



**Monday, October 2, 2017
5:30 PM**

CITY COUNCIL AGENDA

I. Call to Order

1. Roll Call
2. Pledge of Allegiance

II. Appearance of Citizens

Policy relative to Appearance of Citizens:

A 15 minute time period is provided for citizens to appear and express their views before the City Council. Each citizen who appears will be limited to 3 minutes. No immediate response will be given by City Council or City staff members. Citizens are to give their documents to the Police Officer for distribution to the Council.

III. Approval of Minutes

Approval of Minutes of September 18, 2017 City Council Meeting

IV. Unfinished Business

V. New Business

1. Proclamations and Recognitions
2. Resolution Authorizing a Change Order to the Agreement with AECOM Technical Services, Inc. to Assist the City with Administrative Consent Order from United States Environmental Protection Agency, City Project 2013-01
3. Ordinance Annexing Territory-1625 West Cooper Drive
4. Resolution to Appropriate Additional Motor Fuel Tax Funds to Pay the City's Portions of Construction Costs and Construction Engineering Costs for Improvements to Lake Shore Drive and 22nd Street (IL RTE 105) From Old Rte 51 to U.S. Rte 36 by Municipality Under Illinois Highway Code, City Project 2014-01, Section 14-00401-00-TL
5. Ordinance Granting Conditional Use Permit Drive-Through Facility 760 South Franklin Street
6. Ordinance Rezoning Property From O-1 Office District to R-6 Multiple Dwelling District 102, 110 and 118 North Edward Street
7. Ordinance Rezoning Property From M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District 2940 North Dinneen Street
8. Ordinance Rezoning Property From B-3 Planned Shopping Center District to O-1 Office District 960 East Mound Road

9. Ordinance Approving Addition of Sites to Public Building Commission Lease
10. Resolution Regarding Halloween Trick or Treat Hours

VI. Other Business

VII. Recess to Study Session

Neighborhood Revitalization and Redevelopment Continued

VIII. Adjournment

CITY COUNCIL MINUTES
Tuesday, September 18, 2017

On Monday, September 18, 2017, the City Council of the City of Decatur, Illinois, met in Regular Meeting at 5:30 p.m., in the Council Chambers, One Gary K. Anderson Plaza, Decatur, Illinois.

Mayor Julie Moore Wolfe presided, together with her being Councilmen David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber and Lisa Gregory. Seven members present. Mayor Julie Moore Wolfe declared a quorum present.

City Manager Tim Gleason attended the meeting as well.

Mayor Julie Moore Wolfe led the Pledge of Allegiance to the Flag.

This being the time for Appearance of Citizens, the following citizens appeared:

John Phillips spoke about the community events that happen on the streets during the year and how he has seen a trend to trash the neighborhood around the area where it is happening. He believes the trash is getting worse and it could escalate to where there is property damage created. He asked if the City could ask the sponsors of the events to have a plan in place on how they are going to handle trash pickup.

The minutes of the September 5, 2017, City Council meeting were presented. Councilman Pat McDaniel moved the minutes be approved as written; seconded by Councilwoman Dana Ray, and on call of the roll, Councilmen David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

This being the time set aside for Unfinished Business and there being none, Mayor Julie Moore Wolfe called for New Business.

R2017-113 Resolution Authorizing a Support Services Agreement with B&W Control Systems Integration LLC for South Water Treatment Plan – SCADA System, was presented.

Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2017-114 Resolution Authorizing an Agreement with Soules Bird Repellent Company for Downtown Bird Control, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Councilman David Horn confirmed that there wasn't a representative from Soules present at the Council meeting. He stated he was uncomfortable talking about the agreement without a representative from Soules present. In particular, the company claims that there is not going to be any violation of any environmental law but in fact that cannot be confirmed with a company representative. Councilman David Horn made a motion to table the item until a representative is present; seconded by Councilman Bill Faber.

Upon call of the roll, Councilmen David Horn and Bill Faber voted aye. Councilmen Charles Kuhle, Pat McDaniel, Dana Ray, Lisa Gregory and Mayor Julie Moore Wolfe voted nay. Five nays and two ayes. Mayor Julie Moore Wolfe declared the motion failed.

Mayor Julie Moore Wolfe asked City Manager Tim Gleason if he was aware of any concerns or complaints raised by citizens or environmental groups. City Manager Tim Gleason stated he was not aware of any. He stated it was a long standing agreement that the City has had and it was prompted by downtown business owners experiencing the waste from the large number of birds. Councilman Pat McDaniel stated that the City needs to press upon anybody that has a bid to be voted on that they need to come to the Council meeting to answer any questions. Councilman David Horn asked if there was a documented need for the additional coverage in the agreement. Public Works Director Rick Marley stated that there had been a request for coverage from the Decatur Public Transit and the Decatur Public Library. Councilman David Horn asked in the years prior to 2002 had there been approximately \$25,000 in damage that the birds have caused each year. Public Works Director Rick Marley stated he couldn't go back that far, he has been with the City ten years. He stated that on numerous occasions there have been businesses downtown who specifically requested bird removal because of significant accumulation of bird droppings. Councilman Charles Kuhle confirmed that if there was an environmental problem then that would void the contract. Public Works Director Rick Marley stated yes, if Mr. Soules were to violate any state or federal regulations it would void the contract.

Upon call of the roll, Councilmen David Horn voted nay. Councilmen Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. Six ayes and one nay. Mayor Julie Moore Wolfe declared the motion carried.

R2017-115 Resolution Authorizing City Manager to Execute Agreement with BlueCross BlueShield of Illinois for Administration of the City Group Health Benefit Plan for Calendar 2018, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilman Pat McDaniel.

City Treasurer Gregg Zientara gave an overview of the City's administrative costs with BlueCross BlueShield of Illinois.

Upon call of the roll, Councilmen David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2017-116 Resolution Authorizing City Manager to Execute Insurance Coverage for General Liability, Automobile Liability and Excess Liability for Decatur, Illinois Public Transit System for the Policy Period September 22, 2017 to July 1, 2018, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilman Pat McDaniel.

City Treasurer Gregg Zientara gave an overview of the policies coverage. Councilman Bill Faber stated that this Resolution had come before Council with a short lead time. He would prefer that something like this would have a reasonable amount of time for further study by Council if needed.

Upon call of the roll, Councilmen David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2017-117 Resolution Authorizing City Manager to Execute Insurance Coverage for Property, Liability and Workers Compensation for the City of Decatur, Illinois for the Policy Period October 1, 2017 to October 1, 2018, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilman Pat McDaniel.

City Treasurer Gregg Zientara provided a brief overview of the policies coverage. Councilman David Horn asked why the broker did not select the lowest quote. City Treasurer Gregg Zientara stated one of them was equipment break down and the other is the crime policy. The premiums are very low for these coverages. Mr. Zientara stated there was a hidden cost when the City makes changes to onboard the new insured. Councilman David Horn asked if it was fair to say that sometimes the City accepting the lowest bid is not always the best approach because in this case there are indirect costs associated with the actual lowest bid. Mr. Zientara stated that could be a fair statement in this particular case.

Upon call of the roll, Councilmen David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2017-118 Resolution Authorizing Mayor and City Manager to Execute a Professional Service Agreement with CliftonLarsonAllen, LLP for Auditing Services and Non-Audit Advisory Services, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Councilman Bill Faber asked if it not possible to engage the services of a local accounting firm to do this same work. Finance Director Gregg Zientara stated that the City is a large organization and the audit firm the City hires is one of the largest ten in the United States. They have a continued practice of servicing governmental entities such as Decatur in audits.

Upon call of the roll, Councilmen David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Mayor Julie Moore Wolfe called for Consent Calendar Items A and D and asked if any Council member wished to have an item removed from Consent Calendar. Council did not request to have any items removed. City Clerk read Items A and D:

- A. Receiving and Filing of Minutes of Boards and Commissions
- B. R2017-119 Resolution Approving Reappointment – Civil Service Commission
- C. R2017-120 Resolution Approving Reappointment – Decatur Metropolitan Exposition Auditorium and Office Building Authority (Civic Center Board Authority)
- D. R2017-121 Resolution Approving Reappointments – Human Relations Commission

Councilman Pat McDaniel moved Items A and D be approved by Omnibus Vote; seconded by Councilwoman Dana Ray, and on call of the roll, Councilmen David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Mayor Julie Moore Wolfe called for Other Business. Councilman Tim Gleason introduced the new Economic Community Development Director Raymond Lai to Council and welcomed him.

Councilman Pat McDaniel asked John Phillips if he was talking about when they close off W. Wood and W. Main for events. Mr. Phillips stated people are free to carry bottles of beer from that area. Councilman Pat McDaniel stated people could not leave that area with open liquor, so they will look at that. Mr. Phillips stated that not all the beer bottles he has dealt with are sold within that area.

Councilwoman Lisa Gregory confirmed that the Council discussion on Neighborhood Revitalization would occur on September 25, 2017. City Manager Tim Gleason stated there would be a special Council meeting in the Council Chambers on September 25, 2017, at 5:30 p.m., and there would be a Study Session on Neighborhood Redevelopment and Revitalization.

Councilman Bill Faber stated he finds the litter along West Main Street from Monroe Street to Oakland Avenue to be unacceptable and it is usually on Mondays. The keeping of that small area would be possible if there would be some public monitoring of that area.

With no other business, Councilman Pat McDaniel moved the regular Council meeting be adjourned; seconded by Councilman Charles Kuhle, and on call of roll, Councilmen David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the Council meeting adjourned at 6:05 p.m.

Approved _____
Debra G. Bright
City Clerk

Public Works

DATE: 9/22/2017

MEMO: 2017-57

TO: Honorable Mayor Moore Wolfe and City Council Members

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution Authorizing a Change Order to the Agreement with AECOM Technical Services, Inc. to Assist the City with Administrative Consent Order from the United States Environmental Protection Agency, City Project 2013-01

SUMMARY RECOMMENDATION: Please see attached memo for details

ATTACHMENTS:

Description	Type
2017-57 Memo	Cover Memo
2017-57 Resolution	Resolution Letter
2017-57 Change Order Letter	Backup Material
2017-57 Change Order Form	Backup Material
2017-57 AECOM Agreement	Backup Material

**PUBLIC WORKS MEMORANDUM
NO. 2017-57**

DATE: September 18, 2017

TO: Honorable Mayor Moore Wolfe and City Council Members

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution Authorizing a Change Order to the Agreement with AECOM Technical Services, Inc. to Assist the City with Administrative Consent Order from United States Environmental Protection Agency
City Project 2013-01

SUMMARY RECOMMENDATION:

It is recommended that the City Council approve the Resolution Authorizing Change Order to the Agreement between the City of Decatur and AECOM Technical Services, Inc. to assist the City with preparing the sewer system reports and tasks required by the Administrative Consent Order. Change Order adds \$173,000 to the existing \$456,620 Agreement for a total fee of \$629,620

PRIOR COUNCIL ACTION:

See Appendix A.

SANITARY SEWER PRIORITIES:

See Appendix A.

BACKGROUND:

See Appendix A.

PROFESSIONAL SERVICES AGREEMENT:

The City advertised for proposals from engineering firms to assist the City's with the USEPA Administrative Consent Order (ACO). Ten responses were received, four were interviewed and AECOM Technical Services was selected as the firm that would be best able to assist the City with the ACO. AECOM is a respected worldwide firm with a local office in Decatur.

AECOM's scope of services addressed following:

1. ACO project management and compliance tracking
2. Sanitary Sewer Master Plan review
3. Preparation of a sanitary sewer overflow and private property basement backup protocol.

4. Prepare a Sewer Collection System Alternatives Analysis (SCSAA) that reviewed the sewer system and recommend improvements to remove rainfall derived inflow and infiltration.
5. Completed a Capacity, Management, Operation, and Maintenance (CMOM) report that assesses the overall health of the system including personnel, equipment, procedures, and funding.
6. Assessment of data collection and current asset management.

US EPA Administrative Consent Order Status

Below details the status of the required responses to the US EPA as required by the ACO.

EPA Deliverable	Date Submitted	EPA Response Date
SCSAA Report	April 12, 2016	August 9, 2016
SCSAA Report Version 2	November 4, 2016	June 6, 2017
EPA Presentation of V2 SCSAA	July 12, 2017	No Response Required
SCSAA Report Version 3	November 30, 2017	Response Pending
CMOM Template	April 12, 2016	August 8, 2016
CMOM Report	February 4, 2017	Response Pending

Change Order No 1

Change Order No 1 addresses responses required by the US EPA that were not within the original scope of work. The City anticipated only minor responses in the original scope of work. Detailed below is the summary of the completed tasks and forecasted tasks that will be required by the US EPA

Work Description	Completed Cost
Financial review of the City's sewer user fee affordability	\$14,000
SCSAA Report Version 2 to address EPA comments	\$51,000
Preparation for a EPA required meeting	\$18,000
Forecasted Task	Estimated Cost
Basin 5/6 Alternatives Analysis	\$50,000
EPA Required CMOM Revisions	\$15,000
EPA Required SCSAA Revisions	\$15,000
EPA ACO Closeout	\$10,000
Ellen and Division Inflow and Infiltration Study and Alternatives Analysis**	
Total Cost	\$173,000
<i>**Ellen and Division was identified by the US EPA to require an inflow and infiltration reduction study due to unauthorized sanitary sewer overflows. Due to project scope requirements, the work is considered outside the intent of the existing contract. The City is currently negotiating a scope of work with AECOM to complete the work. This will come before the council as a standalone professional service agreement at a future meeting</i>	

The \$173,000 requested in Change Order No 1 addresses all current requirements by the US EPA and the ACO and is required for the City to adequately respond to the requirements of the US EPA. Change order No 1 will also provide an additional contingency for future CMOM and SCSAA revisions.

SCHEDULE: The City has currently negotiated with the EPA to complete all engineering and construction required by the ACO by December 31, 2020.

POTENTIAL OBJECTION: None

INPUT FROM OTHER SOURCES: United States Environmental Protection Agency, AECOM and the Legal Department.

STAFF REFERENCE: Richard Marley, Public Works Director; Richard Marley will be in attendance at the City Council meeting to answer any questions of the Council on this item.

LEGAL REVIEW: The contract was approved by the Legal Department on Wednesday, September 27, 2017.

BUDGET/TIME IMPLICATIONS:

Budget Impact: Funding to complete the requirements of the ACO will be from the Sanitary Sewer Fund which is supported by the sewer user charge.

Compliance efforts will be multi-year and budgeting for the yearly efforts are shown in the Capital Improvements Plan.

The AECOM fee not to exceed \$629,620 and is allocated in the Sanitary Sewer Fund.

Staffing Impact: Staff time is allocated to manage the ACO requirements.

Attach: 4

Appendix A

PRIOR COUNCIL ACTION:

August 21, 2015 – City Council approved Resolution R2015-109 authorizing execution of an Administrative Consent Order between the City and the United States Environmental Protection Agency (USEPA)

August 21, 2015 – City Council approved Resolution R2015-110 for \$456,000 authorizing a professional engineering services agreement with AECOM Technical Services, Inc., for the preparation of Sewer System Alternative Analysis (SCSAA) and Capacity, Management, Operation and Maintenance (CMOM) reports required by the Administrative Consent Order between the City and the USEPA,

March 30, 2016 – City Council was provided with Public Works Memorandum 2016-16 providing an update on the preparation of the SCSAA and CMOM Reports.

October 3, 2016 – Study Session with City Council to provide an update with the USEPA Consent Order.

November 21, 2016 – Study Session with City Council to discuss the proposed Sanitary Sewer User Charges to meet the USEPA Consent Order.

December 8, 2016 – City Council approved Ordinance 2016-91 amending City Code Chapter 74 – Sanitary Sewer Service and Connections, Section 10, Rate.

February 21, 2017– City Council approved Resolution R2017-25 for \$462,944.28 authorizing a professional engineering services agreement with ADS Environmental Services for the 2017 Flow Monitoring Project, City Project 2017-01.

February 21, 2017– City Council approved Resolution R2017-26 for \$723,008 authorizing a professional engineering services agreement with Crawford, Murphy and Tilly, Inc. for the Lost Bridge North Basin and the Florian Basin Inflow and Inflow Reduction Project, City Project 2017-02.

SANITARY SEWER PRIORITIES:

Under the direction of the City Council, the Public Works Department has established four priorities to improve the City's sanitary sewer collection system as defined in the Sanitary Sewer Master Plan.

1. Critical Large Diameter Sewer Rehabilitation.
2. Sanitary Sewer Overflows Due to Inflow and Infiltration.
3. System Operation and Maintenance
4. Small Diameter Sewer Rehabilitation

The Administrative Consent Order and Professional Engineering Services Agreement with AECOM will address sanitary sewer priorities 2, 3, and 4.

BACKGROUND:

Administrative Consent Order

In 2012, the United States Environmental Protection Agency (USEPA) served Decatur with an Administrative Consent Order (ACO), requiring the City to eliminate overflows and reduce basement backups. Staff retained outside counsel with expertise and direct experience in USEPA administration of the Clean Water Act. With the assistance of outside counsel and AECOM, extensive negotiations between the City and the USEPA have resulted in USEPA's issuance of an ACO that is greatly limited in scope compared to the initial Order. This is due to the City's pre-existing commitment to improving its sanitary sewer systems, and its good faith efforts to negotiate a reasonable ACO with USEPA.

The City's commitment to improving its sanitary sewer systems commenced in earnest in 2009, when Staff began preparing a Sanitary Sewer Master Plan. The plan recommended an aggressive course of rehabilitation of the City's critical sewers. To fund these improvements, the City Council approved a sewer user fee increase beginning in 2011, with a final increase occurring in May, 2015. Even while negotiating the ACO, the City has been making significant strides to rehabilitate its sewer system, including the Lake Shore Drive sewer rehabilitation project, the Union Street sewer rehabilitation project, 7th Ward sewer rehabilitation and design work currently underway for rehabilitation of the McKinley sewer rehabilitation projects. The City Council's 2014 approval of a storm water utility will assist the City's ability to address the requirements of the USEPA ACO.

The Administrative Consent Order's major requirements included:

1. A Development of a Capacity Management, Operations, and Maintenance (CMOM) program. The CMOM program provides a comprehensive review of the City's sewer collection system asset, including system management, maintenance, and capital improvement funding.
2. Preparation of a Sewer Collection System Alternatives Analysis (SCSAA) for areas identified as experiencing Sanitary Sewer Overflows (SSOs) and sewer back-ups during storm events. The analysis will focus on efforts to keep storm water from entering into the separate sanitary sewer system and better manage stormwater entering the combined sewer system.

The SCSAA and the CMOM submitted in April of 2016 identified a gap in funding to complete all work within the Order. To close the gap in funding the City Council adopted a 5 year, \$0.57 rate increase starting in May 1, 2017

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING CHANGE ORDER TO THE
AGREEMENT WITH AECOM TECHNICAL SERVICES, INC.
TO ASSIST THE CITY WITH
ADMINISTRATIVE CONSENT ORDER FROM
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CITY PROJECT 2013-01**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR,
ILLINOIS:**

Section 1. That the Engineering Services Agreement between AECOM Technical Services, Inc., and the City of Decatur, for design services for the Administrative Consent Order from the United States Environmental Protection Agency be, and the same is hereby, modified and amended to authorize a Change Order in the amount of \$173,000, for a total not to exceed \$629,620.

Section 2. That the Mayor and the City Clerk be, and they are hereby, authorized and directed to execute said Change Order to the Engineering Services Agreement between the City of Decatur, Illinois and AECOM Technical Services, Inc.

PRESENTED and ADOPTED this 2nd day of October, 2017.

Julie Moore Wolfe, Mayor

ATTEST:

Debra G. Bright, City Clerk

September 8, 2017

Mr. Paul Caswell, PE
Assistant City Engineer
Public Works Department
1 Gary K. Anderson Plaza
Decatur, IL 62523

Reference: City of Decatur Public Works Department
Decatur CMOM and Consent Order Compliance Program
AECOM Project No.: 60447509

Dear Mr. Caswell:

As we discussed, AECOM has performed a number of out-of-scope items that were required to respond to the USEPA comments and meetings. As you also may recall from previous discussions, we have kept our engineering costs in accordance with our original proposal. However, due to a number of changes that have occurred due to USEPA requirements (including a 2-year extension of the Administrative Consent Order) and given that we have approximately \$50,000 remaining in our current contract, we are requesting additional funding in order to meet the upcoming Consent Order work. Note that the \$50,000 remaining includes the allowances that were built into the contract (i.e. we have already spent approximately \$10,000 of the \$60,000 contract allowances). Please refer to our most recent invoice, which is attached.

As requested by the City of Decatur, we are hereby presenting an estimate for out-of-scope work items (both for future work and work already completed) that may be required in order to complete the subject project. This additional funding should be sufficient to carry the EPA Administrative Consent Order through to completion (i.e. December 31, 2020).

**Table 1 – Completed Out of Scope Work to meet EPA Administrative Consent Order
(Through July, 2017)**

No.	Work Description	Schedule	Estimated Cost
1.1	Financial Capability Analysis (Partial)	August to November, 2016	\$14,000
1.2	Revised approach for 2 nd SCSAA Submittal (November 4, 2016). The resubmittal required much more work than was originally anticipated for the following reasons: - EPA had a significant amount of requirements and requests - The project approach was revised based on comments from Barnes and Thornburg		\$51,000
1.3	Preparation of response and presentation for July 12, 2017 meeting at the EPA's office	June to July, 2017	\$18,000
Total			\$83,000

**Table 2 – Future Out of Scope Work to meet EPA Administrative Consent Order
(through December, 2020)**

No.	Work Description	Estimated Schedule	Estimated Cost
2.1	Additional Basin 5/6 Modeling Analysis and Revised SCSAA Report (due November 30, 2017)	July to November, 2017	\$50,000
2.2	Future CMOM Revisions (if needed, for one additional submittal)	January to March, 2018	\$15,000
2.3	Future SCSAA Revisions (if needed, for one additional submittal)	June to August, 2018	\$15,000
2.4	EPA Closeout – To provide additional assistance to the City and Barnes Thornburg to document that all ACO requirements have been met	October to December 31, 2020	\$10,000
Total			\$90,000

Table 3 – Amendment #1 Summary

No.	Work Description	Estimated Cost
3.1	Completed out of scope work per Table 1	\$83,000
3.2	Future out of scope work per Table 2	\$90,000
TOTAL		\$173,000

As we have discussed, Amendment #1 above will restore the allowances (\$59,820) that were originally included in the project and will enable AECOM to complete our original scope of work. Finally, a summary of our current and proposed contract is shown in Table 4 below.

Table 4 – Contract Summary

No.	Work Description	Estimated Cost
4.1	Original Contract (September 21, 2015)	\$456,620
4.2	Amendment #1	\$173,000
REVISED CONTRACT TOTAL		\$629,620



If you have any questions regarding the above or would like to meet to discuss this request, please do not hesitate to let us know.

Very truly yours,

AECOM TECHNICAL SERVICES, INC.

A handwritten signature in blue ink, appearing to read 'Paul St. Aubyn, P.E.', is written over the printed name.

