

REGULAR COUNCIL MEETING MONDAY, FEBRUARY 24, 2014
5:30 P.M.

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE <i>Mayor Laurie 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> <i>VOTE REQUIRED</i>		
5.0 APPROVAL OF MINUTES <i>ACTION: Motion to approve minutes of the Regular Council Meeting February 10, 2014.</i> <i>VOTE REQUIRED</i>		
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. Comments unrelated to agenda items are accepted during "Public Comments" near the end of the meeting.</i>		
7.0 CONSENT AGENDA		
7.1 Receive and File Monthly Reports: Liquor Commission Meeting January 30, 2014, Tazewell County Animal Control January Report and Traffic Safety Committee Minutes February 7, 2014.		
7.2 Receive and File Pekin Planning Commission Minutes dated December 11, 2013		
7.3 Receive and File Pekin Planning Commission Hearings and Recommendations: a. Hearing #12-1874 recommends approval of the Special Use for Loft Living above Hawaiian Sun Tanning located at 357 Court Street and zoned B-2 (Central Business District) contingent upon an approved floor plan be provided to City Staff.		
8.0 COMMUNICATIONS, PETITIONS, REPORTS		
8.1 Illinois Strong status of relief efforts for tornado victims of November 17, 2013		
8.2 Public Hearing for the purpose of discussing vacating a portion of California Road	LB	
9.0 NEW BUSINESS		
9.1 Ordinance No. 2695-13/14 - Amending Title 6, Chapter 2, Section 11 of the Code of the City of Pekin 1995 Regarding Impoundment of Vehicles	JW	2

DESCRIPTION: Amending the code to include revised provisions for the impoundment of vehicles and the citation charging violation of the offenses. ACTION: Motion to adopt the Ordinance. VOTE REQUIRED		
9.2 Ordinance No. 2696-13/14 – Vacating Municipally Owned Right-of-Way in the City of Pekin DESCRIPTION: Vacates a portion of California Road as agreed in an annexation ordinance with adjoining property owners once Veterans Drive was completed. ACTION: Motion to adopt the Ordinance. VOTE REQUIRED	JW	5
9.3 Ordinance No. 2697-13/14 – Approving the Transfer of Volume Cap in Connection with Private Activity Bond Issues and Related Matters DESCRIPTION: An ordinance authorizing the transfer of the City of Pekin’s Volume Cap in connection with Private Activity Bond Issues. ACTION: Motion to adopt the Ordinance. VOTE REQUIRED	JW	4
9.4 March Madness Experience Contribution DESCRIPTION: Recommendation of the Tourism Committee to contribute \$5,000.00 as regional sponsor for the IHSA Boys State Basketball Tournament. ACTION: Motion to approve Tourism Funds in the amount not to exceed \$5000.00. VOTE REQUIRED	JW	4
9.5 Waste Water Treatment Plant Change Order #7 for Phase 2A DESCRIPTION: Approval of the 7th change to the agreement of the treatment plant improvements. The order includes additions for 2 items and the deduction for 1 item due to changes once initial construction was completed. ACTION: Motion to approve the change order in the amount of \$10,043.00. VOTE REQUIRED	JW	3
10.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL 10.1 Staff 10.2 Council 10.3 Five Minute Public Comments 10.4 Press Time		
11.0 EXECUTIVE SESSION 65 ILCS 120/2 (c)		
12.0 ADJOURN No Vote Required		

Column 1 Key:

JW Joseph Wuellner City Manager
LB Laurie Barra Mayor

JSW James Wolf Treasurer

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 10, 2014 AT 5:30 O'CLOCK P.M.

LAURIE L. BARRA * MAYOR * PRESIDING

**PRESENT: COUNCIL MEMBERS, ABEL, MCCABE, GILLESPIE, GOLDEN, ORRICK,
HENDRICKS AND BARRA,**

ABSENT: NONE

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

Roll was called. All members were physically present. A quorum was present.

AGENDA

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

MINUTES

Motion by Council Member Gillespie, seconded by Council Member Orrick that the **minutes of the Regular City Council Meeting of January 27, 2014 and the Special Council Meeting of January 30, 2014 be approved as written**. On roll call vote, all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS

Robert Bramham, 2108 Velde Drive, stated that what he said at the previous Council meeting was not written in the Council minutes. Nothing was recorded other than Council comments.

CONSENT AGENDA

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

7.1 Receive and File Monthly Reports: Building Department October, November, December, 2013 Reports.

7.2 Receive and File Proclamation: "Young Authors Week" Week of March 10, 2014 "Robot Days" February 27, 2014-March 1, 2014

On roll call vote all present voted Aye.

COMMUNICATIONS, PETITIONS, REPORTS

**PRESENTATION CITY OF PEKIN ANNUAL FINANCIAL STATEMENTS
FOR THE YEAR ENDED APRIL 30, 2013**

JAMES WARNING, WILLOCK WARNING & CO., PC spoke to the Council regarding the review of the completed audit. He presented a 7 page summary of his condensed remarks on the following:

Assets, Liabilities, Fund Balances

Cash & Investment Balances

Revenue and Expenditure Items

Schedule of Activities FY 2009-2013 of Core Governmental Services

Schedule of Personnel Costs for Health Insurance FY 2009-2013

Debt Service Schedule for Long-Term Debt and G.O. Bonds Annual Debt Service Requirements

Comparison of Various Tax Revenues for 8 month totals

In conclusion Mr. Warning advised the Council that revenue sources were down. The City could no longer rely on sale tax increases. Mr. Warning anticipated a down year. It was his opinion that the upcoming budget would be challenging for the Council.

Council Members were given the opportunity to ask question and make comments. Council Member Orrick noted the cost of personnel being a large expense and was told much of that figure was contractual with union contracts. Council Member Golden referred to a 1995 Paratransit report that indicated \$40,000 would be budgeted for ADA sidewalk improvements. He questioned where in an audit it would be reported that it was spent. Council Member Golden noted tourism cost had increased. The Council Member commented that it appeared the program was not paying off. He also questioned if there would be value in offering sewer services to others.

NEW BUSINESS

ORDINANCE NO 2694-13/14 AMENDING TITLE 4, CHAPTER 4C, SECTION 2., SUBSECTION 2 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING SEWER USER CHARGES

Motion by Council Member Golden, seconded by Council Member Orrick that **Ordinance No. 2694-13/14** be adopted. City Manager Joseph Wuellner presented the revisions to the code for wastewater measurement of flow charges. He explained the change was recommended to address concerns of longer summer water usage. The change would alter the winter averaging period from the current 7 month schedule to a sixth month, November through April calculation. Council was informed that installation of additional water meters to distinguish water usage entering the sewer system and usage for the purpose of lawn watering, swimming pools, etc. was deleted from the billing provisions. The action would have a negative effect on the sewer fund balance. On roll call vote, all present voted Aye.

RESOLUTION NO 88-13/14 AUTHORIZATION EXECUTION OF AN AGREEMENT BETWEEN CITY OF PEKIN AND CHICAGO SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS

Motion by Council Member Golden, seconded by Council Member Abel that **Resolution No. 88-13/14** be adopted. Assistant City Manager Darin Girdler reported that the City had been contacted by Verizon for a project utilizing the City owned streetlight poles for the installation of "small cell" infrastructure. The miniature cellular connections are used to improve signal and coverage areas served by primary towers. Council was told the master lease agreement had a 25 year term with initial 5 year period and 4 automatic 5 year renewals. Council Member Orrick expressed some concern to the 25 years of the agreement. Council Member Golden questioned the City's liability in allowing other parties use of the poles. The City would receive \$250.00 per location per month. On roll call vote, all present voted Aye.

Motion by Council Member Orrick, seconded by Council Member Gillespie that the City of Pekin **CONCURS WITH THE STATE TO AWARD ILLINOIS CIVIL CONTRACTORS INC.** the bid for Sheridan Bridge Project in the amount of \$642,195.00. Mr. Wuellner recommended concurrence with the State award. The favorable bid was less than the programmed costs of \$750,000.00. Council Members discussed that the bridge would be out of service from early June through August to avoid school classes and bus traffic. Fire and Police response and neighborhood concerns were addressed. On roll call vote, all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Abel that the **AGREEMENT WITH MAURER-STUTZ TO PROVIDE CONSTRUCTION ENGINEERING SERVICES** for Sheridan Road Bridge Replacement over Lick Creek in the amount of \$101,772.00. Council was advised that federal bridge funding was being used for the project. The contract would provide the oversight and material testing required for following IDOT construction standards. On roll call vote, all present voted Aye.

RESOLUTION NO 89-13/14 ILLINOIS DEPARTMENT OF TRANSPORTATION RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS FOR MUNICIPALITY

Motion by Council Member Hendricks, seconded by Council Member Orrick that **Resolution No. 89-13/14 appropriating Motor Fuel Tax Funds in the amount of \$105,000.00 for Sheridan Road Bridge Project** be adopted. The MFT funds would be utilized to cover the expenditure for the construction engineering services agreement. On roll call vote, all present voted Aye.

Motion by Council Member McCabe, seconded by Council Member Abel that the **EXPENDITURE FOR THE TIF FAÇADE GRANT PROGRAM FOR MAQUET INC. AT 219 AND 221 COURT STREET in the amount of \$23,879.50** be approved. Council was told the action was for a recommendation of the Pekin Main Street Design Committee to approve the terms of a resubmitted application from Dustin Maquet property in the 200 Block Court Street Development. The eligible project costs for exterior expenses included an outdoor patio, signs, lighting and electrical. Patio concrete and cover replaced a front awning and reduced the grant amount slightly. Council Member Golden was told there was no reason to take formal action to rescind the original recommendation and action because no documents were completed and no money was expensed out. Council Member Orrick requested that the Façade Program be reviewed to impose a prevailing wage requirement of the contractors used. Council Members Golden and Orrick expressed their concerns that the 200 block project was not a sound investment. Other Council Members spoke in support of this individual project to open a restaurant/bar business. On roll call vote, Ayes, Hendricks, Abel, Gillespie, McCabe, and Barra; Nays, Orrick and Golden.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Economic Development Director Leigh Ann Matthews and Assistant City Manager Darin Girdler, addressed the Council regarding regulation changes to the Enterprise Zone. Council was advised the Enterprise Zone, a development incentive tool for abating taxes for 5 years, would expire in 2016. In order to have a chance to be reconsidered under the Act, Pekin would be joining forces with Morton, Tazewell County, Tremont to qualify. The group would consider the use of a consultant to establish new boundaries and manage the application process. It was estimated the City's share of the consultant would be \$20,000.00 with costs proportionate to square miles of the Enterprise Zone.

The City Manager next advised the community that every effort was made to inform the public of the snow ban enacted prior to the last snow storm. The notice was posted on the City Web page, on the government channel, social media posting, emails sent notifying all news media of the Public Announcement. It was suggested that the public familiarize themselves with the provisions of the code in regards to snow ban and snow routes, and to be prepared when a forecast of any amount of snow is predicted.

Council Member Golden thanked those that cleared sidewalks during snow events. In referring to an article in the Pekin Daily Times of the inspection of a tornado damaged house, Council Member Golden expressed concern that an inspector would not return to Mr. Bramham's property when asked. Attorney Dancey advised Council not to speak to the matter at the risk of threatened litigation.

Council recognized the efforts of the Street Department employees and staff for the good job for snow removal during an unusual accumulation year.

Mayor Barra expressed the City's condolences to the family of retired Firefighter Morris G. Dupont 80, who died the previous week.

Robert Bramham, 2108 Velde Drive, asked the Council how he could get a building inspector of the City to inspect his property. Mr. Bramham was advised by Mayor Barra and Corporation Counsel Burt Dancey that he had consistently been told that a Council Meeting was not appropriate for discussing builder complaints. Mayor Barra warned that comments would not be permitted on the possible litigation matter.

The following persons also addressed the Council:

Janet Nelms, 1604 Memorial Drive - citizens could not afford \$6 million for improvements to the Library, Carrie Stout, 1407 Camden Lane - citizens could not afford \$6 million for improvements to the Library, spoke in support of Council Members Golden and Orrick as great representatives.

Sally Johnson, 1503 N. 13th Street, stated she would not build a house in Pekin following the problems Mr. Bramham faced.

John Stout, 1407 Camden Lane – voiced his opinion that everyone should be treated the same when offering discussions at the end of each meeting.

EXECUTIVE SESSION

Motion by Council Member Abel, seconded by Council Member Hendricks that the Council move to Executive Session at 7:35 p.m. to discuss 65 ILCS 120/2 (c) (1.) Personnel and (11.) Litigation. On roll call vote, all present voted Aye.

No further business to come before the Council, motion by Council Member Abel, seconded by Council Member Orrick that Council adjourn. Motion carried voice vote. Mayor Barra adjourned the meeting in open session.

COUNCIL ADJOURNED AT 8:00 P.M.

Sue E. McMillan
City Clerk



**LIQUOR COMMISSION MINUTES
THURSDAY, JANUARY 30, 2014
4:00 P.M.
CITY HALL COUNCIL CHAMBERS**

Liquor Commissioner Barra called the meeting to order at 4:23 p.m.

PLEDGE of ALLEGIANCE led by Fire Chief Kurt Nelson

ROLL CALL

The following members were present for roll call: Liquor Commissioner Laurie Barra, Fire Chief Kurt Nelson, Police Chief Greg Nelson and Deputy Liquor Commissioner Rick VonRohr

Absent: Commission Member Buster Hanley and Commission Member Dale Vonderheide

Also present: Attorney Sue Bosich – Corporation Counsel

Public present: Attorney Bridgett Lobacz, David Mahoney, and Dustin Maquet

Deputy Liquor Commissioner Rick VonRohr entered the meeting at 4:20pm

APPROVAL OF AGENDA

Motion made by Liquor Commissioner Barra to approve the Agenda for January 30, 2014, seconded by Fire Chief Kurt Nelson. On roll call vote all present voted Aye. Motion carried.

APPROVAL OF MINUTES

Motion made by Liquor Commissioner Barra to approve the Liquor Commission Minutes of November 21 2013, seconded by Fire Chief Kurt Nelson. On roll call vote all present voted Aye. Motion carried.

