City of Pekin

REGULAR COUNCIL MEETING MONDAY, DECEMBER 8, 2014
5:30 P.M.

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE *Mayor Laurie L. Barra*		
3.0 ROLL CALL *Clerk to Call the Roll*		
4.0 APPROVAL OF AGENDA ***ACTION:*** *Motion to approve the meeting agenda.* ***VOTE REQUIRED***		
5.0 APPROVAL OF MINUTES ***ACTION:*** *Motion to approve minutes of the Regular Council Meeting November 24, 2014.* ***VOTE REQUIRED***		
6.0 PUBLIC INPUT ON THE AGENDA ITEMS, PUBLIC COMMENTS AND QUESTIONS *Speakers to state name. Speakers may address the Council on any topic.*		
7.0 CONSENT AGENDA		
7.1 Receive and File Resolution No. 111-14/15 - Approving an Abatement of Real Estate Tax Levy on New Improvements within an Enterprise Zone		
8.0 COMMUNICATIONS, PETITIONS, REPORTS		
9.0 NEW BUSINESS		
9.1 Intergovernmental Agreement Regarding an Enterprise Zone Located in Southern Tazewell County **DESCRIPTION:** This agreement approves the joint application of the Southern Tazewell Enterprise Zone including zone boundaries of Pekin, Tazewell County, Tremont and Morton for the new application to DCEO for review. If approved by DCEO and State of IL Enterprise Review board, this zone would become active January 2016. The current Pekin Area Enterprise Zone expires in 2016 with no extensions available. **ACTION:** Motion to approve the agreement. **VOTE REQUIRED**	LAB	1
9.2 Ordinance No. 2713-14/15 – Designating Area as an Enterprise Zone and Related Matters Under Section 5 of the Enterprise Zone Act. **DESCRIPTION:** Approve this ordinance to comply with Enterprise Zone to validate the Intergovernmental Agreement and resolution stating incentives. **ACTION:** Motion to adopt the ordinance. **VOTE REQUIRED**	LAB	1

9.3 Harvesting the Illinois River Asian Carp Feasibility Study for Market Based Solutions **DESCRIPTION:** Approval to contract with University of Illinois to conduct the market research/feasibility study for opportunities on multiple Asian Carp products sustainable viability. **ACTION:** Motion to approve the study in an amount not to exceed $8,000.00. **VOTE REQUIRED**	LAB	1
9.4 Ordinance No. 2714-14/15 – Making, Levying, and Assessing Municipal Taxes for Fiscal Year from May 1, 2014 to April 30, 2015 – Annual Levy Ordinance **DESCRIPTION:** Proposed 2014 Levy of $6,177,793.00 is 0% higher than the 2013 Levy. The Estimated Rate (based on estimated EAV) would be 1.4367%. **ACTION:** Motion to adopt the ordinance. **VOTE REQUIRED**	DG	5
9.5 Resolution No. 112-14/15 – Abatement of Taxes Ordinance No, 2667-12/13 General Obligation Bond Series 2012 $2,100,000/ Ordinance No. 2673-12/13 $1,975,000.00 Levy and Collection Ordinance. **DESCRIPTION:** This resolution authorizes that taxes not be levied against taxable real property in the City of Pekin in the amount of $320,250.00 provided in bond ordinance and levy and collection ordinance issued for Capital Projects through Bernardi Securities, Inc. **ACTION:** Motion to adopt the resolution. **VOTE REQUIRED**	DG	5
9.6 Resolution No. 113-14/15 – Abatement of Taxes Ordinance No. 2625-10/11 Series 2010 $7,110,000 **DESCRIPTION:** This resolution authorizes that taxes not be levied against taxable real property in the City of Pekin in the amount of $596,755.00 provided in bond ordinance issued for Sewer Treatment Improvements through Bernardi Securities, Inc. **ACTION:** Motion to adopt the resolution. **VOTE REQUIRED**	DG	5
9.7 Council Meeting December 22, 2014 **ACTION:** Motion to cancel the regular meeting of December 22, 2014. **VOTE REQUIRED**	LLB	5
10.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL **10.1** Staff **10.2** Council **10.3** Press		
11.0 EXECUTIVE SESSION 65 ILCS 120/2 (c)		
12.0 ADJOURN No Vote Required		

Column 1 Key:

DG	Darin Girdler City Manager	LLB	Laurie L. Barra Mayor
LAB	Leigh Ann Brown Economic Development Director	BD	Burt Dancey Attorney

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.

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**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, NOVEMBER 24, 2014 AT 5:30 O'CLOCK P.M.
LAURIE L. BARRA * MAYOR * PRESIDING**

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

ABSENT: NONE

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

MINUTES

Motion by Council Member McCabe, seconded by Council Member Abel that the **minutes of the Regular City Council Meeting of November 10, 2014 be approved as written.**

PUBLIC INPUT

Chris Schott, Jim Mangan, Sally Johnson, Kathy Welshman, Ann Witzig, Bob Bramham, Barb Bramham, Bob Kieser, Jerry Witzig spoke in opposition to the garbage fee of $12.00. Comments received were to rescind the ordinance, to revisit provisions for not charging fee when not in town. Speakers voiced their opinion that the fee was illegal, a hardship, unfair, and that it was implemented to makeup the shortage in the budget for 3% raises. Citizens were hit hard with a six million dollar library project and a wastewater treatment plant project. There were suggestions to place the garbage fee before the public in a referendum.

Bob Bramham questioned the ownership of a truck in the 900 block of Derby Street that he felt was parked illegally. Bob Kieser stated it was despicable to have the water turned off for non payment of wastewater/garbage bill. He also questioned why the public was not informed of the danger of the library building if the reason for the six million dollar project was that the structure was not sound. He asked that Council repeal Home Rule.

Roger Alexander spoke of his displeasure that the City did not allow semis to park in Riverway Business Park or that it is required to have an inspection/zoning permit for everything.

CONSENT AGENDA

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

7.1 Receive and File Monthly Reports: Traffic Safety Committee Minutes dated November 7, 2014; Tazewell County Animal Control October Report; and Building, Inspections, Zoning October Report.
7.2 Receive and File Sewerage Fund Financial Statements and Tax Increment Financing – Central Business District Fund Financial Statements April 30, 2014 Prepared by Willock Warning & Co. P.C.
7.3 Receive and File Pekin Planning Commission Minutes dated November 12, 2014
7.4 Receive and File Zoning Board of Appeals Minutes dated November 12, 2014

On roll call vote all present voted Aye.

NEW BUSINESS

ORDINANCE NO. 2711-14/15
AMENDING TITLE 3, CHAPTER 11 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING SECONDHAND DEALERS

Motion by Council Member Gillespie, seconded by Council Member Orrick that Ordinance No. 2711-14/15 be adopted. Council was advised that the ordinance redefined the provisions for licensing secondhand dealers and added recycling kiosks. At no cost, owners would be required to record purchases such as guns and jewelry into a police LEADS database to track stolen items. Discussion followed. Council Member Golden opposed that the owners be required to record items and referred to the lack of accounting by the City for tornado victim issued permits. On roll call vote, Ayes, Orrick, Gillespie, McCabe, Abel, Hendricks, and Barra; Nay, Golden. Motion Carried.

ORDINANCE NO. 2712-14/15
AUTHORIZING THE SALE OF REAL PROPERTY

Motion by Council Member Gillespie, seconded by Council Member Orrick that Ordinance No. 2712-14/15 be adopted. City Manager Darin Girdler explained the sale of municipally owned property at 1818 Riverway Drive whereby Johnson Mechanical Services Inc. would exercise their option to purchase a 1.51 acre tract for the sum of $15,100.00 in RWBP. On roll call vote, all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Abel that the **AGREEMENT WITH MIDWEST ENGINEERING ASSOCIATES FOR ALLENTOWN ROAD IMPROVEMENTS in the amount of $36,082.67,** be approved. City Engineer Michael Guerra advised that the services were for design of the dangerous curve and would cover both Phase I environmental and Phase II final design to ensure Federal requirements were met. Council Member Hendricks noted the City would expend the money now to be reimbursed and appropriate $54,000.00 for the 10% local match of the State funding. Council Member Golden questioned why just rumble strips could not be placed on the road to slow motorist. He also questioned the lack of Elm Grove Township involvement in the project. On roll call vote all present voted Aye.