Paul St. Aubyn, P.E.
Project Manager

Enclosure

Exhibit I - CITY OF DECATUR INVOICE DATA SHEET

Project: Decatur CMOM and Consent Order Compliance Program

(Consulting Engineer Name & Address)

AECOM
303 E. Wacker Drive, Suite 1400
Chicago, IL 60601

City Project No.: 2013-01

Invoice Date: 8/9/17

Invoice Number: 37951655

Invoice Period From: 2/4/17

To: 8/4/17

Agreement/C.O.	Date Approved	Council Bill	Upper Limit
Original Contract	11/9/15		\$ 456,620.00

Item	To Date	Previous Invoices	This Invoice
Staff Hours Expended	3,319.50	3,192.50	127.00
Direct Labor Cost	\$ 131,808.10	\$ 125,451.81	\$ 6,356.29
Contract Multiplier	3	3	3
Total Labor Cost	\$ 395,424.30	\$ 376,355.43	\$ 19,068.87
Direct Subconsultant Cost	\$ -	\$ -	\$ -
Subconsultant Multiplier			1
Total Subconsultant Cost	\$ -	\$ -	\$ -
Reimbursable Expenses	\$ 10,334.77	\$ 10,334.77	
Total Amount Earned	\$ 405,759.07	\$ 386,690.20	\$ 19,068.87
TOTAL AMOUNT DUE THIS INVOICE:			\$ 19,068.87
Avg. Direct Labor Cost	\$ 39.71	(For City Use)	
Avg. Total Labor Cost	\$ 119.12		
Percent Complete	89%		

Consulting Engineer's
Signature:



Title:

Project Manager

Check Payment to:
AECOM Technical Services, Inc.
An AECOM Company
1178 Paysphere Circle
Chicago, IL 60674

ACH Payment to:
AECOM Technical Services, Inc.
An AECOM Company
Bank of America
Account Number 5800937020
ABA Number 071000039

Wire Transfer Payment to:
AECOM Technical Services, Inc.
An AECOM Company
Bank of America
New York, NY 10001
Account Number 5800937020
ABA Number 026009593
SWIFT CODE BOFAUS3N



303 East Wacker Drive, Suite 1400, Chicago, IL 60601
Tel: 312-373-7700 Fax: 312-373-6800

Federal Tax ID No. 95-2661922

ATTN : PAUL CASWELL
DECATUR, CITY OF
#1 GARY K. ANDERSON PLAZA
3RD FLOOR
DECATUR, IL 62523

Invoice Date: 09-AUG-17
Invoice Number: 37951655

Agreement Number: 60447509
Agreement Description:

Payment Term: 30 DAYS

Please reference Invoice Number and Project Number with Remittance

Project Number : 60447509
Bill Through Date : 04-FEB-17 - 04-AUG-17
Project Manager: Paul St Aubyn

Project Name : Decatur CMOM & Consent Order Compliance Program

Task Number : 01

Task Name : Project Management

Labor Multiplier

Employee Name/Title	Date	Hours	Rate	Raw Cost	Multiplier	Billed Amt
St Aubyn, Paul D	10-FEB-17	2.00	43.88	87.76	3.0000	263.28
St Aubyn, Paul D	17-FEB-17	6.50	43.88	285.22	3.0000	855.66
St Aubyn, Paul D	24-FEB-17	-5.00	43.88	-219.40	3.0000	-658.20
St Aubyn, Paul D	26-MAY-17	1.00	43.88	43.88	3.0000	131.64

Total Labor Multiplier

4.50

197.46

592.38

Task Total : Project Management

592.38

Task Number : 08.03

Task Name : Allowances - SCSAA

Labor Multiplier

Employee Name/Title	Date	Hours	Rate	Raw Cost	Multiplier	Billed Amt
Ince, Matthew G	07-JUL-17	1.50	50.02	75.03	3.0000	225.09
Ince, Matthew G	14-JUL-17	4.50	50.02	225.09	3.0000	675.27
Ince, Matthew G	21-JUL-17	2.00	50.02	100.04	3.0000	300.12
Ince, Matthew G	28-JUL-17	2.00	50.02	100.04	3.0000	300.12
Lang, Nathan	14-JUL-17	7.00	18.00	126.00	3.0000	378.00
Lannon, John M	30-JUN-17	4.00	97.78	391.12	3.0000	1,173.36
Lannon, John M	14-JUL-17	16.00	97.78	1,564.48	3.0000	4,693.44
Nejedlo, Thomas J (Tom)	23-JUN-17	4.00	47.81	191.24	3.0000	573.72
Nejedlo, Thomas J (Tom)	30-JUN-17	4.00	47.81	191.24	3.0000	573.72
Shaffer, Samuel M (Sam)	07-JUL-17	7.00	33.03	231.21	3.0000	693.63
Shaffer, Samuel M (Sam)	14-JUL-17	12.00	33.03	396.36	3.0000	1,189.08
St Aubyn, Paul D	23-JUN-17	9.00	43.88	394.92	3.0000	1,184.76
St Aubyn, Paul D	30-JUN-17	10.00	43.88	438.80	3.0000	1,316.40
St Aubyn, Paul D	07-JUL-17	18.00	43.88	789.84	3.0000	2,369.52
St Aubyn, Paul D	14-JUL-17	19.00	43.88	833.72	3.0000	2,501.16
St Aubyn, Paul D	04-AUG-17	2.50	43.88	109.70	3.0000	329.10

Total Labor Multiplier

122.50

6,158.83

18,476.49

Task Total : Allowances - SCSAA

18,476.49

Project Total : Decatur CMOM & Consent Order Compliance Program

19,068.87

Invoice Summaries

Total Current Amount :	19,068.87
Retention Amount :	0.00
Pre-Tax Amount :	19,068.87
Tax Amount :	0.00

Invoice Summaries

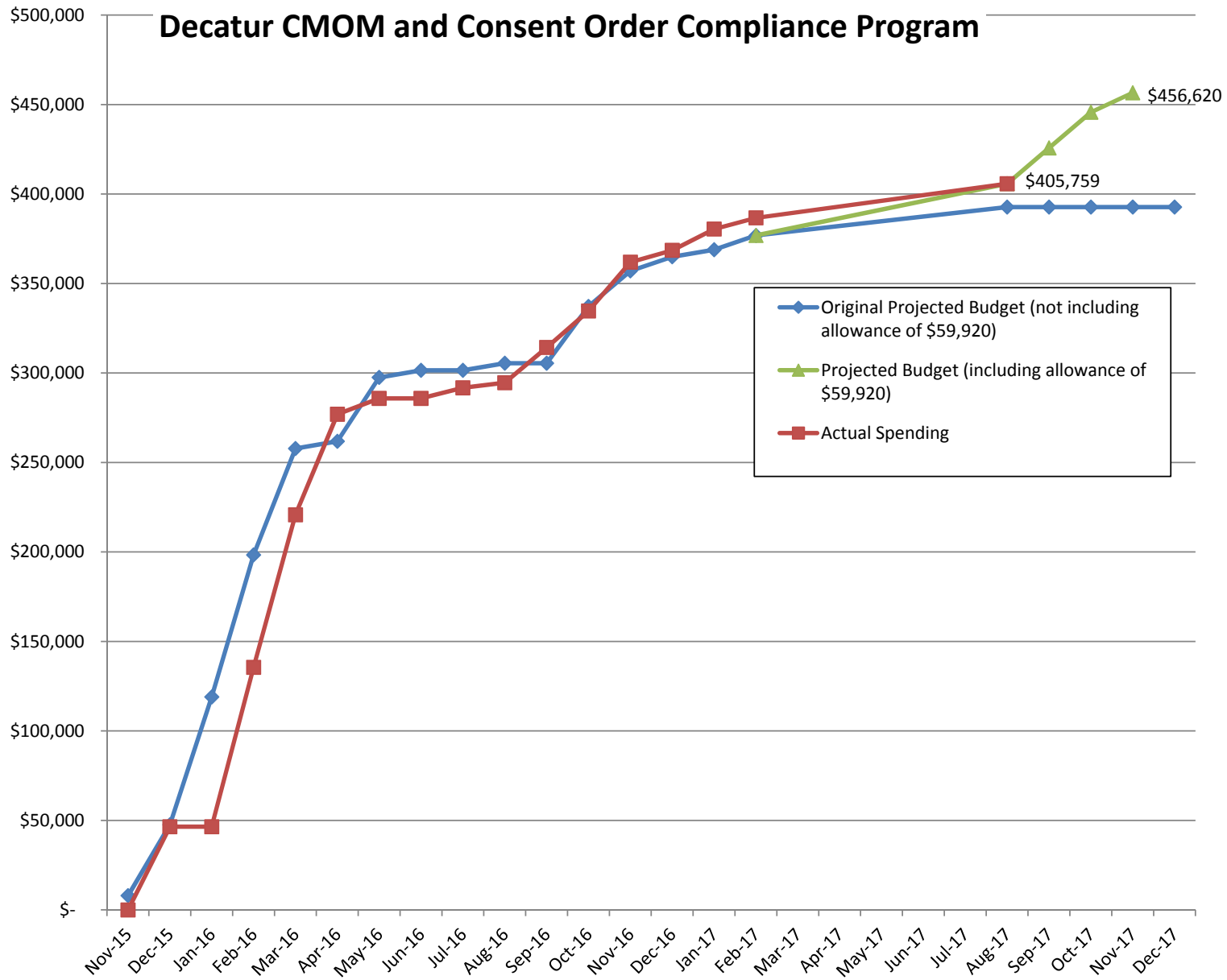
Total Invoice Amount :	19,068.87
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Billing Summaries

<u>Billing Summary</u>	<u>Current</u>	<u>Prior</u>	<u>Total</u>	<u>Limit</u>	<u>Remain</u>
Billings	19,068.87	386,690.20	405,759.07	456,620.00	50,860.93
Billing Total :	<u>19,068.87</u>	<u>386,690.20</u>	<u>405,759.07</u>		

Base Fee/Scope						
Task No.	Task Name ¹	% Product Complete ¹		% of Project	% Project Complete ²	
		Last Report	This Report		Last Report	This Report
1	Project Management	90.0%	100.0%	25.0%	23.3%	25.0%
2	SSMP Review	99.0%	100.0%	1.7%	1.7%	1.7%
3	SSO	100.0%	100.0%	5.7%	5.7%	5.7%
4	SCSAA	100.0%	100.0%	31.5%	31.5%	31.5%
5	CMOM	99.0%	100.0%	29.5%	29.5%	29.5%
6	Data Collection and Asset Management	75.0%	100.0%	4.3%	3.6%	4.3%
7	Reporting Assistance	90.0%	100.0%	2.4%	2.4%	2.4%
		TOTAL		100.0%	97.5%	100.0%
Allowances ²						
8	Allowances	N/A	15.1%	100.0%	N/A	15.1%
1. It should be noted that the budget for Tasks 1-7 has been spent due to out of scope work (i.e. the FCA, additional modeling for Basins 5/6, additional SCSAA submittals, etc.), but some of these tasks have not been fully completed (e.g. Sanitary Sewer Master Plan Technical Memorandum, Basement Backups Technical Memorandum, Backups Modeling Technical Memorandum, Asset Management Workplan, etc.). Should the City wish these tasks to be completed, additional funding will be needed.						
2. % Project Complete for Tasks 1-7 is based on a total fee of \$396,700. However, an allowance of \$59,920 is also available, for a total contract limit of \$456,620. The Allowance % complete is located at the bottom of the table above.						

Decatur CMOM and Consent Order Compliance Program



MEMORANDUM

TO: Paul Caswell, PE
Assistant City Engineer
Public Works Department
City of Decatur

FROM: Paul St. Aubyn, PE
Project Manager
AECOM

SUBJECT: Consent Order Compliance Progress Report (COCPR)
Decatur CMOM and Consent Order Compliance Program
For Period Ending: August 4, 2017

DATE: August 9, 2017

Work Completed from February 4, 2017 to August 4, 2017:

Between February and June (approximately), AECOM was waiting for a response from the USEPA on the SCSAA and/or CMOM submittals. However, on June 6, 2017, the City received USEPA comments on the November 4, 2016 SCSAA submittal. AECOM reviewed and discussed these comments with the City and Barnes and Thornburg. Additionally, AECOM prepared a PowerPoint presentation for a meeting with the USEPA on July 12, 2017, which was attended by representatives of the City, Barnes & Thornburg, AECOM, and the USEPA. AECOM has also begun finalizing and updating the SCSAA report, which includes the Basin 5/6 hydrologic and hydraulic modeling analysis.

Future Planned Activities:

AECOM will continue to work on revising the SCSAA report, which includes the Basin 5/6 hydrologic and hydraulic modeling analysis. The revised SCSAA report is due on November 30, 2017.

A summary of the ACO schedule of submittals can be found on the following page.

City of Decatur
Decatur CMOM and Consent Order Compliance Program Schedule

Item	AO Paragraph Number	Deliverables	Duration (days)	Comment	Due Date
1	44, 45	CSO, SSO, Backups Documentation	60	City to notify EPA of implementation date.	December 14, 2015
2	46	SCSAA (1st)	180		April 12, 2016
3	47	EPA review and comment on SCSAA (1st)	119		August 9, 2016
4	48	Decatur response to EPA on SCSAA (2nd)	90	90 day response period	November 4, 2016
5	49	EPA review and comment on SCSAA (2nd)	214		June 6, 2017
6	48	Decatur response to EPA on SCSAA (3rd)	177	Schedule extension to be granted by the USEPA (see Barnes and Thornburg correspondence dated August 3, 2017)	November 30, 2017
7	49	EPA review and comment on SCSAA (3rd)	TBD		TBD
8	50	Begin improvements per SCSAA implementation schedule	60	Begin within 60 day from EPA approval	TBD
9	51	SSA started if necessary	TBD	Not planned for	TBD
10	52	Update SCSAA per CMOM	TBD		TBD
11	53	SCSAA status reports	180	Semi-annual reports after commencement/approval of the implementation schedule	July 31 & January 31(semi-annually until AO is met)
12	55	CMOM template to EPA	180	Template due to EPA for review	April 12, 2016
13	-	EPA comments on CMOM template	119		August 8, 2016
14	56	Final CMOM submittal to EPA	180	CMOM submittal with EPA comments incorporated	February 4, 2017
15	-	EPA review and comment	-	Currently under review by the EPA	TBD
16	57	-	30	City to implement CMOM within 30 calendar days of EPA approval	TBD
17	54	Asset Management Work Plan	90	Due 90 days after after CMOM approval	July 4, 2017
18	58	CMOM progress report to EPA	365	Status and progress report to EPA	April 5, 2018
19	45	Quarterly back-up summaries	-	Submitted on January 28, 2016, April 18, 2016, July 7, 2016, October, 2016, January, 2017, and April 2017 (unconfirmed)	January 31, April 30, July 31, October 31 (quarterly until ACO is met)
Tasks highlighted green have been completed.					
Tasks highlighted yellow are the next critical submission dates.					



City of Decatur, Illinois
#1 Gary K. Anderson Plaza
Decatur, IL 62523-1196

Change Order

Date: Sept 8, 2017 Project: EPA Administrative Consent Order Assistance
Request No. 1 ☐ Final Project Number: 2013-01

Consulting Engineer: AECOM Technical Services, Inc
Address: 303 E Wacker Dr, Suite 1400
Chicago, IL 60601

I recommend that an ☒ addition of \$ 173,000 be made to the above contract.
☐ deduction

I recommend that an extension of _____ days be made to the above contract completion date.
The revised completion date is now December 31, 2021.

Amount of original contract	\$	<u>456,620.00</u>
Amount of previous change orders	\$	<u>0.00</u>
Amount of current change order	\$	<u>173,000.00</u>
Amount of adjusted/final contract	\$	<u>629,620.00</u>

☒ addition
Total net ☐ deduction to date \$ 173,000.00 which is 38% % of Contract Price

State fully the nature and reason for the change order EPA required information not included in the original scope of work. C.O. #1 includes the cost for out of scope work and increases the scope for future EPA review requirements.
See attached letter for C.O. #1 breakdown.

When the net increase or decrease in the cost of the contract is \$10,000 or more or the time of completion is increased or decreased by 30 days or more, one of the following statements shall be checked.

The undersigned determine that the change is germane to the original contract as signed, because:

☐	Provision for this work is included in the original contract.
☒	Work of this type was included in the original contract, and the additional efforts of this work are within the intent of the contract.
☒	The change represents an adjustment required by the contract, based on unpredictable developments in the work.
☒	The change in design is necessary to fulfill the original intent of the Contract.
☐	Other: (Explain)

Recommended

Richard G. Maly
Public Works Director

9-25-2017
Date

Approved

Mayor

Date

Attested

City Clerk

Date

CITY OF DECATUR
PROFESSIONAL ENGINEERING SERVICES AGREEMENT

This Agreement ("Agreement") is made and entered into between the City of Decatur, Illinois, an Illinois home rule municipal corporation ("City"), and:

AECOM Technical Services, Inc.

("Consulting Engineer"), for and in consideration of the mutual covenants and promises and good and valuable consideration contained herein.

SCOPE OF WORK

The professional engineering services obtained by the City under this Agreement concern the Project ("Project") as set forth in the attached as Exhibit "A", incorporated herein by reference and made a part of this Agreement hereof:

SECTION I. GENERAL

- A. CONSULTING ENGINEER. The Consulting Engineer shall provide professional engineering services for the City in all phases of the Project, serve as the City's professional engineering representative for the Project as set forth herein and shall give professional engineering consultation and advice to the City's Representative during the performance of services hereunder. All services provided hereunder shall be performed by the Consulting Engineer in accordance with generally accepted Engineering standards.
- B. NOTICE TO PROCEED. The Consulting Engineer shall only begin performance of each Phase of work required hereunder upon receipt of a written Notice to Proceed for that Phase, as shown in Exhibit B.
- C. TIME. The Consulting Engineer shall begin work on each successive phase within thirty (30) days after receipt of the Notice to Proceed for each phase and shall devote such personnel, technical equipment, computer time and materials to the Project so as to complete each phase within the time limits set forth in Exhibit C; Project Timeline.
- D. CITY'S REPRESENTATIVE. The City's representative to the Consulting Engineer shall be the City Engineer or the City Engineer's designee as set forth in the Notice to Proceed for each phase of work.
- E. EXTRA WORK AND CHANGE ORDERS. The Consulting Engineer shall only perform the work authorized by this contract and defined in the Scope of Work (attached hereto, marked Exhibit A, incorporated by reference herein and made a part of this Agreement). Should the size or complexity of the project exceed the amount of work contemplated by this contract or defined in the Scope of Work, the Consulting Engineer shall obtain written authorization in the form of a Change Order from the City's Representative, to perform extra work before such work is actually performed. A Change Order form is included in this Agreement as Exhibit D. The cost to perform any work prior to written authorization shall be paid exclusively by the Consulting Engineer and shall not be reimbursed by the City.

The Consulting Engineer expressly acknowledges, recognizes and agrees that the only authority to approve change orders to this Agreement or the Scope or Services or the cost(s) therein is with the City Council of the City.

SECTION II. BASIC SERVICES

A. STUDY AND REPORT PHASE.

The Consulting Engineer shall:

1. City's Requirements. Review available data and consult with the City's Representative to clarify and define the City's requirements for the Project.
2. Advise Regarding Additional Data. Advise the City's Representative as to the necessity of the City's providing or obtaining from others data or services of the types described in Section V(C) in order to evaluate or complete the Project, and act as the City's representative in connection with any such services.
3. Technical Analysis. Provide analysis of the City's needs, planning surveys, site evaluations, and comparative studies of prospective sites and solutions.
4. Economic Analysis. Provide a general economic analysis of the City's requirements applicable to various alternatives in accordance with economic parameters and assumptions provided by the City's Representative.
5. Report Preparation. Prepare a report ("Study Report") containing schematic layouts, sketches and conceptual design criteria with appropriate exhibits to indicate clearly the considerations involved and the alternative solutions available to the City of Decatur. The Study Report shall also set forth the Consulting Engineer's findings and recommendations with opinions of probable costs for the Project, including construction cost, contingencies, allowances for charges of all professionals and consultants, allowances for the cost of land and rights-of-way, allowances for the relocation of utility facilities and equipment if necessary, and compensation for or damages to properties and interest and financing charges (all of which are hereinafter called "Project Costs"). Specific requirements for the Study Report are included in Exhibit A, Scope of Services.
6. Report Presentation. Furnish paper copies and digital copies of the Study Report in the number and format specified in Exhibit A, Scope of Work, and present and review the Study Report in person with the City as the City's Representative shall direct. The cost of reproduction of the Study Report shall be considered a reimbursable expense and paid in accordance with Section V(C) of this Agreement.
7. Completion Time. The Study Report shall be completed, submitted and accepted by the City's Representative within the time period set forth in Exhibit C, Project Timeline.

SECTION III. CITY'S RESPONSIBILITIES

The City shall,

- A. FURNISH REQUIREMENTS AND LIMITATIONS. Provide all criteria and full information as to the City's requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, economic parameters and any budgetary limitations; and furnish copies of all design and construction standards which the City will require to be included in the Drawings and Specifications.
- B. FURNISH INFORMATION. Assist the Consulting Engineer by placing at the Consulting Engineer's disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project.

- C. FURNISH TECHNICAL INFORMATION. Furnish to the Consulting Engineer, as required for performance of the Consulting Engineer's Basic Services (except to the extent provided otherwise in Exhibit A, "Scope of Work"), data prepared by or services of others, including without limitation, core borings, probings and subsurface explorations, hydrographic surveys, laboratory tests and inspections of samples, materials and equipment; appropriate professional interpretations of all of the foregoing; environmental assessment and impact statements; property, boundary, easement, right-of-way, topographic and utility surveys; property descriptions; zoning, deed and other land use restriction; all of which the Consulting Engineer may rely upon in performing the Consulting Engineer's services.
- D. SURVEYS AND REFERENCE POINTS. Provide field control surveys and establish reference points and base lines except to the extent provided otherwise in Section II to enable the Contractor(s) to proceed with the layout of the work.
- E. ACCESS TO PROPERTY. Arrange for access to and make all provisions for the Consulting Engineer to enter upon public and private property as required for the Consulting Engineer to perform the Consulting Engineer's services.
- F. REVIEW DOCUMENTS. Examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by the Consulting Engineer, obtain advice of an attorney, insurance counselor and other consultants as the City's Representative deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of the Consulting Engineer.
- G. OBTAIN APPROVALS AND PERMITS. Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- H. ACCOUNTING, LEGAL AND INSURANCE SERVICE. Provide such accounting, independent cost estimating and insurance counseling services as may be required for the Project, such legal services as the City's Representative may require or the Consulting Engineer may reasonably request with regard to legal issues pertaining to the Project including any that may be raised by the Contractor(s), such auditing service as the City's Representative may require to ascertain how or for what purpose any Contractor has used the moneys paid to him under the construction contract, and such inspection services as the City's Representative may require to ascertain that the Contractor(s) are complying with any law, rule or regulation applicable to their performance of the work except as otherwise provided in Section II.
- I. NOTIFY THE CONSULTING ENGINEER OF DEFECTS OR DEVELOPMENT. Give prompt written notice to the Consulting Engineer whenever the City's Representative observes or otherwise becomes aware of any development that affects the scope or timing of the Consulting Engineer's services, or any defect in the work of the Contractor(s).

SECTION IV. GENERAL CONSIDERATIONS

- A. SUCCESSORS AND ASSIGNS. The City and the Consulting Engineer each binds their respective partners, successors, executors, administrators and assigns to the other party of this Agreement and to the partners, successors, executors, administrators, and assigns of such other party, in respect to all covenants of this Agreement; except as below, neither the City nor the Consulting engineer shall assign, sublet, or transfer their respective interests in this Agreements without the written consent of the other. Nothing herein shall be construed as created any personal liability on the part of any officer or agent of any public body which may be a party hereto, nor shall it be construed as giving any rights or benefits hereunder to anyone other than the City and the Consulting Engineer.

