would realize savings in not having to mobilize. A 10% contingency was included in the bid. On roll call vote, all present voted Aye.

Motion by Council Member Schmidgall, seconded by Council Member Massaglia that the **AGREEMENT WITH ILLINOIS DEPARTMENT OF TRANSPORTATION** for battery backup of traffic signals at IL 29 and Manito Blacktop in the amount of \$812.00 for the City's participation share, be approved. City Engineer Mike Guerra advised Council on the agreement and the MFT resolution. Following discussion of the request documentation for cost proration for the improvement after the scheduled bid of March 9, 2012, it was agreed the 10% share was \$1,015.00. On roll call vote, all present voted Aye.

RESOLUTION NO 29-11/12

Motion by Council Member Schmidgall, seconded by Council Member Blanchard that Resolution No. 27-11/12 be adopted appropriating Motor Fuel Tax Funds in the amount of \$1,015.00 for the City's share of the agreement with Illinois Department of Transportation for battery backup of traffic signals at IL 29 and Manito Blacktop. On roll call vote, Ayes, Abel, Schmidgall, McCabe, Hendricks, Blanchard, Barra; Nay, Massaglia. Motion Carried.

Motion by Council Member Abel, seconded by Council Member Hendricks that the City be authorized to enter into a **5 YEAR SCHOOL BUS LEASE AGREEMENT** with Midwest Transit in the amount of \$629,631.00 per year. Ty Whitford presented to Council the proposal to lease the aging fleet verses purchasing buses. A comparison of submitted proposals from Midwest Transit for Internationals and from Central States for Blue Bird vehicles was distributed. He noted the lease option saved a significant greater cost of purchase of buses. Lease was solely supported by the school district contracts and would bring the average age of the fleet into specified maintenance by contract. He also informed the Council of the beneficial improvements such as measurable maintenance costs, air conditioning, lifts, engines that would reduce idling for warm-up, camera system, and a joint purchase with the districts of GPS software. An estimated 50 of the old busses would be used as a trade off to Midwest. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Schmidgall that the Tourism expenditure for the **MARCH MADNESS EXPERIENCE SPONSORSHIP** be approved in the amount of \$5,000.00. Community Development Coordinator Leigh Ann Matthews spoke to the request to contribute financially for the IHSA Boys' Basketball Tournament March 8-10 & March 15-17, 2012 hosted in Peoria. Council generally spoke in support of the tourism dollars available and their uses. Council Members McCabe and Blanchard questioned the regional aspects of the use of the money if hard data received from additional traffic was not available from local businesses especially the hotels, motels and restaurants. On roll call vote, Ayes, Abel, Schmidgall, Hendricks, Massaglia, Barra; Nays, Blanchard and McCabe. Motion carried.

Motion by Council Member Massaglia, seconded by Council Member Blanchard that the **AGREEMENT WITH TODAY IN AMERICA** be approved in the amount of \$19,800.00 from the Tourism Fund. City Manager Joseph Wuellner informed the Council Members that the City had been approached by a nationally syndicated show to do a spot on the attributes of the City. The 5 minute spot would air numerous times on many networks and final product become ownership of the City. The professionally produce clip could be used to promote Pekin to potential developers, professional business people, visitors. Council spoke in support of the well spent tourism dollars. Council Member Blanchard asked that the staff encourage portrayal of the Riverway Business Park attributes. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member Blanchard requested a progress report be given at a Council meeting on the City's \$600,000.00 investment into the restoration and development of the 200 Block of Court Street.

Mr. Wuellner clarified that the contingency amount in the Phase 2B bid was lowered to 3% because there were less unknowns compared to Phase 1 excavating preparations.

Melida Heien, Pekin Main Street Executive Director, informed the Council and the public of the organization's last chance effort to save the oldest building at the Pekin Community High School West Campus scheduled for demolition. She had applied to the Landmarks Illinois geared toward preserving historic buildings. She announced that Pekin Main Street would host an informational and focus meeting for people that wish to save West Campus at 7:00 p.m. on Wednesday, February 15, 2012 in the City Hall Council Chambers.

Dale Kuntz, 5 Fox Point, distributed photos to the Council in his efforts to indicate areas on Court Street that needed to be spruced up. He encouraged the owners of property and the City replace rust with paint, replace crumbling curbs, extend sidewalks to Wal-Mart, plant trees and flowers. Mayor Barra objected to Mr. Kuntz's negative depiction of City employees and reiterated that Court Street is a highway that will be addressed by the State in about 2 years.