RESOLUTION NO. 109-14/15
14-00190-00-SP
APPROPRIATING MOTOR FUEL TAX FUNDS IN THE AMOUNT OF $54,000.00 FOR ALLENTOWN ROAD IMPROVEMENTS

Motion by Council Member Hendricks, seconded by Council Member Gillespie that Resolution No. 109-14/15 be adopted. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Hendricks that the **AGREEMENT WITH MAURER-STUTZ FOR MAINTENANCE ENGINEERING FOR VETERANS DRIVE OVERLAY PROJECT**. City Engineer also presented to Council the engineering services the company would provide for improvements to Veterans Drive from Court Street back to Menards in the amount of $9,481.93. Council Member Golden stated he would make the same comments as previously, a list and discussion of road and street projects needed to be identified in advance in order for Council to know priorities when voting. On roll call vote all present voted Aye.

RESOLUTION NO. 110-14/15
15-00000-01-GM
APPROPRIATING MOTOR FUEL TAX FUNDS IN THE AMOUNT OF $200,000.00 FOR THE TOTAL COST OF VETERANS DRIVE OVERLAY PROJECT

Motion by Council Member Abel, seconded by Council Member Gillespie that Resolution No. 110-14/15 be adopted. Council was informed that the MFT funding included design, engineering and construction. On roll call vote, all present voted Aye.

Motion by Council Member Golden, seconded by Council Member Orrick that the **INTERGOVERNMENTAL AGREEMENT WITH TAZEWELL COUNTY FOR ANIMAL CONTROL** be approved. Council discussed the service that provides the facilities and manpower of responding to the City Code for stray domestic animals. The costs remained the same as the previous year

$45,046.00. Council member Orrick suggested researching a trade of City services for County service. Council Members Golden and McCabe voiced their opinion that taxpayers were being charged double for a service provided in the tax bill. On roll call vote Ayes, Orrick, Gillespie, Abel, Hendricks, and Barra; Nays, Golden and McCabe. Motion Carried.

GARBAGE FEE DISCUSSION

At the request of Council Member Golden to place on an agenda for discussion comments, suggestions and opinions were given by each Council Member on the business before them of the implemented garbage fee of $12.00 be household. Council Member Golden asked that consideration be given to placing barcodes on the toters to identify usage and be charged accordingly. He spoke in support of those not wanting to have the City collection to be able to opt-out. Council Member Orrick asked for review of number of people impacted by being charged when out of town and the figures on fixed cost of the operation vs variable cost. Could Member Gillespie spoke in support of the fee for the garbage service and operations of the department. He stated the provisions could be tweaked to provide for houses that did not have any garbage in a vacant house. Council Member Abel supported paying for the service through the City for $.40 a day. He suggested staff check with other municipalities on manner of determining charge, per can, pickup frequency, weight, etc. Council Member McCabe spoke of the service provided by the City was for the community as a whole but was willing to explore options. Council Member Hendricks stated that he voted against the ordinance originally. Mayor Barra supported the flat rate across the board as an equitable means of implementing a fee. She felt there needed to be answers and asked that staff bring back options to Council.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

City Manager Darin Girdler reported that preliminary figures were given to Council for the levy and they were given the opportunity to come in to City Hall and discuss any questions regarding the numbers. The Council would be presented the Levy Ordinance for action at the December 8, 2014 Council Meeting. Council Member McCabe encouraged the community to make more of an effort to recycle. Council Member Abel requested the public addressing the Council be shown on the live TV coverage of the meetings. Council extended to the community well wishes for a Happy Thanksgiving.

EXECUTIVE SESSION

Motion by Council Member Golden, seconded by Council Member Orrick, that the Council move to Executive Session at 7:10 p.m. to discuss 65 ILCS 120/2 (c) (6.) Sale of Municipally Owned Property and (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 Golden, seconded by Council Member Orrick that Council adjourn. Motion carried voice vote. Mayor Bara adjourned the meeting in open session.

COUNCIL ADJOURNED AT 8:00 P.M.

Sue E. McMillan
City Clerk

RESOLUTION APPROVING AN ABATEMENT OF REAL ESTATE TAX LEVY ON NEW IMPROVEMENTS WITHIN AN ENTERPRISE ZONE

WHEREAS, the Illinois Enterprise Zone Act found at 20 ILCS 655/1 et. seq. (the "Act") authorizes the designation and certification of enterprise zones which provide incentives to encourage the creation and expansion of business enterprises; and

WHEREAS, the City of Pekin ("Pekin") jointly with County of Tazewell ("Tazewell") designated an Pekin Area enterprise zone which was certified by the Illinois Department of Commerce and Economic Opportunity or its predecessor agency ("DCEO") on June 1, 1986; and

WHEREAS, the City of Morton ("Morton") designated an enterprise zone which was certified by DCEO on July 1, 1986; and

WHEREAS, the enterprise zones designated by Pekin, Tazewell and Morton are each scheduled to expire on July 1, 2016; and

WHERES, the Village of Tremont ("Tremont") has not heretofore designated an enterprise zone; and

WHEREAS, Pekin, Tazewell, Morton and Tremont (sometimes hereinafter collectively referred to as (the "Designating Entities") plan to submit a joint application to DCEO for certification of a new enterprise zone (the "New Enterprise Zone") located within the corporate limits of the Designating Entities; and

WHERAS, the incentives proposed to be offered within the New Enterprise Zone include the abatement of real estate taxes on improvements to real estate constructed within the enterprise zone for a period of five years commencing with the first tax year after an improvement has been assessed; and

WHEREAS, the abatement of real estate taxes levied by a taxing district requires the governing body of the taxing district to approve a resolution authorizing the abatement; and

WHEREAS, the City of Pekin finds that designation of the New Enterprise Zone within the territory of City of Pekin coupled with the abatement of real estate taxes on commercial or industrial improvements under the terms and conditions hereinafter set forth will serve the long term best interests of all local taxing authorities and of the entire community;

NOW, THEREFORE, BE IT RESOLVED City of Pekin THAT:

Section 1. The City of Pekin hereby endorses the designation of the New Enterprise Zone as shown at "Exhibit A" attached hereto and incorporated herein by reference. The Mayor and Council is hereby authorized and directed to certify the legal description of the New Enterprise Zone which legal description as so certified shall be appended to this resolution and shall be utilized for the purpose of determining eligibility for the abatement authorized by this resolution.

Section 2. The City of Pekin hereby authorizes an abatement of that portion of its real estate tax levy which would otherwise be extended against new or expanded commercial or industrial facilities (an "Improvement") constructed in the New Enterprise Zone subject to the following conditions:

a. The abatement shall apply only to the real estate taxes corresponding to an increase in equalized assessed valuation after an Improvement has been duly assessed. The abatement shall not exceed the amount of such taxes attributable solely to the Improvement.

b. The abatement shall apply only to Improvements commenced within the New Enterprise Zone after designation of the New Enterprise Zone by the Designating Entities and certification of the New Enterprise Zone by the Enterprise Zone Board established pursuant to the Act.

c. The abatement for a particular Improvement shall be in effect only for a period of five years commencing with the first year after the Improvement has been assessed.

d. While the abatement is in effect with respect to an improvement City of Pekin shall each year continue to receive all real estate taxes corresponding to the equalized assessed valuation of the parcel upon which the Improvement is located and all structures or parts of structures on the parcel other than the improvement.

e. An abatement of real estate taxes authorized by this resolution shall not take effect after the expiration of the New Enterprise Zone, but any abatement which commences prior to expiration of the New Enterprise Zone shall continue for five years even if the New Enterprise Zone expires during that five year period.

f. The abatement of real estate taxes authorized by this resolution shall also apply within territory lawfully added to the New Enterprise Zone subsequent to its initial certification by the Enterprise Zone Board and shall also apply during any lawfully authorized extension of the term of the New Enterprise Zone.

g. The abatement of real estate taxes authorized by this resolution shall apply only to commercial and industrial facilities and shall not apply to single family residences or to multiple family residential facilities.

Section 3. The County Clerk of any county where an Improvement has been constructed which Improvement is eligible for the abatement hereby authorized is directed to abate property taxes against such Improvement in accordance with the terms of this resolution.

Section 4. A certified copy of the resolution shall be submitted to the Designating Entities to accompany the application to DCEO for certification of the New Enterprise Zone.

DATED this ______ day of ________________, 2014.

City of Pekin Mayor

ATTEST:

City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF TAZEWELL)

CERTIFICATE

I DO HEREBY CERTIFY THAT I am the City Clerk of the City of Pekin; that the foregoing is a true and correct copy of a resolution duly passed by the City of Pekin entitled: "**RESOLUTION APPROVING AN ABATEMENT OF ITS REAL ESTATE TAX LEVY ON NEW IMPROVEMENTS WITHIN AN ENTERPRISE ZONE** ", at a regular meeting held on the _____day of __________, 2014, the resolution being a part of the official records of said Entity.