- B. OWNERSHIP OF DOCUMENTS. All drawings, specifications, reports, records, and other work product developed by the Consulting Engineer in connection with this Project are public documents and, upon payment to the Consulting Engineer, shall remain the property of the City whether the Project is completed or not. Reuse of any of the work product of the Consulting Engineer by the City on extensions of this Project or any other project without written permission of the Consulting Engineer shall be at the City's risk and the City agrees to defend, indemnify and hold harmless the Consulting Engineer from all damages and costs including attorney fees arising out of such reuse by the City or others acting through the City.
- C. ESTIMATES OF COST (COST OPINION). Since the Consulting Engineer has no control over the cost of labor and materials, or over competitive bidding and market conditions, estimates of construction cost provided are to be made on the basis of the Consulting Engineer's experience and qualifications, but the Consulting Engineer does not guarantee the accuracy of such estimates as compared to the Contractor's bids or the Project construction cost.
- D. INSURANCE.
1. Requirement. During the term of this Agreement, at its own cost and expense, the Consulting Engineer shall maintain in full force and effect insurance policies as enumerated below.
 2. Policy Form. All policies save for the professional liability shall be written on an occurrence basis. Professional liability insurance can be either claims made or occurrence basis policies.
 3. Additional Insured. The City of Decatur and its officers and employees shall be named as additional insured parties on the general liability policy and included as additional insured parties on the automobile liability policy. The City's interests as additional insured parties shall be on a primary and non-contributory basis on all policies and noted as such on the insurance certificates.
 4. Qualification of Insurers. All policies will be written with insurance carriers qualified to do business in the State of Illinois rated A-VIII or better in the latest Best's Key Rating Guide.
 5. Form of Policy. All policies shall be written on the most current Insurance Service Office (ISO) or National Council on Compensation Insurance (NCCI) form or a manuscript form if coverage is broader than the ISO or NCCI form.
 6. Time of Submission; Certificate of Insurance. At or before the time of execution of this agreement and prior to commencing any work activity on the project, the Consulting Engineer shall provide the City's Representative with certificates of insurance showing evidence the insurance policies noted below are in full force and effect. Consulting Engineer shall give the City's Representative at least 30 days written notice prior to any material change, cancellation, or non-renewal except in the case of cancellation for non-payment of premium, in which case notice shall be 10 days. The certificates shall be attached hereto as Exhibit E. The Consulting Engineer shall provide any renewal certificates of insurance automatically to the City's Representative at least 30 days prior to policy expiration. The certificate must certify the following:
 - a. Name and address of party insured.
 - b. Name(s) of insurance company or companies.
 - c. Name and address of authorized agent executing such certificate.
 - d. Description of type of insurance and coverage afforded thereunder.
 - e. Insurance policy numbers.

- f. Limits of liability of such policies and date of expiration of policies.
 - g. To the extent the same is available, insurance company or companies shall further certify that said policies shall not be modified, cancelled or terminated until after written notice to the City's Representative per standard ISO accord form wording and the policy provisions.
7. Types and Limits of Insurance. The Consulting Engineer shall provide the following:
- a. Workers' Compensation:
 - Coverage A: Statutory Limits
 - Coverage B: One hundred thousand dollars (\$100,000) employer's liability limits for each accident or per disease, per employee. Said policies shall be endorsed to cover any disability benefits or Federal compensation acts if applicable.
 - b. General Liability: Combined single limits of one million dollars (\$1,000,000) per occurrence. General Liability Insurance shall include:
 - Personal Injury Liability coverage.
 - c. Automobile Liability: Combined single limits of one million dollars (\$1,000,000) per occurrence. Auto liability shall include hired and non-owned autos.
 - d. Professional Liability: A professional liability errors and omissions policy with limits of one million dollars (\$1,000,000) per claim. If said policy is written on a claims made basis, the retroactive date of the policy must predate the date of this agreement. In addition, the policy term must extend one year beyond completion date of this agreement.
 - e. Self-insured: If a self-insured retention or deductible is maintained on any of the policies, the Consulting Engineer shall provide the amount of the self-insured retention or deductible to the City. Such deductibles shall be subject to approval by the City. Such approval shall not be unreasonably withheld. The Engineer will be held solely responsible for the amount of such deductible and for any co-insurance.
8. Insurance Not A Limitation. The insurance coverage and requirements contained in this Section shall not be construed to be a limitation of liability for the Consulting Engineer.

E. TERMINATION

- 1. This Agreement may be terminated in whole or in part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party; provided that no such termination may be affected unless the other party is given not less than fifteen (15) calendar days prior written notice (delivered by certified mail, return receipt requested) of intent to terminate, and an opportunity for consultation with the terminating party prior to termination.
- 2. This Agreement may be terminated in whole or in part in writing by the City for its convenience; provided that the Consulting Engineer is given not less than fifteen (15) calendar days prior written notice delivered by certified mail, return receipt requested of intent to terminate, and an opportunity for consultation with the City prior to termination.

3. Upon receipt of a notice of intent to terminate from the City pursuant to this Agreement, the Consulting Engineer shall (1) promptly discontinue all services affected (unless the notice directs otherwise), and (2) make available to the City at any reasonable time at a location specified by the City all data, drawings, specifications, reports, estimates, summaries, and such other information and materials as may have been accumulated by the Consulting Engineer in performing this Agreement, whether completed or in process.
 4. Upon termination pursuant to this Agreement, the City's Representative may take over the work and complete the same by agreement with another party or otherwise.
- F. EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS. The Consulting Engineer agrees to abide by and comply with the City's "Equal Employment Opportunity Clause" (attached and marked hereto as Exhibit F and incorporated herein by reference) to the extent that the clause is applicable to this contract.
- G. INDEPENDENT CONTRACTOR STATUS. Nothing contained in this Agreement shall be construed to make the Consulting Engineer an employee or partner of the City. The Consulting Engineer shall at all times hereunder be construed to be an independent contractor.
- H. FEDERAL FUNDING. If Federal Funds are utilized as a source of Project funding, the Consulting Engineer shall abide by the terms of all Federal requirements in the performance of duties hereunder.
- I. AMENDMENT OF AGREEMENT. This Agreement shall be amended or supplemented only in writing and executed by both parties hereto.
- J. HOLD HARMLESS. Consulting Engineer shall indemnify and save harmless the City, its officers and employees against claims for damages to property or injuries to or death of any person or persons, including property and employees or agents of the City and including reasonable attorney's fees incurred by the City or required in any way to be paid by the City, in defense thereof, and shall indemnify and save harmless the City from all claims, demands, suits, actions or proceedings including Worker's Compensation claims, of or by anyone whomsoever, to the extent proximately caused or proximately arising out of negligent acts or omissions to act by Consulting Engineer in connection with its performance of this contract, including operations of its subcontractors and negligent acts or omissions of employees or agents of the Consulting Engineer or its subcontractors.

The City shall indemnify and save harmless the Consulting Engineer, its officers and employees against any and all claims for damages to property or injuries to or death of any person or persons, including property and employees or agents of the Consulting Engineer and including reasonable attorney's fees incurred by the Consulting Engineer or required in any way to be paid by the Consulting Engineer, in defense thereof, and shall indemnify and save harmless the Consulting Engineer from all claims, demands, suits, actions or proceedings including Worker's Compensation claims, of or by anyone whomsoever, proximately caused or proximately arising out of negligent acts or omissions to act by City in connection with its performance of this contract, including operations of its subcontractors and negligent acts or omissions of employees or agents of the City or its subcontractors.

Insurance coverage specified in this Agreement constitutes the minimum requirements and said requirements shall not lessen or limit the liability of the Consulting Engineer under the terms of the Agreement. The Consulting Engineer shall procure and maintain at his own cost and expense, any additional kinds and amounts of insurance that, in the Consulting Engineer's own judgment, may be necessary for the Consulting Engineer's proper protection in the prosecution of the work. Neither Party shall be liable to the other Party for incidental, indirect, special or consequential damages.

- K. COPYRIGHT ASSIGNMENT. The Consulting Engineer assigns to the City any and all of Consulting Engineer's rights under copyright laws for work prepared by the Consulting Engineer, its employees, subcontractors or agents in connection with this Contract, including any and all rights to register said copyright, renewal rights, determination rights and import rights. The Consulting Engineer agrees to execute any additional documents the City may request to effectuate the assignment of said copyright.
- L. NO BID RIGGING, BID ROTATION. The Consulting Engineer certifies, in accordance with Section 33E-11 of the Illinois Criminal Code, that the Consulting Engineer is not barred from bidding on contracts as a result of a violation of either Section 33E-3, Bid Rigging, or Section 33E-4, Bid Rotating, of the Illinois Criminal Code. The Consulting Engineer so certifies in the Non-Collusion Statement, attached and marked herein as Exhibit G and incorporated herein by reference.
- M. NO DELINQUENT TAXES. The Consulting Engineer agrees that it is not delinquent in payment of any and all taxes in any State or any political subdivisions therein and shall so certify in the Affidavit of No Delinquent Taxes, attached and marked herein as Exhibit G, and incorporated herein by reference.
- N. DRUG FREE WORKPLACE. The Consulting Engineer agrees that it shall comply with the Illinois Drug Free Workplace Act, 30 ILCS 580/1, et seq. If the Consulting Engineer has twenty-five (25) or more employees or this contract is for more than Five Thousand Dollars (\$5,000.00), the Consulting Engineer shall provide to the City the Drug Free Workplace Certification attached and marked herein as Exhibit G and incorporated herein by reference.
- O. SEVERABILITY. If any section, terms or provisions of this Agreement or the application thereof shall be held to be invalid or unenforceable, the remainder of each section, subsection, term or provision of this Agreement or the application of the Agreement to the parties, shall not be affected thereby.
- P. The Parties recognize and agree that time is of the essence of this Agreement as is consistent with the applicable professional standard of care.

SECTION V. PAYMENT

- A. BASIS OF BILLING. City shall pay the Consulting Engineer for all services rendered under Section II Phases A through F an amount based on Direct Labor Costs times 3.00 for services rendered by principals and employees assigned to the Project.
- Direct Labor Costs used as a basis for payment means salaries and wages (basic and incentive) paid to all personnel engaged directly on the Project, including but not limited to, engineers, architects, surveyors, designers, draftsmen, specification writers, estimators, other technical personnel, stenographers, typists and clerks; but does not include indirect payroll related costs or fringe benefits. For the purposes of this Agreement, the principals and employees of the Consulting Engineer and their hourly direct labor costs are set forth in Exhibit H hereto.
- B. SUBCONSULTANT. The City shall pay the Consulting Engineer for services and reimbursable expenses of subconsultants engaged by the Consulting Engineer with the approval of the City's Representative, the amount billed by the Subconsultant to the Consulting Engineer times an approved multiplier of 1.00.

- C. REIMBURSABLE EXPENSES. In addition to payments provided for in paragraphs A and B of this Section, the City shall pay the Consulting Engineer the actual costs of all Reimbursable Expenses incurred in connection with all Basic and Additional Services. Reimbursable Expenses means the actual expenses incurred directly in connection with the Project for transportation costs on the basis of actual cost if public transportation is used, subsistence incidental thereto, toll telephone calls, reproduction of reports, drawings, specifications and similar project-related items in addition to those required under Section II.

If the Consulting Engineer's vehicles are used on the project, the City shall pay the Consulting Engineer the current Internal Revenue Service standard mileage rate per mile for use of the vehicle.

D. PAYMENT FOR WORK COMPLETED

1. Monthly progress payments may be requested by the Consulting Engineer for work satisfactorily completed and shall be made by the City to the Consulting Engineer as soon as practicable upon submission of statements requesting payment by the Consulting Engineer to the City. Each statement shall be accompanied by an Invoice Data Sheet as shown in Exhibit I. If the Consulting Engineer prefers, the Invoice Data sheet may serve as the Consulting Engineer's invoice.
2. The Consulting Engineer shall prepare a monthly progress report indicating the amount of work completed based on the approved scope of work and any approved addendums. The Consulting Engineer shall also prepare a progress chart showing the upper limit of compensation approved by the contract, the planned time of completion, the estimated completion to date, the percentage of the approved contract amount earned, the percentage of elapsed time, and the currently forecasted amount of work required to complete the project. The Consulting Engineer may use an electronic spreadsheet template prepared by the City's Representative to prepare the progress chart.
3. No payment request made pursuant to subparagraph 1 of this Section V shall exceed the estimated maximum total amount and value of the total work and services to be performed by the Consulting Engineer under this Agreement for that phase or additional service without the prior authorization of the City's Representative. These estimates have been prepared by the Consulting Engineer and supplemented or accompanied by such supporting data as may be required by the City's Representative.
4. Upon receipt of a properly invoiced payment request, the City shall pay the amount due less any amounts allowed to be retained or withheld by the City under this Agreement within 60 days of receipt of the invoice.
5. Upon satisfactory completion of the work performed hereunder and prior to final payment under this Agreement, and as a condition precedent thereto, the Consulting Engineer shall execute and deliver to the City's Representative a release of all claims against the City arising under or by virtue of this Agreement.
6. The Consulting Engineer and City hereby expressly acknowledge and agree that the Local Government Prompt Payment Act does not apply to this Agreement.

E. In the event of termination by City under Section IV.E upon the completion of any phase of the Basic Services, progress payments due to the Consulting Engineer for services rendered through such phase shall constitute total payment for such services. In the event of such termination by City during any phase of the Basic Services, Consulting Engineer also will be reimbursed for the charges of independent professional associates and consultants employed by Consulting Engineer to render Basic Services, and paid for services rendered during that phase on the basis of Consulting Engineer's Direct Labor Costs times a factor defined in Section V.A. of this Agreement for services rendered during that phase to date of termination by Consulting Engineer's principals and employees engaged directly on the Project. In the event of any such termination, Consulting Engineer will be paid for all unpaid Additional Services rendered to date and unpaid Reimbursable Expenses that may have accrued to date.

This Agreement is made between the City and the Consulting Engineer entered into on the last date written below. In witness, the parties have executed this Agreement.

DATED this _____ day of _____, 2015

THE CITY OF DECATUR, ILLINOIS

By: _____
Mayor

ATTEST:

City Clerk

Consulting Engineer Firm

By: _____

Michael A. Wingard, P.E.



303 E. Wacker Dr.
Suite 1400
Chicago, IL 60601
312-373-7700 tel

August 24, 2015

Matthew C. Newell, PE
City Engineer
City of Decatur Public Works Department
#1 Gary K Anderson Plaza - 3rd Floor
Decatur, Illinois 62523

**Regarding: Decatur CMOM and Consent Order Compliance Program
Phase I Scope of Work**

Dear Mr. Newell:

AECOM Technical Services, Inc. (AECOM) is pleased to provide this scope of work (Scope) for the above-referenced project. This Scope encompasses AECOM's Phase I services and is based on approximately a one-year duration which coincides with the initial requirements in the City of Decatur's (City) draft Consent Order (Order). It is intended that the scope and budget for Phase II services be negotiated near the completion of the first year (Phase I) services described herein.

This Scope represents AECOM's current understanding of both the services requested by the City and the requirements of the Order, as they relate to this initial phase of the project. Further delays, revisions, and acceptance of the final Order may warrant additional revisions to this Scope. Phase I Scope includes the eight tasks described herein. Note that a detailed breakdown of task costs is included in this Scope.

Background

The City submitted a markup of the draft Order to the U.S. Environmental Protection Agency, Region 5 Headquarters in Chicago, Illinois (US EPA). On July 28, 2014, a meeting was conducted at Headquarters with representatives from the US EPA, City, Barnes & Thornburg, LLP (City legal counsel) and AECOM. At this meeting, the US EPA verbally agreed in principal to the draft Order with only minor exceptions. A new draft was reviewed with the City on a June 9, 2105 conference call. *This scope of work was developed following that meeting and call, but prior to final acceptance and execution of the Order.*

Task 1: PROJECT MANAGEMENT AND COMPLIANCE TRACKING

This task includes all project management related activities for Phase I Services only. Project tasks and deliverables are outlined below:

1.1. General Project Management

- 1.1.1. Establish project communications, controls, and procedures
- 1.1.2. Project financial tracking, reporting and invoicing
- 1.1.3. Coordination of tasks
- 1.1.4. Schedule maintenance
- 1.1.5. Monthly progress report
- 1.1.6. Quality Control Management

1.2. Meetings and Workshops

- 1.2.1. Project kickoff meeting. One kickoff meeting will be conducted at Decatur's office. All key City employees and AECOM task leaders will attend the kickoff meeting.
 - 1.2.1.1. Review scope, deliverables and schedule
 - 1.2.1.2. Discuss concerns and key issues
 - 1.2.1.3. Discuss status of compliance and related activities
 - 1.2.1.4. Conduct staff introductions and facilities tours
 - 1.2.1.5. Establish project goals and major objectives
- 1.2.2. Progress meetings. Twelve (12) progress meetings will be conducted with six (6) being conducted in person at Decatur and six (6) being conducted via WebEx or conference call.
 - 1.2.2.1. Review project scope, deliverables, schedule, and Order compliance progress.
- 1.2.3. Special Meetings and Workshops. Three (3) special meetings and/or workshops are included to discuss special circumstances and key issues that may arise during the project. Such meetings/workshops may be necessary in addition to the routine meetings and workshops in order to discuss unanticipated results or occurrences and achieve concurrence for approaches and resolutions.

1.3. Consent Order Compliance Tracking & Reporting

- 1.3.1. Review the schedule and cost estimates for the identified improvements
- 1.3.2. Prepare a monthly Order Compliance Progress Report (COCPR), documenting the status of the Order requirements. The COCPR will be submitted as an attachment to the monthly progress report.

Deliverables

- Agendas and meeting minutes
- Monthly progress report including COCPR
- Project schedule tracking and updates
- Monthly invoices

Task 2: SANITARY SEWER MASTER PLAN REVIEW

The purpose of this task is to review the City's May 2010 Sanitary Sewer Master Plan (SSMP) and track the status of the recommended improvements.

See Order, paragraph 43.

2.1 Review the SSMP and confirm the recommendations and prescribed projects not limited to the following:

- 2.1.1 Critical Large Diameter Sewer Rehabilitation. The critical large diameter sewers include those ranging from 3 to 7 feet in diameter, where failure would have dire consequences, such as loss of service for a large number of customers, pollution of the environment, very high repair costs, or significant property damage.
- 2.1.2 Overhead Sewer Program. Review and modify the Overhead Sewer Program to increase participation in the program.
- 2.1.3 Elimination of Sanitary Sewer Discharges due to I/I. This work will include preparation of the Sewer Collection System Alternatives Analysis (SCSAA) (Task 4) and Capacity, Management, Operation and Maintenance (CMOM) Program (Task 5).

2.2 Review schedule and cost of the improvements.

2.3 Prepare a SSMP Technical Memorandum (TM) to the City, documenting the review and recommended updates.

Deliverables

- SSMP TM
- Meetings (1)

Task 3: SANITARY SEWER OVERFLOWS (SSOs), UNAUTHORIZED COMBINED SEWER OVERFLOWS (CSOs), AND PROPERTY BACKUPS REPORTING PROTOCOL

The purpose of this task is to develop and implement a protocol or procedure to document and report SSOs, unauthorized CSOs, and Property Backups from its sewage collection system. In accordance with the Order, the protocol must be implemented within 60 days of the effective date of the Order. Additionally, backup summaries must be submitted to the US EPA on a quarterly basis.

See Order, paragraph 45.

- 3.1. Review the City's existing procedure(s) for documenting SSOs, CSOs, and Property Backups.
- 3.2. Meet with City personnel to discuss current practices.
- 3.3. Develop a new or revised procedure as necessary to document all SSOs, CSOs and Property Backups. The Property Backup summaries must include the following:
 - 3.3.1. Dates on which the Backups occurred
 - 3.3.2. Locations of the Backups
 - 3.3.3. Whether the Backup occurred within the Separate Sanitary Sewer System or the Combined Sewer System
 - 3.3.4. Reasons the Backups occurred
 - 3.3.5. Estimated volume of Backup water which exited the Separate Sanitary Sewer System/Combined Sewer System
 - 3.3.6. Responsibility for the Backups
 - 3.3.7. Methods used to remove Backup water from property
 - 3.3.8. Final disposition of Backup water (i.e. receiving waters of Backup)
 - 3.3.9. Measures used to mitigate environmental harm if Backup water is untreated
 - 3.3.10. Actions taken to mitigate future Backups.
 - 3.3.11. Identify "red" areas where Backups are a concern and prepare a TM describing areas
- 3.4. Draft a Protocol Report to document the procedure.
- 3.5. Submit the Draft Protocol Report to the City for review.
- 3.6. Revise document after receiving City comments.

Deliverables

- Workshop with Decatur staff to review recommendations and suggest improvement areas
- Protocol Report – Draft
- Protocol Report – Final
- Basement Backups Analysis-TM
- Meetings: (1)

Schedule:

- Final Protocol Report to City must be implemented within 60 days of the effective date of the Order. The City will notify US EPA of the implementation date.

Task 4: SEWER COLLECTION SYSTEM ALTERNATIVES ANALYSIS (SCSAA)

The purpose of the SCSAA is to develop and implement alternatives to eliminate excessive I/I in specific areas with the collection system, or Target Areas (as identified in the SSMP), causing wet weather related SSOs, CSOs, and Property Backups. This task will focus only on the previously identified and reported target areas as shown in Attachment D of the draft Order. In addition the sewer backup areas will be identified outside the Attachment D areas. An assessment of the existing GIS and sewer modeling program will be done to determine if the sewer backup areas can be modeled to determine a solution to the backup issues. A TM will be prepared to document the backup areas and modeling capabilities. Any additional model development will be reviewed with the City prior to the work being done.

Development of the SCSAA shall consider procedures outlined in the 1991 EPA "Handbook Sewer System Infrastructure Analysis and Rehabilitation" and in the "Existing Sewer Evaluation & Rehabilitation," Water Environmental Federation (WEF) Manual of Practice FD-6, ASCE Manual and Report on Engineering Practice No. 62.

See Order, paragraphs 46 to 49.