EXECUTIVE SESSION

Motion by Council Member Massaglia, seconded by Council Member Blanchard, that the Council move to Executive Session at 6:40 P.M. to discuss 5 ILCS 120/2 (c) (1) Personnel – the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public. On roll call vote all present voted Aye.

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

COUNCIL ADJOURNED AT 7:05 P.M.

Sue E. McMillan
City Clerk

**PEKIN POLICE DEPARTMENT
END OF MONTH REPORT FOR JANUARY 2012**

	JANUARY 2011	DECEMBER 2011	JANUARY 2012
TRAFFIC TICKETS	294	229	305
WARNING TICKETS	207	133	134
OFFENSES	434	349	413
ARRESTS	196	195	232
PARKING TICKETS	190	139	203
STOPS	767	949	1077

CITY ORDINANCE TICKETS FOR JANUARY 2012

NUMBER OF TICKETS WRITTEN 82
NUMBER OF TICKETS PAID OVER THE COUNTER 44
FINES COLLECTED OVER THE COUNTER \$10,075



CITY OF PEKIN
POLICE DEPARTMENT



February 3, 2012

To: Mayor and Council Members
From: Chief Greg Nelson
Subject: Traffic Safety Direction

At this morning's Traffic Safety Committee Meeting, we discussed three issues that have arisen. Some of these issues have arisen repeatedly in the form of citizen inquiries to City Staff, the Traffic Safety Committee, and to you as Council Members. Because we recognize the political nature of these issues, we request direction from Council before investing a significant amount of time and resources in developing proposals to you. If the majority of you wish the Traffic Safety Committee to research and develop proposals on the following issues, we will begin working on them. Please contact any of us on the Traffic Safety Committee and let us know your thoughts on these issues:

Overnight Parking:

Since the parking light ordinance was repealed, many of our streets have become congested with parked cars. This has made street maintenance, snow removal, street sweeping, emergency responses and even everyday traffic flow more challenging. We continue to get requests from citizens to alleviate this. Some communities have restrictions on overnight on-street parking in all or parts of their community (as an example, vehicles cannot be parked on the street more than 48 hours). *Is the Council interested in restricting on-street parking?*

Narrow Street Parking:

Pekin has many narrow streets. Where parking is not restricted, traffic flow is congested and large vehicles (school buses, garbage trucks, fire apparatus) have a difficult time reaching their destination. The Council has already restricted parking on a number of these streets on a case-by-case basis, but the sides restricted are not consistent, and there are more narrow streets that are having issues. *Is the Council interested in implementing a general restriction (e.g. if a street is under 24' wide, there shall be no parking on either side. If a street is under 36' wide, there shall be no parking on the North or West sides. The actual street widths and sides to be restricted would need to be researched)?*

Greg Nelson, Chief of Police
111 S. Capitol Street, Pekin, Illinois 61554 * Phone (309) 477-2336 * Fax (309) 346-5328



CITY OF PEKIN
POLICE DEPARTMENT



Bicycle Routes:

There has been some interest in providing designated bicycle routes and/or lanes in our community. Having a series of streets designated as bicycle routes or having bicycle lanes would make it easier and safer to bicycle in Pekin. *Is the Council interested in developing a network of streets designated as bicycle routes, possibly with bicycle lanes?*

Traffic Safety Committee Members:

Tim Gillespie	Citizen Representative	timmg@live.com
Mike Guerra	City Engineer	mmguerra@ci.pekin.il.us
Greg Nelson	Police Chief	gnelson@ci.pekin.il.us
Kurt Nelson	Fire Chief	knelson@ci.pekin.il.us
Bill Scarciff	Street Department Foreman	bascarciff@ci.pekin.il.us
Bob Shaw	Street Department Superintendent	bnshaw@ci.pekin.il.us
Will Taylor	Police Patrolman	wataylor@ci.pekin.il.us
Joe Wuellner	City Manager	jwuellner@ci.pekin.il.us

Office of the Mayor



Proclamation

WHEREAS, Young Authors is a District-wide program and in its twenty-sixth year in our Pekin Elementary Schools, District No. 108; and

WHEREAS, over 3400 students, kindergarten through eighth grade, have an opportunity to participate and to write their own books; and

WHEREAS, this program entails teachers using District writing assignments and helping students turn those assignments into books, illustrated, laminated, and bound, to give each student a lasting memento; and

WHEREAS, 150 District representatives were chosen for the Young Authors District Conference which is being held in the auditorium at Wilson Intermediate School on Thursday, March 15, 2012, with the children's books on display; and

WHEREAS, six representatives will be selected to represent District 108 at the State Young Authors Conference at Illinois State University on Saturday, May 19, 2012.