PUBLIC INPUT/COMMENTS/QUESTIONS

OLD BUSINESS

Quick Pic, 422 Derby Street – Attorney Bridgett Lobacz stated her case:

Asked if the letter sent to the Liquor Commissioner was shared with all of the Commission. The Liquor Commissioner did share with the Attorney and the Commission. If not, she had copies with her an attached color copy of site plan. Ms. Lobacz would read from the letter sent to the Liquor Commissioner. Attorney Lobacz stated we've been through this for several months now, so thought it would be helpful to run through of what we've been talking about and where we are on this today. The Commission has the power to grant and deny licenses, but they can't abuse the power. Good cause has to be shown for any kind of denial and the good cause has to be based upon the possible reasons that are listed in the liquor code by the city or in the State code. The real issue we are dealing with is that you are concerned about the two liquor licenses on one premise. The premise is defined in the Pekin Liquor code. The Pekin Code also has a licensed premise as defined as a place or location where alcoholic beverages, stored or displayed or offered for sale or where the drink containing alcoholic beverages are mixed for purchase options. We talked about if he needed a separate address or PIN number. She feels he just needs to say in his application where the alcohol will be served for a Class A liquor license and that's the only premise they would be dealing with. It's a very limited area that's the premise that we are talking about.

Another issue that has come up whether or not the State Code will allow two licenses in one building. If you read it, it very clearly says only one license is describe in one location, it doesn't say any one location and can only be described as a single license, just says that you can only have one location described in a license and she thinks the purpose of doing it this way makes sense; and example in the letter says if Mr. Mahoney decides to apply for a second liquor license, then he would need to fill out the application and make sure it follows all the liquor codes. He needs two locations and therefore two different licenses. The Liquor Code doesn't say separate buildings or separate license in one building is not allowed. We are not asking for a combined A & B liquor license. He is asking for two different Liquor Licenses, a Class A and he already has a Class B, two different applications and two different site plans within the building. These two licenses are not going to overlap, he will not be selling from one and then from the other. These would be two separate areas. Would pay for two separate license, have two separate check-out counters, abide by all the rules and regulations and restrictions that would apply for each of those licensed premises. Another thing we talked about is if this Liquor Commission was going to discuss calling these little Mini Casino's? City Council has the power to decide from the Video Gaming Act to make that decision to allow these within the City. We do want the Video Gaming without the Bar atmosphere because some people want to gamble and don't necessarily want to go into a bar. We discussed that this might violate Section W-3-3-4-4, which says No license of any kind shall be issued hereto any premise for the primary purpose of the sale of product and services not related to the sale of alcoholic liquor. So here the primary purpose is really to provide the video gaming and this is a service that relates to having a liquor license because State Legislature has made it that way. We are not trying to work around it, we are saying we are going to provide a service that is related to serving alcohol and a liquor license would help provide that service. This is a good thing for the City of Pekin. More revenue brought in the City and business for the Southside of town. Could create more jobs by hiring another cashier in the Class A premise. This is a good thing and it fits within the City of Pekin's Liquor Code. She would ask that the Liquor Commission grant the Class A liquor license.

Attorney Sue Bosich states that she disagrees that the Liquor Commission can not deny a license unless it's numerated in the Liquor Code. Case law states that Liquor Control Commissioner has authority to refuse or issue a liquor license on public safety grounds by power vested in a commissioner by legislature regardless of validation by local ordinances. Attorney Bosich doesn't need to go that far because she still maintains that there is a licensed premise at that location, and once there is licensed premise at that location with a definition of that licensed premise he can not come in and ask for another license at that premise. We don't need to grant another license that would incorporate a part of that licensed premises. He has a license on that premise that's defined at that address. Attorney Bosich believes that is enough for the City to choose to do so to deny the license. On the basis of premises it could be denied.

Motion made by Liquor Commissioner Barra that there is a Class B Liquor License on the premise and we're not willing to reset the definition to the premises to allow Class A Liquor License and will deny the request. Seconded by Police Chief Greg Nelson. On roll call vote all present voted Aye. Motion carried.

Attorney Lobacz asked if she could ask a question. Was denied since there was already a motion made. Attorney Lobacz stated so the cause of the denial is the Class B License is already licensed at that premise. Would it be possible to reduce the area of the Class B License to just that section of the building that was submitted on the site plan to say it's only this part that is a licensed premise? Does the original Class B liquor license application state or define the premise of the entire building or just the area of where the alcohol is being sold and can we get an amended license that it is only this portion of the building. Attorney Bosich stated that is against our Liquor Code.

Attorney Bosich stated that this was just voted on and denied. Liquor Commissioner Barra stated the motion was established that the premise was a Class B Liquor License and we do not have a license that covers and A and B on the same premise. Attorney Lobacz asked if the motion was made on the Class B liquor licensed area of the premise or the whole building or just a section of the building which was defined in the original application. Attorney Bosich stated the licensed premise was off the original application. The Class A liquor license application was the one denied.

NEW BUSINESS

Beer Garden application – Dustin Maquet – 221 Court Street

Application and site plan submitted

Discussion: Dustin Maquet explaining the site plan submitted to the Liquor Commission. Fence would be 6' aluminum with 6" pickets for the clear view. All fenced in area would be the beer garden. The 4 Season room would be covered, similar to Kouri's Bar & Grill.

Motion made by Police Chief to approve the Beer Garden at 221 Court Street contingent upon final walk-thru's, inspections and final liquor license. Seconded by Liquor Commissioner Barra. On roll call vote all present voted Aye. Motion carried.

2% Food and Beverage Tax late returns

Vicki Bass emailed out late returns to the Liquor Commission on January 29, 2014.

Attorney Sue Bosich to file a complaint on Goodfella's Pub & Pizza for being 2 months behind on his 2% Food and Beverage tax, possibly 3 month's. The Dug Out Sports Bar and Quick Pic will be sent a letter and a certified letter through the Finance Department for being one month behind.

ANY OTHER BUSINESS

Fire Chief Kurt Nelson heard some talk about Denny Mullens opened up another place right next door to Goodfella's Pub & Pizza and someone else was going to run it? Asked why this never came before the Liquor Commission and when did this happen? Police Chief Greg Nelson stated he never saw a new application and why was this granted without it being brought before the Liquor Commission. Deputy Liquor Commissioner Rick VonRohr stated they are two separate businesses, he put up a wall in between the two buildings and they have two separate addresses, there is no public access from Goodfella's to the Goodfella's next door, only access would be through the kitchen. He has applied to the State Gaming Commission to get 10 video gaming machines, 5 on each side. Attorney Bosich stated he would need two leases since this is two separate businesses and addresses. Also, the question was raised on how Mr. Mullens would pay his 2% Food and Beverage tax. Does he have to submit two different forms for the two businesses? And if so, which business of his is behind on the 2%? Commission also wanted to know how Ace Liquor pays his 2% Food and Beverage since he has two businesses.

Deputy Liquor Commissioner VonRohr has talked to the KC Hall (David Lakin) on opening up their club to the public. He was told to he would need to fill out a new application for a Class A liquor license and this would not be considered a private club anymore. David Lakin called City Hall and was told about needing the new manager to come in for a background check. Nothing was discussed about a new liquor application. VonRohr will give him another call and find out what is going on with the status of the club.

Attorney Bosich asked about requiring bartenders not being allowed to consume alcohol on the job or have a blood alcohol level within the normal range. There have been issues before with bartenders calling in to the police and then not being able to give a statement because of being intoxicated. Attorney Bosich will get the Ordinance from another municipality and bring it before the commission.

Attorney Bosich was informed of a situation where a minor was seen coming out of a bar and the police required a breathalyzer and he blew a .07. He was ticketed for underage consumption and was charged in court. He stated he drank at home not at the bar and that his parents were both in the bar as to why he went in there. Commission felt there would be no way to monitor this or prove in some situations.

Fire Chief Kurt Nelson made a motion to adjourn, seconded by Police Chief Greg Nelson, meeting adjourned 5:10 P.M.

Next Meeting will be Thursday, February 27, 2014 at 4:00 P.M.

Respectfully submitted, Paula Gensel

Animal Counts Brought in by Wardens between January 1, 2014 and January 31, 2014

City	Warden	Origin	PickUp Site	PickUp Dat	Species	Breed	Disposition	Days	Log #
Pekin									
	Hoyland	City	100 TAPS LANE	1/27/2014	Cat	DSH			140179
	Hoyland	City	2104 LAFAYETTE	1/3/2014	Dog	PUGGLE	R	0	140101
	Hoyland	City	1319 JANSSEN	1/7/2014	Dog	PIT X	A	24	140104
	Hoyland	City	100 TAPS LANE	1/9/2014	Cat	DSH	REL	8	140109
	HARMS	City	612 hillyer st	1/11/2014	Dog	LAB	R	2	140113
	Hoyland	City	205 HERGET	1/27/2014	Dog	SHIHTZU	R	0	140181
	Hoyland	City	100 TAPS LANE	1/27/2014	Cat	DLH			140180
	HOMER	City	1319 S 9TH	1/18/2014	Dog	LAB	R	2	140149
	Hoyland	City	1227 court	1/17/2014	Other	RABBIT			140133
	Hoyland	City	1014 ANN ELIZA	1/22/2014	Cat	DMH			140163
	Hoyland	City	1410 S 10TH	1/27/2014	Cat	DSH			140178
	Hoyland	City	8TH & SHERIDAN	1/25/2014	Dog	LAB	R	2	140177
	Hoyland	City	2104 LAFAYETTE	1/3/2014	Dog	DACHSHUND/CHI	R	0	140100
	HOMER	City	1208 1/2 S 3RD	1/23/2014	Dog	LASO			140170
	HOMER	City	2032 WESTGATE #6	1/23/2014	Dog	PIT			140169
	HARMS	City	1441 VALLE VISTA	1/23/2014	Dog	HUSKY	R	4	140168
	HOMER	City	1310 S 5TH	1/19/2014	Dog	JACK RUSSELL	R	4	140156

Total Dogs picked up in Pekin: 11

Total Cats picked up in Pekin: 5

Total Others picked up in Pekin: 1

Animal Counts Brought in by Individuals between January 1, 2014 and January 31, 2014

City	In By	Origin	PickUp Site	PickUp Dat	Species	Breed	Disposition	Days	Log #
Pekin									
	Owner R	City	1515 S 4TH ST	1/8/2014	Dog	CHI	E	0	140108
	Individua	City	716 MONGE	1/3/2014	Cat	DSH	REL	13	140097
	Individua	City	13860 1ST	1/16/2014	Cat	DAH	E	8	140130
	Individua	County	BROADWAY ROAD	1/23/2014	Cat	DSH			140166
	Individua	City	SOMEWHERE IN PEKIN	1/23/2014	Dog	MASTIFF	A	8	140167
	Individua	City	528 CATHERINE ST	1/24/2014	Dog	PIT MIX	E	5	140172
	Individua	City	427 FAIRLANE	1/31/2014	Cat	DSH			140195
	Individua	City	7 hecker ct	1/2/2014	Dog	BEAGLE MIX	E	1	140093
	Owner R	City	1202 N 14TH	1/3/2014	Cat	DSH	E	0	140099
	Owner R	City	2032 WESTGATE APT 9	1/30/2014	Dog	PIT/SHEP	E	1	140188
	Owner R	City	1423 ILLINOIS ST	1/13/2014	Dog	BEAGLE/COON H	A	4	140117
	Owner R	City	8 FLORENTINE CT	1/14/2014	Cat	DSH	E	3	140120
	Owner R	City	11751 WAGONSELLER RD	1/17/2014	Cat	DSH	E	0	140143
	Owner R	City	11751 WAGONSELLER RD	1/17/2014	Cat	DLH	E	0	140144
	Owner R	City	1612 SARATOGA	1/20/2014	Cat	DSH	E	0	140160
	Owner R	City	2115 MARY ANNE	1/28/2014	Dog	LAB	D	1	140182
	Owner R	City	331 PARKRIDGE	1/30/2014	Cat	DSH			140185
	Owner R	City	1202 N 14TH	1/3/2014	Cat	DSH	E	0	140098

Total Dogs picked up in Pekin: 7

Total Cats picked up in Pekin: 11

Total Others picked up in Pekin: 0

TAZEWELL COUNTY ANIMAL CONTROL

City: PEKIN

Date: 2-1-14

Billing For Month of January

\$3,253.83

Tazewell Animal Control
PO BOX 158
TREMONT IL 61568

CITY OF PEKIN
111 S CAPITAL ROOM 242
PEKIN IL 61554

CITY OF PEKIN TRAFFIC SAFETY COMMITTEE MINUTES
FEBRUARY 7, 2014 @ 8:30 a.m.
CITY HALL CONFERENCE ROOM

PRESENT: Joe Wuellner, Greg Nelson, Kurt Nelson, Mike Guerra, Bob Shaw, Ron Mayeur, Will Taylor Also present: Jim Kaminski, Bill Scarcliff, Lee Ann Wrhel

Tazewell County Court Administrator Courtney Moessner and Tazewell County HR Generalist Roger Workheiser attended the meeting asking the committee to consider additional handicapped parking spaces around the courthouse due to the recent changes in the handicapped parking laws. The new laws are much more restrictive and at this time there are only two parking spaces that are available for handicapped parking. They reported that, on average, six people a day use the handicapped entrance to the courthouse. It was noted that the handicapped entrance to the courthouse faces Elizabeth Street. The two parking spaces that are in place are along Elizabeth Street. They made a suggestion for an additional space to be located on Court Street between the driveway entrance for the McKenzie Building and the southeast corner of S. 4th Street. They would like to see at least two more spaces designated for handicapped parking. The committee will take this under consideration and will address it as an agenda item at next month's meeting.

Old Business:

None

New Business:

1. *Traffic Signal at 10th and Court Street*

Will had asked about having the length of the green traffic signal on Court Street for traffic northbound on S. 10th Street increased to allow more traffic through the intersection. This had already been taken care of prior to this meeting.

2. *School Crossing Guard at Parkway and Willow*

Director of Finance and Operations of Pekin Public School District #108 Glayn Worrell was in attendance for this item. There is concern for the safety of the school crossing guard at this intersection. Patrol monitored this intersection every day last week. There was very minimal pedestrian traffic and no traffic violations during the times that the intersection was being monitored. This may have been due to the weather. Mike will work with him to look into the availability of grants to address traffic control in this location. Glayn will also check into assigning two crossing guards in this location.