- 4.1. Review existing information, reports, and studies, and relevance to current conditions
 - 4.1.1. Previous engineering studies
 - 4.1.2. As-built Sanitary, Combined, and Storm Sewer collection system maps
 - 4.1.3. Previous Sewer System Operations and Maintenance data (i.e. sewer inspection data)
 - 4.1.4. Existing city planning documents
 - 4.1.5. Sewer System Monitoring data (i.e. ex. previous flow monitoring data or lift station flow records)
 - 4.1.6. Rainfall data
 - 4.1.7. Geotechnical and soil data
 - 4.1.8. Groundwater data
 - 4.1.9. Previous collection system performance data (i.e. SSOs, CSOs and Property Backups)
 - 4.1.10. Stormwater Master Plan – Phase I, 2009 Update Pre-Final Report (June 2009)
- 4.2. Conduct an assessment of the Target Areas for development of an Alternatives Analysis (See 4.4 below).
 - 4.2.1. Consider location of previous SSOs, CSOs and Property Backups (Excessive I/I) in a specific area
 - 4.2.1.1. Evaluate alternatives identified in previous reports and studies
 - 4.2.1.2. Evaluate how existing data was used to develop the alternatives and target areas.
 - 4.2.1.3. Assess each targeted area and the reason behind why the area is being targeted.
 - 4.2.2. Rank Target Areas in terms of
 - 4.2.2.1. Highest contribution of I/I
 - 4.2.2.2. Least amount of conveyance capacity
 - 4.2.2.3. Combination of both
 - 4.2.3. Identify hydraulic deficiencies within the Separate Sanitary Sewer Collection System and Combined Sanitary Sewer Collection System through development of a basic hydraulic model of the collection system for use in the identification and analysis of alternatives. The hydraulic model will be developed using InfoWorks (current version). The model will incorporate the following information where readily available from existing sources:
 - 4.2.3.1. Existing SDD hydraulic model
 - 4.2.3.2. Flow data – either from previous sources or currently ongoing

- 4.2.3.3. Water usage data
- 4.2.3.4. Pump station records
- 4.2.3.5. Historical rainfall data
- 4.2.3.6. Existing GIS
- 4.2.3.7. Record drawing information
- 4.3. Conduct a mapping investigation of each targeted area that considers the following
 - 4.3.1. Storm sewers crossing or running parallel to Separate Sanitary Sewers
 - 4.3.2. Sanitary Sewers constructed near rivers, streams, ditches, ponding areas, or flooding areas that may be sources of I/I
 - 4.3.3. Sanitary Sewers constructed in unsuitable soils that may be subject to settling, resulting in open joints and/or pipe cracking
 - 4.3.4. The age, size, and type of the major sewers within the target area
 - 4.3.5. Known or potential problem areas within the target areas
 - 4.3.6. Perform field inspections and observations as necessary to confirm critical system components, configurations, and operational occurrences.
- 4.4. From the Target Area Assessment, develop and identify alternatives for each area, including recommended actions and steps to eliminate Excessive I/I
 - 4.4.1. Identify additional sewer system improvement alternatives, such as
 - 4.4.1.1. Additional sewer conveyance capacity
 - 4.4.1.2. Construction of storage basins or tanks within the system
 - 4.4.1.3. Reduction of private property I/I contributions, including private property inflow inspections (e.g. sump pump inspections and/or smoke testing)
 - 4.4.1.4. Identify improvements to the existing sewerage including repairs, rehabilitation, or replacement of sewer pipes or lift stations
 - 4.4.1.5. Conduct a green infrastructure evaluation that considers potential green infrastructure measures to reduce and/or eliminate sources of I/I
 - 4.4.2. Alternatives Comparison and recommendation for each Target Area
 - 4.4.2.1. Opinion of probable construction cost
 - 4.4.2.1.1. Prepare cost estimates for each alternative considered.
 - 4.4.2.1.2. Cost estimates shall be AACE, Class 5.
 - 4.4.2.2. Estimate benefits of each alternative (in term of either the I/I in gallons removed or SSOs, Unauthorized Combined Overflows and Property Backups prevented)
 - 4.4.2.3. Cost Effective Analysis of the chosen alternatives. Incorporate the recommendations from the SSMP as appropriate.
 - 4.4.2.4. Prioritize the chosen alternatives
 - 4.4.2.5. Rate analysis to evaluate the impacts of the chosen alternatives on user rates.
 - 4.4.3. Assess the existing backup areas outside of the Target Area from the City's GIS mapping data and assess the sewer modeling required to develop alternatives to manage these backups. AECOM will meet with the City to develop an approach for the modeling efforts needed to develop alternatives for managing the backups.
 - 4.4.4. Host an Alternatives Workshop with the City
 - 4.4.5. Prepare an Implementation Schedule of the alternatives chosen with a final completion date that is in compliance with the Order.
- 4.5. Draft SCSAA Report and a backup/modeling assessment Technical Memo (TM) for review by the City
- 4.6. Final SCSAA Report

- 4.6.1. Respond to and incorporate City's comments
- 4.6.2. Submit final draft to the City and US EPA
- 4.7. Revise SCSAA
 - 4.7.1. Within 90 days of receiving US EPA' comments, submit comment responses and/or revised SCSAA to US EPA
- 4.8. If needed, submit additional comments provided by USEPA and/or revised SCSAA to USEPA for approval.

Deliverables:

- Alternatives Workshop
- Draft SCSAA Report (to City); Backup/Modeling Assessment TM and Workshop on recommendations
- Final SCSAA Report (to City and USEPA)
- Revised SCSAA Report, if needed (to City and USEPA)
- Meetings: Decatur (3), EPA (2), Attorneys (1)

Schedule:

- Submit Final SCSAA Report to USEPA within 180 days of the effective date of the Order

Task 5: CAPACITY, MANAGEMENT, OPERATION, AND MAINTENANCE (CMOM) DEVELOPMENT, PHASE I

The purpose of the **Phase I** CMOM development task is to develop a plan for implementing the CMOM while complying with the initial CMOM reporting requirements included in the Order. It includes a readiness review to determine current status and a strategic plan to document procedures to meet CMOM compliance. The **Phase I** CMOM task will develop the scope for the Phase II implementation of the CMOM program as required by the Order.

See Order, paragraphs 44, 55, 56

- 5.1. Develop an initial Capacity, Management, Operation, and Maintenance (CMOM) Template, containing a CMOM Program outline (*see Order, paragraph 55*). The CMOM Template will include a status report of how the City currently addresses the CMOM Template Items identified in Sections I, III, IV(A, E, F, and L), V(A, F, and G), and VI of the Table of Contents for Chapter 3 of the EPA's *Guide for Evaluating CMOM Programs at Sanitary Sewer Collection Systems*, EPA 305-B-05-002 (January 2005) (the Guide). The status report will note any current deficiencies in these CMOM Template Items (via gap analysis) and will detail how the City will improve these before the final CMOM Program submittal. The status report will demonstrate how the other items in the Guide will be implemented or put in place by the time of the submission of the CMOM Program.
- 5.2. Documents/Records Review. Review documents and records noting sections of the documents that pertain to aspects of the CMOM regulations. The review and notes will serve as a beginning framework for the gap analysis. Review and summarize the following documents:
 - 5.2.1. Emergency "Overflow" Response Plan
 - 5.2.2. Sanitary Sewer O&M Manual
 - 5.2.3. Rehabilitation and Sewer Construction Inspection and Testing Program Documentation
 - 5.2.4. Formal Safety Program
 - 5.2.5. Ordinances
 - 5.2.6. Other documents relative to CMOM, if any
- 5.3. Review and summarize documentation and schedules for Operation and Maintenance Programs and Procedures:
 - 5.3.1. Sewer cleaning
 - 5.3.2. Sewer Inspection/Closed-circuit television (CCTV)
 - 5.3.3. Root control
 - 5.3.4. Manhole inspection
 - 5.3.5. Grease programs
 - 5.3.6. Complaint evaluation and response
 - 5.3.7. I/I monitoring and reduction
 - 5.3.8. System rehabilitation
 - 5.3.9. Other documents relative to CMOM, if any
- 5.4. Prepare a Questionnaire and Checklist based on the document review. The checklist is intended to provide a format for verifying and documenting the staff's understanding of procedures and programs and re-verifying the interview results during the field observations. The checklist will form the baseline used in developing the Readiness Review and Gap Analysis.
- 5.5. Complete/Create City Tracking Form & Procedure

- 5.6. Develop, arrange, and conduct interviews with City personnel. The staff interviews are performed to gain an understanding of their perspective on CMOM, how procedures are documented and implemented, and document opportunities for further interviews during the field observations. The interview list will address each operational area covered by the CMOM process. It is anticipated that 12 interviews will be conducted in 2 hour time increments.
- 5.7. Conduct Field Procedure Observations
 - 5.7.1. Review existing standard operating procedures (SOPs)
 - 5.7.2. Field Reporting/Document review, including:
 - 5.7.2.1. Conformance with SOPs
 - 5.7.2.2. Work order initiation and tracking procedures
 - 5.7.2.3. Safety procedures
 - 5.7.2.4. Equipment availability and condition
 - 5.7.2.5. Facility condition
 - 5.7.2.6. Staff knowledge and preparedness
 - 5.7.3. Compile interview and observations into an initial audit report
 - 5.7.4. Compare field observations to formal and informal programs and procedures, rate field compliance on a scale of 1-5 (1=minimal compliance, 5=fully compliant)
- 5.8. Prepare a Draft Readiness Review Report and Gap Analysis
- 5.9. Finalize Readiness Review Report and Gap Analysis
- 5.10. Conduct CMOM Compliance Strategy Session to establish goals and objectives with senior City Staff, and level of achievement in order to meet CMOM requirements. An implementation plan will be developed to address items identified in the Gap Analysis.
- 5.11. Prepare Draft Compliance Strategies Plan
- 5.12. Finalize Compliance Strategies Plan per City comments and prepare CMOM Program (*see Order, paragraph 56*) in accordance with all listed provisions outlined in the Chapter 3 Table of Contents from the Guide. The CMOM Program will include all on-going, up-to-date CMOM documentation, including the checklist in Chapter 3 of the online Guide at: http://www.epa.gov/npdes/pubs/cmom_guide_for_collection_systems.pdf.

The CMOM Program will incorporate any updates to the status report items from Task 2.

- 5.13. Scoping discussions with City to define CMOM Program **Phase II** tasks and deliverables.

Deliverables:

- CMOM Template (to City and USEPA)
- Staff Interviews Questionnaire/Checklist (to City)
- City Tracking Form and Procedure (to City)
- Readiness Review Report and Gap Analysis (to City)
- Compliance Strategies Plan (to City)
- CMOM Program (to City and USEPA)
- Meetings: Staff Interviews, CMOM Compliance Strategy Session

Schedule:

- Submit CMOM Template to USEPA within 180 days of the effective date of the Order
- Submit CMOM Program to USEPA within 180 days from USEPA approval of CMOM Template

Task 6: ASSESSMENT OF DATA COLLECTION AND ASSET MANAGEMENT NEEDS

The purpose of this task is to assess the current data collection and management practices and recommend improvements that will facilitate the needs of the City of Decatur's Asset Management and CMOM programs.

- 6.1. Review/analyze current roster of assets
- 6.2. Conduct workshop to discuss current practices and establish objectives
- 6.3. Review current data collection systems and practices
- 6.4. Review existing information management system and procedures
- 6.5. Prepare Asset Management Workplan (per Order paragraph 54) summarizing the results and recommending improvements

Deliverables:

Asset Management Workplan

Task 7: REPORTING ASSISTANCE

AECOM will generate or assist in the generation of reports to be submitted to the U S EPA as required by the draft Order as follows.

- 7.1. Initial SSO and CSO Notification to be submitted to Illinois EPA (IEPA) or Macon County Health Department and forwarded to US EPA (*see Order, paragraph 42*)
- 7.2. Property Backup Summaries
 - 7.2.1. Assist in the generation of Backup Summaries to USEPA and IEPA on a quarterly basis. (*see Order, paragraph 45*).
 - 7.2.1.1. Backup summaries shall be based on the protocols developed in Task 3.4 and shall be in accordance with the Order.
 - 7.2.1.2. Submit the quarterly Backup summaries
 - 7.2.1.3. Submit the quarterly Backup summaries to EPA and IEPA on January 31, April 30, July 31, and October 31 of each year.
 - 7.2.2. Inform US EPA of the date when the enhanced Backup documentation program is implemented.
- 7.3. SCSAA Implementation Reporting
 - 7.3.1. Generate Semi-Annual Reports (*see Order, paragraph 53*).
 - 7.3.1.1. Must describe the status and progress of each project that is implemented for the previous half of the calendar year.
 - 7.3.1.2. The reported projects shall be consistent with recommended projects chosen in the SCSAA.
 - 7.3.1.3. Submit reports to US EPA by January 31 and July 31 of each year, following the commencement of the SCSAA's implementation schedule.

Deliverables:

- Backup Summaries (3)
- Semi-Annual Reports (1)
- Report to counsel or city manager

Schedule:

- Submit quarterly Backup Summaries and Semi-Annual Reports per above schedule and in accordance with the Order.

Task 8: ALLOWANCES – PHASE I

The following tasks will require separate allowances for performing additional services as necessary to comply with the final Order requirements or as requested by the City. These tasks and allowances will only be performed upon direction and fee discussion. Allowances are not included herein.

- 8.1 Additional USEPA Coordination and Response. An allowance in the event that the USEPA requires multiple rounds of reviews and revisions to submittals and/or requests additional meetings beyond what has been budgeted.
- 8.2 Communications Assistance. An allowance to assist with communications to City stakeholders, including presentations to City Council and Public Meetings.
- 8.3 Assistance with SCSAA Implementation, to include updates and revisions to the SCSAA based on findings from CMOM (Order paragraph 50).
- 8.4 Supplemental CMOM Services. An allowance for additional work that may be necessary to complete the CMOM requirements, since it is unknown the amount of records reviews and field work that may be required.
- 8.5 GIS, Data Management, Asset Management Assistance. An allowance to provide additional assistance with GIS, data management and asset management activities at the request of the City.
- 8.6 Flow Monitoring Assistance. An allowance for coordination, review and analysis of flow monitoring data for each of the SSMP Target Areas.

Schedule

Once the final Order is executed, a critical path schedule will be finalized and included in the Contract. For purposes of this Scope of Work document, a tentative project schedule for Phase I services commencing on September 15, 2015 will be included within 10 days after the Order is finalized.

Proposal Fee

The estimated lump sum cost for this work is \$456,620. A task-by-task breakdown of the fee is included herewith as Attachment A. Our proposal is valid for your acceptance for 30 days, after which time a review of the terms and conditions offered may be required.

Thank you for considering AECOM for this work. Please call me at 630-290-2692 with any questions concerns I may address.

Sincerely,

AECOM



John M. Lannon, P.E.

Senior Vice President

CC: Paul St. Aubyn

Thomas Nejedlo

Attachment A
City of Decatur -- Administrative Order Scope of Work
SCSAA and CMOM Tasks

		Total Hours	Total Labor Costs	Direct Costs	Allowance	Total
Task 1: Project Management						
1.1	General Project Management	254	\$44,322	\$0		\$44,322
1.2	Meetings & Workshops	232	\$42,360	\$8,512		\$50,872
1.3	Consent Order Compliance Tracking and Reporting	40	\$6,696	\$0		\$6,696
Task 1 Total		526	\$93,378	\$8,512		\$101,890
Task 2: Sanitary Sewer Master Plan Review (SSMP)						
2.1	Review and Confirm SSMP Recommendations	12	\$1,806	\$0		\$1,806
2.2	Review Schedule and Cost	12	\$1,806	\$0		\$1,806
2.3	Prepare SSMP Technical Memo	22	\$3,222	\$0		\$3,222
Task 2 Total		46	\$6,834	\$0		\$6,834
Task 3: SSOs, Unauthorized CSOs and Property Backup Protocol						
3.1	Existing Documentation and Records Review	24	\$3,012	\$0		\$3,012
3.2	Meet/Discuss Current Practice with City	0	\$0	\$0		\$0
3.3	Develop Revised Procedure	52	\$7,596	\$0		\$7,596
3.4	Draft Protocol Report	52	\$7,422	\$0		\$7,422
3.5	Submit Draft Protocol Report	8	\$1,146	\$0		\$1,146
3.6	Revise and Resubmit Draft Protocol Report	22	\$3,168	\$0		\$3,168
Task 3 Total		158	\$22,344	\$0		\$22,344
Task 4: Sewer Collection System Alternatives Analysis (SCSAA)						
4.1	Document and Records Review	44	\$5,940	\$0		\$5,940
4.2	Conduct Assessment of the Target Areas for Alternatives Analysis	292	\$42,948	\$0		\$42,948
4.3	Mapping Investigation of Target Areas	40	\$5,232	\$0		\$5,232
4.4	Develop, arrange, and conduct interviews with city personnel	316	\$47,064	\$0		\$47,064
4.5	Draft SCSAA Report and submit to City	104	\$15,414	\$0		\$15,414
4.6	Final SCSAA Report	36	\$4,854	\$0		\$4,854
4.7	Revise SCSAA Report	22	\$2,790	\$0		\$2,790
Task 4 Total		854	\$124,242	\$0		\$124,242
Task 5: Capacity, Management, Operation and Maintenance (CMOM)						
5.1	Develop CMOM Template	110	\$15,480	\$0		\$15,480
5.2	Documents and Record Review	40	\$5,100	\$0		\$5,100
5.3	Review and Summarize Docs and O&M Schedules	40	\$5,100	\$0		\$5,100
5.4	Questionnaire and checklist Development	30	\$3,960	\$0		\$3,960
5.5	Create City Tracking Form	30	\$4,320	\$0		\$4,320
5.6	Interviews	60	\$9,630	\$2,500		\$12,130
5.7	Field Procedure Observations	40	\$6,420	\$0		\$6,420
5.8	Prepare a Draft Readiness Review Report and Gap Analysis	56	\$9,372	\$0		\$9,372
5.9	Finalize Readiness Review Report and Gap Analysis	22	\$3,438	\$0		\$3,438
5.10	CMOM Compliance Strategy Session	84	\$13,284	\$2,200		\$15,484
5.11	Prepare Draft Compliance Strategies Plan	74	\$11,940	\$0		\$11,940
5.12	Finalize Compliance Strategies Plan per City comments and prepare CMOM Program	44	\$7,200	\$0		\$7,200
5.13	Scoping discussions with City to Define CMOM Phase II	80	\$13,020	\$2,200		\$15,220
Task 5 Total		710	\$108,264	\$6,900		\$115,164
Task 6: Assessment of Data Collection and Asset Management Needs						
6.1	Review/analyze current roster of assets	20	\$2,964	\$0		\$2,964
6.2	Conduct Workshops to discuss current practices and objectives	22	\$3,300	\$0		\$3,300
6.3	Review current data collection systems and practices	16	\$2,292	\$0		\$2,292
6.4	Review existing information management system and procedures	16	\$2,292	\$0		\$2,292
6.5	Prepare Asset Management Work plan	40	\$5,928	\$0		\$5,928
Task 6 Total		114	\$16,776	\$0		\$16,776
Task 7: Reporting Assistance						
7.1	Develop CMOM Template	22	\$3,150	\$0		\$3,150
7.2	Documents and Record Review	22	\$3,150	\$0		\$3,150
7.3	Documents and Record Review	22	\$3,150	\$0		\$3,150
Task 7 Total		66	\$9,450	\$0		\$9,450
Task 8: Allowances - Phase I						
8.1	Additional USEPA Coordination and Response	40	\$8,760	\$0		\$8,760
8.2	Communications Assistance	36	\$8,148	\$5,000		\$13,148
8.3	Assistance with SCSAA Implementation	24	\$3,240	\$0		\$3,240
8.4	Supplemental CMOM Services	0	\$0	\$0		\$0
8.5	GIS Data Management, Asset Management Assistance	56	\$9,960	\$0		\$9,960
8.6	Flow Monitoring Assistance	96	\$15,360	\$9,452		\$24,812
Task 8 Total		252	\$45,468	\$14,452	\$0	\$59,920
Project Total		2726	\$426,756	\$29,864	\$0	\$456,620



CITY OF DECATUR ILLINOIS

#1 GARY K. ANDERSON PLAZA, DECATUR, ILLINOIS 62523-1196

Notice to Proceed

TO:	
City Project Name:	
City Project Number:	
City Project Phase:	

You are hereby notified that the work for the above listed City Project and Phase may commence on _____.

The City Representative for this Phase of work is _____.

After that date, you are to start performing the work as outlined in the Scope of Services and Project Timeline included in the executed contract. Please schedule and chair a project startup meeting at your earliest convenience.

CITY OF DECATUR, IL BY: _____ (City Engineer) Dated this _____ day of _____, 20____.

ACCEPTANCE OF NOTICE

Receipt of the above Notice to Proceed is hereby acknowledged.	
BY: _____	
(Signature)	(Title)
Dated this _____ day of _____, 20____.	

**City of Decatur
Administrative Order
Schedule**

Item	AO Paragraph No.	Name	Duration	Start Day	Finish Day	Comment	Approximate Due Date ^{1,2}
1	44, 45	Documentation	60	1	60		21-Nov-2015
2	46	SCSAA	180	1	180		20-Mar-2016
3	47	EPA review and comment on SCSAA	60	181	240	Assumed 60 day review period	19-May-2016
4	48	Decatur response to EPA on SCSAA	90	241	330	90 response period	17-Aug-2016
5	49	EPA review and comment on SCSAA responses	60	331	390	Assumed 60 day review period	17-Oct-2016
6	50	Begin improvements per SCSAA implementation schedule	60	391	450	60 day to begin per EPA approved schedule	15-Dec-2016
7	51	SSA (if necessary)	TBD	451	TBD	The current assumption is that the SSA will not be needed. However, depending on EPA comments, it may or may not be needed.	TBD
8	52	Update SCSAA per CMOM	TBD	TBD	TBD	Depending on EPA comments, it may or may not be needed.	TBD
9	53	SCSAA status reports	180	July 31 & January 31	NA	Semi-annual reports	July 31 & January 31 (annually until AO is met)
10	55	CMOM template to EPA	180	1	180	Template due to EPA for review	20-Mar-2016
11	56	EPA comments on CMOM template	60	181	240	Assumed 60 day review period	19-May-2016
12	57	CMOM submittal to EPA	30	241	270	CMOM submittal with EPA comments incorporated	18-Jun-2016
13	-	EPA CMOM review and comment	60	271	330	Assumed 60 day review period	17-Aug-2016
14	54	Asset Management Work Plan	90	241	330	Due 90 days after CMOM	17-Aug-2016
15	-	Final CMOM submittal to EPA	TBD	TBD	TBD	The current assumption is that a revised CMOM plan will not be needed. However, depending on EPA comments, it may or may not be needed.	TBD
16	58	CMOM progress report to EPA	365	331	695	Status and progress report to EPA	17-Aug-2017

1. The schedule assumes a start date of September 22, 2015.

2. The estimated completion date of all EPA required reporting is December 31, 2017.



City of Decatur, Illinois
 #1 Gary K. Anderson Plaza
 Decatur, IL 62523-1196

Change Order

Date: _____

Request No. _____ ☐ Final

Consulting

Engineer: _____

Address: _____

I recommend that an ☐ addition of \$ _____ be made to the above contract.
☐ deduction

I recommend that an extension of _____ days be made to the above contract completion date.

The revised completion date is now _____

Amount of original contract \$ _____

Amount of previous change orders \$ _____

Amount of current change order \$ _____

Amount of adjusted/final contract \$ _____

☐ addition

Total net ☐ deduction to date \$ _____ which is _____ % of Contract Price

State fully the nature and reason for the change order _____

When the net increase or decrease in the cost of the contract is \$10,000 or more or the time of completion is increased or decreased by 30 days or more, one of the following statements shall be checked.

The undersigned determine that the change is germane to the original contract as signed, because:

☐	Provision for this work is included in the original contract.
☐	Work of this type was included in the original contract, and the additional efforts of this work are within the intent of the contract.
☐	The change represents an adjustment required by the contract, based on unpredictable developments in the work.
☐	The change in design is necessary to fulfill the original intent of the Contract.
☐	Other: (Explain)

Recommended _____

Public Works Director

Date

Approved _____

Mayor

Date

Attested _____

City Clerk

Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/24/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh Risk & Insurance Services CA License #0437153 777 South Figueroa Street Los Angeles, CA 90017 Attn: LosAngeles.CertRequest@Marsh.Com 06510 -AECOM-15-16 Chicago GLALP 04 2017	CONTACT NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A : Zurich American Insurance Company INSURER B : N/A INSURER C : Illinois Union Insurance Co INSURER D : INSURER E : INSURER F : NAIC # 16535 N/A 27960
---	---

COVERAGES **CERTIFICATE NUMBER:** LOS-001971243-01 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR INSD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:			GLO 5965891 07	04/01/2015	04/01/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS			BAP 5965893 07	04/01/2015	04/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ EXCESS LIAB ☐ DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	ARCHITECTS & ENG. PROFESSIONAL LIAB.			EON G21654693 ""CLAIMS MADE""	10/08/2014	04/01/2016	Per Claim/Agg \$1,000,000 Defense Included

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Professional Engineering Services Agreement.

City of Decatur and its officers and employees are named as additional insured for GL & AL coverages, but only as respects work performed by or on behalf of the named insured. If the insurer for the General Liability or Automobile Liability policy cancels its policy for any reason other than for non-payment of premium, the insurer will provide 30 days notice of cancellation to those Certificate Holders that require it by written contract. This insurance is primary and non-contributory over any existing insurance and limited to liability arising out of the operations of the named insured and where required by written contract with respect to the GL & AL coverages.