WHEREAS, the staff and parents of District 108 deserve recognition for their many hours of direction and encouragement;

NOW, THEREFORE, BE IT RESOLVED that I, Laurie L. Barra, Mayor of the City of Pekin, Tazewell County, Illinois, do hereby proclaim the week of March 15th to be

"YOUNG AUTHORS WEEK"

in the City of Pekin, Tazewell County, Illinois, and ask the citizens of our community to join in paying special recognition to all of our young writers of today.

ADOPTED, this 27th day of February, in the Year of Our Lord, Two Thousand and Twelve.

**BID TABULATION
PEKIN WASTE WATER TREATMENT PLANT
SLUDGE REMOVAL PROJECT**

OPENING FEBRUARY 16, 2012 @ 2:00 P.M.

NAME	ADDRESS	BASE BID
MERRELL BROS, INC	8811 W 500 N KOKOMO, IN 46901	\$472,630.00
SYNAGRO CENTRAL, LLC	1800 BERING SUITE 1000 HUSTON, TX 77-57	\$392,890.00
TERRA RENEWAL, LLC	50 DALLAS DRIVE DALLASTOWN, PA 17313	\$733,540.00
WALTER & SON WASTE HAULING, LLC	N 3368 STATE HWY 14 DARIEN, WI 53114	\$404,000.00
STEWART SPREADING, INC.	3870 N. ROUTE 71 SHERIDAN, IL 60551	\$444,400.00

RESOLUTION NO. 30-11/12

WHEREAS, Tazewell County 4-H Program University of Illinois Extension has initiated a Shooting Sports program for Archery, Air Rifle and Shotgun; and

WHEREAS, Tazewell County 4-H has requested permission to shoot archery and air rifle within city limits; and

WHEREAS, Title 6, Chapter 2, Section 4-2 of the Code of the City of Pekin 1995 provides that it shall be unlawful for any person to discharge weapons within the City except as approved by resolution of the City Council for specific uses; and

WHEREAS, Tazewell County 4-H archery and air rifle certified instructor programs are for valid public interest to be held on park district facilities within the City; and

WHEREAS, Tazewell County 4-H archery program will be held at the Livestock Arena at Memorial Park during the month of April and May; and

WHEREAS, Tazewell County 4-H would also like the opportunity to hold promotional events for the two disciplines during the 4-H Show and Jr. Fair in July at Memorial Park.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Pekin does hereby approve the specific use of these weapons for the valid public interest in instructional archery and air rifle programs.

PASSED AND APPROVED at its regular City Council Meeting, held on the 27th day of February, 2012.

MAYOR

ATTEST:

CITY CLERK

6-2-4-2: FIRING OR DISCHARGING: (430 ILCS 65/1)

- A. It shall be unlawful for any person to fire or discharge any firearms, air rifles, sling-shot, bow, cross-bow or other device designed to fire, project or throw any stone, bullet or other hard substance within the City; provided, however, that this Section shall not apply to any police officer discharging his firearm in performance of his duty, nor any citizen from discharging any firearm when lawfully defending his person or property.
- B. The firing or discharging of weapons within the City shall be permitted if approved by resolution of the Pekin City Council for specified uses of weapons having historical interest or uses presenting an otherwise valid public interest including public enjoyment such as a shooting range, or at recreational or park district facilities within the city limits, lawfully and properly operating as an archery range. (Ord. No. 2269 10-22-01)

From: McMillan, Sue
Sent: Wednesday, February 15, 2012 11:09 AM
To: Nelson, Greg; Wuellner, Joe; Girdler, Darin; Barker, Liz (Burt Dancey)
Subject: weapons within City

Tazewell County 4-H has new programs for Air Rifle and Archery which the park has given permission to have in April and May in the Livestock Building (not at the archery range). The code says it is unlawful to fire a bow within the City and approval to so takes a resolution by Council.

Please read the resolution I drafted and send any corrections or comments. If the Chief is o.k. with the exception within the City I will put in the next Council packet in Consent Agenda.

Thanks
Sue

The Tazewell County 4-H has a new Shooting Sports program for Archery, Air Rifle and Shotgun. In the future we may be adding .22 Rifle. We would like permission to shoot Archery and Air Rifle, within the city limits.

Archery will be held at the Livestock Arena at Memorial Park during the month of April and May. (We are also working on details to hold Archery at the Pekin Archery club during the summer and fall.)