3. *2-Way Street Sign on S. Capitol St.*

There was a request by a citizen to install a sign to alert drivers coming out of the library parking lot onto S. Capitol Street that S. Capitol Street is now 2-way in that location. The Street Department will look into installing a sign there.

4. *No Parking Signs on Stadium Drive*

Ptm. Ward requested that three "No Parking this Side of Street" signs be installed on the east side of Stadium Drive north of Dragon Hill. Stadium Drive is in the city code as no parking any time on both sides of the street.

Around the Table

There was a last minute request regarding parking on Peoria Street near Derby Street. This will be an agenda item for next month's meeting.

Mike distributed a memo to the committee regarding narrow streets. There was discussion of how to proceed on this issue. Ron made a motion for the committee to make a presentation to City Council regarding narrow streets under the Communication, Petitions and Reports section of a council meeting. Mike seconded the motion. All in favor.

There was a general discussion of the effort by the Street Department and Police Department during the recent snow event involving the citywide parking ban. Ron thanked everyone for the way the city handled the snow event.

Kurt reported on the increase in traffic on Court Street in the area of Fire Station #1. Mike informed the committee that he is currently doing a study of that area of Court Street.

Respectfully Submitted,
Lee Ann Wrhel

NEXT REGULAR MEETING MARCH 7, 2014 @ 8:30 A.M.

Pekin Planning Commission Minutes

December 11, 2013

5:30pm

Present:

Jim Jones
Steve Huey
Erik Reader
James Ruth
Bill Craig, Chairman
Ron Knautz
Don Hild, Vice Chairman

Absent:

Daryl Dagit
Steve Thompson

Chairman, Bill Craig led the pledge of allegiance.

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

Staff Present: Attorney Scott Kriegsman

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

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

Chairman, Bill Craig asked for the Approval of the October 9, 2013 minutes.

MOTION by Ron Knautz, Seconded by Erik Reader to Approve the October 9, 2013 minutes as presented. On roll call vote, (6) Six present voted **AYE**. (1)One (Don Hild) present voted **ABSTAINED**. **MOTION APPROVED.**

City Council Action Report:

Received and Filed: The minutes from the October 9, 2013 meeting.

Approved the following Hearings: Hearing #10-1872 & 10-1873 for Re-zoning and Site Plan property on El Camino Drive from B-3(General Business District) to RM-1(Multiple Family Residential).

PPC Correspondence: No Correspondence

Application #1: Sean Leone, Owner

Hearing #1 (10-1874): Special Use for Loft Living above Hawaiian Sun Tanning located at 357 Court Street zoned B-2(Central Business District)in Tazewell County, Illinois.

Open Public Hearing: 5:34pm

Melida Heien, Executive Director of Pekin Main Street, 15 S Capitol Street, Suite 219 was present and remained for questions on behalf of the owner due to conflict with the Store Hours.

Bill Craig, Chairman inquired about parking.

Melida Heien stated the owner rents a space behind the building and customers use what parking is available downtown.

Close Public Hearing: 5:37pm

Special Use Review Committee:
Steve Huey, Chairman

Motion by Steve Huey, seconded by James Ruth to Approve the request of Special Use for Loft Living above Hawaiian Sun Tanning located at 357 Court Street contingent upon an Approved Floor Plan be provided to City Staff. On Roll Call Vote. All Present Voted **AYE**. Motion **Approved**.

Chairman, Bill Craig asked if there was any Public Input.

MOTION by Ron Knautz, Seconded by Steve Huey to Adjourn the Meeting.
On roll call vote, All present voted **AYE**. **MOTION APPROVED**.

Meeting adjourned at 5:45PM.

Juanita K VanBuskirk, Secretary
Pekin Planning Commission

Pekin Planning Commission
December 11, 2013

HEARING #12-1874

The Pekin Planning Commission recommends to **Approve** the Special Use for Loft Living above Hawaiian Sun Tanning located at 357 Court Street and zoned B-2(Central Business District) contingent upon an approved floor plan be provided to City Staff in Tazewell County, Illinois to the Pekin City Council.

Bill Craig, Chairman

Don Hild, Vice-Chairman

Tally of Votes:

AYE - (7)

NAY -

ABSTAIN -

ABSENT - (2)

November 15, 2013

Planning and Zoning Commission
City of Pekin
111 S. Capitol Street
Pekin, IL 61554

Dear Commissioners:

My name is Sean Leone and I am the owner of Hawaiian Sun Tanning, located at 357 Court Street in downtown Pekin. I am currently applying for a Downtown TIF Commercial Retail and Upper Story Living Program Loan for my building. I recently purchased the building and my plans are to create a loft apartment on the second floor of the building where I intend to reside. I am requesting your permission for this special use through your formal process.

Enclosed please find a draft of my proposed floor plan for the living space on the 2nd floor of my building.

Thank you for your consideration.

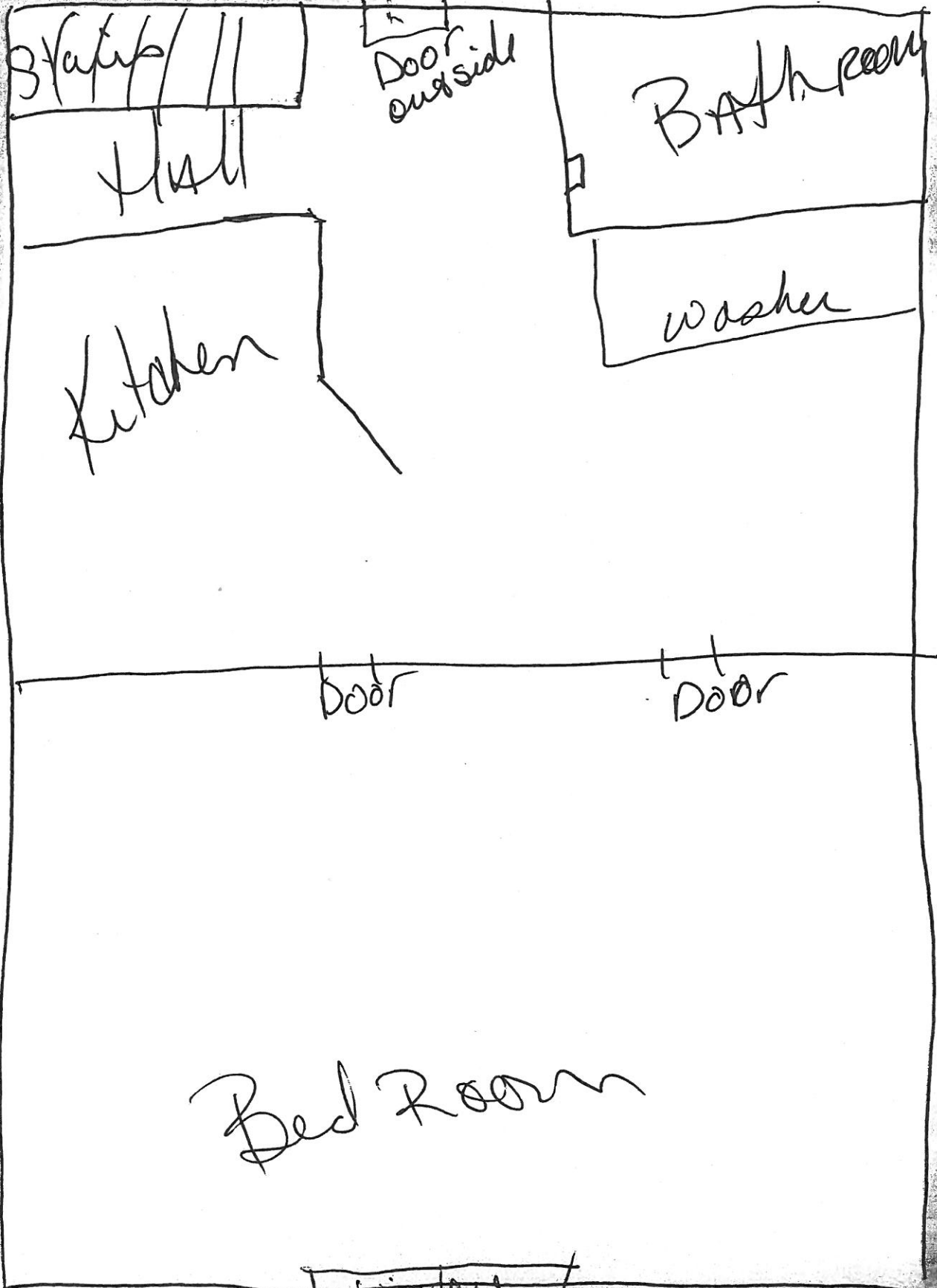
Sincerely,

Sean Leone

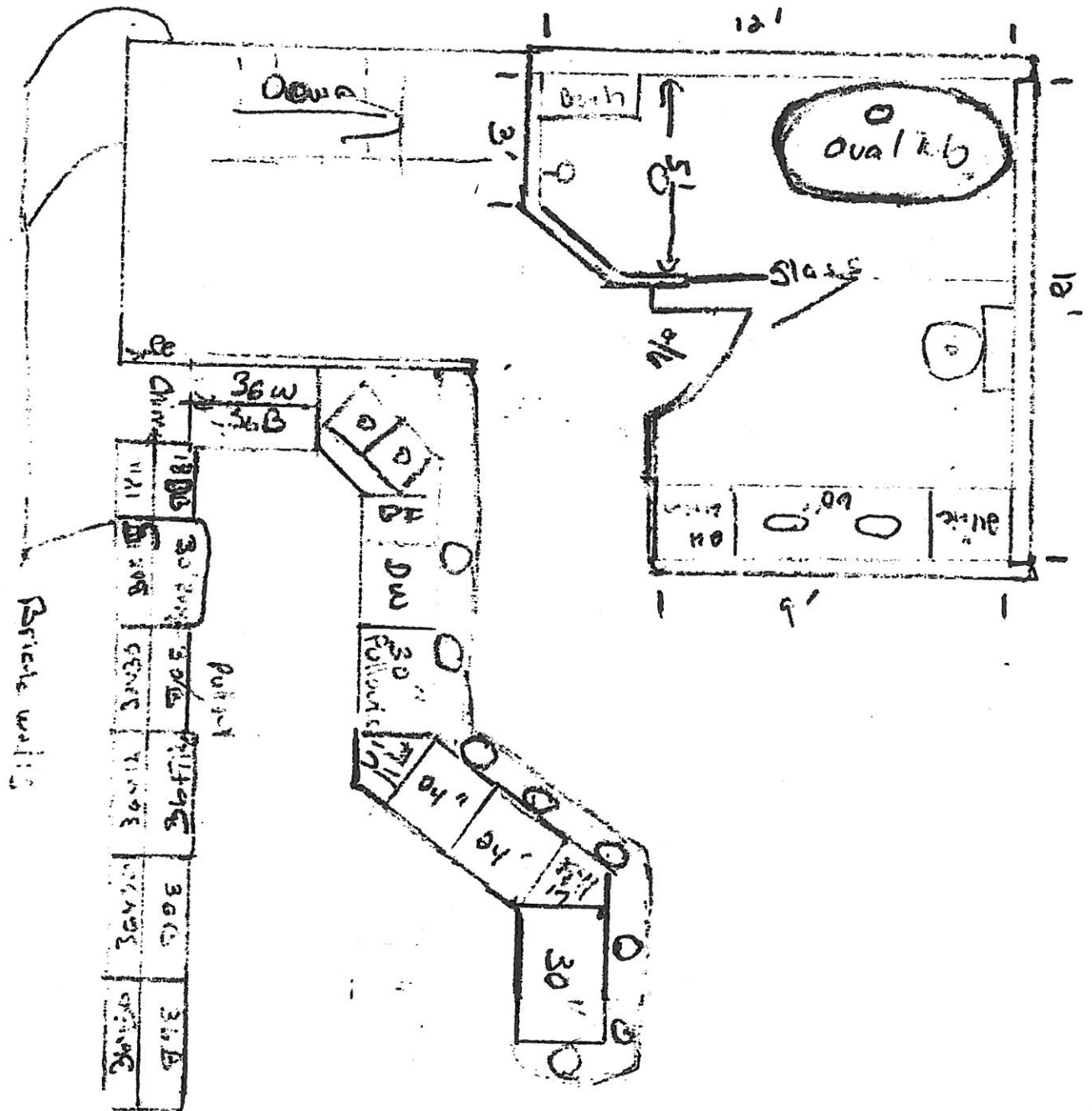
A handwritten signature in black ink that reads "Sean Leone". The signature is written in a cursive, flowing style with a large, prominent "S" at the beginning.