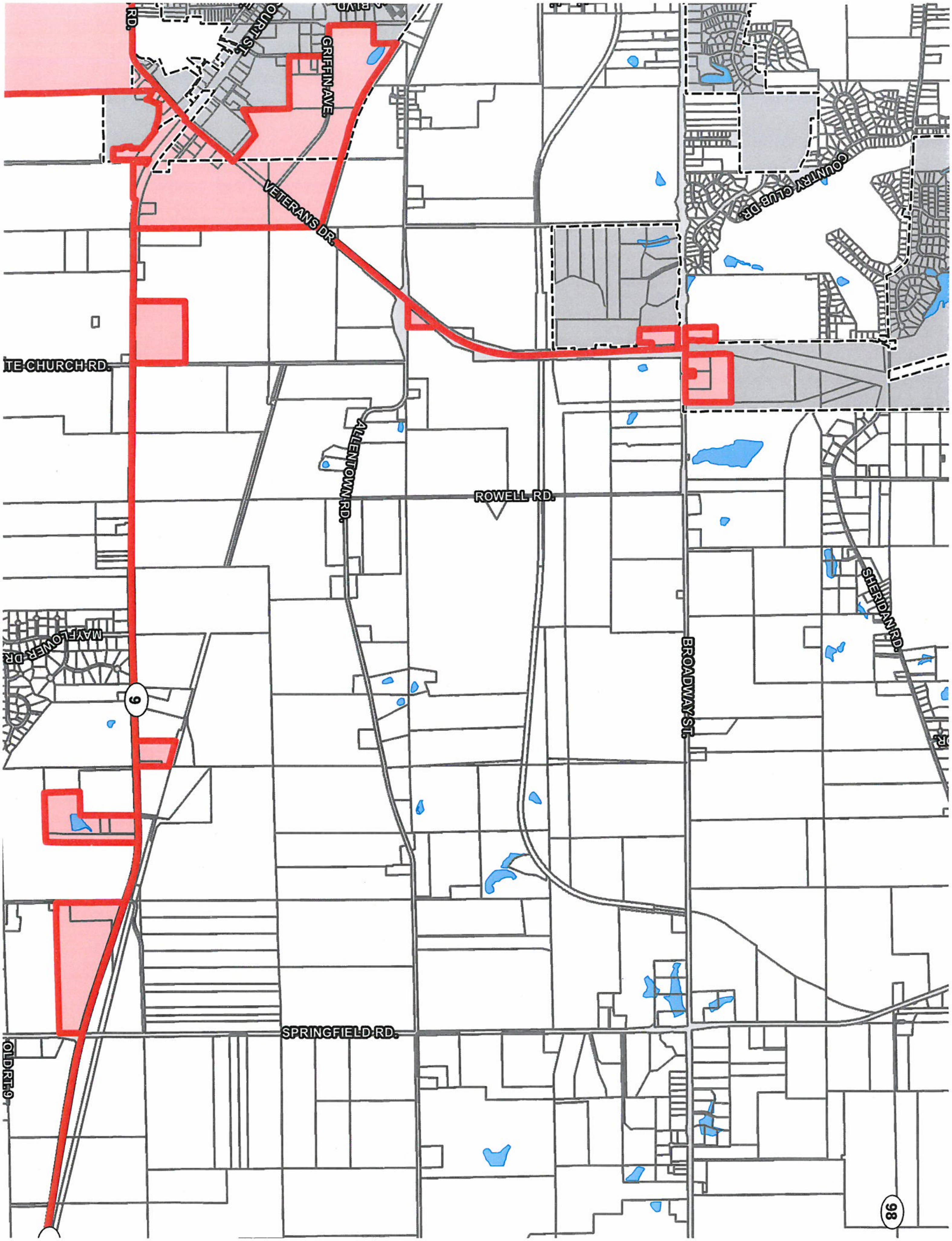
DATED this ___ day of _____________, 2014.

(SEAL) City Clerk

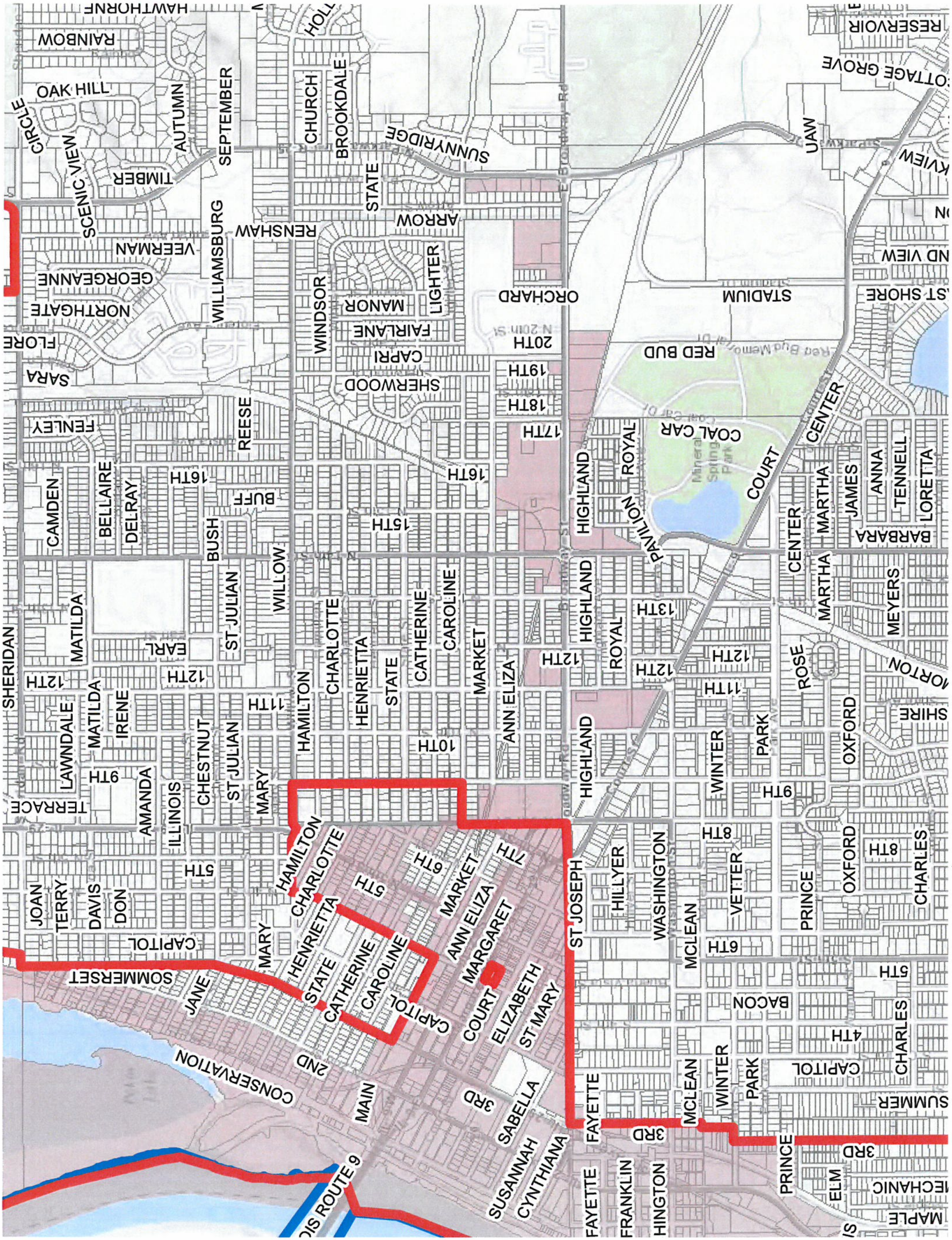
EXHIBIT A

Map of New Enterprise Zone

(Legal Description to be appended)



COURT ST.
GRIFFIN AVE.
VETERANS DR.
COUNTRY CLUB DR.
TE CHURCH RD.
ALLENTOWN RD.
ROWELL RD.
SHERIDAN RD.
BROADWAY ST.
MAYFLOWER DR.
9
SPRINGFIELD RD.
OLD RT. 9
98