We are still finalizing dates for the Air Rifle.

We would also like the opportunity to hold promotional events for these two disciplines during the 4-H Show & Jr. Fair at the end of July. It would also be held at Memorial Park.

We have certified instructors for each discipline, plus a certified Shooting Sports coordinator.

Archery – Jim Hou of Morton

Rifle – Bob Stephenson of Mackinaw

Shotgun – Chris and Bill Allen of Mackinaw

Coordinator – Michelle Johnson of Pekin

We are also in the process of recruiting more volunteers.

4-H Shooting Sports volunteers are approved 4-H volunteers, certified in Shooting Sports through the State 4-H office.

Youth involved in the Shooting Sports program can be between the ages of 8 and 18.

This is an ongoing program.



Anita Wilkinson
4-H Program Coordinator
University of Illinois Extension
1505 Valle Vista
Pekin, IL 61554
www.4-h.illinois.edu
aswilkin@illinois.edu
phone 309-347-6614 fax 309-347-5472

CITY OF PEKIN
REVENUES OVER EXPENSES - ALL CITY FUNDS
NINE MONTHS ENDED JANUARY 31, 2012

FUND	1/31/2012 REVENUE	1/31/2012 EXPENSE	1/31/2012 REVENUE OVER (UNDER) EXPENSE	1/31/2012 BUDGETED REVENUE	1/31/2012 BUDGETED EXPENSE	1/31/2012 BUDGETED REVENUE OVER (UNDER) EXPENSE	1/31/2011 REVENUE OVER (UNDER) EXPENSE
General	14,730,104	13,972,581	757,523	14,294,804	13,396,868	897,936	1,720,466
Storm Water	620	275,941	(275,321)	1,125	288,269	(287,144)	(365,195)
Solid Waste	113,298	1,609,854	(1,496,556)	52,500	1,224,311	(1,171,811)	(1,279,106)
General Subtotal	<u>14,844,022</u>	<u>15,858,376</u>	<u>(1,014,354)</u>	<u>14,348,429</u>	<u>14,909,448</u>	<u>(561,019)</u>	<u>76,165</u>
Tourism	112,995	69,647	43,348	131,250	72,113	59,137	2,758
Sewerage							
-Operations	<u>2,152,619</u>	<u>1,813,406</u>	<u>339,213</u>	<u>2,539,575</u>	<u>1,861,718</u>	<u>677,857</u>	<u>345,237</u>
-Debt/Construction	<u>142,206</u>	<u>5,967,717</u>	<u>(5,825,511)</u>	<u>6,000,000</u>	<u>6,180,000</u>	<u>(180,000)</u>	<u>5,842,548</u>
Total Sewerage	<u>2,294,825</u>	<u>7,781,123</u>	<u>(5,486,298)</u>	<u>8,539,575</u>	<u>8,041,718</u>	<u>497,857</u>	<u>6,187,785</u>
Motor Fuel	821,813	1,094,579	(272,766)	1,488,276	2,643,750	(1,155,474)	199,374
HUD	342,131	382,166	(40,035)	479,379	459,920	19,459	(6,256)
TIF	989,163	1,126,283	(137,120)	835,500	1,353,917	(518,417)	497,575
Capital Projects	1,348,094	326,097	1,021,997	10,855,875	10,646,625	209,250	(29,228)
School Bus	2,186,606	2,388,706	(202,100)	2,521,125	2,093,085	428,040	(332,095)
Airport	164,133	335,255	(171,122)	96,968	253,589	(156,621)	(86,523)
Economic Development	68,669	92,302	(23,633)	72,000	76,708	(4,708)	(150,578)
Insurance	2,970,106	3,167,563	(197,457)	2,809,602	2,913,001	(103,399)	(267,353)
Vehicle Maintenance	<u>1,152,584</u>	<u>1,630,118</u>	<u>(477,534)</u>	<u>1,060,463</u>	<u>1,119,033</u>	<u>(58,570)</u>	<u>(250,698)</u>
TOTALS - ALL FUNDS	<u>27,295,141</u>	<u>34,252,215</u>	<u>(6,957,074)</u>	<u>43,238,442</u>	<u>44,582,907</u>	<u>(1,344,465)</u>	<u>5,840,926</u>
TOTALS WITHOUT SEWER DEBT / CONSTRUCTION	<u>25,804,841</u>	<u>27,958,401</u>	<u>(2,153,560)</u>	<u>26,382,567</u>	<u>27,756,282</u>	<u>(1,373,715)</u>	<u>27,606</u>