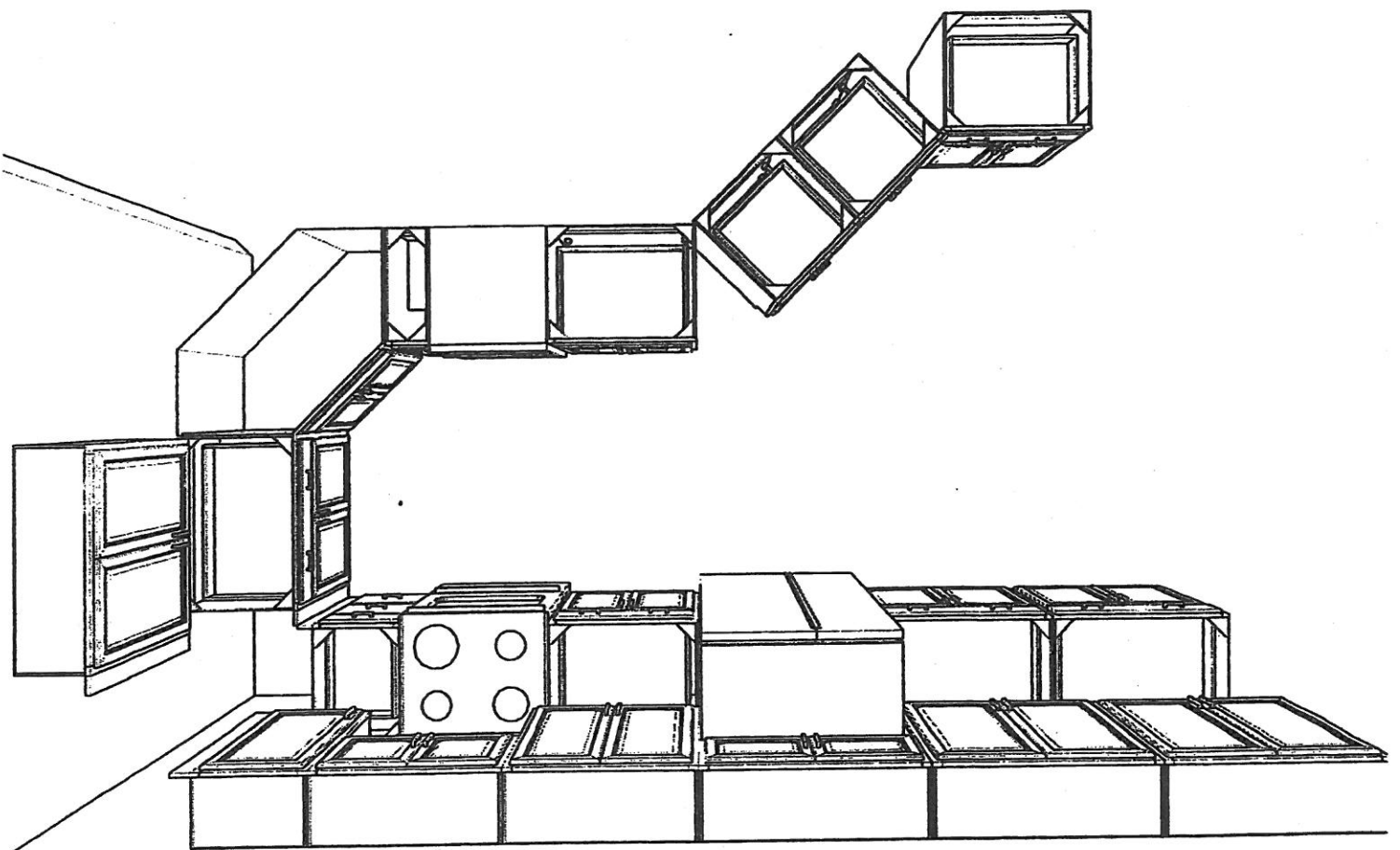
Back

Upstairs is 2200 sq. ft



Front





Note: This drawing is an artistic interpretation of the general appearance of the design. It is not meant to be an exact rendition.

2020
TECHNOLOGIES

Designed: 8/19/2013
Printed: 8/19/2013

Certificate of Publication

STATE OF ILLINOIS,

ss

County of Peoria.

The Peoria Journal Star, Inc. (which is incorporated and doing business under and by virtue of the Laws of the State of Illinois) HEREBY CERTIFIES that it is the printer and publisher of the Journal Star, which is a public secular newspaper of general circulation printed and published daily in the City of Peoria, County of Peoria and State of Illinois, and that said newspaper has been regularly published in said City for at least one (1) year prior to the first publication of the notice hereto attached.

Said Corporation further certifies that the said notice entitled: **"PUBLIC HEARING Notice is hereby given that a PUBLIC HEARING"** hereto attached has been published 1 time(s) in the Peoria Journal Star, on the following respective dates:

The 20th day of November A.D., 2013 in class 0182

IN WITNESS WHEREOF, the said Corporation has caused this Certificate to be signed in its name on its behalf by **Judy Little** this **20th** day of **November A.D.**, **2013**.

The Peoria Journal Star, Inc.

By: Judy Little

Legal Notice

PUBLIC HEARING
Notice is hereby given that a **PUBLIC HEARING** will be held for a Special Use for Loft Living in a B-2 (Central Business District) for Hawaiian Sun Tanning located at 357 Court Street in Tazewell County, Illinois.
Said Public Hearing of the above petition to be held at a regular Meeting of the Pekin Planning Commission, 111 South Capitol Street, City Hall, City of Pekin, Illinois, on the 11th day of December 2013, at the hour of 5:30 P.M.
All persons having an interest therein may appear to be heard.
Please Note: A copy of the proposed change is available at City Hall, dated this 15th day of November 2013.
Juanita VanBuskirk,
Secretary
Pekin Planning Commission

ORDINANCE NO. _____

**AN ORDINANCE TO ADOPT THE IMPOUNDMENT OF VEHICLES TITLE 6
CHAPTER 2 SECTION 11 OF THE CODE OF THE CITY OF PEKIN**

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 believes it is in the best interest of the City to enact and enforce an ordinance for the impoundment of vehicles, that being Title 6 Chapter 2 Section 11 of the Code of the City of Pekin and in accordance with State Statute 625 ILCS 5/11-208.7;

WHEREAS, the City determines that it is in the best interest of the City to adopt an ordinance for the impounding of vehicles.

WHEREAS, the City Council has determined that it is in the best interests of the City to enact and amend the City Code regarding such.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, in the exercise of its home rule powers, as follows:

1. That Title 6 Chapter 2 Section 11 is hereby adopted and entitled “IMPOUNDMENT OF VEHICLES” as the following:

6-2-11 IMPOUNDMENT OF VEHICLES

6-2-11-1 DEFINITIONS

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. The term "Controlled Substance" means any substance as defined and included in the schedule contained in Article II of the Illinois Controlled Substance Act (720 ILCS 570/201 *et seq.*) and cannabis as defined in the Cannabis Control Act (720 ILCS 550/11 *et seq.*)

B. The term "Driving Under the Influence" means any violation as defined in § 11-501 of the Illinois Vehicle Code (625 ILCS 5/11-501).

C. The term "Driving While License, Permit or Privilege to Operate a Motor Vehicle is Suspended or Revoked" means any violation as defined in §6-303 of the Illinois Vehicle Code (625 ILCS 5/6-303).

D. The term "Hearing Officer" means an attorney licensed to practice law in this State for a minimum of three years who is not an officer or employee of the City.

E. The term "Operation of a Motor Vehicle without a Valid Driver's License" means a violation of §6-101 of the Illinois Vehicle Code, as amended from time to time (625 ILCS 5/6-101).

F. The term "Owner of Record" means the record title holder or agent of that owner to a motor vehicle as registered with the Secretary of State, State of Illinois.

G. The term "Unlawful Use of Weapons" means a violation of §24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).

H. The term "Methamphetamine Control and Community Protection Act" means any violation as defined in (720 ILCS 646/1 *et seq.*)

I. The term "Fleeing/Eluding Police" means any violation of the Illinois Vehicle Code (625 ILCS 5/11-204).

J. The term “Leaving the Scene of an Accident” means any violation of the Illinois Vehicle Code as defined in (625 ILCS 5/11-401).

K. The term “Reckless Driving” means any violation of the Illinois Vehicle Code as defined in (625 ILCS 5/11-503).

L. The term “Street Racing” means any violation of the Illinois Vehicle Code as defined in (625 ILCS 5/11-506).

M. The term “Soliciting a Prostitute” means a violation of the Criminal Code under (720 ILCS 5/11-14).

N. The term “Any Felony” means any violation of the Criminal Code of 1961 or the Criminal Code of 2012.

6-2-11-2 VEHICLES SUBJECT TO IMPOUND

A motor vehicle shall be subject to impoundment under this Chapter where such motor vehicle is used in any of the following:

- A. Driving Under the Influence
- B. Driving while License, Permit or Privilege to Operate a Motor Vehicle is Suspended or Revoked
- C. Unlawful use of Weapons
- D. Possession or delivery of a Controlled Substance
- E. Possession of Cannabis (felony violations only)
- F. Violations of the Methamphetamine Control Act
- G. Fleeing/Eluding Police
- H. Leaving the Scene of an Injury Accident
- I. Reckless Driving

J. Street Racing

K. Soliciting a Prostitute

L. Any Felony (Burglary, Robbery, etc.)

6-2-11-3 IMPOUNDMENT OF VEHICLES

Whenever a police officer has probable cause to believe that a vehicle is subject to impoundment pursuant to this Chapter, the police officer may cause the motor vehicle to be towed to an impound facility pursuant to the approval by an on-duty supervisor. When the vehicle is towed, the police officer shall notify any person identifying himself or herself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, if there is such a person, of the fact of the impoundment and of the vehicle owner's right to request a hearing as provided in this Chapter.

6-2-11-3-1 EXCEPTIONS

The provisions of this Section shall not apply if at the time of the offense, the vehicle was found to have been stolen and the theft was reported to the appropriate police authority within twenty-four (24) hours after the theft was, or reasonably should have been discovered, or if the vehicle is a common carrier, ie. A taxi carrying paying passengers or bus.

6-2-11-4 POSTING OF BOND

If a bond in the amount of Five Hundred Dollars (\$500.00) is posted with the City, the impounded vehicle will be released to the owner, lessee or lienholder of record upon the payment of the towing and storage costs. If a penalty is imposed for a violation of this Chapter, the bond will be forfeited to the City; provided, in the event that a violation of this Chapter is not proven, the bond along with the towing and storage charges will be returned to the person posting the

bond. All bond money posted pursuant to this Chapter will be held by the City until the hearing officer issues a decision, or, if there is a judicial review, until the court issues its final decision.

6-2-11-5 OWNER'S HEARING

A. Notice of Hearing. Within three business (3) days of the vehicle's impoundment, the City shall notify the owner, lessee or any lienholder of record of the motor vehicle by certified mail, return receipt requested, and first class mail, postage prepaid, to the interested parties' address as registered with the Secretary of State of his/her right to a full hearing before the hearing officer to determine whether the subject vehicle is eligible for impoundment; and that, in the event that the owner, lessee or lienholder of record would like a hearing, he/she must file a request for such hearing in writing with the City of Pekin Police Department at 111 S. Capitol Street, Pekin IL, within fifteen (15) days of the posted date of the notice. If a written request is not received within fifteen (15) days of mailing the notice, then the owner is defaulted and the impoundment fee will be kept by the City, or if no fee is posted, then the vehicle shall be deemed abandoned and disposed of in accordance with the provisions of the Illinois State Statute, thirty-five (35) days after the default.

B. Hearing. For purposes of this Section, the following shall apply to the owner's hearing:

1. Unless continued by order of the hearing officer, the hearing shall be held within twenty (20) days after a request for hearing is received by the City of Pekin Police Department.
2. All interested persons will be given a reasonable opportunity to be

heard at the hearing.

3. If, after the conclusion of the hearing, the hearing officer determines by a preponderance of the evidence that the vehicle was used as hereinabove provided in 6-2-11-2, the hearing officer shall order the continued impoundment of the vehicle until the owner of the vehicle pays to the City a penalty in the amount of Five Hundred Dollars (\$500.00), plus the towing and storage costs. The penalty shall be a debt due to the City.

4. If the owner, lessee or lienholder of record fails to appear at the hearing, the hearing officer shall enter an order of default in favor of the City, which order shall require the payment to the City of an administrative penalty of Five Hundred Dollars (\$500.00).

5. If the hearing officer determines that the vehicle was not used as hereinabove provided in 6-2-11-2, the motor vehicle will be returned to the owner of record of the vehicle without any penalty or other costs, and, if a cash bond had previously been posted, the cash bond shall be returned along with any outstanding towing and storage fees.

6-2-11-6 UNCLAIMED VEHICLES

If the administrative penalty and applicable towing and storage fees are not paid within thirty-five (35) days after the expiration of time in which administrative review of the Hearing Officer's determination may be sought, or within thirty-five (35) days after an action seeking administrative review has been resolved in favor of the City, whichever is applicable, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for

the disposition of unclaimed vehicles under the Illinois Vehicle Code.

6-2-11-7 LIABILITY FOR PENALTY AND COSTS.

A. The owner of record of a motor vehicle that is impounded shall be liable to the City for a penalty of Five Hundred Dollars (\$500.00) in addition to any fees for the towing and storage of the motor vehicle.

B. Fees for towing and storage are established by the towing company, and not by the City. If, subsequent to the impoundment of a vehicle, on the basis of a license validity violation, either driving on a revoked license or driving on a suspended license, it is established by the owner, or found to be the case by the City, that in fact, the license of the driver of the vehicle was not suspended or revoked, the City shall reimburse the owner for the costs of the tow and storage if a hearing was requested.

C. A vehicle impounded pursuant to this Chapter shall remain impounded until the earlier of the following to occur:

1. the penalty is paid to the City, and all towing and storage costs are paid to the towing company; and

2. a bond, in an amount equal to the liability of the Owner as herein provided in paragraph A. above, is posted with the City and all applicable towing and storage costs are paid to the towing company; and

3. the vehicle is deemed abandoned, in which case the vehicle shall be disposed of in the manner provided by law for the disposition of abandoned or unclaimed vehicles.

4. Except as otherwise specifically provided by law, no owner, lienholder, lessee or any other person shall be legally entitled to take possession of a motor vehicle impounded under this Chapter until the penalty and all towing and storage costs applicable under this Chapter have been paid in full.

5. Whenever a person or other entity with a lien of record against an impounded vehicle has proof of commenced foreclosure or repossession proceedings, and also provides the City with a Hold Harmless Letter, possession of the vehicle shall be given to that lienholder upon payment of bond and all towing and storage costs.

6-2-11-8 HEARING OFFICER

The Hearing Officer shall be appointed by the City Manager. The Hearing Officer shall be an attorney licensed to practice law in the State of Illinois for a minimum of three (3) years next preceding the date of his appointment.

6-2-11-9 DECISION REVIEW

Any party aggrieved by a final decision of the Hearing Officer may appeal that decision pursuant to the provision of the Illinois Administrative Review Act unless stayed by a Court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this section which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review may be enforced in the same manner as a judgment entered by a Court of competent jurisdiction (735 ILCS 5/1-101 *et seq.*)

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, effective_____.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this ____ day of _____, 2014; and upon roll call the vote was as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING: _____

APPROVED this ____ day of _____, 2014.

MAYOR

ATTEST:

CITY CLERK



CITY OF PEKIN
POLICE DEPARTMENT



January 7, 2014

To: Mayor and Council Members
From: Greg Nelson, Chief of Police
Subject: Vehicle Impound Ordinance Proposal

Since its enactment, and subsequent repeal, many past and present members of the City Council have felt that the vehicle impoundment ordinance was a good ordinance but one that simply needed to be adjusted. Indeed, vehicle impoundment ordinances are commonplace in communities in Illinois and a state statute has since been enacted to ensure that they are legally defensible. With new members on the Council, I'd like to briefly explain the purpose of vehicle impoundment ordinances and how they function.