CERTIFICATE HOLDER City of Decatur, Illinois #1 GARY K. ANDERSON PLAZA DECATUR, IL 62523	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE of Marsh Risk & Insurance Services David Denihan <i>David Denihan</i>
--	--



CERTIFICATE OF LIABILITY INSURANCE

1/1/2016

DATE (MM/DD/YYYY)

8/25/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Insurance Brokers, LLC 19800 MacArthur Blvd., Suite 1250 CA License #0F15767 Irvine 92612 949-252-4400	CONTACT NAME:		
	PHONE (A/C, No, Ext):	FAX (A/C, No):	
INSURED 1075642 AECOM AECOM Technical Services, Inc. 303 E. Wacker Dr., Ste. 1400 Chicago IL 60601	E-MAIL ADDRESS:		
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Insurance Company of the State of PA		19429
	INSURER B :		
	INSURER C :		
	INSURER D :		
INSURER E :			
INSURER F :			

COVERAGES AECTE01 CERTIFICATE NUMBER: 13637453 REVISION NUMBER: XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR VWD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX DAMAGE TO RENTED PREMISES (Ea occurrence) \$ XXXXXXXX MED EXP (Any one person) \$ XXXXXXXX PERSONAL & ADV INJURY \$ XXXXXXXX GENERAL AGGREGATE \$ XXXXXXXX PRODUCTS - COM/OP AGG \$ XXXXXXXX \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ N	N/A	SEE ATTACHED ACORD 101	1/1/2015	1/1/2016	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 2,000,000 E.L. DISEASE - EA EMPLOYEE \$ 2,000,000 E.L. DISEASE - POLICY LIMIT \$ 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Notice of Cancellation applies per attached endorsement. RE: Professional Engineering Services Agreement.

CERTIFICATE HOLDER**CANCELLATION** See Attachments**13637453**City of Decatur, Illinois
#1 Gary K. Anderson Plaza
Decatur IL 62523

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Insurer A: The Insurance Company of the State of Pennsylvania

The Workers' Compensation coverage shown does not apply in monopolistic states. In the State of ND, OH, WA, and WY Workers' Compensation coverage is provided by the State Fund. In those States, the above reference policies provide Stop-Gap Employers' Liability only. Workers' Compensation policies apply as indicated below:

AECOM

WC 028328280 - CA
WC 028328281 - FL
WC 028328282 - MA,ND,OH,WA,WI,WY
WC 028328283 - ME
WC 028328284 - AK,AZ,VA
WC 028328285 - IL,KY,NC,NH,UT,VT
WC 028328286 - NJ, PA
WC 028328287 - AL,AR,CO,CT,DC,DE,GA,HI,IA,ID,IN,KS,LA,MD,MI,MN,MO,MS,MT,NE,NM,NV,NY,OK,OR,RI,SC,SD,TN,TX,WV

URS Corporation

WC 028328288 - CA
WC 028328289 - FL
WC 028328290 - MA,ND,OH,WA,WI,WY
WC 028328291 - AL,AR,CO,CT,DC,DE,GA,HI,IA,ID,IN,KS,LA,MD,MI,MN,MO,MS,MT,NE,NM,NV,NY,OK,OR,RI,SC,SD,TN,TX,WV
WC 028328292 - IL,KY,NC,NH,UT,VT
WC 028328293 - NJ,PA
WC 028328294 - AK,AZ,VA
WC 028328295 - ME

ACORD 101

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement changes the policy to which it is attached effective on the inception date of the policy unless a different date is indicated below.

(The following "attaching clause" need be completed only when this endorsement is issued subsequent to preparation of the policy).

This endorsement, effective 12:01 AM 1/1/2015

forms a part of Policy No. SEE ATTACHED ACORD 101

Issued to AECOM
 AECOM Technical Services, Inc.

By The Insurance Company of the State of Pennsylvania

**LIMITED ADVICE OF CANCELLATION TO SCHEDULED ENTITIES
(WORKERS' COMPENSATION ONLY)**

This policy is amended as follows:

In the event that the Insurer cancels this policy for any reason other than non-payment of premium, and

1. the cancellation effective date is prior to this policy's expiration date;
2. the **Named Insured** or, if applicable, any other employers named in Item 1 of the Information Page is under an existing contractual obligation to notify a certificate holder(s) when this policy is canceled (hereinafter, the "Certificate Holder(s)") and the **Named Insured** has provided the **Insurer**, either directly or through its broker of record, either:
 - (a) the name of the entity shown on the certificate, a contact name at such entity and the U.S. Postal Service mailing address of each such entity; or
 - (b) the email address of a contact at each such entity; and
3. prior to the effective date of cancellation, the **Named Insured** confirms to the Insurer, either directly or through its broker of record, that the persons or organizations set forth in the Schedule below, as well as their respective addresses listed, should continue to be a part of the Schedule and, if not, the names of the persons or organizations that should be deleted,

the **Insurer** will provide advice of cancellation (the "Advice") to each such Certificate Holder(s) confirmed by the **Named Insured** in writing to be correctly a part of the Schedule within 30 days after the **Named Insured** confirms the accuracy of the Schedule below with the **Insurer**; provided, however, that if a specific number of days is not stated above, then the Advice will be provided to such Certificate Holder(s) as soon as reasonably practicable after the **Named Insured** confirms the accuracy of the Schedule below with the **Insurer**.

Proof of the **Insurer** emailing the Advice, using the information provided and subsequently confirmed by the **Named Insured** in writing, will serve as proof that the **Insurer** has fully satisfied its obligations under this endorsement.

This endorsement does not affect, in any way, coverage provided under this policy or the cancellation of this policy or the effective date thereof, nor shall this endorsement invest any rights in any entity not insured under this policy.

The following definitions apply to this endorsement:

1. **Named Insured** means the first named employer in Item 1 of the Information Page of this policy.
2. **Insurer** means the insurance company shown in the header on the Information Page of this policy.

WC 99 00 58
(Ed. 04/11)

EQUAL EMPLOYMENT OPPORTUNITY

The Equal Employment Opportunity Clause, effective February 9, 1981, is included herein verbatim for this contract.

In the event of the Contractor's noncompliance with the provisions of this Equal Employment Opportunity Clause, the Illinois Human Rights Act or the Rules and Regulations of the Illinois Department of Human Rights ("Department"), the Contractor may be declared ineligible for future contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations, and the contract may be canceled or voided in whole or in part, and such other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation. During the performance of this contract, the Contractor agrees as follows:

- (1) That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, marital status, national origin or ancestry, age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service; and further that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any such under utilization.
- (2) That, if it hires additional employees in order to perform this contract or any portion thereof, it will determine the availability (in accordance with the Department's Rules and Regulations) of minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized:
- (3) That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, marital status, national origin or ancestry, age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service.
- (4) That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising such labor organization or representative of the Contractor's obligations under the Illinois Human Rights Act and the Department's Rules and Regulations. If any such labor organization or representative fails or refuses to cooperate with the Contractor in its efforts to comply with such Act and Rules and Regulations, the Contractor will promptly so notify the Department and the contracting agency and will recruit employees from other sources when necessary to fulfill its obligations there under.
- (5) That it will submit reports as required by the Department's Rules and Regulations, furnish all relevant information as may from time to time be requested by the Department or the contracting agency, and in all

respects comply with the Illinois Human Rights Act and the Department's Rules and Regulations.

- (6) That it will permit access to all relevant books, records, accounts and work sites by personnel of the contracting agency and the Department for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and the Department's Rules and Regulations.
- (7) That it will include verbatim or by reference the provisions of this clause in every subcontract it awards under which any portion of the contract obligations are undertaken or assumed, so that such provisions will be binding upon such contractor. In the same manner as with other provisions of this contract, the contractor will be liable for compliance with applicable provisions of this clause by such subcontractors; and further it will promptly notify the contracting agency and the Department in the event any subcontractor fails or refuses to comply therewith. In addition, the contractor will not utilize any subcontractor declared by the Illinois Human Rights Commission to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.

Exhibit G

CONSULTING ENGINEER'S DISCLOSURE AFFIDAVIT

(NOTE: This Affidavit must be completely filled out and signed by any party doing business with the City. This Affidavit assists the City in making determinations relative to conflict of interests and other laws - if questions contact the City of Decatur Legal Department at 217/424-2807.)

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

SECTION I. BUSINESS STATUS STATEMENT

I, the undersigned, being duly sworn, do state as follows:

A. AECOM Technical Services, Inc. (Hereinafter "Consulting Engineer") is a:
Company Name

(Place mark in front of appropriate type of business)

X Corporation (if a Corporation, complete B)

_____ Partnership (if a Partnership, complete C)

_____ Limited Liability Corporation (if an LLC, complete C)

_____ Individual Proprietorship (if an Individual, complete D)

Consulting Engineer's Federal Tax Identification Number is 95-2661922.

B. CORPORATION

The State of Incorporation is California

Registered Agent of Corporation in Illinois:	Business Information (If Different from Above):	
<u>CT Corporation System</u> Name	<u>1999 Avenue of the Stars, Suite 2600</u> Company Address, Principal Office	
<u>208 S LaSalle St, Suite 814</u> Address	<u>Los Angeles, CA 90067</u> City, State, Zip	
<u>Chicago, IL 60604</u> City, State, Zip	<u>(213) 593-8100</u> Telephone	<u>(213) 593-8178</u> Facsimile
<u>(312) 345-4320</u> Telephone	<u>www.aecom.com</u> Website	

The corporate officers are as follows:

President: Timothy H. Keener

Vice President: William T. Rudd

Secretary: Kevin Stubblebine

C. PARTNERSHIP OR LLC

The partners or members are as follows: (Attach additional sheets if necessary)

Name	Home Address & Telephone
------	--------------------------

Name	Home Address & Telephone
------	--------------------------

Name	Home Address & Telephone
------	--------------------------

The business address is _____

Telephone: _____ Fax: _____

D. INDIVIDUAL PROPRIETORSHIP

The business address is _____

Telephone: _____ Fax: _____

My home address is _____

Telephone: _____ Fax: _____

SECTION II. NON-COLLUSION STATEMENT (50 ILCS 105/3; 65 ILCS 5/3.1-55-10)

- A. This bid is made without any connection or common interest in the profits with any other person other than the Consulting Engineer except as listed on a separate attached sheet to this affidavit.

Check One:

_____ Others Interested in Contract X None

- B. No department director or any employee or any officer of the City of Decatur has any financial interest, directly or indirectly, in the award of this contract except as listed on a separate attached sheet to this affidavit.

- C. That the Consulting Engineer is not barred from bidding on any contract as a result of violation of 720 ILCS 5/33E-3 and 5/33E-4 (Bid Rigging or Bid Rotating).

SECTION III. DRUG FREE WORKPLACE AND DELINQUENT ILLINOIS TAXES STATEMENT

The undersigned states under oath that the Consulting Engineer is in full compliance with the Illinois Drug Free Workplace Act, 30 ILCS 580/1, et. seq. The undersigned also states under oath and certifies that the Consulting Engineer is not delinquent in payment of any tax administered by the Illinois Department of Revenue except that the taxes for which liability for the taxes or the amount of the taxes are being contested in accordance with the procedures established by the appropriate Revenue Act; or that the Consulting Engineer has entered into an agreement(s) with the Illinois Department of Revenue for the payment of all taxes due and is in compliance with the agreement. (65 ILCS 5/11-42.1-1)

SECTION IV. FAMILIARITY WITH LAWS STATEMENT

The undersigned, being duly sworn, hereby states that the Consulting Engineer and its employees are familiar with and will comply with all Federal, State and local laws applicable to the project, which may include, but is not limited to, the Prevailing Wage Act and the Davis-Bacon Act.

CONSULTING ENGINEER

Michael H. Winegard
Signature

Michael H. Winegard
Printed Name

Vice President
Title

SUBSCRIBED and SWORN to before me this

24 day of *August*, 20 *15*.

Jaquonette M. Collins
Notary Public

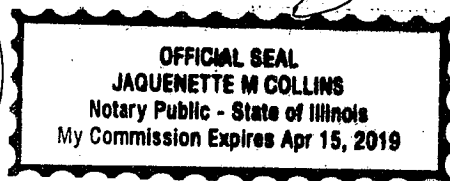


Exhibit H

DIRECT HOURLY LABOR COSTS OF THE CONSULTING ENGINEER
As of the date of this contract.

Project Name: Decatur CMOM and Consent Order Compliance Program – Phase I

Consulting Engineer: AECOM

Classification	Minimum	Maximum
Principal	\$90.00	\$100.00
Project Manager	\$38.00	\$85.00
Structural Engineer	\$35.00	\$85.00
Senior Engineer	\$35.00	\$75.00
Engineer	\$27.00	\$50.00
Senior Technician	\$30.00	\$45.00
Technician	\$25.00	\$35.00
Professional Land Surveyor	N/A	N/A
Construction Inspector	\$25.00	\$45.00
Structural Engineer	\$35.00	\$85.00
Clerical	\$20.00	\$35.00

Exhibit I - CITY OF DECATUR INVOICE DATA SHEET

Project:			
(Consulting Engineer Name & Address)		City Project No.:	
		Invoice Date:	
		Invoice Number:	
		Invoice Period From:	
		To:	
Agreement/C.O.	Date Approved	Council Bill	Upper Limit
Original Contract			\$

Item	To Date	Previous Invoices	This Invoice
Staff Hours Expended			
Direct Labor Cost			
Contract Multiplier			
Total Labor Cost			
Direct Subconsultant Cost			
Subconsultant Multiplier			
Total Subconsultant Cost			
Reimbursable Expenses			
Total Amount Earned			
TOTAL AMOUNT DUE THIS INVOICE:			
Avg. Direct Labor Cost		(For City Use)	
Avg. Total Labor Cost			
Percent Complete			

Consulting Engineer's
Signature:

Title:

Public Works

DATE: 9/22/2017

MEMO: 2017-58

TO: Honorable Mayor Moore Wolfe and City Council Members

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Ordinance Annexing Territory-1625 West Cooper Drive

SUMMARY RECOMMENDATION: Please see attached memo for detail

ATTACHMENTS:

Description	Type
2017-58 Memo	Cover Memo
2017-58 Ordinance	Ordinance
2017-58 Petition	Backup Material
2017-58 Plat	Backup Material
2017-58 Vicinity Map	Backup Material
2017-58 Area Map	Backup Material

**PUBLIC WORKS MEMORANDUM
NO. 2017-58**

DATE: September 15, 2017

TO: Honorable Mayor Moore Wolfe and City Council Members

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Ordinance Annexing Territory – 1625 West Cooper Drive

SUMMARY RECOMMENDATION: Staff recommends that the subject annexation petition be approved.

BACKGROUND: The subject property adjoins Decatur City limits on the south, west, and east. Property to the north is located in the County. The lot contains approximately 0.4594 acres. The lot is improved with a residence. The property owner wishes to annex to obtain city services. The following information is relevant to the areas in question:

1. City water is currently available and not connected to the subject property.
2. No additional public infrastructure or municipal services are needed or contemplated.
3. Decatur Fire response distance and time averages 3.7 miles and 9 minutes, respectively.

POTENTIAL OBJECTIONS: None

INPUT FROM OTHER SOURCES: The plat and annexation request has been reviewed by Engineering, Finance, Fire, Legal, Macon County Health Department, Municipal Services Division, Planning & Building Services, Neighborhood Services, and Water Services. All of the reviewers recommend the annexation be approved.

STAFF REFERENCE: Richard Marley, Public Works Director and Matt Newell, City Engineer. Richard Marley will be in attendance at the City Council meeting to answer any questions of the Council on this item.

BUDGET/TIME IMPLICATIONS: Based on the current assessed value, approximately \$456 in real estate, \$72 in motor fuel and \$243 in state income taxes may be realized annually by annexing the property.

Attach: 4

ORDINANCE NO. _____

**ORDINANCE ANNEXING TERRITORY
1625 West Cooper Drive**

WHEREAS, there having been filed with the City Clerk, and by said Clerk presented to the Council herewith, the petition under oath of SIMON, LLC, requesting that there be annexed to the City territory described as:

Lot Six (6) of Cooper's First Subdivision, as per Plat recorded in Book 300, Page 389 of the Record's in the Recorder's Office of Macon County, Illinois. Situated in Macon County, Illinois.

PIN# 07-07-28-332-005

WHEREAS, notice of intention to take action for annexation has been given as required.

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

Section 1. That said petition and the request thereof be, and the same are hereby, approved.

Section 2. That said territory hereinabove described, along with all parts of public highways therein or next and adjacent thereto not heretofore annexed, if any, be, and the same are hereby, annexed to and are incorporated into the limits of the City of Decatur, Illinois, a municipal corporation.

Section 3. That a plat of said annexed premises is attached hereto and hereby made a part hereof.

Section 4. That the City Clerk shall cause certified copies of this ordinance to be filed with the County Clerk and recorded by the Recorder of Deeds of Macon County, Illinois.

PRESENTED, PASSED, APPROVED AND RECORDED this 2nd day of October, 2017.

JULIE MOORE WOLFE, MAYOR

ATTEST:

CITY CLERK

PETITION FOR ANNEXATION

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF DECATUR,
ILLINOIS:**

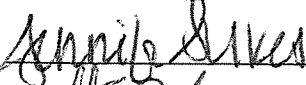
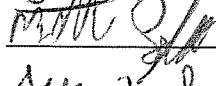
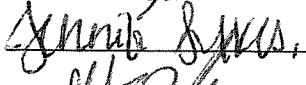
The undersigned, under oath, respectfully represent as follows:

1. That he/she is an owner of record of all the property herein described.
2. That there are no electors who reside on the property herein described.
3. That the property herein described is not within the corporate limits of any municipality.
4. That the property herein described is contiguous (adjacent) to the City of Decatur.
5. That the petitioner(s) request(s) that the City of Decatur, annex the property commonly described as 1625 West Cooper Drive, and legally described as follows:

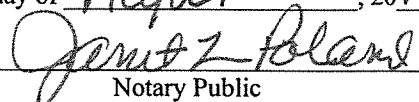
Lot Six (6) of Cooper's First Subdivision, as per Plat recorded in Book 300, Page 389 of the Records in the Recorder's Office of Macon County, Illinois. Situated in Macon County, Illinois.

PIN #: 07-07-28-332-005

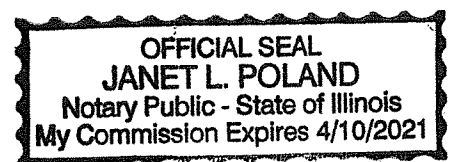
WHEREFORE, petitioner(s) request(s) the above described property be annexed to the City of Decatur, in accordance with the Statutes in such case made and provided.

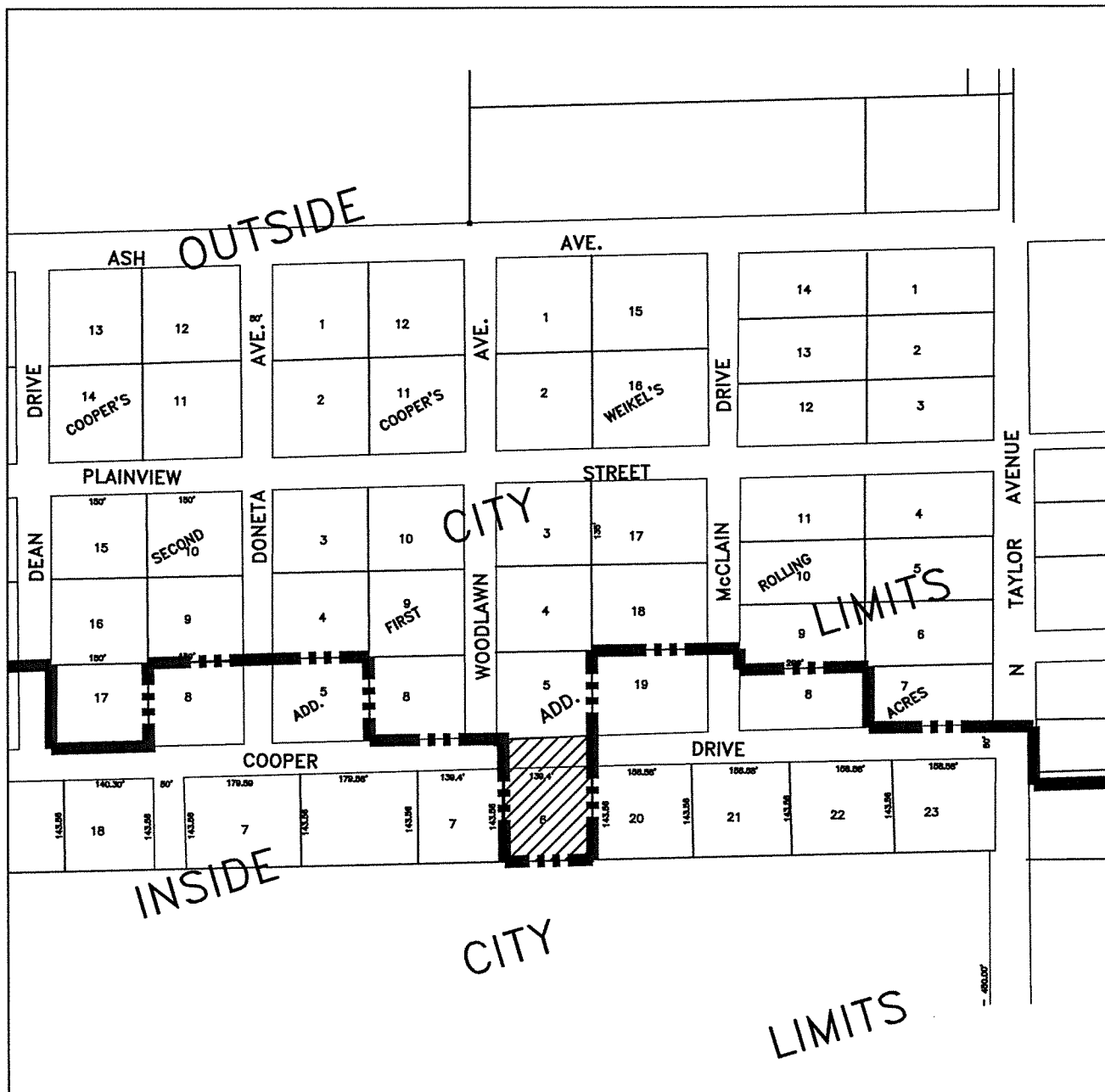
<u>SIGNATURE</u>	<u>PRINTED NAME</u>	<u>STREET ADDRESS, CITY, STATE</u>
	Jennifer Sykes	505 Bradley Ct. Decatur, IL
	Matt Sykes	505 Bradley Ct Decatur, IL
	Simon LLC	505 Bradley Ct Decatur, IL
	Simon LLC	505 Bradley Ct Decatur, IL

Signed and sworn to before me this 16th day of August, 2017


Notary Public

(Rev. 12/2014)

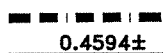




PLAT OF TERRITORY ANNEXED TO THE CITY OF DECATUR, ILLINOIS
1625 W. COOPER DRIVE



indicates territory annexed



indicates existing corporate limits

0.4594±

acres

AREA 0.00072± sq. miles

139.4±

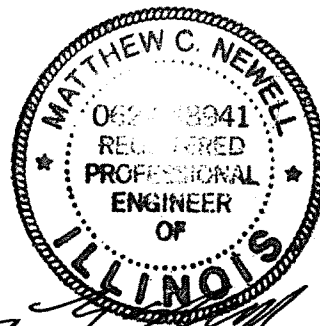
lin. ft. of public road

Hickory Point

township



N.T.S.