CITY OF PEKIN
MAJOR REVENUE SOURCES
NINE MONTHS ENDED JANUARY 31, 2012

	Annual Budget	Prorated Percent	Prorated Budget	1/31/12 Actual Received 9 Months	Actual as a Percent of Budget	Actual Over(Under) 9 Month Budget	1/31/11 Actual Received 9 Months
<u>General Fund</u>							
Property Taxes	\$1,256,007	100.00%	\$1,256,007	\$1,293,423	102.98%	\$ 37,416	1,190,432
State Sales Taxes	5,025,000	75.00%	3,768,750	3,615,328	95.93%	(153,422)	3,597,430
Home Rule Taxes	3,900,000	75.00%	2,925,000	2,989,122	102.19%	64,122	2,968,986
Income Taxes	2,447,496	75.00%	1,835,622	1,981,538	107.95%	145,916	2,065,202
Replacement Taxes	950,000	75.00%	712,500	831,772	116.74%	119,272	999,605
Telecommun. Tax	1,225,000	75.00%	918,750	804,830	87.60%	(113,920)	816,642
Use Tax	370,000	75.00%	277,500	358,820	129.30%	81,320	299,261
Food & Beverage Tax	950,000	75.00%	712,500	728,176	102.20%	15,676	702,114
Package Liquor Tax	180,000	75.00%	135,000	137,330	101.73%	2,330	137,427
Investment Earnings	158,000	75.00%	118,500	108,314	91.40%	(10,186)	186,644
All other Revenue	2,598,236	75.00%	1,948,677	1,881,451	96.55%	(67,226)	2,137,923
SUBTOTAL-General	19,059,739	76.65%	14,608,806	14,730,104	100.83%	121,298	15,101,666
<u>Sewerage Fund</u>							
Fees for Services	3,277,000	75.00%	2,457,750	2,081,331	84.68%	(376,419)	1,588,570
Investment Earnings	100,000	75.00%	75,000	66,103	88.14%	(8,897)	85,138
<u>Motor Fuel Tax Fund</u>							
Motor Fuel Taxes	997,000	75.00%	747,750	636,870	85.17%	(110,880)	645,546
Investment Earnings	40,000	75.00%	30,000	23,871	79.57%	(6,129)	78,774
<u>TIF Fund</u>							
Property Taxes	540,000	100.00%	540,000	501,609	92.89%	(38,391)	548,506
Sales Taxes-City	325,000	75.00%	243,750	264,252	108.41%	20,502	341,945
Sales Taxes-State Alloc.	215,000	75.00%	161,250	198,458	123.07%	37,208	115,344
Investment Earnings	34,000	75.00%	25,500	27,444	107.62%	1,944	19,325
<u>School Bus Fund</u>							
Fees for Services	3,337,500	68.42%	2,283,518	2,177,276	95.35%	(106,242)	1,820,215
Investment Earnings	24,000	75.00%	18,000	14,122	78.46%	(3,878)	19,027
TOTALS	27,949,239	75.82%	21,191,324	20,721,440	97.78%	(469,884)	20,364,056

CITY OF PEKIN

INVESTMENT EARNINGS

NINE MONTHS ENDED JANUARY 31, 2012

FUND	ANNUAL BUDGET	9 MONTH BUDGET	ACTUAL 1/31/12	ACTUAL 1/31/11	ACTUAL DIFFERENCE	1/31/12 ACTUAL COMPARED TO BUDGET
<i>General</i>	\$ 158,000	\$ 118,500	\$ 108,314	\$ 186,644	\$ (78,330)	\$ (10,186)
<i>Sewerage</i>	100,000	75,000	66,103	85,138	(19,035)	(8,897)
<i>Motor Fuel Tax</i>	40,000	30,000	23,871	78,774	(54,903)	(6,129)
<i>TIF</i>	34,000	25,500	27,444	19,325	8,119	1,944
<i>Capital Projects</i>	24,500	18,375	-	9,852	(9,852)	(18,375)
<i>School Bus</i>	24,000	18,000	14,122	19,027	(4,905)	(3,878)
<i>Insurance</i>	10,000	7,500	-	-	-	(7,500)
<i>Economic Development</i>	96,000	-	-	-	-	-
TOTALS	\$ 486,500	\$ 292,875	\$ 239,854	\$ 398,760	\$ (158,906)	\$ (53,021)

ORDINANCE NO. 2654-11/12

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 3
OF THE CODE OF THE CITY OF
PEKIN 1995 ON ANIMALS**