Vehicle impoundment ordinances exist to make vehicle *owners* responsible for their vehicles, whether they are driving or not. Owners should not escape responsibility from allowing their vehicles to be used by others who they reasonably should know are likely to violate the law with them. In such cases, the driver or passenger of the vehicle faces sanctions as he/she normally would, *and* the vehicle impoundment ordinance would cause the vehicle involved to be held until the *owner* posts a cash bond for its release. The owner can attend a hearing and, if found not responsible, will have the cash bond returned. However, if the owner does not contest the impoundment, or is found responsible at the hearing, the cash bond is applied as a fine and the vehicle may be retrieved from the tow company. Pekin does not operate a towing operation, so all towing is performed by private companies. Therefore any costs associated with towing and storage are separate from those under the ordinance. Our past experience with this ordinance showed a correlation with a reduction in certain offenses.

Despite many positive aspects of the prior ordinance, the main criticisms were that it was too strictly applied and that some relatively minor offenses triggered a vehicle impoundment. Previously, when a triggering offense occurred, a vehicle impoundment strictly followed. While this provided the most consistency, there was less opportunity for discretion. There is always a trade-off between consistency and discretion. The previous ordinance triggered an impound when an arrest was made from the vehicle for misdemeanor amounts of cannabis and for drug paraphernalia (usually cannabis smoking devices).

Before bringing you this proposal, we drew upon the past experience of our prior ordinance, a survey of other area communities with vehicle impoundment ordinances and a survey of our

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



officers and employees who worked with our prior ordinance. With this information, we have crafted a revised ordinance that (1) allows more instant discretion on the street, (2) removes some of the minor offenses from triggering a vehicle impoundment, and (3) adds some serious offenses that were not previously included.

Triggering Offenses	
Prior Ordinance	Proposed Ordinance
DUI	DUI
Driving While License Suspended/Revoked	Driving While License Suspended/Revoked
Unlawful Use of Weapons	Unlawful Use of Weapons
Possession of a Controlled Substance	Possession of a Controlled Substance
Possession of Cannabis (all amounts)	Possession of Cannabis (felony violations only)
Possession of Drug Paraphernalia	Violations of the Methamphetamine Control Act
	Fleeing/Eluding Police
	Leaving the Scene of an Injury Accident
	Reckless Driving and Street Racing
	Soliciting a Prostitute
	Any Felony (Burglary, Robbery, etc.)

The proposed ordinance allows on-the-street discretion to impound or not, but uses on-duty supervisors to approve any exceptions. This allows for common sense exceptions, but maintains some consistency in how those exceptions are applied.

Given their relatively minor criminal class, and changing social norms, this proposal excludes misdemeanor amounts of cannabis and drug paraphernalia from the list of triggering offenses. Felony offenses involving cannabis would still trigger an impoundment, however.

To help illustrate the differences, I have created two process maps that show how an arrest from a vehicle is processed with and without this proposed ordinance. I am available to you for questions, comments or concerns and am very interested in your feedback.

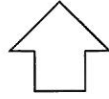
Respectfully,

Greg Nelson
Chief of Police

Typical Arrest from a Vehicle Without an Impoundment Ordinance



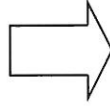
Arrest for a Triggering Offense



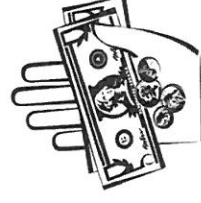
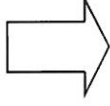
Occupant of vehicle arrested
and charged



Vehicle usually towed from
the roadway



Cash bond posted for release
from jail if possible



Owner pays Tow Company for
Towing and Storage Fees

Typical Arrest from a Vehicle

With an Impoundment Ordinance



Arrest for a Triggering Offense



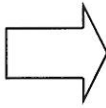
Occupant of vehicle arrested and charged



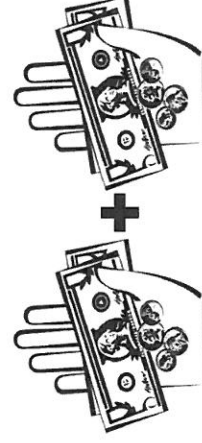
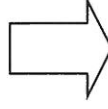
Vehicle towed from the roadway



Vehicle Impounded Unless Circumstances Dictate Otherwise



Cash bond posted for release from jail if possible



Owner pays tow company for towing and storage fees

Owner posts bond to city for release of vehicle. A hearing can be requested and if the owner is not found responsible under the ordinance, the bond is refunded.

ORDINANCE NO. 2696-13/14

**AN ORDINANCE TO VACATE RIGHT-OF-WAY
IN THE CITY OF PEKIN, ILLINOIS**

WHEREAS, there is a certain portion of California Road abandoned lying next to Veterans Drive, between Broadway Road and Sheridan Road; and

WHEREAS, the City of Pekin agreed to vacating a portion of California Road by adopting Ordinance No. 2531-07/08 in the Annexation Agreement entered into on September 10, 2007 with Veterans Drive Investments, LLC, William J. Leman Trustee of Letrout Land Trust; and Wedge Development, LLC ; and

WHEREAS, after due notice was given in the Peoria Journal Star on February 7, 2014, a public hearing was held at the City Council Chambers, 111 South Capitol Street, Pekin, Tazewell County, Illinois on February 24, 2014, for the purpose of hearing comments on the vacation of said portion of California Road; and

WHEREAS, no persons objected to the vacation of said portion of California Road;

WHEREAS, the said right-of-way of California Road is not needed for public use or for any other purpose whatsoever, and that the public interest will be subserved by vacating said portion of California Road; and

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

SECTION I. That the public interest will be subserved by vacating all of that portion of California Road right-of-way legally described as follows:

A PART OF CALIFORNIA ROAD, BEING A PART OF THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF SECTION 32, T. 25 N., R. 4 W. OF THE 3RD P.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 32 AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE N89°07'30"E ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 32, A DISTANCE OF 33.00 FEET TO A POINT ON THE EAST LINE OF SAID CALIFORNIA ROAD; THENCE S00°42'43"E ALONG THE EAST LINE OF SAID CALIFORNIA ROAD, A DISTANCE OF 1167.95 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF VETERANS DRIVE; THENCE S31°27'23"W ALONG THE WEST RIGHT OF WAY LINE OF SAID VETERANS DRIVE, A DISTANCE OF 55.38 FEET TO A POINT ON THE WEST LINE OF THE SE 1/4 OF SAID SECTION 32; THENCE S00°52'40"E ALONG THE WEST LINE OF THE SE 1/4 OF SAID SECTION 32 AND THE WEST RIGHT OF WAY LINE OF SAID VETERANS DRIVE, A DISTANCE OF 967.19 FEET; THENCE S89°07'40"W ALONG THE WEST RIGHT OF WAY LINE OF SAID VETERANS DRIVE, A DISTANCE OF 33.48 FEET TO A POINT ON THE WEST LINE OF SAID CALIFORNIA ROAD; THENCE N00°51'55"W ALONG THE WEST LINE OF SAID CALIFORNIA ROAD, A DISTANCE OF 2181.88 FEET TO A POINT ON THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 32; THENCE N89°01'59"E ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 32, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF TAZEWELL AND STATE OF ILLINOIS.

Part of PIN # 05-05-32-400-004 and 05-05-32-400-022 and 05-05-32-400-023

SECTION II. That said vacation is hereby made subject to the right of the use of said California Road for existing public utilities, if any.

SECTION III. That upon adoption of this ordinance, the Clerk of the City of Pekin, Illinois, is hereby directed to certify and record a true and correct copy of this ordinance and plat with the Recorder of Deeds of Tazewell County, Illinois; said plat being attached hereto, marked for identification as Exhibit A and specifically made a part hereof by reference thereto.

SECTION IV. All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SECTION V. That this ordinance shall be in full force and effect upon its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION BY THREE-FOURTHS (3/4THS) MAJORITY VOTE OF THE CITY COUNCIL THIS 24TH DAY OF FEBRUARY 2014.

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2014

MAYOR

ATTEST:

CITY CLERK

A PART OF CALIFORNIA ROAD, BEING A PART OF THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF SECTION 32, T. 20 N., R. 4 W. OF THE 3RD P.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

STATE OF ILLINOIS)
COUNTY OF PEORIA)

WE, ZUMWALT AND ASSOCIATES, INC., PROFESSIONAL ENGINEERS AND LAND SURVEYORS, DO HEREBY CERTIFY THAT WE HAVE PREPARED A PLAT FOR STREET VACATION OF A PORTION OF A PART OF CALIFORNIA ROAD, BEING A PART OF S 1/2 OF SECTION 32, T. 25 N., R. 4 W. OF THE 3RD P.M., TAZEWELL COUNTY, ILLINOIS, AND THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID PROPOSED STREET VACATION AS DRAWN TO A SCALE OF 1"= 200 FEET.

DATED THIS 28TH DAY OF JANUARY, A.D. 2014.

10

FEET. DATED THIS 28TH DAY OF JANUARY, A.D. 2014.

BY David E. Semurly
 LINDS PROFESSIONAL LAND SURVEYOR NO. 2520
 LICENSE EXPIRATION DATE 11-30-14



CRASH SITE #	APPROVED BY GCS	DATE 1/28/14	OWN 00000-V-001
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TUMWALT & ASSOCIATES, INC.
 PROFESSIONAL ENGINEERS • REGISTERED LAND SURVEYORS
 1445 W. OLYMPIA DRIVE
 BOSTON, MASSACHUSETTS 02118
 TELEPHONE: (617) 552-5974
 TELETYPE: (617) 552-5975

1/1

100

Certificate of Publication

STATE OF ILLINOIS,

SS

County of Peoria.

The Peoria Journal Star, Inc. (which is incorporated and doing business under and by virtue of the Laws of the State of Illinois) HEREBY CERTIFIES that it is the printer and publisher of the Journal Star, which is a public secular newspaper of general circulation printed and published daily in the City of Peoria, County of Peoria and State of Illinois, and that said newspaper has been regularly published in said City for at least one (1) year prior to the first publication of the notice hereto attached.

Said Corporation further certifies that the said notice entitled: **"NOTICE IS HEREBY GIVEN that the City of Pekin, Illinois will"** hereto attached has been published **1 time(s)** in the Peoria Journal Star, on the following respective dates:

The 7th day of February 2014 A.D., in class 0182

IN WITNESS WHEREOF, the said Corporation has caused this Certificate to be signed in its name on its behalf by **Judy Little** this **7th** day of **February** A.D., **2014**.

The Peoria Journal Star, Inc.

By: Judy Little

Legal Notice

Legal Notice

NOTICE IS HEREBY GIVEN that the City of Pekin, Illinois will conduct a public hearing on Monday, February 24, 2014 at 5:30 P.M. in the City Hall Council Chambers, 111 South Capitol Street, Pekin, Illinois, for the purpose of discussing vacating a portion of California Road described as follows:

A PART OF CALIFORNIA ROAD, BEING A PART OF THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF SECTION 32, T. 25 N., R. 4 W. OF THE 3RD PM., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 32 AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE N89°07'30"E ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 32, A DISTANCE OF 33.00 FEET TO A POINT ON THE EAST LINE OF SAID CALIFORNIA ROAD; THENCE S00°42'43"E ALONG THE EAST LINE OF SAID CALIFORNIA ROAD, A DISTANCE OF 1,677.95 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF VETERANS DRIVE; THENCE S31°27'23"W ALONG THE WEST RIGHT-OF-WAY LINE OF SAID VETERANS DRIVE, A DISTANCE OF 55.38 FEET TO A POINT ON THE WEST LINE OF THE SE 1/4 OF SAID SECTION 32; THENCE S00°52'40"E ALONG THE WEST LINE OF THE SE 1/4 OF SAID SECTION 32 AND THE WEST RIGHT-OF-WAY LINE OF SAID VETERANS DRIVE, A DISTANCE OF 967.19 FEET; THENCE S89°07'40"W ALONG THE WEST RIGHT-OF-WAY LINE OF SAID VETERANS DRIVE, A DISTANCE OF 33.48 FEET TO A POINT ON THE WEST LINE OF SAID CALIFORNIA ROAD; THENCE N00°51'55"W ALONG THE WEST LINE OF SAID CALIFORNIA ROAD, A DISTANCE OF 2,181.88 FEET TO A POINT ON THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 32; THENCE N89°01'59"E ALONG THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 32, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF TAZEWELL AND STATE OF ILLINOIS.

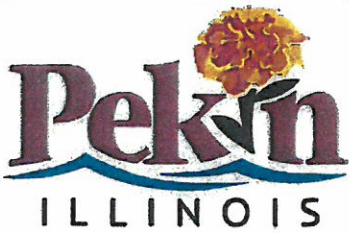
Part of PIN # 05-05-32-400-004 and 05-05-32-400-022 and 05-05-32-400-023 Commonly known as California Road Right-of-Way

Copies of the Street Vacation Plat will be submitted and will be on file in the Office of the City Clerk.

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

DATED at Pekin, Illinois, February 5, 2014

SUE E. MCMILLAN
CITY CLERK



REQUEST FOR COUNCIL ACTION

To: Mayor and Council members
CC: City Manager, City Attorney, City Clerk & Finance Director
From: Community Development Director

AGENDA ITEM: 2014 Assist inducement ordinance

AGENDA DATE REQUESTED: February 24, 2014

ACTION REQUESTED: Approval of the 2014 Assist Inducement Ordinance

BACKGROUND:

The Assist program is sponsored by many communities throughout the State of Illinois that offers families the opportunity to buy their own home by issuing tax-exempt single-family bonds. This program provides families with funds to pay all or most of their closing costs and down payment, enabling families with good credit but little extra capital to buy their first home.

FINANCIAL IMPACT: none

NEIGHBORHOOD CONCERNS: none

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

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

ALTERNATIVES: There are other first time homebuyer programs available.