HAWTHORNE
RAINBOW
RESERVOIR
COTTAGE GROVE
OAK HILL
CIRCLE
SCENIC VIEW
AUTUMN
SEPTEMBER
CHURCH
BROOKDALE
SUNNYRIDGE
UAW
TIMBER
STATE
ARROW
RENSHAW
WILLIAMSBURG
VEERMAN
GEORGEANNE
NORTHGATE
WINDSOR
MANOR
LIGHTER
ORCHARD
STADIUM
FAIRLANE
CAPRI
20TH
RED BUD
FLORE
SARA
SHERWOOD
19TH
18TH
17TH
FENLEY
REESE
COAL CAR
ROYAL
HIGHLAND
CENTER
COURT
16TH
BUFF
15TH
CAMDEN
BELLAIRE
DELRAY
BUSH
PAVILION
MARTHA
JAMES
ANNA
TENNELL
LORETTA
BARBARA
WILLOW
ST JULIAN
CHARLOTTE
HENRIETTA
CATHERINE
CAROLINE
MARKET
13TH
MEYERS
MATILDA
EARL
ANN ELIZA
12TH
ROSE
MORTON
SHERIDAN
11TH
HAMILTON
10TH
IRENE
LAWNDALE
CHESTNUT
MARY
WINTER
PARK
OXFORD
9TH
TERRACE
AMANDA
ILLINOIS
8TH
7TH
6TH
5TH
ST JOSEPH
HILLYER
WASHINGTON
MCLEAN
VETTER
PRINCE
CHARLES
JOAN
TERRY
DAVIS
DON
CAPITOL
MARGARET
SOMMERSET
JANE
ELIZABETH
ST MARY
BACON
4TH
CONSERVATION
2ND
MAIN
3RD
SABELLA
FAYETTE
SUMMER
SUSANNAH
CYNTHIANA
FRANKLIN
ELM
MECHANIC
MAPLE
ROUTE 9

Pekin
ILLINOIS

REQUEST FOR COUNCIL ACTION – Enterprise Zone Intergovernmental Agreement To: Mayor and Council CC: Darin Girdler, City Manager From: Economic Development Department – Leigh Ann Brown	
AGENDA ITEM: Enterprise Zone Intergovernmental Agreement	
AGENDA DATE REQUESTED: December 8, 2014	
ACTION REQUESTED: Approval of Enterprise Zone intergovernmental agreement and designating ordinance to comply with the Illinois Enterprise Zone Act for joint application to DCEO	
DESCRIPTION: Approval by Mayor and Council for Enterprise Intergovernmental agreement and designating ordinance to comply with the Illinois Enterprise Zone Act of 20 ILCS 655/1 for the Southern Tazewell County Enterprise Zone new application to Department of Commerce and Economic Opportunity (DCEO). The current Pekin Area Enterprise Zone expires in July 2016 which provides economic growth benefit of 5 year property tax abatement, building material sales tax waiver for Illinois purchases and no charge for permits on industrial and commercial building projects over $25,000. The new zone designation can include up to 15 square miles if four or more governing bodies jointly apply and based on our Labor Market Area our Southern Tazewell County zone includes City of Pekin, Tazewell County, Village of Morton and Village of Tremont. City of Pekin's new zone boundaries removed the residential developed areas since original zone was designated in 1986 and added undeveloped commercial/industrial with over 200 acres being City owned property. This agreement has all participants in compliance with the requirements for the new designation process to approve our Southern Tazewell Enterprise Zone which includes the City of Pekin zone boundaries.	
FINANCIAL IMPACT: No application fee	
NEIGHBORHOOD CONCERNS: NA	
IMPACT IF APPROVED: Spur development for industrial and commercial in the zone to increase property value and support job growth	
IMPACT IF DENIED: Will not meet requirements of application	
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.]	
X	**A Prosperous Community.** To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.
	A Safe Community. To protect community life and property by providing effective, principled police and fire services.
	A Strong Foundation. To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.

	A High Quality of Life. To support or provide services that improve the quality of life for Pekin's residents.
	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.
REQUIRED SIGNATURES	
Department Director: Date:	
Finance Department (Certification of Availability of Funds): Date:	
Corporation Counsel: Date:	
City Manager: Date:	

INTERGOVERNMENTAL AGREEMENT REGARDING AN ENTERPRISE ZONE LOCATED IN SOUTHERN TAZEWELL COUNTY

THIS AGREEMENT made on or as of the ________ day of __________________, 2014, by and between the Village of Morton, an Illinois municipal corporation, ("Morton"), the City of Pekin, an Illinois municipal corporation, ("Pekin"), the Village of Tremont, an Illinois municipal corporation, ("Tremont"), and the County of Tazewell ("Tazewell").

RECITALS

A. This agreement is authorized by the Intergovernmental Cooperation Act found at 5 ILCS 220/1 et. seq. and by Article 7, Section 10, of the Constitution of the State of Illinois.

B. The Illinois Enterprise Zone Act found at 20 ILCS 655/1, et. seq., including all regulations or administrative procedures promulgated under authority of such act (collectively the "Enterprise Zone Act") authorizes the designation and certification of enterprise zones which provide various incentives, some of which are locally determined, to encourage the creation and expansion of business enterprises.

C. Morton designated an enterprise zone which was certified by the Illinois Department of Commerce and Economic Opportunity or its predecessor agency ("DCEO") on July 1, 1986.

D. Tazewell jointly with the City of Pekin designated an enterprise zone which was certified by DCEO on June 1, 1986.

E. The enterprise zones designated by Morton, Pekin and Tazewell will expire on July 1, 2016.

F. Tremont has not heretofore designated an enterprise zone.

G. Morton, Pekin, Tremont and Tazewell (sometimes hereinafter collectively referred to as the "Participants" or individually as a "Participant") plan to submit a joint application to DCEO for the certification of a new enterprise zone (the "Enterprise Zone") located within or near the corporate limits of the Participants.

H. As required by the Enterprise Zone Act for a joint application and in order to establish procedures related to the creation, operation or modification of the Enterprise Zone, it is in the best interests of the Participants to enter into this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and in consideration of the mutual covenants and agreements hereinafter set forth, the Participants agree as follows:

ARTICLE I

DEFINITIONS

1.1 Definitions. As used in this Agreement, the following terms shall have the meaning set forth opposite each of them unless the use or context clearly indicates that another meaning is intended.

"Administrative Board" means a board consisting of one representative of each participant selected and exercising authority as provided by paragraph 3.1 of this Agreement.

"Agreement" or "this Agreement" means this intergovernmental agreement among the Participants as from time to time amended.

"Application" means the application to DCEO for certification of the Enterprise Zone.

"Consultant" means Economic Development Resources, L.L.C., 200 South Hanley Road, Suite 601, St. Louis, MO 63105.

"DCEO" shall have the meaning set forth in the preambles to this Agreement.

"Designating Ordinance" means an ordinance approved by each of the Participants which designates the Enterprise Zone.

"Morton" shall have the meaning set forth in the preambles to this Agreement.

"Morton" means that portion of the Enterprise Zone located within the corporate limits of Morton.

"Eligible Improvement" means newly constructed improvements to real estate within the Enterprise Zone intended to accommodate new or expanded commercial or industrial operations as determined by the Zone Administrator.

"Enterprise Zone" shall mean the territory located within the corporate limits of the Participants or in unincorporated Tazewell County more particularly described as "Exhibit A" attached hereto and shown on the map attached hereto at "Exhibit B".

"Enterprise Zone Act" shall have the meaning set forth in the preambles to this Agreement.

"Enterprise Zone Board" means the Enterprise Zone Board created by paragraph 5.2.1 of the Enterprise Zone Act for the purpose of approving or denying applications for enterprise zones.

"Pekin" shall have the meaning set forth in the preambles to this Agreement.

"Pekin Component" means that portion of the Enterprise Zone located in the corporate limits of Pekin.

"Local Labor Market Area" means an economically integrated area as defined by the Enterprise Zone Act within which individuals can reside and find employment within a reasonable distance or can readily change jobs without changing their place of residence.

"Owner" means any person or entity constructing improvements to real estate within the Enterprise Zone to accommodate a new or expanded commercial or industrial enterprise.

"Participant" or the "Participants" shall have the meaning set forth in the preambles to this Agreement.

"Taxing District" means a unit of local government having the power to levy real estate taxes against real property located within the Enterprise Zone.

"Tazewell" shall have the meaning set forth in the preambles to this Agreement.

"Tazewell Component" means that portion of the Enterprise Zone located within Tazewell, but outside of the corporate limits of Morton, Pekin and Tremont.

"TIF Act" is the Tax Increment Allocation Redevelopment Act found at 65 ILCS 5/11-74.4-1, et. seq.

"TIF District" means any "redevelopment project area" as defined in the TIF Act and designated by any Participant under authority of the TIF Act.

"Tremont" shall have the meaning set forth in the preambles to this Agreement.

"Tremont" means that portion of the Enterprise Zone located within the corporate limits of Tremont.

"Zone Administrator" means the person charged with the general administration of the Enterprise Zone as provided at section 3.2 of this Agreement.

ARTICLE II

APPLICATION FOR DESIGNATION OF THE ENTERPRISE ZONE

2.1 Preparation of Application. The Participants shall work cooperatively to prepare an Application for the Enterprise Zone in accordance with the procedures established by the Enterprise Zone Act. The Participants have engaged the Consultant to assist the Participants in the preparation of the Application.

2.2 Identification of Local Labor Market Area. The Participants and the Consultant shall work cooperatively to identify a Local Labor Market Area which meets the requirements imposed by the Enterprise Zone Act. The Participants shall promptly provide information deemed necessary by the Consultant in order to complete a competitive application.