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

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

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the City Code regarding vicious dog and dangerous dog to comply with the State Animal Control Act 510 ILCS 5/1 et al; and

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

1. That Chapter 3, Section 11, paragraph (l) (9), VICIOUS DOG OR CAT shall be amended by deleting paragraph 9 in its entirety and replacing it with the following:

(9) It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless the dog is kept in an enclosure. The only times that a vicious dog may be allowed out of the enclosure are:

- (1) if it is necessary for the owner or keeper to obtain veterinary care for the dog, and/or;
- (2) in the case of an emergency or natural

disaster where the dog's life is threatened,
and/or;

(3) to comply with the order of a court or competent jurisdiction, provided that the dog is securely muzzled and restrained with a leash not exceeding 4 feet in length, and shall be under the direct control and supervision of the owner or keeper of the dog or muzzled in its residence.

2. That Chapter 3, Section 11, paragraph (l) 5, Enclosure, shall be amended by deleting paragraph (l) 5 in its entirety and replacing it with the following:

Enclosure. No person shall own, keep or maintain a vicious dog/cat in an exterior area unless such dog/cat is at all times kept in an enclosed structure, vicious dog/cat shall only be allowed outside the enclosure only as set forth in subsection (l)(9) herein. A dog/cat found to be a vicious dog/cat shall not be released to the owner until the Animal Control Warden and the Pekin Inspection Department approves the enclosure.

3. That Chapter 3, Section 11, paragraph 8, VICIOUS DOG OR CAT, shall be amended by deleting the following:

“securely restrained on a run line no longer than ten (10) feet in length and fitted with a muzzle.”

4. That Chapter 3, Section 10, paragraph a, DANGEROUS DOG OR CAT shall be amended by adding the following to the end of the first sentence:

“or a dog that, without justification, bites a person and

does not cause serious physical injury.

5. That Chapter 3, Section 10, DANGEROUS DOG OR CAT, shall be amended by adding paragraph (l) as follows:

(l) An animal control agency has the right to impound a dangerous dog if the owner fails to comply with the requirements of this Act.

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this ____ day of _____, 2012; and upon roll call the vote was as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING : _____

APPROVED this ____ day of _____, 2012.

MAYOR

ATTEST:

CITY CLERK



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & City Manager

From: Michael Guerra, City Engineer

AGENDA ITEM: Pekin Wastewater Treatment Plant Sludge Removal Contract

AGENDA DATE REQUESTED: February 27th, 2012

ACTION REQUESTED: To award the low bid from Synagro, Inc in the amount of \$392,890.00 for the removal and land application of liquid sludge from the Wastewater Treatment Plant for the next three years.

DESCRIPTION: This contract is for the removal and land application the liquid sludge material sludge lagoon at the waste water treatment plant it for the next three years. The previous contract has expired so a new contract was sought. There were five bidders on for this contract with Synagro providing the lowest unit price each year resulting in the lowest overall price for the life of the contract.

The current process at the treatment plant produces liquid sludge that is stored at the sludge lagoon. Due to the limited availability of storage at the plant removal of the sludge and application to farm fields is needed to insure that the operation of the plant is maintained. This contract will allow Synagro to remove and apply the sludge to accepting farm lands twice a year for the next two years with a third year if required. After this time the new plant should be operational and the type of sludge removal required will be different.

This project is budgeted and is needed to ensure that the operations of the plant are maintained to ensure compliance with IEPA permits. Therefore I recommend that Synagro be awarded the contract.

FINANCIAL IMPACT: \$392,890.00 of Waste Water Treatment Plant Funds

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: The Project will be awarded and sludge removal will continue

IMPACT IF DENIED: The Project will not be awarded and another method will have to be determined to remove the sludge.

ALTERNATIVES: none

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

	A Prosperous Community. To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.
	A Safe Community. To protect community life and property by providing effective, principled police and fire services.
✓	A Strong Foundation. To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
	A High Quality of Life. To support or provide services that improves the quality of life for

	Pekin's residents.
	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.
REQUIRED SIGNATURES	
Department Director:	
Date:	
Finance Department (Certification of Availability of Funds):	
Date:	
Corporation Counsel:	
Date:	
City Manager:	
Date:	

Bid: Wastewater Treatment Plant General Sludge Removal
Date: February 16, 2012 2:00pm