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

REQUIRED SIGNATURES

Department Director	<u>Pamela Anderson</u>	<u>2-6-14</u>	Date
Finance Department	_____	_____	Date
	(Certification of Availability of Funds)		
Corporation Counsel	_____	_____	Date
	(Certification of Review)		
City Manager	_____	_____	Date

ORDINANCE NO. _____

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

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

WHEREAS, Section 146 of the Internal Revenue Code of 1986, as amended (the "*Code*"), provides that the Municipality has volume cap equal to \$100 per resident of the Municipality in calendar year 2014, which volume cap may be allocated to certain tax-exempt private activity bonds; and

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

WHEREAS, it is now deemed necessary and desirable by the Municipality to transfer its entire volume cap allocation for calendar year 2014 to the City of Aurora, Kane, DuPage, Will and Kendall Counties, Illinois (the "*Issuer*") to be applied toward the issuance of single family mortgage revenue bonds by the Issuer (the "*Bonds*") or for such other purpose permitted by this Ordinance;

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

SECTION 1. That, pursuant to Section 146 of the Code and the Act, the entire volume cap of the Municipality for calendar year 2014 is hereby transferred to the Issuer, which shall issue the Bonds using such transfer of volume cap, without any further action required on the part of the Municipality, and the adoption of this Ordinance shall be deemed to be an allocation of such volume cap to the issuance of the Bonds or other private activity bonds.

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

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

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

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

Presented, passed, approved and recorded this ____ day of _____, 2014.

Approved:

Mayor

[SEAL]

ATTEST:

City Clerk

Ayes: _____

Nays: _____

Absent or Not Voting: _____

**REPORT OF ALLOCATION GRANTED
BY HOME-RULE UNITS**

March 23, 2014

**Office of the Governor
Governor's Office of Management and Budget
603 Stratton Building
Springfield, Illinois 62706**

ATTENTION: Debt Management Unit

**Re: City of Pekin
Total 2014 Volume Cap Allocation: \$3,408,400.00**

Volume Cap allocations, granted, transferred, or reserved by Issuer resolution prior to May 1, 2014:

- 1. Principal Amount of Issue: \$3,408,400.00
Bond Description: Revenue Bonds**

If reallocated to another issuer, state name of issuer: City of Aurora, Illinois

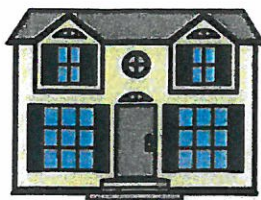
Copies of allocation resolution or ordinances are attached.

Total allocation Granted or Reallocated: \$3,408,400.00

Sincerely,

CITY OF PEKIN

**Joseph Wuellner
City Manager
Phone: (309) 477-2300**



Want a home of your own, but can't meet the down payment and closing costs?

The City of Pekin in association with a number of Illinois communities, offer a two-pronged approach to assist homebuyers: The Assist program provides families with funds to pay all or most of their closing costs and down payment and the mortgage credit certificate ("MCC") program reduces the homebuyer's ongoing cost of borrowing.

What is Assist?

Assist is a program that offers individuals and families with a FHA/VA/RD, 30-year, fixed-rate mortgage and offers a full 3.00% cash grant on the amount borrowed on a mortgage to qualified home buyers for homes in Pekin. The cash assistance may be used to offset some or all of the home loan's down payment and closing costs. Assist minimizes the amount of money you need on hand to purchase your home.



What are Mortgage Credit Certificates?

MCC's are a federally authorized program created as an alternative to tax-exempt housing bonds to reduce effective interest costs for qualifying homebuyers. MCC's allow the homebuyer to qualify for a federal income tax credit equal to a percentage of the interest paid on their home loan each year. MCC holders still qualify for a regular deduction of the remaining interest paid on their home loan.

	Without MCC	With MCC
Mortgage Amount	\$100,000	\$100,000
Mortgage Interest Rate	5.00%	5.00%
Monthly Mortgage Payment (first year interest = \$4,966.49)	\$536.82	\$536.82
MCC Rate	N/A	25%
Monthly Credit Amount (First Year Average) (25% of \$4,966.49 is first year credit)	N/A	\$103.47
"Effective" Monthly Mortgage Payment	\$536.82	\$433.35

What Type of Home Can I Buy And How Much Can I Spend?

Homes that meet the program guidelines are new or existing, owner-occupied, single family homes, town homes and condominiums. Purchase Price and Income Limits are as follows:

Purchase Price Limits:	\$250,200	
Income Limits:	1 or 2 persons	3 or more
	\$72,100	\$82,915

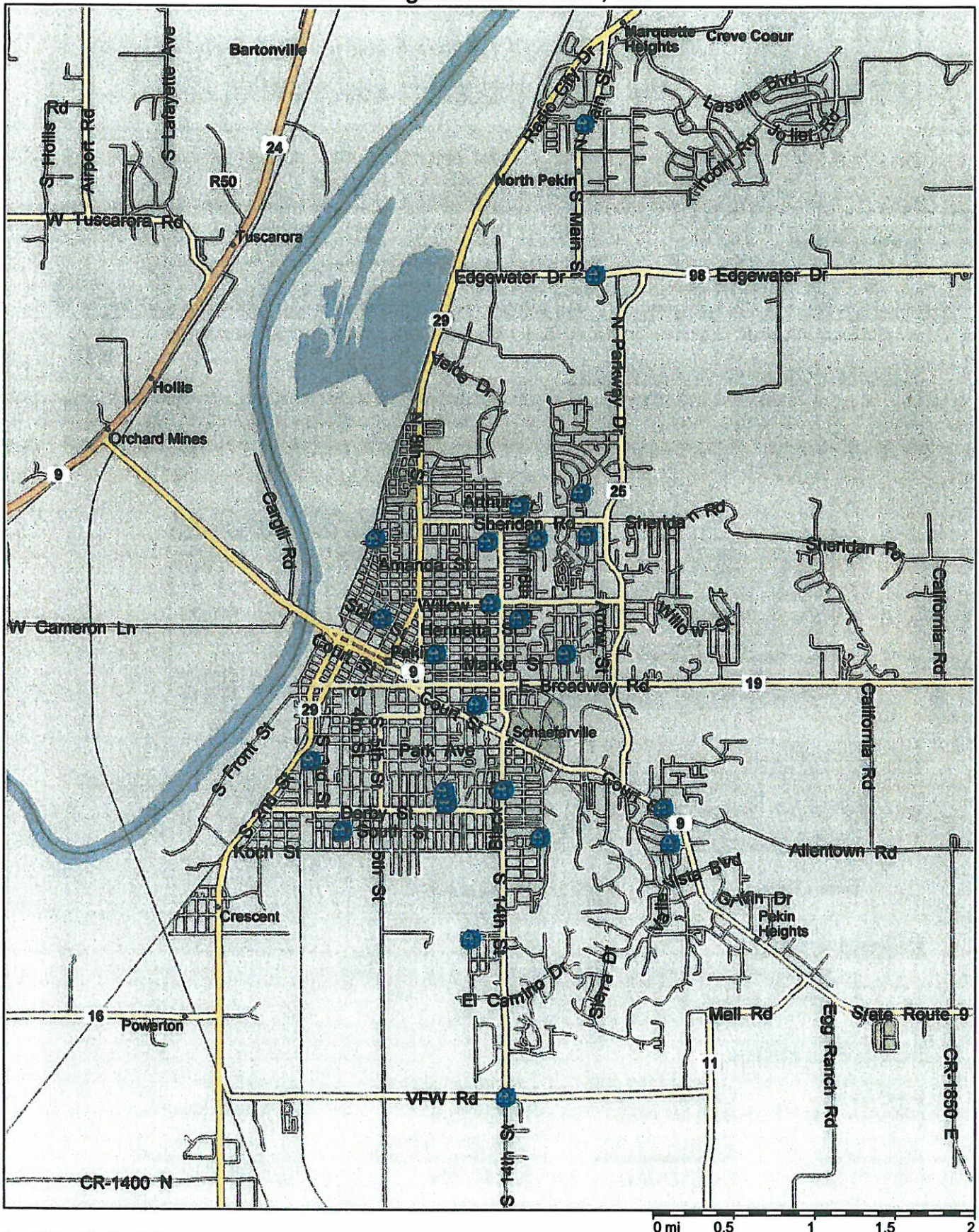
How Do I Sign Up?

1. Contact any of the Pekin-area participating lenders set out below.
2. Meet the program guidelines and qualify for the new home.
3. Close on your purchase and enjoy your new home.

Participating Lenders:

Busey Bank (309) 346-4444	Compass Mortgage (877) 793-9362	1 st Advantage Mortgage (877) 536-3178	Herget Bank (309) 272-2381
Wells Fargo (309) 681-3004	The National Bank (309) 277-2087	1 st State Bank of Illinois (309) 966-4859	Mortgage Services III (309) 241-0305

Assist Originations in Pekin, Illinois



CITY OF PEKIN, ILLINOIS
Assist First-Time Home Buyer Down Payment Assistance Program Loan Origination

	ADDRESS	CITY	STATE	ZIP	LOAN AMOUNT
1 .	1001 CHARLES ST.	PEKIN	IL	61554	\$80,895.00
2 .	109 RESERVOIR ROAD	PEKIN	IL	61554	\$84,794.00
3 .	1522 CHARLOTTE ST	PEKIN	IL	61554	\$74,073.00
4 .	1505 SUMMER ST	PEKIN	IL	61554	\$82,357.00
5 .	4104 EDGEWATER DR	PEKIN	IL	61554	\$166,665.00
6 .	1003 STRATFORD AVE	PEKIN	IL	61554	\$54,580.00
7 .	332 STATE ST	PEKIN	IL	61554	\$79,355.00
8 .	1405 S 18TH ST	PEKIN	IL	61554	\$85,769.00
9 .	2224 CRESTVIEW DR	PEKIN	IL	61554	\$107,698.00
10 .	901 CAROLINE ST	PEKIN	IL	61554	\$74,950.00
11 .	106 MINERVA ST	PEKIN	IL	61554	\$56,821.00
12 .	321 SOUTH ST	PEKIN	IL	61554	\$58,378.00
13 .	1007 AUGUSTA ST	PEKIN	IL	61554	\$55,943.00
14 .	1715 HOLIDAY DR	PEKIN	IL	61554	\$109,160.00
15 .	1304 WILLOW ST.	PEKIN	IL	61554	\$48,732.00
16 .	1103 S 14TH ST.	PEKIN	IL	61554	\$55,555.00
17 .	1211 ROYAL AVE	PEKIN	IL	61554	\$85,769.00
18 .	1348 GEORGEANNE DR	PEKIN	IL	61554	\$82,845.00
19 .	16408 VFW ROAD	PEKIN	IL	61554	\$49,609.00
20 .	1021 MAPLE ST	PEKIN	IL	61554	\$39,470.00
21 .	1918 CHICORY RD	PEKIN	IL	61554	\$96,485.00
22 .	1606 MATILDA ST	PEKIN	IL	61554	\$59,940.00
23 .	1413 LINCOLN ST	PEKIN	IL	61554	\$68,127.00
24 .	211 CAPRI ST	PEKIN	IL	61554	\$86,743.00
25 .	1430 MATILDA ST	PEKIN	IL	61554	\$75,043.00
26 .	1103 S 14TH ST	PEKIN	IL	61554	\$55,555.00
27 .	120 ELM ST.	PEKIN	IL	61554	<u>\$68,420.00</u>

TOTAL: **\$2,043,731.00**

AVERAGE: **\$75,693.74**



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: Joseph Wuellner, City Manager

From: Tourism Committee

AGENDA ITEM: 2014 IHSA March Madness Experience Partnership

AGENDA DATE REQUESTED: 2/24/14

ACTION REQUESTED: \$5,000.00 sponsorship from Tourism Fund

DESCRIPTION: The Peoria area has been privileged for many years to host the IHSA Boy's State Basketball Tournament. As a regional player, Pekin receives additional traffic from the tournament attendees that stay at our hotels and visit our restaurants and shops over the multiple weekend tournaments that will take place March 13-15 and March 20-22 2014. The IHSA is requesting a contribution from the City of Pekin to support the continued success of this tournament with the March Madness Experience exhibit and programs. The entire tournament had an attendance of over 60,000 in 2013. The City of Pekin Tourism committee is recommending a \$5,000 grant contribution to be a regional sponsor for the tournament.