CITY ENGINEER - DECATUR, ILLINOIS
ILLINOIS PROFESSIONAL ENGINEER # 062-048941
LICENSE EXPIRES NOV. 30, 2017

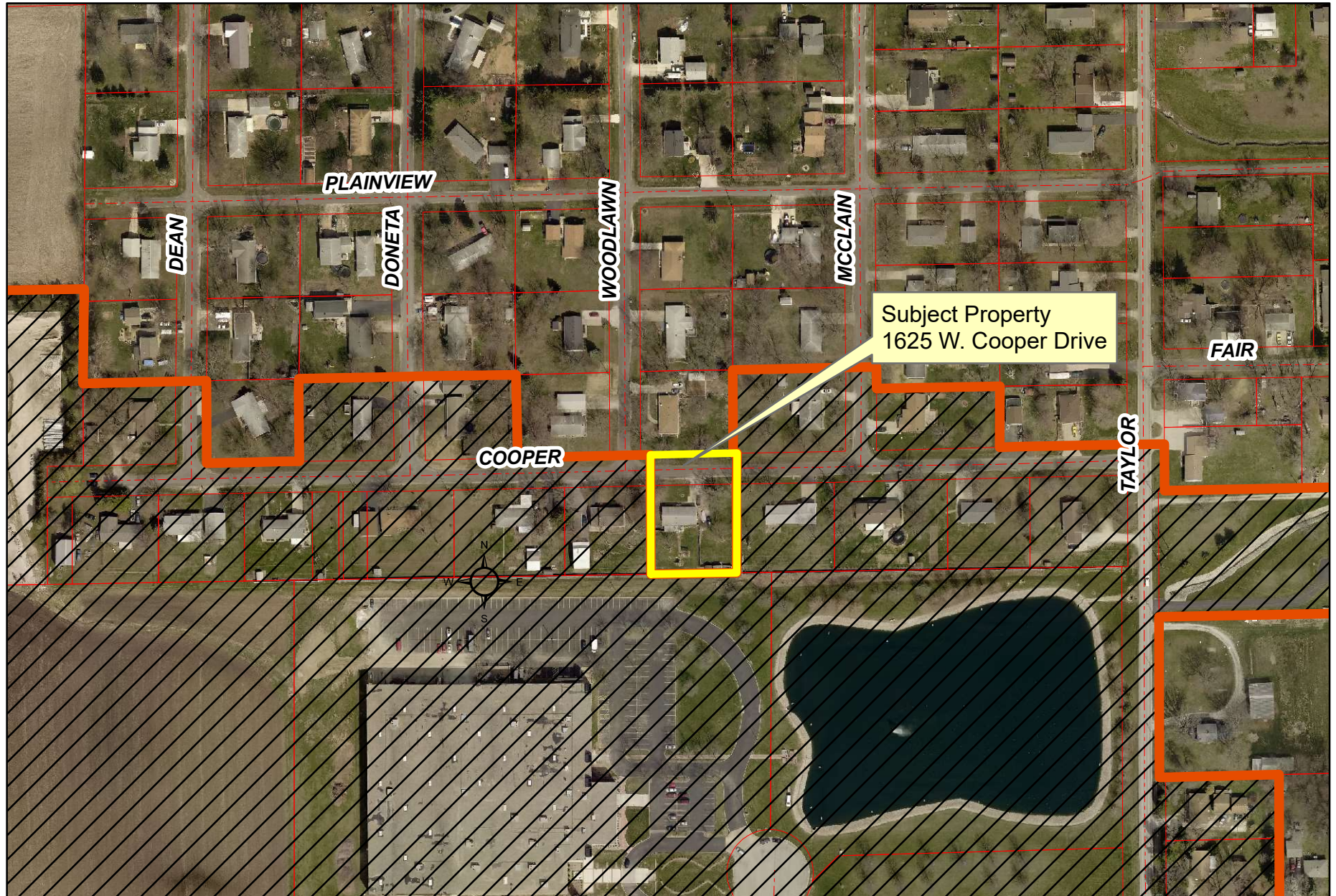
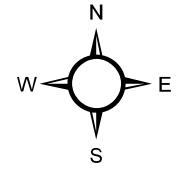
ORDINANCE NO: _____

DATE: _____ Page 68 of 125

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

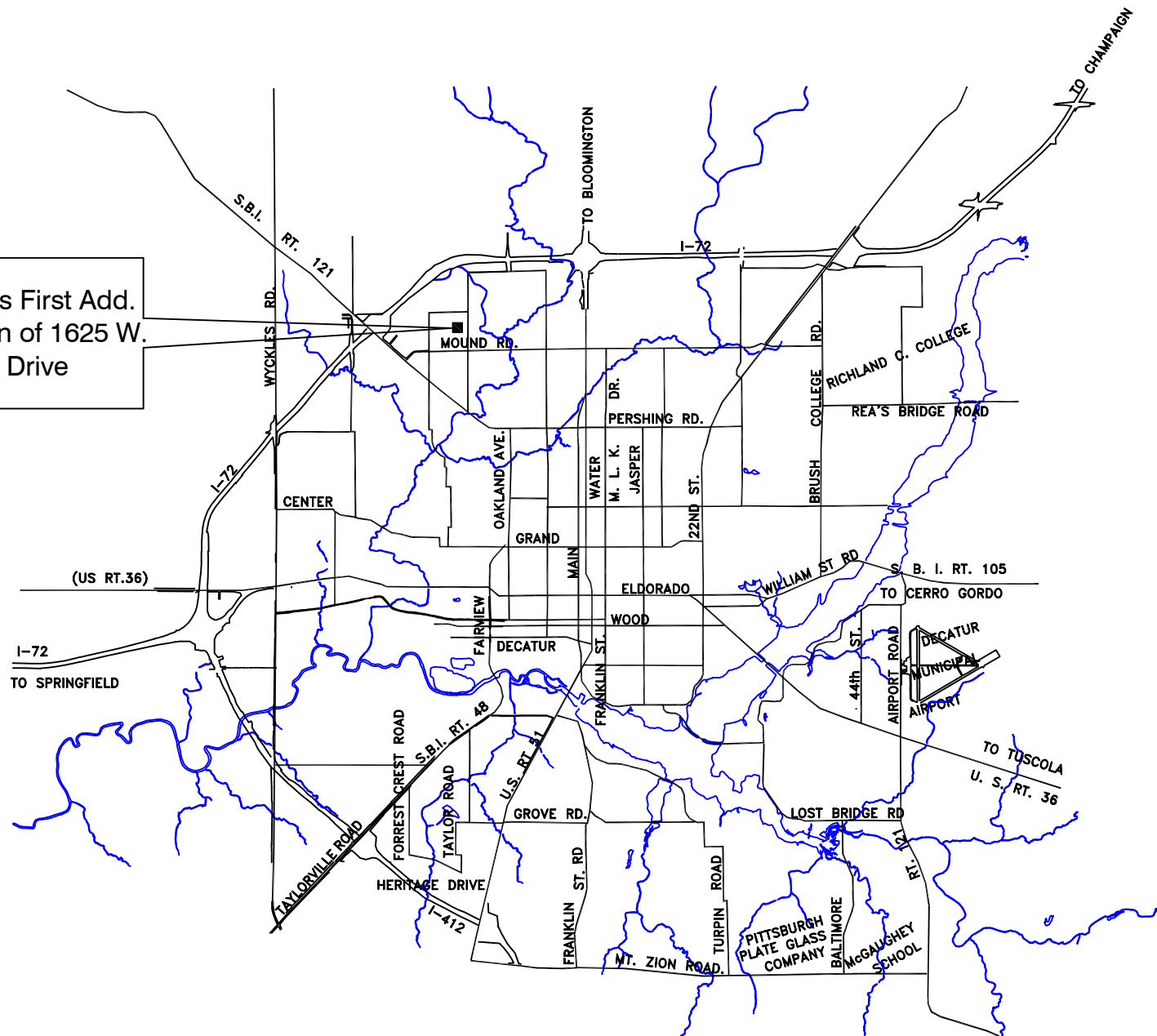
All dimensions shown hereon are dimensions of record.
The annexation plat has been prepared from data in
public records and legal descriptions provided by the
petitioner. It is not the result of a survey performed on
the ground.

Property Proposed to be Annexed Vicinity Map for 1625 W. Cooper Drive



AREA LOCATION MAP 1625 W. COOPER DRIVE

Coopers First Add.
Location of 1625 W.
Cooper Drive



Public Works

DATE: 9/22/2017

MEMO: 2017-61

TO: Honorable Mayor Moore Wolfe and City Council Members

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution to Appropriate Additional Motor Fuel Tax Funds to Pay the City's Portions of Construction Costs and Construction Engineering Costs for Improvements to Lake Shore Drive and 22nd Street (IL RTE 105) From Old Rte 51 to U.S. Rte 36 by Municipality Under Illinois Highway Code, City Project 2014-01, Section 14-00401-00-TL

SUMMARY RECOMMENDATION: Please see attached memo for detail

ATTACHMENTS:

Description	Type
2017-61 Memo	Cover Memo
2017-61 Resolution	Resolution Letter
2017-61 BLR 09111 IDOT Form	Backup Material

**PUBLIC WORKS MEMORANDUM
NO. 2017-61**

DATE: September 12, 2017

TO: Honorable Mayor Moore Wolfe and City Council Members

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution to Appropriate Additional Motor Fuel Tax Funds to Pay the City's Portions of Construction Costs and Construction Engineering Costs for Improvements to Lake Shore Drive and 22nd Street (IL RTE 105) From Old Rte 51 to U.S. Rte 36 by Municipality Under Illinois Highway Code, City Project 2014-01, Section 14-00401-00-TL

SUMMARY RECOMMENDATION:

It is recommended that the City Council approve, that the Mayor be authorized to execute, and the City Clerk to attest to the attached resolution appropriating an additional \$8,185.30 in Motor Fuel Tax (MFT) Funds to pay the City's estimated share of the MFT eligible construction costs for a total MFT allocation of \$128,185.30. The \$128,185.30 represents \$120,000.00 in expected MFT eligible costs plus \$8,185.30 to provide some contingency for the project.

PRIOR COUNCIL ACTION:

May 19, 2014 – The City Council approved Resolution No. R2014-49 appropriating \$120,000 in State Motor Fuel Tax Funds to pay the City's portion of an agreement with the State of Illinois for the improvement of Lake Shore Drive & 22nd Street (IL Rt. 105) from Old Rt. 51 to Rt. 36, City Project 2014-01.

May 19, 2014 – The City Council approved Resolution No. R2014-50 authorizing an agreement with the State of Illinois for improvements to Lake Shore Drive and 22nd Street (IL Rt. 105). The agreement is for \$105,029. The agreement included a provision for the City to provide any additional funds necessary to cover the actual costs.

BACKGROUND:

Lake Shore Drive & 22nd Street Pavement Improvement

In January 2014, the City was informed by the Illinois Department of Transportation (IDOT) of their intention to complete a major street improvement along Illinois Route 105 between Old Route 51 and U.S. Route 36, which encompasses portions of Lake Shore Drive and 22nd Street in the City. The overall project included improvements to traffic signals on the Route along with milling off the existing pavement and overlaying the road with new asphalt.

The portion of the work paid for by the City included:

1. Sidewalk ramp improvements on the side streets under City jurisdiction.

2. Paving the side street approaches.
3. Traffic signal improvements at City intersections with the State Highway. The cost for traffic signal work was allocated according to the portion of the intersection owned by the City.

The project was completed in 2015.

City-State Agreement

The 2014 City - State Agreement included a requirement that the City pass a resolution appropriating sufficient funds for the project. At that time, the City's portion of the project cost was estimated at \$105,029 and included a provision to provide the additional funds necessary to cover the actual costs. The City Council allocated \$120,000 in Motor Fuel Tax funds to pay the City's share of the project costs. The final invoice from the State set the final City responsibility at \$128,185.30, which requires the authorization of an additional \$8,185.30 in MFT funds.

SCHEDULE: The project was completed in 2015, the final invoice from that State was received in September, 2017.

POTENTIAL OBJECTION: None

INPUT FROM OTHER SOURCES: Illinois Department of Transportation

STAFF REFERENCE: Richard Marley, Public Works Director and Matt Newell, City Engineer. Richard Marley will be in attendance at the City Council meeting to answer any questions of the Council on this item.

BUDGET/TIME IMPLICATIONS:

Budget Impact: Funding is available in the Motor Fuel Tax Fund. The agreement is for \$105,029 with provision that the Council will appropriate additional funds if needed to cover the City's portion of the project. The original Moto Fuel Tax Resolution was for \$120,000. An additional \$8,185.30 is proposed to be approved bringing the total MFT authorization to \$128,185.30.

Staffing Impact: The Illinois Department of Transportation managed this project with no involvement of City staff.

This memorandum was prepared by Matthew C. Newell, P.E., City Engineer.

Attach: 2

RESOLUTION NO. _____

**RESOLUTION TO APPROPRIATE ADDITIONAL MOTOR FUEL TAX FUNDS TO
PAY THE CITY'S PORTIONS OF CONSTRUCTION COSTS AND CONSTRUCTION
ENGINEERING COSTS FOR IMPROVEMENTS TO LAKE SHORE DRIVE AND 22ND
STREET (IL RTE 105) FROM OLD RTE 51 TO U.S. RTE 36
BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE
CITY PROJECT 2014-01**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF DECATUR, ILLINOIS:**

Section 1. That there is hereby appropriated the additional sum of \$8,185.30 of Motor Fuel Tax funds for the purpose of paying the City's share of Motor Fuel Tax eligible construction costs and the City's portion of Motor Fuel Tax eligible construction engineering costs for the Lake Shore Drive and 22nd Street (IL Rte 105) Improvements project under the applicable provisions of the Illinois Highway Code.

Section 2. That only those sidewalks, streets, highways, bridges; and operations as listed and described as part of the Lake Shore Drive and 22nd Street (IL Rte 105) Improvements project, are eligible for Motor Fuel Tax funds and shall be designated as Section 14-00401-00-TL

Section 3. That the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

Section 4. That the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Effingham, Illinois.

PRESENTED and ADOPTED this 2nd day of October, 2017.

JULIE MOORE WOLFE, MAYOR

ATTEST:

DEBRA . BRIGHT, CITY CLERK



Illinois Department of Transportation

Resolution for Improvement by Municipality Under the Illinois Highway Code

BE IT RESOLVED, by the City Council of the
City Decatur of Decatur Illinois
City, Town or Village
Council or President and Board of Trustees

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
IL ROUTE 105	FAP 712	Old Route 51	U.S. 36

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Improving approximately 3.85 miles of IL 105 from Old Route 51
to U.S. 36, cold milling and resurfacing the existing driving lanes and approaches, removing and replacing
sidewalk curb ramps at various locations and upgrading traffic signals at various locations within the project
limits.

and shall be constructed variable wide
and be designated as Section 14-00401-00-TL

2. That there is hereby appropriated the (additional ☒ Yes ☐ No) sum of Eight thousand one hundred and eighty
five dollars and thirty cents Dollars (\$8,185.30) for the
improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by State Contract No.74475 ; and,

Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the
district office of the Department of Transportation.

Approved	I, <u>Debra G. Bright</u> Clerk in and for the
	City <u>Decatur</u> of <u>Decatur</u>
	City, Town or Village
	County of <u>Macon</u> , hereby certify the
	foregoing to be a true, perfect and complete copy of a resolution adopted
	by the <u>City Council</u>
	Council or President and Board of Trustees
	at a meeting on <u>October 2, 2017</u>
	Date
	IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this
	<u>2nd</u> day of <u>October, 2017</u>
	(SEAL)
	City, Town, or Village Clerk
Date	
Department of Transportation	
Regional Engineer	

Economic & Community Development

DATE: 9/22/2017

MEMO: No. 17-24

TO: Honorable Mayor Julie Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Raymond Lai, AICP, Economic and Community Development Director
Suzan Stickle, Senior Planner

SUBJECT:

Conditional Use Permit at 760 South Franklin Street to add a drive-through facility to an existing restaurant in the B-1 Neighborhood Shopping District

SUMMARY RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit for a drive-through facility. The City Plan Commission voted 8-0 to recommend approval of this petition at the September 7, 2017 meeting; the minutes of the meeting are attached.

BACKGROUND:

The subject site, located at 760 South Franklin Street, contains a 1,700 square foot commercial structure housing a restaurant. The subject site is zoned B-1 Neighborhood Shopping District.

The subject petition requests a Conditional Use Permit to allow for a drive-through facility in the B-1 Neighborhood Shopping District.

TKG'S Wing Heaven is a franchise that has been operating for a couple of years in Decatur and has a new online ordering service where patrons can pay for their order and just stop by the restaurant to pick up. The petitioner would like to convert an existing window into a drive-through pick-up window so that patrons ordering online may have the option and convenience of staying in their vehicles.

The petitioner is proposing to only have five (5) stacking spaces instead of the required ten (10) stacking spaces as there will be no menu/order board on site.

Staff supports the proposed Conditional Use Permit, as the addition of a drive-through facility will help to expand the abilities of the business to better serve their patrons. Staff believes the proposed reduction in stacking spaces to five (5) should not cause any issues

with congestion as there will be no menu/order board on site. Online orders will be placed and paid beforehand, and therefore considerably reducing the amount of time a patron will have to wait in line in their vehicle.

According to Section XXII.A.3. there are three standards which must be met in order to grant a Conditional Use Permit. The first standard requires that the use be “necessary for the public convenience at the location.” The proposed use is generally compatible with the area along South Franklin Street and the drive-through facility will provide a service which can be utilized by residents.

The proposed use also meets the second standard. The facility is located and designed to be operated in a manner in which the public health, safety and welfare will be protected.

Last, the facility should not cause injury to the value of other properties in the area as stated by the third standard. The addition of a drive-through facility to the existing restaurant use should not cause injury to the value of other properties in the area.

POTENTIAL OBJECTIONS: No members of the public spoke at the public hearing.

INPUT FROM OTHER SOURCES:

The petition has been approved by the City’s Technical Review Committee; Planning, Engineering and Fire.

STAFF REFERENCE: Any additional questions may be forwarded to Suzan Stickle at 424-2786 or at Any additional questions may be forwarded to Suzan Stickle at 424-2786 or at sstickle@decaturil.gov.

BUDGET/TIME IMPLICATIONS:

None

ATTACHMENTS:

Description	Type
Ordinance	Ordinance
Supporting Documentation	Backup Material

ORDINANCE NO. _____

**ORDINANCE GRANTING CONDITIONAL USE PERMIT
DRIVE-THROUGH FACILITY
- 760 SOUTH FRANKLIN STREET -**

WHEREAS, on the 7th day of September, 2017, upon due notice, the Decatur City Plan Commission held a public hearing upon the petition of TKG'S Wing Heaven, LLC for a Conditional Use Permit under the provisions of Section XXII.A.2 of the Zoning Ordinance to allow for the operation of a Drive-Through Facility in a B-1 Neighborhood Shopping District on property located in the City of Decatur, Illinois and legally described as follows:

Lots Six (6), Seven (7), Eight (8) and the North Ten (10) feet of Lot (9) of A.O. Bolen's Resurvey of Lots One (1) and Three (3) in Block Three (3) of Oglesby and Wait's Addition to Decatur as per Plat recorded in Book 149, Page 157 of the Records in the Recorder's Office of Macon County, Illinois. Situated in Macon County, Illinois; and,

WHEREAS, said Decatur City Plan Commission recommended that such Conditional Use Permit be approved.

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

Section 1. That the recommendation and report of the Decatur City Plan Commission be received, placed on file and granted.

Section 2. That a Conditional Use Permit be granted to TKG'S Wing Heaven, LLC and only to TKG'S Wing Heaven, LLC to allow for the operation of a Drive-Through Facility in the B-1 Neighborhood Shopping District upon the premises aforesaid in accordance with the plat thereof hereto attached marked Exhibit A and hereby made a part hereof.

Section 3. That said Conditional Use Permit granted is hereby made subject to the applicable provisions and requirements of Ordinance No. 3512, as amended, the same being the Zoning Ordinance of the City of Decatur, Illinois.

PRESENTED, PASSED, APPROVED AND RECORDED this 2nd day of October, 2017.

JULIE MOORE WOLFE, MAYOR

ATTEST:

CITY CLERK

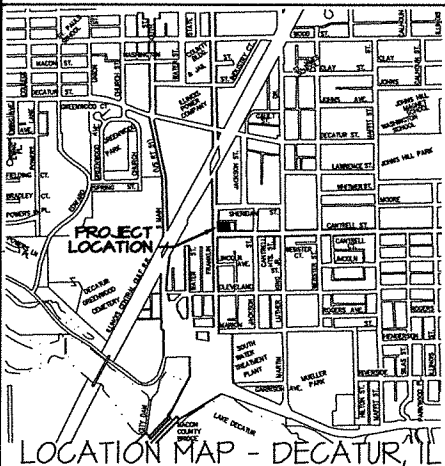
Tue, 01 Aug 2017 - 8:15am Drawing Name: P:\2017\1516 Garmond\dwg\1516-C2x.dwg

GENERAL NOTES

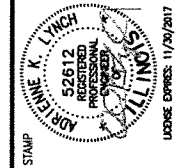
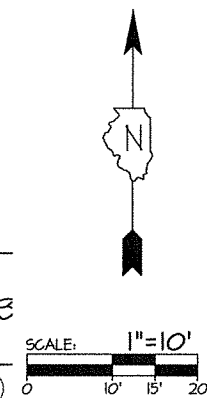
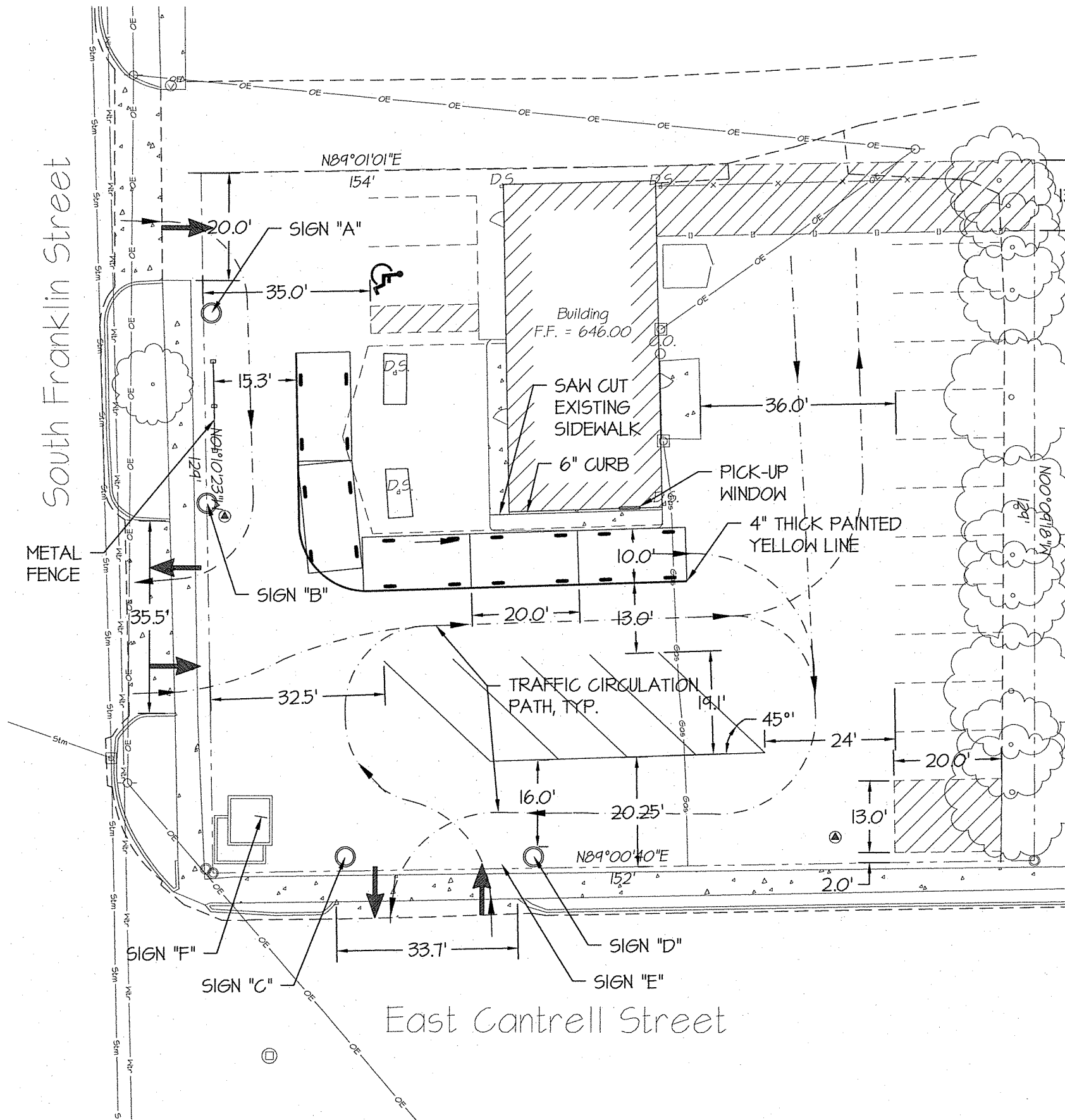
1. STREET ADDRESS: 760 SOUTH FRANKLIN STREET
2. ZONING: B-1
3. PARKING REQUIREMENTS:
 1. BUILDING USE - RESTAURANT
 2. BUILDING AREA - 1700 SQ. FT.
 3. REQUIRED PARKING SPACE CRITERIA: ONE SPACE PER 100 SQ. FT. FLOOR AREA
4. SUMMARY:
 1. TOTAL REQUIRED SPACES:
 1. SPACES - 16
 2. HANDICAP SPACES - 1
 2. TOTAL PROVIDED SPACES:
 1. SPACES - 16
 2. HANDICAP SPACES - 1
4. LEGAL DESCRIPTION: LOTS SIX, SEVEN, EIGHT AND THE NORTH 10 FEET OF LOT NINE OF A.O. BOLENS RESURVEY OF LOTS 1 AND 3 IN BLOCK 3 OF OGLESBY AND WAIT'S ADDITION TO DECATUR, AS PER PLAT RECORDED IN BOOK 144, PAGE 151 OF THE RECORDS IN THE RECORDER'S OFFICE OF MACON COUNTY, ILLINOIS.
5. ALL WORK SHALL COMPLY WITH APPLICABLE CITY AND/OR STATE CONSTRUCTION STANDARDS.
6. NO DRIVE-THRU ORDER/MENU BOARD WILL BE ON SITE.
7. EXISTING ANGLED PARKING STALLS TO THE WEST OF THE CANOPY TO BE REMOVED. EXISTING ANGLED PARKING STALLS TO THE SOUTH OF THE BUILDING TO BE RE-STRIPED.
8. SIDEWALK ON SOUTH SIDE OF BUILDING TO BE REMOVED AND REPLACED WITH 6" CURB. SIDEWALK ON WEST SIDE OF BUILDING TO BE SAWCUT TO MATCH NEW 6" CURB.