No.	Bid Item	Unit	Estimated Qty	Merrell Bros.		Synagro		Terra Renewall		Walter & Son		Stewart Spreading	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Sludge Removal 2012	GAL	3,100,000	\$0.0448	\$138,880.00	\$0.0389	\$120,590.00	\$0.0699	\$216,690.00	\$0.0400	\$124,000.00	\$0.0440	\$136,400.00
2	One Time Sludge Removal Back Lagoon	GAL	500,000	\$0.0458	\$22,900.00	\$0.0389	\$19,450.00	\$0.0699	\$34,950.00	\$0.0400	\$20,000.00	\$0.0440	\$22,000.00
3	Sludge Removal 2013	GAL	3,500,000	\$0.0469	\$164,150.00	\$0.0389	\$136,150.00	\$0.0728	\$254,800.00	\$0.0400	\$140,000.00	\$0.0440	\$154,000.00
4	Sludge Removal 2014 if required	GAL	3,000,000	\$0.0489	\$146,700.00	\$0.0389	\$116,700.00	\$0.0757	\$227,100.00	\$0.0400	\$120,000.00	\$0.0440	\$132,000.00
Total Bid					\$472,630.00	Total Bid	\$392,890.00	Total Bid	\$733,540.00	Total Bid	\$404,000.00	Total Bid	\$444,400.00

**BID TABULATION
PEKIN WASTE WATER TREATMENT PLANT
SLUDGE REMOVAL PROJECT**

OPENING FEBRUARY 16, 2012 @ 2:00 P.M.

NAME	ADDRESS	BASE BID
MERRELL BROS, INC	8811 W 500 N KOKOMO, IN 46901	\$472,630.00
SYNAGRO CENTRAL, LLC	1800 BERING SUITE 1000 HUSTON, TX 77-57	\$392,890.00
TERRA RENEWAL, LLC	50 DALLAS DRIVE DALLASTOWN, PA 17313	\$733,540.00
WALTER & SON WASTE HAULING, LLC	N 3368 STATE HWY 14 DARIEN, WI 53114	\$404,000.00
STEWART SPREADING, INC.	3870 N. ROUTE 71 SHERIDAN, IL 60551	\$444,400.00

ORDINANCE AUTHORIZING LOAN AGREEMENT

ORDINANCE NUMBER 2655-11/12

AN ORDINANCE authorizing the CITY OF PEKIN OF TAZEWELL COUNTY, ILLINOIS to borrow funds from the Water Pollution Control Loan Program Fund.

WHEREAS the CITY OF PEKIN, TAZEWELL COUNTY, Illinois ("the CITY") operates its sewerage system ("the System") and in accordance with the provision of Article VII Local Government of the Constitution of the State of Illinois and the Local Government Debt Reform Act, 30 ILCS 350/1 et seq. (collectively, "the Act"); and

WHEREAS the CITY MANAGER and COUNCIL of the CITY ("the Corporate Authorities") have determined that it is advisable, necessary and in the best interests of public health, safety and welfare to improve the System, including the following:

Construction of STP #1 improvements in accordance with the City's Long Term Control Plan and Facilities Plan including the replacement of both primary and secondary clarifiers, installation of an activated sludge process, nutrient removal, upgrades to the sludge dewatering and disinfection systems, CSO lagoon, excess flow upgrades and all necessary appurtenances together with any land or rights in land and all electrical, mechanical or other services necessary, useful or advisable to the construction and installation ("the Project"), all in accordance with the plans and specifications prepared by consulting engineers to the CITY, which Project has a useful life in excess of 20 years; and

WHEREAS the estimated cost of construction and installation the Project, including engineering, legal, financial, and other related expenses, is \$40,616,000.00, and there are insufficient funds on hand and lawfully available to pay these costs; and

WHEREAS, the loan shall bear an interest rate as defined by 35 Ill. Adm. Code 365, which does not exceed the maximum rate authorized by the Bond Authorization Act, as amended, 30 ILCS 305/0.01 et seq., at the time of the issuance of the loan; and

WHEREAS, the principal and interest payment shall be payable semi-annually, and the loan shall mature in 20 years, which is within the period of useful life of the Project; and

WHEREAS, the costs are expected to be paid for with a loan to the CITY from the Water Pollution Control Loan Program through the Illinois Environmental Protection Agency, the loan to be repaid from revenue derived from a user charge for services in the City of Pekin and the loan is authorized to be accepted at this time pursuant to the Act; and

WHEREAS, in accordance with the provisions of the Act, the CITY is authorized to borrow funds from the Water Pollution Control Loan Program in the aggregate principal amount of \$40,616,000.00 to provide funds to pay the costs of the Project; and

WHEREAS, the loan to the CITY shall be made pursuant to a Loan Agreement, including certain terms and conditions, between the CITY and the Illinois Environmental Protection Agency;

NOW THEREFORE, be it ordained by the Corporate Authorities of the CITY of PEKIN, TAZEWELL County, Illinois, as follows:

SECTION 1- INCORPORATION OF PREAMBLES

The Corporate Authorities hereby find that the recitals contained in the preambles are true and correct and incorporate them into this Ordinance by this reference.