2.3 Term of the Enterprise Zone. The term of the Enterprise Zone shall be 15 years commencing on January 1, 2016. After the thirteenth anniversary of the certification of the Enterprise Zone, the Participants may seek a review of the Enterprise Zone by the Enterprise Zone Board for an additional ten year designation to begin on the expiration date of the original 15 year term. The Participants, the Administrative Board and the Zone Administrator shall all cooperate to provide information necessary for the Enterprise Zone Board to determine whether or not it shall approve a ten year extension of the Enterprise Zone.

2.4 Consultant's Fees. The Participants paid for substantially all of the fees and expenses charged by the Consultant prior to the date of this Agreement. The Participants shall equitably share in the payment of the remainder of the fees and expenses charged by the Consultant for services rendered in conjunction with the preparation of the Application.

2.5 Designation of the Enterprise Zone. The governing body of each Participant has passed and approved a Designating Ordinance meeting all requirements imposed by Section 5 of the Enterprise Zone Act. The Designating Ordinance also approves this Agreement.

ARTICLE III

ADMINISTRATION OF THE ENTERPRISE ZONE

3.1 Administrative Board. The Participants hereby establish an Administrative Board consisting of four members, one of which shall be selected by each Participant. The Administrative Board shall have the following authority and responsibilities:

A. Selection of the Zone Administrator as provided at paragraph 3.2 of this Agreement;

B. Supervision of the performance of the Zone Administrator with respect to the duties of the Zone Administrator as assigned under the terms of this Agreement. The Administrative Board shall have no authority to supervise the performance of other duties unrelated to the administration of the Enterprise Zone which may be performed by the Zone Administrator in his or her capacity as an officer or employee of any Participant;

C. If deemed necessary by the Administrative Board in its sole discretion, the Administrative Board may suspend the Zone Administrator from the performance of duties under the terms of this Agreement or terminate the authority of the Zone Administrator to act under the terms of this Agreement;

D. Any person aggrieved by a decision of the Zone Administrator may within a reasonable time appeal that decision in writing to the Administrative Board. The Administrative Board has the authority to reverse, revise or affirm decisions of the Zone Administrator; and

E. To engage in such other activities as may be necessary to insure the proper administration of the Enterprise Zone.

The Administrative Board shall operate in accordance with the requirements of the Open Meetings Act (5 ILCS 120/1 et. seq.). Decisions by the Administrative Board shall require the concurrence of three of the four members of such board.

3.2 Zone Administrator. The Administrative Board established as provided Section 3.1 of this Agreement shall select a Zone Administrator for the Enterprise Zone. The Zone Administrator must be an officer or employee of one of the Participants. The Zone Administrator shall be the liaison between the Participants, DCEO and any Designated Zone Organization established within the Enterprise Zone. The Zone Administrator shall perform those duties assigned to the administrator under the terms and conditions of the Enterprise Zone Act including those assigned at 20 ILCS 655/8 and 8.2 and at 14 ILADC 520.400. Those duties are included among the following duties hereby assigned to the Zone Administrator:

A. Post a copy of the boundaries of the Enterprise Zone on official internet websites of the Participants;

B. Provide an electronic copy of the boundaries of the Enterprise Zone to DCEO;

C. Collect and aggregate information regarding the estimated cost of each commercial or industrial building project undertaken within the Enterprise Zone broken down into labor and materials;

D. Within 60 days after the completion of any commercial or industrial building project undertaken within the Enterprise Zone, determine the cost of the building project broken down into labor and materials;

E. By April 1 of each year file a copy of the fee schedule established under the terms of this Agreement with DCEO; and

F. To the extent required by the Enterprise Zone Act or any other applicable authority, submit any documentation necessary to qualify an Owner to receive sales tax or other incentives available from the State of Illinois.

G. Such other duties as may from time to time be assigned by the Administrative Board.

The Participants anticipate that the person employed by Tazewell as its economic development coordinator will be selected by the Administrative Board as Zone

Administrator. Upon certification of the Enterprise Zone by DCEO, the Participants acting through the Administrative Board shall determine the manner in which the cost of services provided by the Zone Administrator shall be apportioned among the Participants.

3.3 Designated Zone Organizations. Each Participant may in its discretion create a Designated Zone Organization to assist in the administration of that component of the Enterprise Zone under the jurisdiction of the Participant. Two or more Participants may jointly create a Designated Zone Organization to assist in the administration of those components of the Enterprise Zone under the jurisdiction of the creating Participants. Substantially all of the members of any Designed Zone Organization shall be residents of the Enterprise Zone. The Board of Directors of a Designated Zone Organization shall be elected by members of the organization. Any Designated Zone Organization shall satisfy the criteria set forth at Section 501(c)(3) or Section 501(c)(4) of the Internal Revenue Code. A Designated Zone Organization shall exist primarily for the purpose of performing within all or any portion of the Enterprise Zone the various functions set forth at Section 8 of the Enterprise Zone Act. However, no Designated Zone Organization shall have authority to perform any function identified at Section 8 of the Enterprise Zone Act unless a Participant has by ordinance delegated such authority to the Designated Zone Organization to be exercised within the Participant's component of the Enterprise Zone.

3.4 Enterprise Zone Fees. No Owner shall be eligible to receive the incentives available for an Eligible Improvement unless the Owner first pays a fee to the Participant having jurisdiction over the location of the Eligible Improvement in the amount of .5% of the cost of building materials incorporated into an Eligible Improvement with a maximum fee of $50,000.

ARTICLE IV

INCENTIVES OFFERED IN ENTERPRISE ZONE

4.1 Abatement of Real Estate Taxes on Eligible Improvements. The Owner of an Eligible Improvement may upon payment of the fee provided by paragraph 3.4 of this Agreement receive an abatement of real estate taxes levied by Taxing Districts which have approved an abatement of such taxes against Eligible Improvements subject to the following conditions:

A. The abatement shall apply only to the real estate taxes corresponding to an increase in equalized assessed valuation after an Eligible Improvement has been duly assessed. The abatement shall not exceed the amount of such taxes attributable solely to the Eligible Improvement.

B. The abatement shall apply only to Eligible Improvements commenced within the Enterprise Zone after designation of the Enterprise Zone by the Participants and certification of the Enterprise Zone by DCEO after approval of the Enterprise Zone by the Enterprise Zone Board.

C. The abatement for an Eligible Improvement shall be in effect only for a period of five years commencing with the first year after the Eligible Improvement has been assessed.

D. While the abatement is in effect with respect to an Eligible Improvement, each Taxing District shall each year continue to receive all real estate taxes corresponding to the equalized assessed valuation of the parcel upon which the Eligible Improvement is located and all structures or parts of structures on the parcel other than the Eligible Improvement.

E. An abatement of real estate taxes authorized by the Taxing Districts shall not take effect after the expiration of the Enterprise Zone, but any abatement which commences prior to expiration of the Enterprise Zone shall continue for five years even if the Enterprise Zone expires during that five year period.

F. The abatement of real estate taxes authorized by Taxing Districts shall also apply within territory lawfully added to the Enterprise Zone subsequent to its initial certification by DCEO and shall also apply during any lawfully authorized extension of the term of the Enterprise Zone.

G. The abatement of real estate taxes authorized by the Taxing Districts shall apply only to commercial and industrial facilities and shall not apply to single family residences or to multiple family residential facilities.

4.2 Abatement Resolutions from Taxing Districts. Each Participant shall be responsible for securing resolutions from each Taxing District having territory located within that Participant's component of the Enterprise Zone authorizing an abatement of real estate taxes on Eligible Improvements under the terms and conditions set forth in paragraph 4.1 of this Agreement.

4.3 Abatements Inapplicable to TIF Districts. Anything in this Agreement to the contrary notwithstanding, no real estate tax abatement shall be available to any Eligible Improvement located within the boundaries of any TIF district designated by a Participant.

4.4 Issuance of Certificate of Eligibility. Each Participant shall have exclusive jurisdiction to determine whether or not an improvement within its component of the Enterprise Zone constitutes an Eligible Improvement which will receive the incentives available under the terms of this Agreement. Upon a determination by a Participant that improvements to real estate within the Enterprise Zone constitute an Eligible Improvement which will receive an abatement of real estate taxes to the extent approved by the Taxing District, an authorized representative of the Participant (which may in the discretion of each Participant be the Zone Administrator) shall issue a certificate of eligibility to the Owner of the Eligible Improvement. It shall be the responsibility of the Owner to file the certificate of eligibility with the County Clerk of the county in which the Eligible Improvement is located and to verify the application of the abatement.