SIGNAGE NOTES:

1. THE FOLLOWING IS A LIST OF SIGNS ON THE SITE AND THEIR SIZES AND LABELS:
 - SIGN "A": 18"x24" "EXIT" SIGN AND 24"x16" "CUSTOMER PARKING" SIGN
 - SIGN "B": 18"x24" "ENTER" SIGN AND 24"x16" "CUSTOMER PARKING" SIGN
 - SIGN "C": 18"x24" "EXIT" SIGN
 - SIGN "D": 18"x24" "ENTER" SIGN
 - SIGN "E": 24"x16" "CUSTOMER PARKING" SIGN
 - SIGN "F": 64"x21" "TKG'S WING HEAVEN" SIGN AND (3) 35"x5" SIGNS STATING "CHICKEN WINGS", "BAKED POTATOES", AND "FISH & SHRIMP".
2. DUE TO THE ADDITION OF THE DRIVE-THRU, SIGN "A" AND "B" WILL NEED TO BE REVERSED TO DEPICT PROPER TRAFFIC FLOW.
3. AT THE TIME OF THIS PLAN, THE LANDSCAPE AREA AROUND SIGN "F" WAS UNDER CONSTRUCTION. THIS WILL NOT AFFECT THE LOCATION OF SIGN "F".



SCALE: 1"=2000'



REVISIONS		DESCRIPTION	
NO.	DATE	APPR.	DESCRIPTION

SCALE	AS SHOWN
DRAWN BY	SKJ
CHECKED BY	AKJ
DATE	07/25/2017

PROJECT
TKG WING HEAVEN DRIVE-THRU
760 SOUTH FRANKLIN STREET
DECATUR, ILLINOIS
MACON COUNTY
SITE PLAN

ENGINEERS, LLC
CONSULTING ENGINEERS
2800 N. MARTIN LUTHER KING, JR. DRIVE
DECATUR, IL 62521
(317) 877-2100 • FAX (317) 877-4816
PROFESSIONAL DESIGN FIRM #184-008177
ILLINOIS LICENSE #001000001

PROJECT NO.	715716
DATE	STAMP
SHEET NUMBER	
1/1	

PARKING SETBACKS	
ZONING:	B-1
TYPE	SETBACK
FRONT	15
REAR	5
SIDE	5

EXHIBIT A

Rev'd 8/1/17 4:35



City of Decatur, Illinois

PETITION FOR REZONING

Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois

Economic and Urban Development Department
One Gary K. Anderson Plaza
Decatur, Illinois 62523-1196

424-2793
FAX 424-2728

Please Type

SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION

Petitioner	TKG'S WING HEAVEN, LLC				
Address	760 S. FRANKLIN ST.				
City	DECATUR	State	IL	Zip	62521
Telephone	217.330.9555	Fax	217.542.5957	E-mail	mywingsnow@tkgs-wingheaven.co
Property Owner	TOMMY L. AND KATHLEEN GARMON, SR.				
Address	440 N. EXCELSIOR SCHOOL RD.				
City	DECATUR	State	IL	Zip	62521
Telephone	217.520.8202	Fax	217.542.5957	E-mail	TKGARMON4@COMCAST.NET
Representative	KATHLEEN GARMON				
Address	440 N. EXCELSIOR SCHOOL RD.				
City	DECATUR	State	IL	Zip	62521
Telephone	217.520.8202	Fax	217.542.5957	E-mail	TKGARMON4@COMCAST.NET

SECTION TWO: SITE INFORMATION

Street Address	760 S. FRANKLIN ST.					
Legal Description	AD BOLENS RES LT 1-3 BLK 3 OGELSBY; WAITS ADD EZ PCL 10F2 (64-30-00-000-019) 1988 140x130 BK 4306 PG246					
Present Zoning	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Is this property a Planned Unit Development?
	☒ B-1	☐ B-2	☐ B-3	☐ B-4	☐ O-1	☐ YES Approval Date: _____
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☐ NO
Please list all improvements on the site:						
Size of Tract	☐ SF ☐ AC					

SECTION THREE: REQUESTED ACTION

Rezone Property To:	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Will this property be a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☐ O-1	☐ YES
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☐ NO
Other:						

Section Three Continued	
Purpose	Please state the purpose of the proposed rezoning.
TO ADD A DRIVE-UP SERVICE WINDOW TO OUR CURRENT STRUCTURE BY CONVERTING AN EXISTING WINDOW ON THE SOUTH SIDE OF THE SITE.	

SECTION FOUR: JUSTIFICATION	
The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):	
1. TO CONVERT AN EXISTING WINDOW INTO A DRIVE-UP SERVICEABLE WINDOW, FOR ON-LINE PRE-PAID CUSTOMERS.	
2. A REDUCED STACKING REQUIREMENT TO COMPENSATE FOR THIS CHANGE	
3. A SITE PLAN SHOWING THE PROPOSAL	
4. A LETTER OF PETITION AND APPLICATION FOR REZONING	

SECTION FIVE: CERTIFICATION	
	To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the Plan Commission hearing may result in items being tabled. Incomplete or erroneous petitions may delay items being heard by the Plan Commission.
Petitioner's Signature	Kathleen Garrison DBA TWO'S WING HEAVEN Date MONDAY, July 3, 2017

NOTES:	
1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. Please make checks payable to the City of Decatur. See Schedule "A" for fees.	
2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Decatur City Plan Commission hearing. Said sign will be removed within 15 days of final action by City Council.	
3. In the event a petition for rezoning is denied by the Council, another petition for a change to the same district shall not be filed within a period of one year from the date of denial, except upon the initiation of the City Council or the City Plan Commission after showing a change of circumstances which would warrant a renewal.	
4. All petitions before the Decatur City Plan Commission are reviewed through the Development Technical Review (DTR) Process. Please consult the DTR Brochure for information related to this process.	

Rev. 2 - 4/01

OFFICE USE ONLY	
Date Filed	
By	



TKG'S WING HEAVEN

"Saucing & Tossing Wings Worth Shouting About!"

760 S. Franklin St.

Decatur, Illinois 62521

Phone (317) 536-9535

Fax (317) 536-3587

July 6, 2017

City of Decatur, Illinois
One Gary K. Anderson Plaza
Decatur, Illinois 62523-1196

Re: Petition for Rezoning of TKG'S Wing Heaven Conditional Use Permit

To the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois,

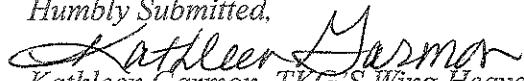
On behalf of TKG'S Wing Heaven Family Owned and Operated Chicken Wing Franchise locate at 760 S. Franklin St., in Decatur, Illinois, we would like to present the following proposed Petition for Rezoning Conditional Use Permit our current site by adding a Drive-up Window. We propose to accomplish this by converting a current and fully operational window that's located on the South Side of our current structure into a Drive-up Serviceable Window by adding an Expandable Service Tray. Please reference our attached Site Plan.

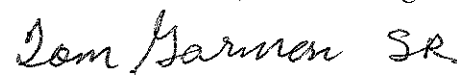
This proposed cosmetic change will serve to enhance and better support our new On-line Ordering Service by allowing our Pre-paid customers the convenience to pick up their orders at the new Drive-up Window. In addition, this proposal will eliminate the need for our pre-paying guests to park their vehicles, come inside our facility and then have to wait in line behind walk-in guests to receive their order. Subsequently, in addition to this Petition for Rezoning, we are attaching a request for a Variance that will allow for a 5-Car Stacking to the proposed Drive-up Window location based on these projections.

The Drive-up Window will be used to serve those customers who have placed a Pre-paid On-line Order with TKG'S Wing Heaven and those able to present us with a verifiable match to their On-line Order Numbers. The Drive-up Window will not be used as an access point to place an order and then wait for the order to be prepared and presented, thereby eliminating the need for us to install a loud speaker on-site and further supporting the proposed variance for a 5-Car Stacking.

We anticipate your support and a favorable decision as we work together in a continued effort to "Grow Our Business and Our Decatur Community."

Humbly Submitted,

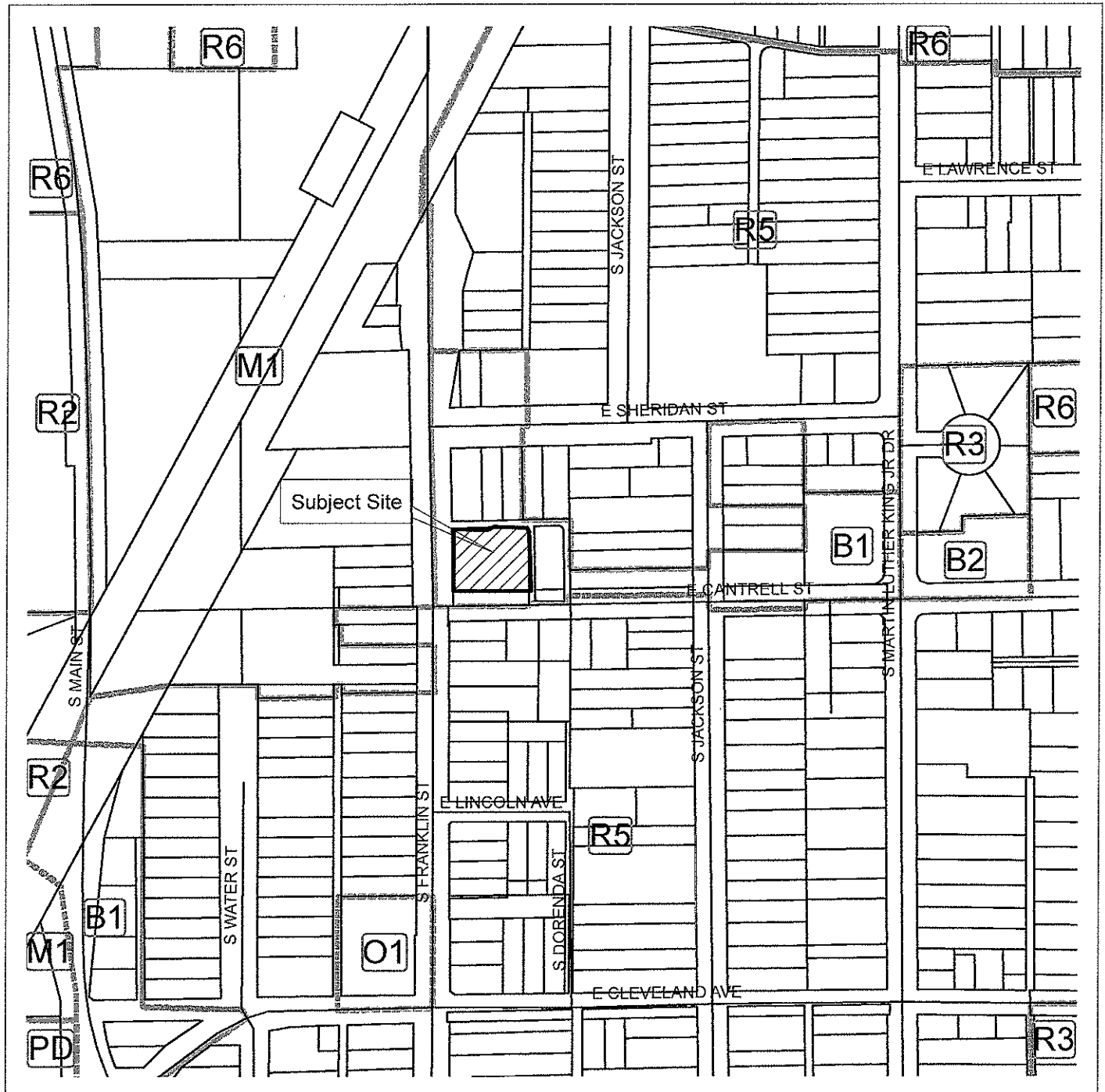

Kathleen Garmon, TKG'S Wing Heaven Owner


Tom Garmon, Sr., TKG'S Wing Heaven Owner

WhoopWhoop! 

Decatur City Plan Commission

760 South Franklin Street



Cal. No.: 17-30
Date: September 7, 2017
Petition of: TKG'S Wing Heaven, LLC
Requested Action: CUP for drive through facility
in the B-1 District

0 250 500
Feet



Legend

- Decatur Roads
- subject site
- Decatur Parcel data
- Decatur Zoning

STAFF REPORT
Decatur City Plan Commission

COMMON NAME: 760 South Franklin Street

GENERAL INFORMATION

Hearing Date September 7, 2017
Calendar No. PC 17-30
Property Location 760 South Franklin Street
Requested Action Conditional Use Permit for a drive through facility in a B-1 District
Petitioner TKG'S Wing Heaven, LLC
Representative Kathleen Garmon

LAND USE AND ZONING

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Commercial	B-1	Retail
North	Multi-Family Residential, Vacant	B-1, R-5	Retail, Residential-Low-Density
South	Single Family Residential, Vacant	R-5	Residential-Low-Density
East	Vacant	B-1	Retail
West	Commercial	M-1	Employment

BACKGROUND

1. The subject site, located at 760 South Franklin Street, contains a 1,700 square foot commercial structure housing a restaurant. The subject site is zoned B-1 Neighborhood Shopping District.

PROJECT DESCRIPTION

1. The subject petition requests a conditional use permit to allow for a drive through facility in the B-1 Neighborhood Shopping District.
2. TKG'S Wing Heaven is a franchise that has been operating for a couple of years in Decatur and has a new online ordering service where patrons can pay for their order and just stop by the restaurant to pick up. The petitioner would like to convert an existing window into a drive through pick up window so that patrons ordering online may have the option and convenience of staying in their vehicles.
3. The petitioner is proposing to only have five (5) stacking spaces instead of the required ten (10) stacking spaces as there will be no menu/order board on site.

STAFF ANALYSIS

1. Staff supports the proposed Conditional Use Permit, as the addition of a drive through facility will help to expand the abilities of the business to better serve their patrons. Staff believes the proposed reduction in stacking spaces to five (5) should not cause any issues with congestions as there will be

no menu/order board on site. Online orders will be placed and paid beforehand, and therefore considerably reducing the amount time a patron will have to wait in line in their vehicle.

2. According to Section XXII.A.3. there are three standards which must be met in order to grant a conditional use permit. The first standard requires that the use be “necessary for the public convenience at the location.” The proposed use is generally compatible with the area along South Franklin Street and the drive through facility will provide a service which can be utilized by residents.
3. The proposed use also meets the second standard. The facility is located and designed to be operated in a manner in which the public health, safety and welfare will be protected.
4. Last, the facility should not cause injury to the value of other properties in the area as stated by the third standard. The addition of a drive through facility to the existing restaurant use should not cause injury to the value of other properties in the area.
5. The Conditional Use Permit has been reviewed by the City’s Technical Review Committee. Planning, Engineering, and Fire have all approved the proposed drive through facility.

STAFF RECOMMENDATION

1. Based on the analysis, staff recommends approval of the conditional use permit.

PLAN COMMISSION ACTION

1. Section XXII.A.2. requires the Plan Commission to hold a public hearing on a conditional use permit request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 17-30 to the City Council with a recommendation for approval is suggested.

The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Department of Planning and Building Services, City of Decatur.

Suzan Stickle
Senior Planner

ATTACHMENTS

1. Petition
2. Location Maps

Excerpts from Plan Commission Meeting of September 7, 2017:

Cal. No. 17-30

Petition of TKG'S WING HEAVEN, LLC, for a Conditional Use Permit in the B-1 Neighborhood Shopping District to allow for a drive through facility located at 760 SOUTH FRANKLIN STREET.

It was moved and seconded (Jeffery/Myatt) to remove Calendar No. 17-30 from the table. Motion carried unanimously.

Ms. Stickle presented the recommendation of staff:

The subject site, located at 760 South Franklin Street, contains a 1,700 square foot commercial structure housing a restaurant. The subject site is zoned B-1 Neighborhood Shopping District.

The subject petition requests a conditional use permit to allow for a drive through facility in the B-1 Neighborhood Shopping District.

TKG'S Wing Heaven is a franchise that has been operating for a couple of years in Decatur and has a new online ordering service where patrons can pay for their order and just stop by the restaurant to pick up. The petitioner would like to convert an existing window into a drive through pick up window so that patrons ordering online may have the option and convenience of staying in their vehicles.

The petitioner is proposing to only have five (5) stacking spaces instead of the required ten (10) stacking spaces as there will be no menu/order board on site.

Staff supports the proposed Conditional Use Permit, as the addition of a drive through facility will help to expand the abilities of the business to better serve their patrons. Staff believes the proposed reduction in stacking spaces to five (5) should not cause any issues with congestion as there will be no menu/order board on site. Online orders will be placed and paid beforehand, and therefore considerably reducing the amount of time a patron will have to wait in line in their vehicle.

According to Section XXII.A.3. there are three standards which must be met in order to grant a conditional use permit. The first standard requires that the use be "necessary for the public convenience at the location." The proposed use is generally compatible with the area along South Franklin Street and the drive through facility will provide a service which can be utilized by residents.

The proposed use also meets the second standard. The facility is located and designed to be operated in a manner in which the public health, safety and welfare will be protected.

Last, the facility should not cause injury to the value of other properties in the area as stated by the third standard. The addition of a drive through facility to the existing restaurant use should not cause injury to the value of other properties in the area.

Excerpts from Plan Commission Meeting of September 7, 2017 continued:

Staff recommends approval of the conditional use permit.

Section XXII.A.2. requires the Plan Commission to hold a public hearing on a conditional use permit request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 17-30 to the City Council with a recommendation for approval is suggested.

Mr. Kent Newton asked if there were any changes since last month. Ms. Stickle said the layout changed.

Mr. Tommy Garman and Mrs. Kathleen Garman, owners, were sworn in by Mrs. Janet Poland.

Mrs. Garman stated they represent TKG'S Wing Heaven.

There were no questions and no objectors present.

It was moved and seconded (Frantz/Newton) to forward Calendar No. 17-30 to the City Council with a recommendation for approval as presented by staff. Motion carried unanimously.

Economic & Community Development

DATE: 9/22/2017

MEMO: No. 17-25

TO: Honorable Mayor Julie Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Raymond Lai, AICP, Economic and Community Development Director
Suzan Stickle, Senior Planner

SUBJECT:

Rezone 102, 110 and 118 North Edward Street from O-1 Office District to R-6 Multiple Dwelling District

SUMMARY RECOMMENDATION:

Staff recommends approval of the rezoning request from O-1 Office District to R-6 Multiple Dwelling District. The City Plan Commission voted 8-0 to recommend approval of this petition at the September 7, 2017 meeting; the minutes of the meeting are attached.

BACKGROUND:

The subject site is approximately 0.17 acres and is located at 102, 110 and 118 North Edward Street and is currently used for non-conforming multi-family residential.

The petitioner proposes to rezone from O-1 Office District to R-6 Multiple Dwelling District with the intent to create a one (1) lot subdivision to allow for the installation of a fence, driveway and courtyard. Rezoning the subject site from O-1 Office District to R-6 Multiple Dwelling District would allow for all those uses permitted in the R-6 Multiple Dwelling District.

The surrounding zoning includes O-1 Office District to the north and east and R-6 Multiple Dwelling District to the west and B-2 Commercial District to the south. The Macon County and Decatur Comprehensive Plan shows this area as Mixed-Use Commercial/Residential. The permitted uses in the R-6 Multiple Dwelling District are compatible with Mixed-Use Commercial/Residential as shown in the Comprehensive Plan. The proposed zoning is compatible with adjacent zoning and uses in all directions.

The proposed rezoning of the subject site should have no adverse effect on the adjacent properties or the City as a whole.

POTENTIAL OBJECTIONS: No members of the public spoke at the public hearing.

INPUT FROM OTHER SOURCES:

The petition has been reviewed by the City’s Technical Review Committee; Planning, Engineering and Fire.

STAFF REFERENCE: Any additional questions may be forwarded to Suzan Stickle at 424-2786 or at sstickle@decaturil.gov.

BUDGET/TIME IMPLICATIONS: None

ATTACHMENTS:

Description	Type
Ordinance	Ordinance
Supporting Documentation	Backup Material

ORDINANCE NO. _____

**ORDINANCE REZONING PROPERTY
FROM O-1 OFFICE DISTRICT TO
R-6 MULTIPLE DWELLING DISTRICT
- 102, 110 AND 118 NORTH EDWARD STREET -**

WHEREAS, on the 7th day of September, 2017, upon due notice, the Decatur City Plan Commission held a public hearing upon the petition of Tom Olmstead, to rezone premises legally described as:

Lots Three (3), Four (4) and Five (5) of James J. Finn's Subdivision of Lot Four (4) of the Resurvey of the South Half of Block Twelve (12) of Western Addition to the City of Decatur, as per Plat recorded in Book 149, Page 381 of the Records in the Recorder's Office of Macon County, Illinois. Situated in Macon County, Illinois,

from O-1 Office District to R-6 Multiple Dwelling District; and,

WHEREAS, the Decatur City Plan Commission recommended that the prayer of said petition be granted.

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

Section 1. That the recommendation of the Decatur City Plan Commission be, and the same is hereby, received, placed on file and approved.

Section 2. That said described premises be, and they are hereby, rezoned from O-1 Office District to R-6 Multiple Dwelling District.

Section 3. That the Districts herein mentioned are those districts set forth and defined in Ordinance No. 3512 of the City of Decatur, Illinois, commonly known as the Zoning Ordinance, and all the provisions, regulations, restrictions and requirements therein set forth shall apply to the premises described herein.