SECTION 2 - DETERMINATION TO BORROW FUNDS

It is necessary and in the best interests of the CITY to construct the Project for the public health, safety and welfare, in accordance with the plans and specifications, as described; that the System continues to be operated in accordance with the provisions of the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq.; and that for the purpose of constructing the Project, it is hereby authorized that funds be borrowed by the CITY in an aggregate principal amount (which can include construction period interest financed over the term of the loan) not to exceed \$40,616,000.00.

SECTION 3 - ADDITIONAL ORDINANCES

The Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this Ordinance, providing for entering into the Loan Agreement with the Illinois Environmental Protection Agency, prescribing all the details of the Loan Agreement, and providing for the collection, segregation and distribution of the revenues of the system so long as the maximum amount of the Loan Agreement as set forth in this Ordinance is not exceeded and there is no material change in the Project or purposes described herein. Any additional ordinances or proceedings shall in all instances become effective in accordance with the Act or other applicable laws. This Ordinance,

together with such additional ordinances or proceedings, shall constitute complete authority for the entering into the Loan Agreement under applicable law.

However, notwithstanding the above, the CITY may not adopt additional ordinances or amendments which provide for any substantive or material change in the scope and intent of this Ordinance, including but not limited to interest rate, preference or priority of any other ordinance with this Ordinance, parity of any other ordinance with this Ordinance, or otherwise alter or impair the obligation of the CITY to pay the principal and interest due to the Water Pollution Control Loan Program without the written consent of the Illinois Environmental Protection Agency.

SECTION 4 - LOAN NOT INDEBTEDNESS OF CITY

Repayment of the loan to the Illinois Environmental Protection Agency by the CITY pursuant to this Ordinance is to be solely from the revenue derived from the revenues of the system and the loan does not constitute an indebtedness of the CITY within the meaning of any constitutional or statutory limitation.

SECTION 5 - APPLICATION FOR LOAN

The CITY MANAGER is hereby authorized to make application to the Illinois Environmental Protection Agency for a loan through the Water pollution Control Loan Program, in accordance with the loan requirements set out in 35 Ill. Adm. Code 365.

SECTION 6 - ACCEPTANCE OF LOAN AGREEMENT

The Corporate Authorities hereby authorize acceptance of the offer of a loan through the Water Pollution Control Loan Program, including all terms and conditions of the Loan Agreement as well as all special conditions contained therein and made a part thereof by reference. The Corporate Authorities further agree that the loan funds awarded shall be used solely for the purposes of the project as approved by the Illinois Environmental Protection Agency in accordance with the terms and conditions of the Loan Agreement.

SECTION 7 - RESERVE ACCOUNTS

As long as the City of Pekin has outstanding revenue bonds that are being paid in part by from revenues of the system, and that are senior to the revenue bond authorized by this Ordinance, the City of Pekin shall maintain a system, fund, accounts, coverage and reserves identical to the account, coverage and reserves required by the outstanding ordinances.

SECTION 8 - AUTHORIZATION OF CITY MANAGER TO EXECUTE LOAN AGREEMENT

The CITY MANAGER is hereby authorized and directed to execute the Loan Agreement with the Illinois Environmental Protection Agency. The Corporate Authorities may authorize by resolution a person other than the CITY MANAGER for the sole purpose of authorizing or executing any documents associated with payment requests or reimbursements from the Illinois Environmental Protection Agency in connection with this loan.

SECTION 9 - SEVERABILITY

If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 10 - REPEALER

All ordinances, resolutions, orders, or parts thereof, in conflict with the provisions of this Ordinance, to the extent of such conflict, are hereby repealed.

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

PASSED AND APPROVED by the Corporate Authorities of the CITY OF PEKIN at a regular meeting of the City Council of the City of Pekin, this 27th day of February 2012.

MAYOR
CITY OF PEKIN
TAZEWELL COUNTY, ILLINOIS

AYES:

NAYS:

ABSENT:

ABSTAINING:

Published in pamphlet form _____, 2012

Recorded in the City Records on _____, 2012

ATTEST:

CITY CLERK
CITY OF PEKIN
TAZEWELL COUNTY, ILLINOIS