4.5 Reduced Fees for Building Permits. Upon the submission of an application for a building permit for a project deemed by the Participant to qualify as an Eligible Improvement, fees for building permits required prior to construction of the Eligible Improvement shall be reduced by 50% in Morton and by 100% in Tremont, Pekin and Tazewell County.

4.6 Availability of State Incentives. Nothing in this Agreement shall be interpreted to preclude the availability of incentives offered by the State of Illinois under the terms of the Enterprise Zone Act or any other authority.

ARTICLE V

EXPANSION OF BOUNDARIES AND OTHER AMENDMENTS

5.1 Area of Participant Components. The Participants stipulate that the area of each of their individual components of the Enterprise Zone is as follows:

			Acreage
Pekin Component	3.59	square miles	2,606.7
Morton Component	4.53	square miles	2,845.4
Tremont Component	0.19	square miles	130.6
Tazewell County Component	6.17	square miles	3,646.1
Total	14.48	square miles	9,228.8

Because the Enterprise Zone is located within the jurisdiction of four or more counties or municipalities, it appears that the maximum area of the Enterprise Zone is 15 square miles. Because the area of the Enterprise Zone as currently described has a total area of 14.48 square miles, the Enterprise Zone may be eligible pursuant to Section 5.4 of the Enterprise Zone Act for an amendment to expand the boundaries of the Enterprise Zone.

Except as hereinafter provided, no Participant may seek additions to its component of the Enterprise Zone which in the aggregate exceed that allocation. In the event any Participant desires to seek one or more expansions of that portion of the Enterprise Zone within its jurisdiction with an area which in the aggregate exceeds the aforementioned allocation, one or more other Participants may allocate all or any portion of their unutilized allocation to other Participants. In no event shall the area of the Enterprise Zone exceed 15 square miles.

5.2 Procedure For Expansion of Boundaries. Any Participant may in its discretion and without the consent of any other Participant apply to DCEO to expand the boundaries of that portion of the Enterprise Zone located within the corporate limits of the Participant subject to the limitations in the area of such expansion imposed by paragraph 5.1 of this Agreement. Any Participant seeking expansion of the Enterprise Zone within its jurisdiction shall pay all costs associated with the application and any approved expansion.

5.3 Other Amendments. Any amendment of the Enterprise Zone other than an expansion of the boundaries as authorized by paragraphs 5.1 and 5.2 of this Agreement and any amendment of this Agreement shall require the unanimous consent of all Participants.

ARTICLE VI

GENERAL PROVISIONS

6.1 Breach and Opportunity to Cure. Before any failure of any Participant to perform its obligations under this Agreement shall be deemed to be a breach of this Agreement, the Participant or Participants claiming such failure to perform shall notify in writing the Participant alleged to have failed to perform of the alleged failure and shall demand performance. No breach of this Agreement may be found to have occurred if performance is completed to the reasonable satisfaction of the complaining Participant or Participants within thirty (30) days after receipt of such notice, or in the case of a failure which by its nature takes in excess of thirty (30) days to cure, such longer period of time as may be reasonably necessary to cure the same provided that the curing Participant is pursuing said cure with due diligence.

6.2 Amendment. This Agreement and any exhibits attached hereto may be amended only by the mutual consent of all Participants by the adoption of appropriate ordinances by the governing bodies of the Participants approving said amendment as provided by law and by the execution of said amendment by the Participants.

6.3 No Other Agreements. Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations and discussions relative to the subject matter hereof and fully integrates the agreement of the Participants.

6.4 Consent. Except as otherwise provided herein, whenever consent or approval of any Participant is required, such consent or approval shall not be unreasonably withheld or unduly delayed.

6.5 Paragraph Headings. Paragraph headings and references are for the convenience of the Participants and are not intended to limit, vary, define or expand the terms and provisions contained in this Agreement and shall not be used to interpret or construe the terms and provisions of this Agreement.

6.6 Severability. If any provision, covenant, or portion of this Agreement or its application to any person, entity or property is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants or portions of this Agreement (and to that end, any provisions, covenants, or portion of this Agreement are declared to be severable).

6.7 Applicable Law. This Agreement shall be construed in accordance with the laws and decisions of the State of Illinois.

6.8 Notices. All notices herein shall be in writing and shall be deemed to be effective as of the date of actual delivery if by personal delivery or as of the third day from and including the day of posting if mailed by certified or registered mail return receipt requested with postage prepaid:

To Morton:	Village of Morton Attn: President 120 Main Street, P.O. Box 28 Morton, IL 61550
To Pekin:	City of Pekin Attn: City Manager 111 S. Capitol Street Pekin, IL 61554
To Tremont:	Village of Tremont Attn: President 211 S. Sampson St. PO Box 144 Tremont, IL 61568
To Tazewell:	Tazewell County Board Attn: Board President 4th Floor McKenzie Building, Suite 432 Pekin, IL 61554

or to such replacement parties as may from time to time be identified by written notice.

EXECUTED BY THE PARTICIPANTS ON OR AS OF THE DATE OF THIS AGREEMENT.

Village of Morton	City of Pekin
By:____________________ Its President	By:____________________ Its Mayor
ATTEST:	ATTEST:
____________________ Village Clerk	____________________ Its City Clerk
Village of Tremont	County of Tazewell
By:____________________ Its President	By:____________________ Chairman, County Board

ATTEST:

____

Village Clerk

ATTEST:

____

County Clerk

EXHIBIT A

LEGAL DESCRIPTION OF MORTON COMPONENT

LEGAL DESCRIPTION OF PEKIN COMPONENT

LEGAL DESCRIPTION OF TREMONT COMPONENT

LEGAL DESCRIPTION OF TAZEWELL COMPONENT

EXHIBIT B

ORDINANCE NO. ________________

AN ORDINANCE DESIGNATING AREA AS AN ENTERPRISE ZONE AND RELATED MATTERS UNDER SECTION 5 OF THE ENTERPRISE ZONE ACT

WHEREAS, the State of Illinois passed legislation known as the Enterprise Zone Act (EZA); and

WHEREAS, pursuant to the EZA and the Intergovernmental Cooperation Act, the City of Pekin is authorized to enter into an agreement with other units of local government and make a joint application to the State of Illinois to establish an enterprise zone; and

WHEREAS, the City of Pekin has been working with the Village of Morton, the Village of Tremont, and the County of Tazewell to establish an enterprise zone in portions of each municipality and part of Tazewell County (INTERGOVERNMENTAL AGREEMENT – IA); and

WHEREAS, the City Council of the City of Pekin makes the following findings:

A. The legal description of the property located in the City of Pekin that will be part of the enterprise zone is set forth in Exhibit B to this Ordinance.

B. The IA attached as Exhibit A to this Ordinance complies with Section 4 of the EZA and all requirements of the EZA are met.

C. The benefits and incentives the City of Pekin offers are as follows:

1. Tax abatement for 5 years for any increase in equalized assessed value for eligible improvements (as defined in the EZA) in the zone. The abatement applies to only commercial and industrial facilities of projects $25,000 or greater.

2. A one hundred (100) percent reduction in building permit fees for eligible improvements in the enterprise zone.

D. The term of the zone is 15 years.

E. The IA contains provisions for the position, selection process, and duties of a zoning administrator.

F. Pursuant to notice duly published, a public hearing was held at 5:00 p.m. on October 29, 2014 at the Pekin Justice Center, Pekin, Illinois.

G. The City has complied with all requirements of EZA.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF PEKIN, Tazewell County, Illinois, as follows:

1. The findings as set forth in this Ordinance are incorporated as part of the Ordinance.

2. The IA is approved in the form as set forth in Exhibit A and the Mayor and City Clerk are authorized to execute it on behalf of the City.

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

PASSED AND APPROVED at a regular meeting of the Mayor and 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

Pekin
ILLINOIS

REQUEST FOR COUNCIL ACTION – Market Feasibility Study on harvesting the Illinois River Asian Carp for market based solutions **To: Mayor and Council** **CC: Darin Girdler, City Manager** **From: Economic Development Department & TIF Administrator – Leigh Ann Brown**
AGENDA ITEM: Harvesting the Illinois River Asian Carp Feasibility Study for Market Based solutions
AGENDA DATE REQUESTED: December 8, 2014
ACTION REQUESTED: Approval to contract with University of Illinois to conduct the market research/feasibility study for opportunities on multiple Asian Carp products sustainable viability for amount not to exceed $8,000.00
DESCRIPTION: Approval by Mayor and Council to contract with the University of Illinois (U of I) to conduct a market research/feasibility study for sustainable market based solutions viability in harvesting Asian Carp from the Illinois River to reduce the population, create jobs and support the commercial fishing industry. State and Federal Agencies and Universities have collected a great deal of data regarding the population and nutritional values of the fish for human and non-human consumption but less documented data for market demand and sustainability exists. This market study will also comply with potential funding programs with the USDA Rural Development Business Programs and gain documentation on the cost and benefit demand in creating edible food products for the US market. Cost estimates from other institutes and professional opinions on completing a feasibility study was at $20,000.00. U of I approves community and business projects each semester assembling teams of college students and professors from 50 different disciplines to choose from to conduct the specific studies. The City of Pekin's South Industrial Park Conservation Area TIF covers the potential sites for business prospects to locate in an industrial setting, therefore this market research/feasibility study is an Industrial TIF eligible expense.
FINANCIAL IMPACT: Not to exceed $8,000.00 (min of $5,000) – South Industrial TIF
NEIGHBORHOOD CONCERNS: NA
IMPACT IF APPROVED: Validate opportunities and costs associated with bringing market based solutions to market for any type of investment in a potential project
IMPACT IF DENIED: Less data and validity documentation to support prospects taking Asian Carp to market
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.]