FINANCIAL IMPACT: \$5,000.00/\$28,233.57 available in Tourism Grants (208-208-573100)

NEIGHBORHOOD CONCERNS: NA

IMPACT IF APPROVED: Tournament is a benefit back to the Pekin and surrounding area businesses and continues our regionalism efforts to support central Illinois along with partnership with IHSA on many host tournaments

IMPACT IF DENIED: Eliminates marketing opportunities included in the \$5,000 sponsorship and commitment to continue as a regional player (see attached)

ALTERNATIVES:

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

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

REQUIRED SIGNATURES**Department Director:**

Date:

*Veigh Ann Matthews 2/13/14***Finance Department (Certification of Availability of Funds):**

Date:

*2-13-14 Angela Evans***Corporation Counsel:**

Date:

City Manager:

Date:

Joseph Whalen
2/13/14

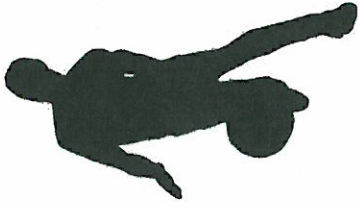
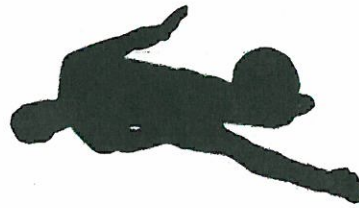
March Madness Experience Agreement for the City of Pekin

- Banners- 4 (6'x3')
- LED Boards-courtside signage (will rotate throughout the weekend)
- Program AD (this will be a full page and full color AD)
- Give away items (must be approved by IHSA before the tournament)
- Logo and Link on the MME site
- PA announcements (1 per session)
- Booth space in the Experience
- 6 Tickets per session each weekend
- 6 VIP passes per session each weekend
- 2 Parking passes per session each weekend

Total Investment: \$ 5,000

2014 March Madness Experience™ Sponsorship Benefits

Item	Sweet Sixteen
In Game Promotion	No
Investment (Net)	\$5,000
Event Positioning	Event Venue
Giveaway Items	May Do So
Sample Product (EF)	Yes
Use of MME Logo	Yes
MME Event Sign	At Venue
MME Floor Logo	No
MME Banners	Four (6' x 3')
Regular Season Tickets	6 seasons 1A & 2A, 3A & 4A
VIP Session Seating	No
VIP Room Passes	6 each 1A & 2A, 3A & 4A
VIP Park Passes	2 each 1A & 2A, 3A & 4A
IHSA Web Site (*)	Exposure & Link
Boys Program Ad	Half Page/Black & White
Arena Signage	No

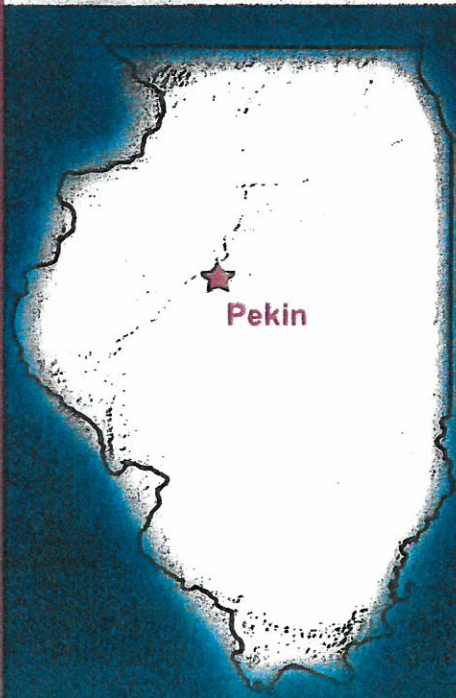
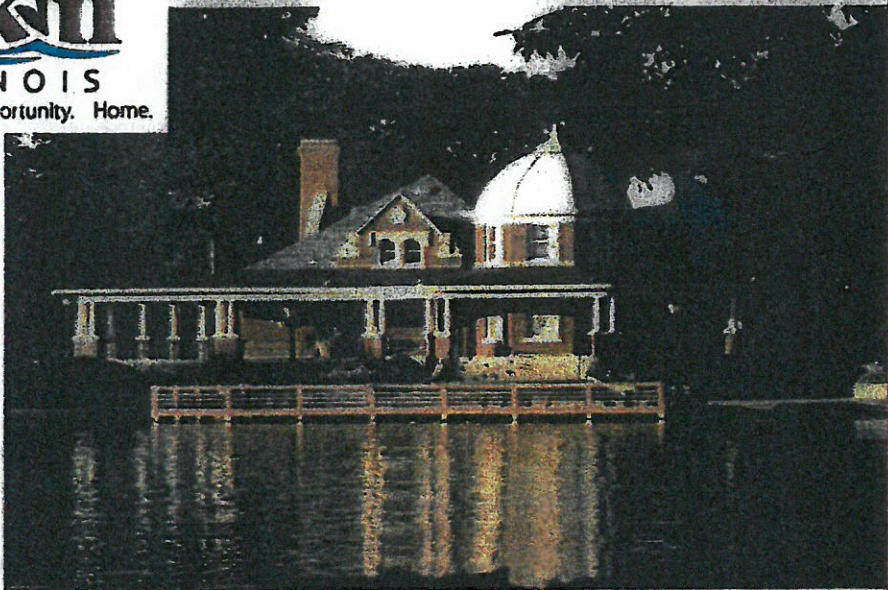
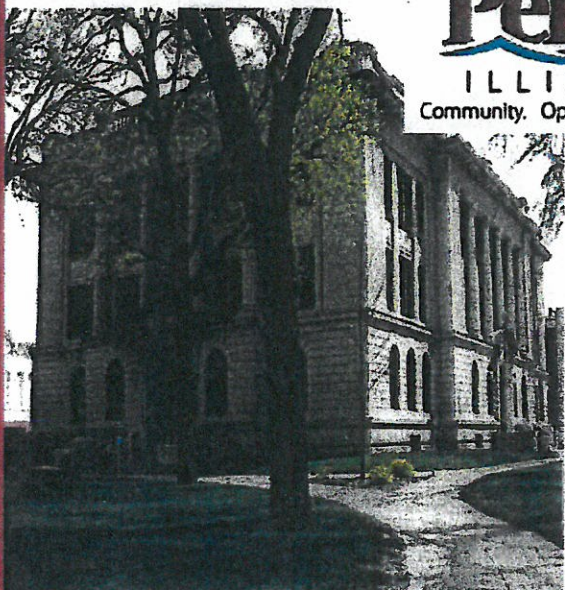
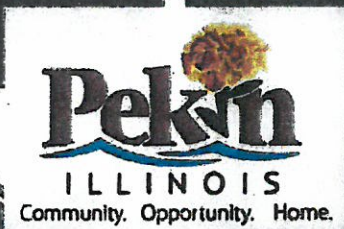
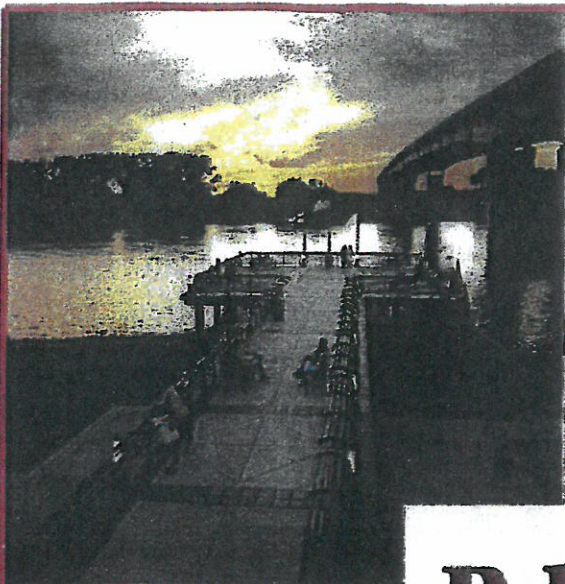


(EF) = Except food or beverage covered in Civic Center Contract
 (VA) = Value Added as space permits (In 2007, Title Sponsors received 9:00 minutes of session time, other sponsors 4:00 minutes of session time on Dorna rotating sign courtside.)

- * During Calendar Year 2009-10, the IHSA Web Site received more than 42 million page views.
- * During Calendar Year 2010-11, the IHSA Web Site received more than 40 million page views.
- * During Calendar Year 2011-12, the IHSA Web Site received more than 41 million page views.
- * During Calendar Year 2012-13, the IHSA Web Site received more than 43 million page views.

Net = net total amount of check paid to March Madness Experience (agency commissions escalate price accordingly)





- Visit our scenic Riverfront Park on the Illinois River
- Play our 4 Championship Golf Courses
- 2500 Acres of Parks to Enjoy, www.pekinparkdistrict.org
- Historic Downtown District, Illinois Main Street Community
- Riverway Business Park, www.pekinedc.com
 - Excellent Industrial & Commercial Sites Available
- Annual Community Events
 - Pekin Area Chamber of Commerce, www.pekin.net
 - Pekin Main Street, www.pekinmainstreet.com
- Avanti's Dome, Sports & Entertainment Complex

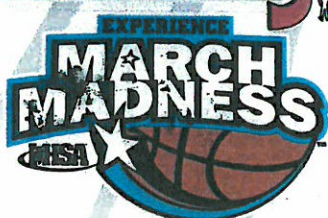
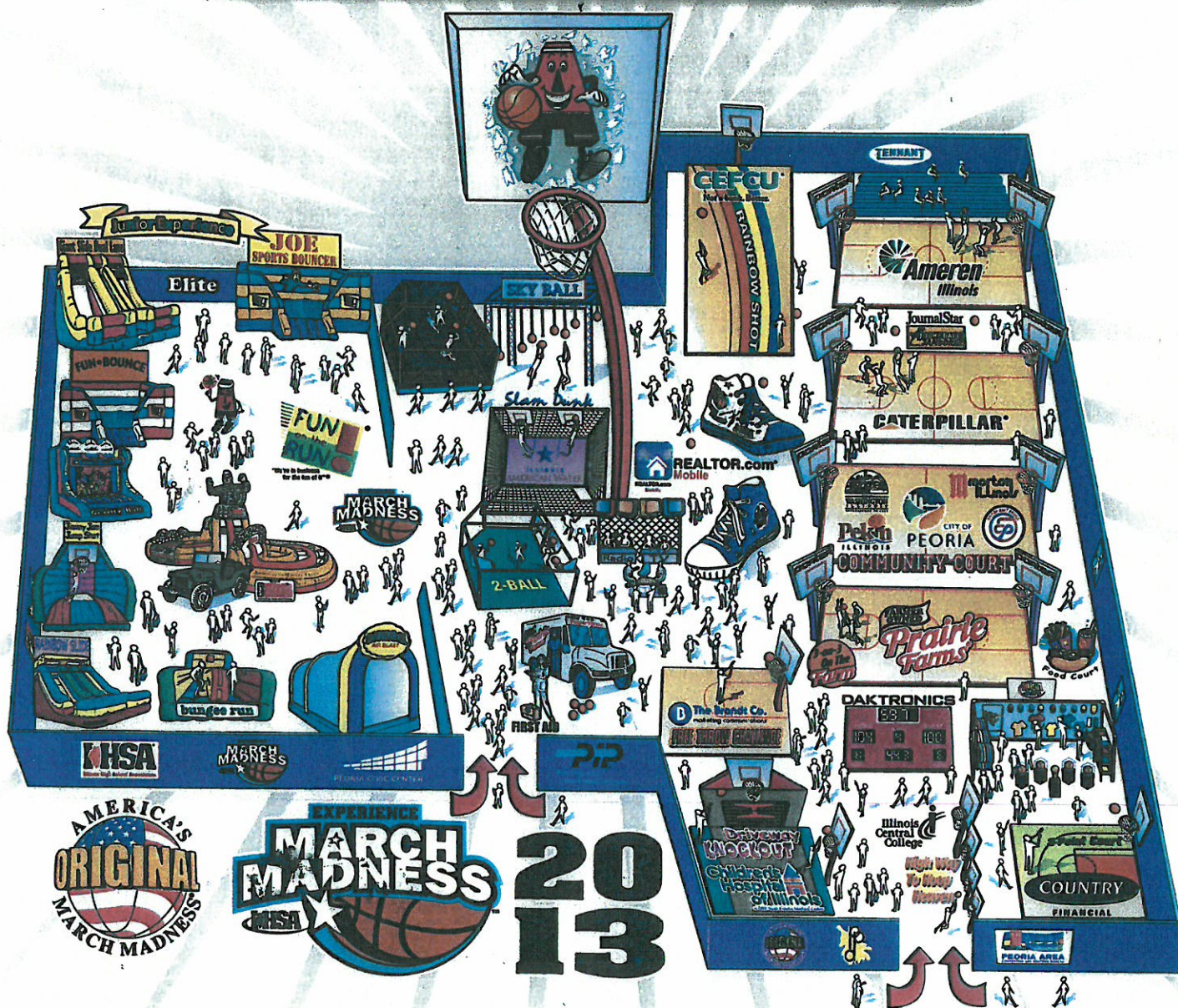
City of Pekin
 111 S. Capitol
 Pekin, IL 61554
 309-477-2300
www.ci.pekin.il.us

Pekin Visitors Bureau
 111 S. Capitol
 Pekin, IL 61554
 309-477-2300
www.pekintourism.com



2013 MARCH MADNESS EXPERIENCE

★ ★ ★ PLAYING IN PEORIA ★ ★ ★



2013

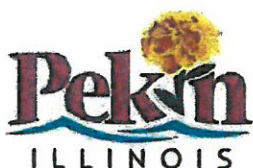
TITLE SPONSORS



Ameren

CATERPILLAR





REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & City Manager

From: Michael Guerra, City Engineer

AGENDA ITEM: Change Order - Wastewater Treatment Plant, Phase 2A

AGENDA DATE REQUESTED: February 24, 2014

ACTION REQUESTED: Approve Change Order #7 for Phase 2A for the WWTP in the amount of \$10,043.00

DESCRIPTION: Phase 2A construction of the wastewater treatment plant commenced in November of 2011 with the construction of the new plant within the foot print of the existing plant. This is the seventh change order and includes additions for 2 items and the deduction for 1 item due to changes that were required once initial construction was completed. These changes were a result of verification of starting up new equipment and additional knowledge of how these systems operate within the overall system. These modifications were needed to make sure that operation of the plant can be performed to the satisfaction of the City at the completion of the project.

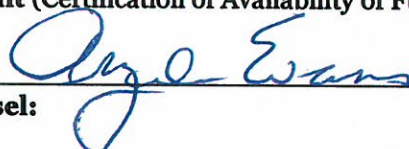
The deduction was of a previously approved change order in which a dewatering pump was required to drain the 88 digester. As construction continued the contractor was able to identify an alternate method to drain the 88 without requiring the use of the dewatering pump, therefore this is a credit back to the project. The other two items were as a result from the starting and operating of new equipment in the residuals building. As the building was brought online it was discovered that the float devices for the water level sensors did not work with the existing conditions and therefore needed to be reinforced with PVC piping so ensure the proper operation. The other addition was as a result of operating a new piece of equipment that was installed in the residual building. Upon operational testing of the unit it was discovered that a package system did have a drain valve that would allow the system to be cleaned without having to fully operate the machine. This resulted in increased maintenance and a reduced quality of sludge product for the plant. Therefore the City requested a valve to be installed to allow for cleaning and to relocate a loading pipe that would allow for easier operation of the system. Overall these changes added benefit to the operation of the plant and provide for a better product. Attached are the descriptions of the changes that are required with the amount added or deducted. The complete change order packet will be available for review with the City Clerk or the City Engineer.

Overall for phase 2A the original contract was \$20,670,000.00 and with the all change orders it is now \$21,289,239.00 which is a 3.00% increase. This change order will bring the total amount of change orders to \$619,329 leaving \$771.00 remaining in the original 3% loan contingency. While this has used up almost the entire remaining contingency on phase 2A, this phase of the project is now substantially complete.

I would recommend that this change order for the project be approved so that phase 2A can be completed.