X	**A Prosperous Community.** To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.
	A Safe Community. To protect community life and property by providing effective, principled

	police and fire services.
	A Strong Foundation. To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
	A High Quality of Life. To support or provide services that improve the quality of life for Pekin's residents.
	An Effective Government. To deliver effectively the services that Pekin's residents want, need, and are willing to support.

REQUIRED SIGNATURES
Department Director: Date:
Finance Department (Certification of Availability of Funds): Date:
Corporation Counsel: Date:
City Manager: Date:

McMillan, Sue

From: Brown, Leigh Ann
Sent: Monday, December 01, 2014 4:57 PM
To: Girdler, Darin; McMillan, Sue
Cc: Barra, Laurie
Subject: Feasibility study summary

Here is the summary for the U of I market research/feasibility study:

Project Name: Harvesting the Illinois River
Category : Strategy
Description:
Asian Carp represent both a problem and an opportunity for communities along the Illinois River. During the past year, considerable time has been invested in exploring what opportunities may exist in the Peoria Pool of the Illinois River for creation of multiple products from Asian Carp. State and Federal Agencies have collected a great deal of data regarding the number and size of fish. Limited documentation exists documenting the costs and benefits present in creating edible food products for an American market.

The study would follow traditional business feasibility analysis, documenting the Market Viability, Technical Viability, Business Model Viability, Economic and Financial Model Viability, Management Viability , and Exit Strategy Viability. Information gained from this study will help to inform decision makers likely to invest in this project including USDA Rural Development, City of Pekin and private business interests. The study outline will be developed by both parties as part of the agreement process.

Summary
Complete a business feasibility analysis evaluating the costs and benefits present in harvesting Asian carp from the Illinois River. Key business concept documented through the study will be opportunities and costs associated with bringing "Silver Fin" food product to market.

I will get council request to you Sue. It will be for amount not to exceed $8,000.

Leigh Ann Brown
City of Pekin
Economic Development/Tourism Coordinator
http://www.pekinedc.com/
(office) 309-477-2300
(direct) 309-478-5355
labrown@ci.pekin.il.us

CITY OF PEKIN

ORDINANCE NO. 2714-14/15

AN ORDINANCE MAKING LEVYING AND ASSESSING MUNICIPAL TAXES IN THE CITY OF PEKIN TAZEWELL AND PEORIA COUNTIES ILLINOIS FOR THE FISCAL YEAR FROM MAY 1, 2014 TO APRIL 30, 2015 AND KNOWN AS THE ANNUAL LEVY ORDINANCE

PASSED BY THE CITY COUNCIL
OF THE CITY OF PEKIN
THE 8TH DAY OF DECEMBER, 2014

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THIS 8TH DAY OF DECEMBER, 2014

ORDINANCE NO. 2714-14/15

AN ORDINANCE MAKING, LEVYING AND ASSESSING MUNICIPAL TAXES IN THE CITY OF PEKIN, TAZEWELL AND PEORIA COUNTIES, ILLINOIS, FOR THE FISCAL YEAR FROM MAY 1, 2014 TO APRIL 30, 2015 AND KNOWN AS THE ANNUAL LEVY ORDINANCE.

WHEREAS, the City of Pekin is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, the City Council of the City of Pekin, Illinois, adopted Resolution No. 97-13/14 the Annual Budget for the City of Pekin, Illinois, for the Fiscal Year beginning on May 1, 2014, and ending on April 30, 2015, on the 14th day of April, 2014 and which has been duly published.

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:

SECTION 1: A tax for the following sums of money or so much thereof as may be authorized by law to defray all expenses and liabilities of the City of Pekin be, and the same is hereby levied, for the purposes specified against all taxable property in said City for the Fiscal Year commencing on the 1st day of May, 2014, and ending on the 30th day of April, 2015.

See Exhibit A

SECTION 2: The City Clerk of the City of Pekin is hereby directed to file with the County Clerk of the County of Tazewell and the County Clerk of the County of Peoria, a certified copy of this Ordinance as provided by law.

SECTION 3: If any item or portion of this Ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4: This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Pekin that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

CITY OF PEKIN

Budgeted Expenses to be Collected from Tax Levy
Fiscal year Commencing May 1, 2014 and Ending April 30, 2015

Purpose	Amount Budgeted	Derived From Other Sources	Amount Levied
General Corporate Fund	$ 210,000	0	$ 210,000
IMRF for state mandated pension requirements	719,190	0	719,190
Police Pension Fund for state mandated pension requirements	1,526,932	0	1,526,932
Fire Pension Fund for state mandated pension requirements	2,300,041	0	2,300,041
Pekin Library Bonds	399,100	0	399,100
Pekin Municipal Library Fund			
Personnel	812,950	0	812,950
Supplies	24,300	0	24,300
Library materials	143,000	0	143,000
Repairs	57,350	15,070	42,280
Utilities	69,700	69,700	0
Insurance	13,000	13,000	0
Capital outlay	74,400	74,400	0
Software	25,130	25,130	0
Circulation and grants	108,368	108,368	0
Other contractual	17,000	17,000	0
Total Library	1,345,198	322,668	1,022,530
TOTAL AMOUNTS	6,500,461	322,668	6,177,793

Exhibit A

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as required by law, and shall be known as Ordinance No. 2714-14/15 of the City of Pekin, Illinois.

PASSED in due form of law by the City Council of the City of Pekin, Illinois, at its regular meeting held on the 8th day of December, 2014; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

PRESENT:

APPROVED this 8th day of December, 2014.

Laurie Barra, Mayor

ATTEST:

Sue E. McMillan, City Clerk

CERTIFICATION OF TAX LEVY ORDINANCE

CITY OF PEKIN

THE UNDERSIGNED, DULY ELECTED, QUALIFIED AND ACTING CLERK OF THE CITY OF PEKIN, TAZEWELL AND PEORIA COUNTIES, ILLINOIS, DOES HEREBY CERTIFY THAT THE ATTACHED HERETO IS A TRUE AND CORRECT COPY OF THE TAX LEVY ORDINANCE OF SAID CITY FOR THE FISCAL YEAR BEGINNING MAY 1, 2014 AND ENDING APRIL 30, 2015, AS ADOPTED ON DECEMBER 8, 2014

THIS CERTIFICATION IS MADE AND FILED PURSUANT TO THE REQUIREMENTS OF (65 ILCS 5/8-3-1) AND ON BEHALF OF THE CITY OF PEKIN, TAZEWELL AND PEORIA COUNTIES, ILLINOIS. THIS CERTIFICATION MUST BE FILED BY THE 30TH DAY, DECEMBER, 2014.

DATED THIS 8TH DAY OF DECEMBER, 2014

____

SUE E. MCMILLAN
CITY CLERK

REQUEST FOR COUNCIL ACTION

To: Honorable Mayor Barra and Members of the City Council

CC: Darin Girdler, City Manager

From: Sue E. McMillan, City Clerk

AGENDA ITEM: Tax Abatements Resolutions for Previous Bond Ordinances

AGENDA DATE REQUESTED: December 8, 2014

ACTION REQUESTED: Authorization that taxes not be levied as provided in Bond Ordinances

DESCRIPTION:

The City's outstanding Bond Issue for the Sewer Treatment Plant Improvements, plus the Bond Issue of 2012 for Capital Improvement Projects, has language making the assumption that the Levy would be necessary to provide the funding for the payment of principal and interest on those bonds. However, the City has sufficient sources of funds from other revenue sources to make the bond payments. Therefore the levy and collection of a direct annual tax for the payment of and interest on the bonds is not necessary and needs to be abated.

RESOLUTION NO. 112-14/15
ABATEMENT OF TAXES ORDINANCE NO. 2667-12/13 SERIES 2012 $2,100,000
(LEVY AND COLLECTION OF TAXES ORDINANCE NO. 2673-12/13)

This resolution authorizes that taxes not be levied against taxable real property in the City of Pekin in the amount of $320,250.00 provided in bond ordinance issued for Capital Improvements through Bernardi Securities, Inc.