FINANCIAL IMPACT: None to the existing budget because changes were anticipated in the project estimate

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: Work will continue and the project stays on schedule to meet mandated completion date	
IMPACT IF DENIED: Work will be delayed which will cause failure to meet mandated completion date of June 2015	
ALTERNATIVES: N/A	
RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: [check no more than 2 boxes. Copy this check mark ✓ and paste it to the left of the relevant theme.]	
	A Prosperous Community. To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.
	A Safe Community. To protect community life and property by providing effective, principled police and fire services.
✓	A Strong Foundation. To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
	A High Quality of Life. To support or provide services that improves the quality of life for Pekin's residents.
	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.
REQUIRED SIGNATURES	
Department Director: 	
Date: 2/14/14	
Finance Department (Certification of Availability of Funds):	
Date: 2-14-14 	
Corporation Counsel:	
Date:	
City Manager: 	
Date: 2/14/14	

Change Order

No. 7

Date of Issuance: 02/05/2014

Project: Wastewater Treatment Plant (STP #1) Improvements – Phase 2A	Owner: City of Pekin
Contract: Wastewater Treatment Plant (STP #1) Improvements – Phase 2A	Date of Contract: 11/1/2011
Contractor: Williams Brothers Construction, Inc.	Engineer's Project No.: 0110781.00

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

See Attachment #1 – List of Change Order Items and Justifications

Attachments (list documents supporting change):

See Attached RFP's #070, #071, #072R

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 20,670,000.00

[Increase] [Decrease] from previously approved
Change Orders No. 1 to No. 6:

\$609,286.00

Contract Price prior to this Change Order:

\$ 21,279,286.00

Increase of this Change Order:

\$ 10,043.00

Contract Price incorporating this Change Order:

\$ 21,289,329.00

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days X Calendar days

Substantial completion (days or date): 700

Ready for final payment (days or date): 760

[Increase] [Decrease] from previously approved Change Orders
No. to No. :

Substantial completion (days): N/A

Ready for final payment (days):

Contract Times prior to this Change Order:

Substantial completion (days or date): 700

Ready for final payment (days or date): 760

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): 27

Ready for final payment (days or date): 27

Contract Times with all approved Change Orders:

Substantial completion (days or date): 727

Ready for final payment (days or date): 787

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 2/5/14

Approved by Funding Agency (if applicable):

ACCEPTED:

By:
Owner (Authorized Signature)

Date:

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 02-05-14

Date:

ATTACHMENT #1

Change Order Items Summary and Justification

1. RFP #070: Credit to the Owner for costs not incurred for the completion of work required for RFP #063 and RFP #065. (\$6,594.00)
2. RFP #071: Revision to the method of anchoring the floats in the supernatant pump station by mounting the floats to PVC conduit. Sludge mat formation in the supernatant pump station wet well resulted in improper operation of the cable mounted floats. The rigid PVC conduit eliminates the buoyancy forces on the floats created by the sludge mat. \$3,670.00
3. RFP #072R: Revision to supernatant sludge forcemain to directly discharge into the sludge hopper to reduce measurement error of the sludge cake hopper created by the supernatant sludge discharge into the side of the hopper. Provision of 2-inch piped connection between the supernatant sludge forcemain to the 8-inch sludge cake forcemain to the sludge drying bed building that will allow supernatant sludge to be pumped directly to the sludge drying bed building. Provision of a drain tap at the bottom of the lamella plate settler to reduce the time it takes to drain the lamella plate settler. These items will improve flexibility and maintenance in the lamella plate settler and supernatant sludge system. \$12,967.00

See attached RFP and Change Order Proposal Packets for additional details. See attached summary tabulation of costs.

RFPs and Change Order Summary for Phase 2A

RFP Number	Date	Description	Proposal Received	Proposal Amount	Negotiated Amount	Change Order Number	Code
1	11/18/2011	24" Sanitary North of Blower Bldg Ph 2A/2B Shift	11/21/11	\$27,585.00	\$27,585.00	1	
1A	11/18/2011	Existing manhole replacement associated with RFP #1 24 in. SA relocate	01/30/12	\$9,656.00	\$9,656.00	1	
2	11/29/2011	Electrical power feed to the Operations Building	12/12/11	\$30,844.00	n/c	1	
3	11/29/2011	DMDP Vault Changes - Elevated Decking Construction and Manhole Lid	12/23/11	\$3,315.00	\$3,315.00	1	
4	11/29/2011	Temporary Primary Sludge Transfer Interconnect	12/12/11	\$2,258.00	\$2,258.00	1	
5	12/12/2011	Residuals Building Sanitary Drain reroute and temp PW/NPW services	12/28/11	\$6,499.00	\$6,499.00	1	
7	12/12/2011	Delete Handrail at Primary Clarifiers	2/1/2012	(\$7,549.00)	(\$7,549.00)	1	
8	12/19/2011	Digester 2 Temporary Sludge discharge to lagoon	1/7/2012	(\$8,244.00)	(\$8,244.00)	1	
9	1/11/2012	Sludge Drying Bldg. conduit adjusts for 2B Sludge Drying Canopy	1/31/2012	n/c	n/c	1	
10	1/11/2012	Relocate existing NPW and G2 lines conflicting with Sludge/Blower Building Construction	1/31/2012	\$6,304.00	\$6,304.00	1	
12	2/8/2012	Metal Wall Panel Change to Marquee-Lok		\$659.00	\$659.00	1	
		Total Change Order No. 1		\$71,327.00	\$40,483.00		
6R	12/12/2011	Temp Construction and operating power for North Primary Clarifier and Primary Sludge Pump Station	1/10/2012	\$34,003.00	\$16,283.00	2	
11	2/2/2012	Delete Electric Actuators from SG-1 (Qty 2)	deleted	(\$1,285.00)	(\$1,285.00)	2	
13	2/8/2012	HOA Switch Wiring		n/c	n/c	2	
14	2/23/2012	Controls additions/subtractions for RFI 22		(\$7,161.00)	(\$7,161.00)	2	
15	3/5/2012	Removing a 400amp feed from DMDP		(\$25,135.00)	(\$25,135.00)	2	
16	3/23/2012	Architectural and Structural Changes at residuals walkway retaining wall (ESI 15)		\$4,238.00	\$4,238.00	2	
17	3/26/2012	Digester Gas Safety Equipment/Pipe Clean Out; Electric Water Heater labor at Maintenance Shop		\$7,224.00	\$7,224.00	2	
18/18R	3/27/2012	Residuals Building Slab adjustments	4/5/2012	\$3,097.00	\$3,097.00	2	
19	4/5/2012	Flushing Hose Bib at Residuals Building to replace existing yard hydrant		\$1,600.00	\$1,600.00	2	
20	4/9/2012	10" PS Pipe adjustments btwn S. Primary Clarifier and N. Primary Clarifier		(\$5,426.00)	(\$5,426.00)	2	
21	4/11/2012	Duct Bank Revision from the Blower Bldg to the NPW Pump Sta		\$21,795.00	\$9,725.00	2	
22/22R/22R2	4/12/2012	Residuals Building Supplemental Structural support for select large process equipment		\$41,501.00	\$41,501.00	3	
23R	4/18/2012	Exterior Lighting Change to Type C fixtures per shop drawing review comments		(\$300.00)	(\$300.00)	2	
24	4/18/2012	Aeration basin Inlet Channel Actuator; MLSS sensor Power and Control conduit		\$8,638.00	\$8,638.00	2	
25R	4/25/2012	Residuals Building PLC Additional I/O		\$9,204.00	\$9,204.00	2	
26	4/25/2012	PRP Panel Upgrade [5/8 plywood vs. Gypsum] at Chlorine, Blower, and Residuals Bldg.		\$5,625.00	\$5,625.00	2	
27	4/25/2012	Temp Reroute of control & power cable in conflict with the Secondary Drain MH		\$10,487.00	\$10,487.00	2	
30	5/9/2012	Undercut of the Aeration Basin		\$36,450.00	\$29,403.00	2	
		Total Change Order No. 2		\$144,555.00	\$107,728.00		
28	5/2/2012	Additional veneer block and support beam at 66 digester abutment to Residuals Building		\$17,480.00	\$17,480.00	3	
29R	7/23/2012	Concrete Patch and Piping Repairs at West 1936 digester		\$105,414.00	\$86,124.00	3	
31	5/9/2012	Process Gate Installation Improvements at the Aeration Basins & Anaerobic/Anoxic Basins		\$7,966.00	\$5,247.00	3	
32/32R/32R1	5/18/2012	Digester Gas Piping Revisions and Tunnel Piping Joint Restraints		\$80,968.00	\$80,967.00	3	
33	5/25/2012	Residuals Building Hoist Beam Changes from ESI 032		\$4,767.00	\$4,767.00	3	
34	6/5/2012	Secondary Digester Tunnel and Vault Electrical Modifications		\$15,771.00	\$15,771.00	3	
35	6/20/2012	Add cleanouts to the Contract		\$15,225.00	\$15,225.00	3	
36	6/29/2012	Sludge Sample Taps in the Residuals Building		\$2,243.00	\$2,243.00	3	
37	6/29/2012	Digester #2 Sludge Piping Revisions		\$9,682.00	\$9,682.00	3	
38	7/11/2012	GFI Outlet and Conduit Deduct		(\$31,425.00)	(\$31,425.00)	3	
39	7/12/2012	Sump Pump Additional Conduit		\$5,581.00	\$5,581.00	3	
		Total Change Order No. 3		\$233,672.00	\$211,562.00		
40	10/4/2012	Primary Clarifier Access Platform		\$4,216.00	\$4,216.00	4	
41	10/3/2012	Pipe and Hatch Revisions at Digester 64 Internal		\$38,733.00	\$38,733.00	4	
42	10/3/2012	Gas Venting Valves for Digester recirculation pumps		\$13,757.00	\$13,757.00	4	
43	10/18/2012	Ceiling Access in the Residuals and Blower Buildings		\$3,367.00	\$3,367.00	4	
44	10/30/2012	Temporary RAS Connection		\$18,727.84	\$17,676.00	4	
45	10/30/2012	Magnetic Flow Meter Changes		\$6,540.00	\$6,540.00	4	
46	11/9/2012	Plate Settler Platform Structural Modifications in the Residuals Building		\$3,100.00	\$3,100.00	4	
47	11/16/2012	Secondary Digester Tunnel Drain, Residuals Condensate Manhole Discharge		\$4,513.00	\$4,513.00	4	
49	12/19/2012	Temporary Secondary Clarifier Construction Bypass and Transfer Fittings		\$10,350.00	\$7,513.00	4	
		Total Change Order No. 4		\$109,303.84	\$99,415.00		

50	2/16/2013	PLC, BLW and PLC, RES wiring circuit breakers to input cards (original sent 2/4/2013)	\$3,663.00	\$3,663.00	5	UR
51R	2/13/2013	PLC, RES TVSS to replace ISB relays (original sent 2/4/2013)	(\$2,143.00)	(\$2,143.00)	5	UR
52R	2/15/2013	Sludge Drying Bed trench Modification (Orig. 2/14/13 Rejected due to cost)	\$23,849.00	(\$1,440.00)	5	UF
53	2/15/2013	Lamella Plate Settler Isolation Valve	\$1,544.00	\$1,544.00	5	UR
54	2/15/2013	Explosion relief Valve Pipe Adjustment	\$7,816.00	\$7,816.00	5	DE
55	2/22/2013	Polymer Containment area expansion	\$3,389.00	\$3,389.00	5	UR
56	2/28/2013	PLC-RES and PLC-BLW HVAC I/O and Wiring	\$15,089.00	\$15,089.00	5	UR
57	3/7/2013	Venting of the 64 Digester Overflow	\$41,948.00	\$29,413.00	5	UR
58	3/26/2013	UPS Dedicated Outlet at PLC and Residuals Building Electric Water Heater for Eyewash	\$3,588.00	\$3,588.00	5	UR/DE
59R1	3/20/2103	Temporary baffle wall extension anoxic basin #3 and #4	\$59,761.00	\$26,104.00	5	UF
		Total Change Order No.5	\$138,504.00	\$87,026.00		
60	3/27/2013	350 to 250 Class ANSI DIP Working pressure	(\$3,440.14)	(\$3,440.00)	6	CE
61		Modify Walkway at Digester (Not Accepted. Install as per contract)	(\$562.00)	\$0.00	-	
62	6/29/2013	Structural framing adjustments for colling doors at existing sludge drying building	\$20,677.00	\$20,677.00	6	PC
63	8/7/2013	Digester contents transfer 88 to 64 for 88 digester revisions	\$15,908.00	\$13,863.00	6	UR
64	7/26/2013	Residuals load out overhead door sill	\$2,451.00	\$2,451.00	6	PC
65	8/21/2013	Sludge Cake Pump Discharge Pipe modifications	\$7,627.00	\$7,627.00	6	UR
66	8/21/2013	Fire Marshall door switch requirements	\$4,142.00	\$4,142.00	6	CR
67	8/26/2013	Air conditioning residuals MCC room	\$17,750.00	\$17,750.00	6	DE
68	5/21/2013	Contract Completion Date Extension	\$0.00	\$0.00	6	UF
69	12/16/2013	Air Release Valve Switch Out	\$0.00	\$0.00	6	UR
		Total Change Order No. 6	\$64,552.86	\$63,070.00		
70	10/15/2013	Pricing and Scope adjustments to RFP #063 and RFP #065; Change Order #6	(\$6,594.00)	(\$6,594.00)	7	CE
71	11/6/2013	Supernatant PS Floats (ESI 066)	\$3,670.00	\$3,670.00	7	UF
72	1/16/2014	Supernatant pump piping adjustments and valve additions; Lamella drain addition	\$16,071.00	\$12,967.00	7	UR
		Total Change Order No. 7	\$13,147.00	\$10,943.00		
48R2	11/20/2013	Volclay liner alternative for CSO Lagoon Unit Price Estimate	\$67/sy	\$47/cy		

Original Contract

CO #1	\$20,670,000.00	0.20%
CO #2	\$40,485.00	0.52%
CO #3	\$107,728.00	1.02%
CO #4	\$211,562.00	0.48%
CO #5	\$99,415.00	0.42%
CO #6	\$87,028.00	0.31%
CO #7	\$63,070.00	0.05%
	\$10,043.00	
Total Change orders	\$619,329.00	3.00%
Current Contract	\$21,289,329.00	103.00%
Loan Contingency	\$620,100.00	3.00%
Remaining Loan Contingency	\$771.00	0.00%