RESOLUTION NO. 113-14/15
ABATEMENT OF TAXES ORDINANCE NO. 2625-10/11 SERIES 2010 $7,110.000

This resolution authorizes that taxes not be levied against taxable real property in the City of Pekin in the amount of $596,755.00 provided in bond ordinance issued for Sewer Treatment Plant Improvements through Bernardi Securities, Inc.

FINANCIAL IMPACT: Bond payments to be made from sources other than the Levy.

NEIGHBORHOOD CONCERNS: N/A

IMPACT IF APPROVED: Bond payments to be made from sources other than Property Tax Revenue. Some of the Bonds were for Enterprise Funds and should not come from General Fund Revenue sources.

IMPACT IF DENIED: Levy allocated as Corporate Fund would be reallocated as Bond Payments

ALTERNATIVES: None

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

	A Prosperous Community. To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.

	A Safe Community. To protect community life and property by providing effective, principled police and fire services.
	A Strong Foundation. To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
	A High Quality of Life. To support or provide services that improve the quality of life for Pekin's residents.
√	**An Effective Government.** To deliver effectively the services that Pekin's residents want, need, and are willing to support.
REQUIRED SIGNATURES	
Department Director: Date:	
Finance Department (Certification of Availability of Funds): Date:	
Corporation Counsel: Date:	
City Manager: Date:	

YEAR	SERIES 2012	SERIES 2010	TOTALS
2014	320,250.00	596,755.00	917,005.00
2015	319,300.00	587,530.00	906,830.00
2016	318,250.00	591,752.50	910,002.50
2017	322,050.00	584,845.00	906,895.00
2018	196,950.00	581,670.00	778,620.00
2019		571,870.00	571,870.00
2020		565,971.25	565,971.25
2021		558,902.50	558,902.50
2022		555,407.50	555,407.50
2023		545,527.50	545,527.50
2024		539,207.50	539,207.50
2025		526,605.00	526,605.00
2026		522,312.50	522,312.50

2027	515,878.75	515,878.75
2028	498,203.75	498,203.75
2029	489,606.25	489,606.25

RESOLUTION NO. 112-14/15

WHEREAS, on October 22, 2012, the City Council of the City of Pekin passed Ordinance No. 2667-12/13 entitled "AN ORDINANCE providing for the issue of $2,100,000.00 Aggregate Principal Amount of Taxable General Obligation Bonds, Series 2012, of the City of Pekin, Tazewell and Peoria Counties, Illinois, and for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds", authorizing the sale of $2,100,000.00 principal amount of taxable general obligation; and

WHEREAS, on November 26, 2012, the City Council of the City of Pekin passed Ordinance No. 2673-12/13 entitled "AN ORDINANCE providing for the Levy and Collection of Taxes for the Payment of the Principal of and Interest on $1,975,000 Aggregate Principal Amount of General Obligation Bonds, Series 2012 and Related Matters; and

WHEREAS, said Ordinance No. 2667-12/13 (hereinafter referred to as the "Bond Ordinance") and said Ordinance No. 2673-12/13 (hereinafter referred to as the "Levy and Collection Ordinance") imposed tax levies against all taxable real property in the City of Pekin; and

WHEREAS, the tax levy for the year 2014 contained in the Bond Ordinance and Levy and Collection Ordinance was based upon the assumption that a levy would be necessary to provide funds for the payment of principal and interest on the bonds authorized by the Bond Ordinance and the Levy and Collection Ordinance; and

WHEREAS, there are sufficient sources of funds from property taxes and other revenues as contemplated in the Bond Ordinance and the Levy and Collection Ordinance available for the payment of the principal and interest on the bonds authorized by the Bond Ordinance and the Levy and Collection Ordinance; and

WHEREAS, the tax levy for the year 2014 provided for in the Bond Ordinance and the Levy and Collection Ordinance is therefore substantially greater than is necessary to meet the obligation to pay the interest due created by the sale of the bonds authorized by the Bond Ordinance and the Levy and Collection Ordinance.

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

Section 1. The levy of taxes for the year 2014 in the amount of $320,250.00 provided for in Section 1 of Ordinance No. 2673-12/13 entitled "AN ORDINANCE providing for the Levy and Collection of Taxes for the Payment of the Principal of and Interest on $1,975,000 Aggregate Principal Amount of General Obligation Bonds, Series 2012 and related matters" which supersedes the tax levy contained in Section 8 of Ordinance No. 2667-12/13, is hereby abated and eliminated; it being the intent of the City Council that no taxes be levied for the year 2014 as provided in said Section 1 of Ordinance No. 2673-12/13.

Section 2. The remaining levies of taxes as set forth in the Bond Ordinance and in the Levy and Collection Ordinance for the years subsequent to 2014 are not abated or affected in any manner whatsoever by the passage of this Resolution.

Section 3. In the event a court of competent jurisdiction determines that the tax levies for the years subsequent to 2014 as provided for in the Bond Ordinance and the Levy and Collection Ordinance are in any way affected by this Resolution, then this Resolution shall be void and of no effect whatever.

Section 4. Upon the effective date of this Resolution, a copy hereof certified by the City Clerk, which certificate shall recite that this Resolution has been passed by the City Council and approved by the Mayor, shall be filed with the County Clerks of Tazewell and Peoria Counties, Illinois; said County Clerks are hereby directed to abate and eliminate the levies for the year 2014 contained in the Bond Ordinance and the Levy and Collection Ordinance but only the extent specifically provided herein.

Section 5. This Resolution is in addition to all other Resolutions on the subject and shall be construed therewith excepting as to the part in direct conflict with any other Resolution, and in the event of such conflict, the provisions hereof shall govern.

Section 6. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this 8th day of December 2014.

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MAYOR

ATTEST:

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CITY CLERK

RESOLUTION NO. 113-14/15

WHEREAS, on August 23, 2010, the City Council of the City of Pekin passed Ordinance No. 2625-10/11 entitled "AN ORDINANCE providing for the issue of $7,110,000.00 Aggregate Principal Amount of Taxable General Obligation Bonds, Series 2010, of the City of Pekin, Tazewell and Peoria Counties, Illinois, and for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds", authorizing the sale of $7,110,000.00 principal amount of taxable general obligation; and

WHEREAS, said Ordinance 2625-10/11 (hereinafter referred to as the "Bond Ordinance"), imposed tax levies against all taxable real property in the City of Pekin; and

WHEREAS, the tax levy for the year 2014 contained in the Bond Ordinance was based upon the assumption that a levy would be necessary to provide funds for the payment of principal and interest on the bonds authorized by the Bond Ordinance; and

WHEREAS, there are sufficient sources of funds from property taxes and other revenues as contemplated in the Bond Ordinance available for the payment of the principal and interest on the bonds authorized by the Bond Ordinance; and

WHEREAS, the tax levy for the year 2014 provided for in the Bond Ordinance is therefore substantially greater than is necessary to meet the obligation to pay the interest due created by the sale of the bonds authorized by the Bond Ordinance.

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

Section 1. The levy of taxes for the year 2014 in the amount of $596,755.00 provided for in Section 8 of Ordinance No. 2625-10/11 entitled "AN ORDINANCE providing for the issue of $7,110,000.00 Aggregate Principal Amount of Taxable General Obligation Bonds, Series 2010, of the City of Pekin, Tazewell and Peoria Counties, Illinois, and for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds" is hereby abated and eliminated; it being the intent of the City Council that no taxes be levied for the year 2014 as provided in said Section 8 of Ordinance No. 2625-10/11.

Section 2. The remaining levies of taxes as set forth in the Bond Ordinance for the years subsequent to 2014 are not abated or affected in any manner whatsoever by the passage of this Resolution.

Section 3. In the event a court of competent jurisdiction determines that the tax levies for the years subsequent to 2014 as provided for in the Bond ordinance are in any way affected by this Resolution, then this Resolution shall be void and of no effect whatever.

Section 4. Upon the effective date of this Resolution, a copy hereof certified by the City Clerk, which certificate shall recite that this Resolution has been passed by the City Council and approved by the Mayor, shall be filed with the County Clerks of Tazewell and Peoria Counties, Illinois; said County Clerks are hereby directed to abate and eliminate the levies for the year 2014 contained in the Bond Ordinance, but only to the extent specifically provided herein.

Section 5. This Resolution is in addition to all other Resolutions on the subject and shall be construed therewith excepting as to the part in direct conflict with any other Resolution, and in the event of such conflict, the provisions hereof shall govern.

Section 6. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this 8th day of December 2014.

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MAYOR

ATTEST:

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CITY CLERK