Section 4. That the zoning of said premises as set out herein shall be shown and verified on the Zoning District Map as in such Ordinance No. 3512 provided and said District be, and it is hereby, amended and changed as herein set forth.

PRESENTED, PASSED, APPROVED AND RECORDED this 2nd day of October, 2017.

JULIE MOORE WOLFE, MAYOR

ATTEST:

CITY CLERK



City of Decatur, Illinois

PETITION FOR REZONING

Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois

Economic and Urban Development Department
One Gary K. Anderson Plaza
Decatur, Illinois 62523-1196

424-2793
FAX 424-2728

Please Type

SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION

Petitioner	Tom Olmsted				
Address	1698 CR 550 N GAYS				
City	GAYS	State	IL	Zip	61928
Telephone	217-962-0553	Fax	—	E-mail	PaintedLadyprop1@gmail.com
Property Owner	Tom and SALISA Olmsted				
Address	110 N. EDWARD				
City	Decatur	State	IL	Zip	62522
Telephone		Fax		E-mail	
Representative	Tom Olmsted				
Address	1698 CR 550 N				
City	GAYS	State	IL	Zip	61928
Telephone	217-962-0553	Fax		E-mail	

SECTION TWO: SITE INFORMATION

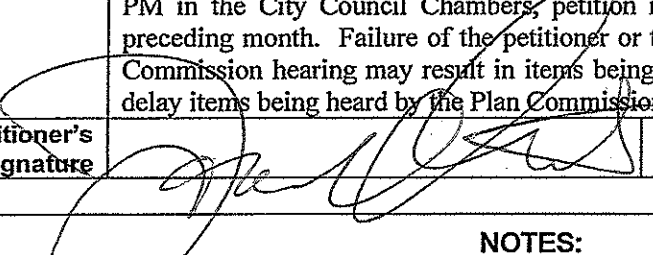
Street Address	118 N EDWARD, 110 N. EDWARD, 102 N EDWARD					
Legal Description	L0003 B 00 James J Finn SUBD Lot 4 Res S 1/2 B1K12 Western ADD 80x30 L0004 B 00 James J Finn SUBD Lot 4 Res of S 1/2 B1K12 Western ADD 02 BK 3242/469 80x30 L0005 B 00 James J Finn SUBD Lot 4 RES S 1/2 B1K12 Western ADD 04 BK 3483/292 80x32					
Present Zoning	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Is this property a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☒ O-1	☐ YES Approval Date: _____
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☐ NO
Please list all improvements on the site:						
Size of Tract	☒ SF ☐ AC					

SECTION THREE: REQUESTED ACTION

Rezoned Property To:	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☒ R-6	Will this property be a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☐ O-1	☐ YES
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☐ NO
Other:	1 Lot minor subdivision					

Section Three Continued	
Purpose	Please state the purpose of the proposed rezoning.
We want to place a privacy fence up to the north and put a driveway for residents to park (north), and courtyard on the corner.	

SECTION FOUR: JUSTIFICATION	
The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):	
AS IT IS NOW, the property to the North of 118 is a SLUM property. IT'S condition is an abomination and is a deterrent to getting good residents. ALSO, my residents are forced to park on the street where vandals are destroying property. We have a nice property and are entitled to make every effort to ensure safety and protection against the element for our valued residents.	

SECTION FIVE: CERTIFICATION	
	To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the Plan Commission hearing may result in items being tabled. Incomplete or erroneous petitions may delay items being heard by the Plan Commission.
Petitioner's Signature	
Date	7/17/17

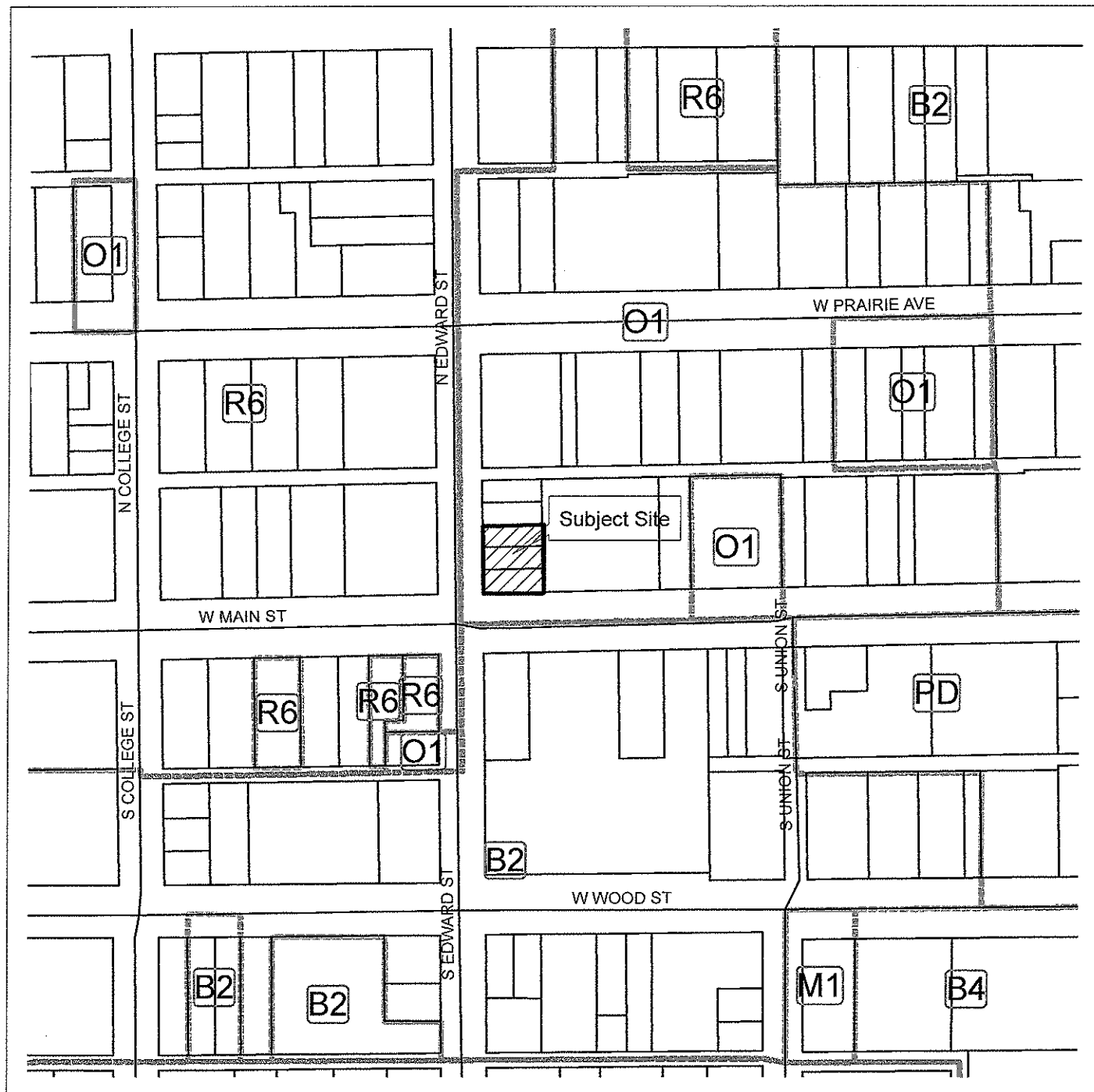
NOTES:	
1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. Please make checks payable to the City of Decatur. See Schedule "A" for fees. 2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Decatur City Plan Commission hearing. Said sign will be removed within 15 days of final action by City Council. 3. In the event a petition for rezoning is denied by the Council, another petition for a change to the same district shall not be filed within a period of one year from the date of denial, except upon the initiation of the City Council or the City Plan Commission after showing a change of circumstances which would warrant a renewal. 4. All petitions before the Decatur City Plan Commission are reviewed through the Development Technical Review (DTR) Process. Please consult the DTR Brochure for information related to this process.	

Rev. 2 - 4/01

OFFICE USE ONLY	
Date Filed	
By	

Decatur City Plan Commission

102, 110 and 118 North Edward Street



Cal. No.: 17-34

Date: September 7, 2017

Petition of: Tom Olmsted

Requested Action: Rezone to R-6 Multiple Dwelling District

0 250 500
Feet



Legend

- Decatur Roads
- ▨ subject site
- Decatur Parcel data
- Decatur Zoning

STAFF REPORT
Decatur City Plan Commission

COMMON NAME: 102, 110 and 118 North Edward Street

GENERAL INFORMATION

Hearing Date September 7, 2017
Calendar No. 17-34
Property Location 102, 110 and 118 North Edward Street
Requested Action Rezoning from O-1 Office District to R-6 Multiple Dwelling District
Petitioner Tom Olmsted
Representative Tom Olmsted

LAND USE AND ZONING

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Multi-Family Residential	O-1	Mixed-Use Commercial/Residential
North	Multi-Family Residential	O-1	Mixed-Use Commercial/Residential
South	Institutional	B-2	Mixed-Use Commercial/Residential
East	Office	O-1	Mixed-Use Commercial/Residential
West	Parking	R-6	Mixed-Use Commercial/Residential

BACKGROUND

1. The subject site is approximately 0.17 acres and is located at 102, 110 and 118 North Edward Street and is currently used for multi-family residential.

PROJECT DESCRIPTION

1. The petitioner proposes to rezone from O-1 Office District to R-6 Multiple Dwelling District with the intent to create a one (1) lot subdivision to allow for the installation of a fence, driveway and courtyard. Rezoning the subject site from O-1 Office District to R-6 Multiple Dwelling District would allow for all those uses permitted in the R-6 Multiple Dwelling District.

STAFF ANALYSIS

1. The surrounding zoning includes O-1 Office District to the north and east and R-6 Multiple Dwelling District to the west and B-2 Commercial District to the south. The Macon County and Decatur Comprehensive Plan shows this area as Mixed-Use Commercial/Residential. The permitted uses in the R-6 Multiple Dwelling District are compatible with Mixed-Use Commercial/Residential as shown in the Comprehensive Plan. The proposed zoning is compatible with adjacent zoning and uses in all directions.

2. The proposed rezoning of the subject site should have no adverse effect on the adjacent properties or the City as a whole.

STAFF RECOMMENDATION

1. Staff recommends approval of the rezoning.

PLAN COMMISSION ACTION

1. Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 17-34 to the City Council with a recommendation for approval is suggested.

The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Department of Planning and Building Services, City of Decatur.

Suzan Stickle
Senior Planner

ATTACHMENTS

1. Petition
2. Site Map

Excerpts from Plan Commission Meeting of September 7, 2017:

Cal. No. 17-34

Petition of TOM OLMSTED, to rezone property located at 102, 110, and 118 NORTH EDWARD STREET from O-1 Office District to R-6 Multiple Dwelling District.

Ms. Stickle presented the recommendation of staff:

The subject site is approximately 0.17 acres and is located at 102, 110 and 118 North Edward Street and is currently used for multi-family residential.

The petitioner proposes to rezone from O-1 Office District to R-6 Multiple Dwelling District with the intent to create a one (1) lot subdivision to allow for the installation of a fence, driveway and courtyard. Rezoning the subject site from O-1 Office District to R-6 Multiple Dwelling District would allow for all those uses permitted in the R-6 Multiple Dwelling District.

The surrounding zoning includes O-1 Office District to the north and east and R-6 Multiple Dwelling District to the west and B-2 Commercial District to the south. The Macon County and Decatur Comprehensive Plan shows this area as Mixed-Use Commercial/Residential. The permitted uses in the R-6 Multiple Dwelling District are compatible with Mixed-Use Commercial/Residential as shown in the Comprehensive Plan. The proposed zoning is compatible with adjacent zoning and uses in all directions.

The proposed rezoning of the subject site should have no adverse effect on the adjacent properties or the City as a whole.

Staff recommends approval of the rezoning.

Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 17-34 to the City Council with a recommendation for approval is suggested.

Mr. Newton asked if the rezoning was required to put up a fence and a driveway. Ms. Stickle stated the fence has different requirements in the O-1 Office District and the R-6 Multiple Dwelling District. There are three (3) individual lots and the petitioner is proposing to combine them as one (1) lot.

Mr. Tom Olmsted, petitioner, was sworn in by Mrs. Poland.

Mr. Olmsted stated there is not appropriate parking in the area and he would like to put in a driveway, fence and courtyard.

There were no questions and no objectors present.

It was moved and seconded (Myatt/Jeffery) to forward Calendar No. 17-34 to the City Council with a recommendation for approval as presented by staff. Motion carried unanimously.

Economic & Community Development

DATE: 9/22/2017

MEMO: No. 17-27

TO: Honorable Mayor Julie Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Raymond Lai, AICP, Economic and Community Development Director
Suzan Stickle, Senior Planner

SUBJECT:

Rezone 2940 North Dinneen Street from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District

SUMMARY RECOMMENDATION:

Staff recommends approval of the rezoning request from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District. The City Plan Commission voted 8-0 to recommend approval of this petition at the September 7, 2017 meeting; the minutes of the meeting are attached.

BACKGROUND:

The subject site is approximately 1.48 acres and is located at 2940 North Dinneen Street and is currently developed with an industrial structure.

The petitioner proposes to rezone from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District to make the zoning consistent on the entire property with the intent to subdivide the property. Rezoning the subject site from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District would allow for all those uses permitted in the M-1 Intense Commercial/Light Industrial District.

The surrounding zoning includes M-1 Intense Commercial/Light Industrial District to the north and south and M-2 Heavy Industrial District to the east and west. The Macon County and Decatur Comprehensive Plan shows this area as Heavy Commercial. The permitted uses in the M-1 Intense Commercial/Light Industrial District are compatible with Heavy Commercial as shown in the Comprehensive Plan. The proposed zoning is compatible with adjacent zoning and uses in all directions.

The proposed rezoning of the subject site should have no adverse effect on the adjacent properties or the City as a whole.

POTENTIAL OBJECTIONS: No members of the public spoke at the public hearing.

INPUT FROM OTHER SOURCES:

The petition has been reviewed by the City's Technical Review Committee; Planning, Engineering and Fire.

STAFF REFERENCE: Any additional questions may be forwarded to Suzan Stickle at 424-2786 or at ssstickle@decaturil.gov.

BUDGET/TIME IMPLICATIONS: None

ATTACHMENTS:

Description	Type
Ordinance	Ordinance
Supporting Documentation	Backup Material

ORDINANCE NO. _____

**ORDINANCE REZONING PROPERTY
FROM M-2 HEAVY INDUSTRIAL DISTRICT TO
M-1 INTENSE COMMERCIAL/LIGHT INDUSTRIAL DISTRICT
- 2940 NORTH DINNEEN STREET -**

WHEREAS, on the 7th day of September, 2017, upon due notice, the Decatur City Plan Commission held a public hearing upon the petition of AR Binder Plumbing, to rezone premises legally described as:

The South 215 feet of Lot 1 of Binder Addition as per Plat recorded in Book 1832, Page 557 of the Records in the Recorder's Office of Macon County, Illinois.
Situating in Macon County, Illinois,

from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District; and,

WHEREAS, the Decatur City Plan Commission recommended that the prayer of said petition be granted.

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

Section 1. That the recommendation of the Decatur City Plan Commission be, and the same is hereby, received, placed on file and approved.

Section 2. That said described premises be, and they are hereby, rezoned from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District.

Section 3. That the Districts herein mentioned are those districts set forth and defined in Ordinance No. 3512 of the City of Decatur, Illinois, commonly known as the Zoning Ordinance, and all the provisions, regulations, restrictions and requirements therein set forth shall apply to the premises described herein.

Section 4. That the zoning of said premises as set out herein shall be shown and verified on the Zoning District Map as in such Ordinance No. 3512 provided and said District be, and it is hereby, amended and changed as herein set forth.

PRESENTED, PASSED, APPROVED AND RECORDED this 2nd day of October, 2017.

JULIE MOORE WOLFE, MAYOR

ATTEST:

CITY CLERK

	City of Decatur, Illinois	
	PETITION FOR REZONING	
	<i>Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois</i> Economic and Urban Development Department One Gary K. Anderson Plaza Decatur, Illinois 62523-1196	
		424-2793 FAX 424-2728

Please Type

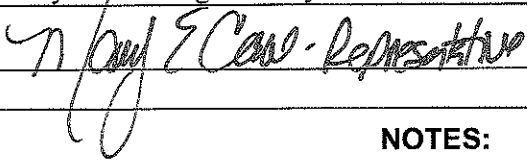
SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION					
Petitioner	AD Binder Plumbing				
Address	1975 E. Pershing Road				
City	Decatur	State	IL	Zip	62526
Telephone	217-875-4149	Fax		E-mail	
Property Owner	Mary Binder and Arthur D. Binder Marital Trust A				
Address	1975 E. Pershing Road				
City	Decatur	State	IL	Zip	62526
Telephone	217-875-4149	Fax		E-mail	
Representative	Mary Cave				
Address	5 N. Country Club Road				
City	Decatur	State	IL	Zip	62521 mcave@
Telephone	217-422-8544	Fax	217-422-0398	E-mail	chastainengineers.com

SECTION TWO: SITE INFORMATION						
Street Address	2940 N. Dinneen Street					
Legal Description	The south 215 feet of Lot 1 of Binder Addition recorded in Book 1832, Page 557.					
Present Zoning	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Is this property a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☐ O-1	☐ YES Approval Date: _____
	☐ M-1	☒ M-2	☐ M-3	☐ PMR-1		☒ NO
Please list all improvements on the site:						
Size of Tract	2.72	☐ SF	☒ AC			

SECTION THREE: REQUESTED ACTION						
Rezone Property To:	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Will this property be a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☐ O-1	☐ YES
	☒ M-1	☐ M-2	☐ M-3	☐ PMR-1		☐ NO
Other:						

Section Three Continued	
Purpose	Please state the purpose of the proposed rezoning.
This property is currently dual-zoned for M-1 and M-2. Proposal is to rezone to a consistent M-1.	

SECTION FOUR: JUSTIFICATION
<i>The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):</i>
The property owners are interested in subdividing the existing Lot 1 of Binder Addition. In order to do so, the property must be zoned only one zoning classification. This petition will create a consistent zoning over Lot 1 in order to facilitate future development. There is M-1 zoning along E Pershing Road and M-2 zoning to the southeast and southwest of the lot. M-1 zoning is a less intense zone than M-2 zoning.

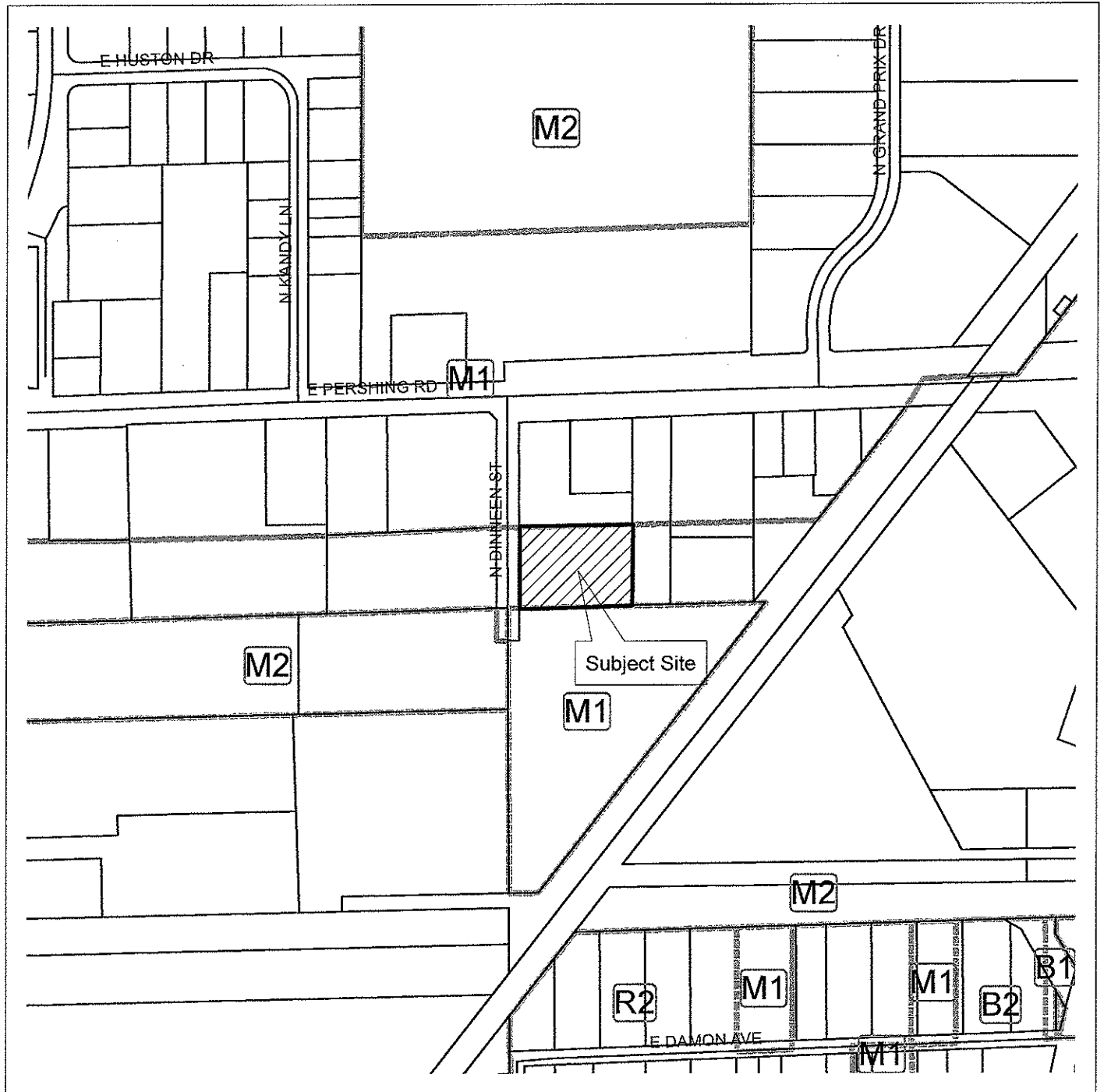
SECTION FIVE: CERTIFICATION	
	To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the Plan Commission hearing may result in items being tabled. Incomplete or erroneous petitions may delay items being heard by the Plan Commission.
Petitioner's Signature	
Date	8/9/17

NOTES:	
1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. Please make checks payable to the City of Decatur. See Schedule "A" for fees. 2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Decatur City Plan Commission hearing. Said sign will be removed within 15 days of final action by City Council. 3. In the event a petition for rezoning is denied by the Council, another petition for a change to the same district shall not be filed within a period of one year from the date of denial, except upon the initiation of the City Council or the City Plan Commission after showing a change of circumstances which would warrant a renewal. 4. All petitions before the Decatur City Plan Commission are reviewed through the Development Technical Review (DTR) Process. Please consult the DTR Brochure for information related to this process.	

OFFICE USE ONLY	
Date Filed	
By	

Decatur City Plan Commission

2940 North Dinneen Street



Cal. No.: 17-38
Date: September 7, 2017
Petition of: AD Binder Plumbing
Requested Action: Rezone to M-1 Intense
Commercial/Light Industrial District

0 250 500 1,000
Feet



Legend

- Decatur Roads
- subject site
- Decatur Parcel data
- Decatur Zoning

STAFF REPORT
Decatur City Plan Commission

COMMON NAME: 2940 North Dinneen Street

GENERAL INFORMATION

Hearing Date September 7, 2017
Calendar No. 17-38
Property Location 2940 North Dinneen Street
Requested Action Rezoning from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District
Petitioner AD Binder Plumbing
Representative Mary Cave

LAND USE AND ZONING

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Industrial	M-2	Heavy Commercial
North	Commercial/Industrial	M-1	Heavy Commercial
South	Commercial	M-1	Heavy Commercial
East	Commercial/Industrial	M-2	Heavy Commercial
West	Commercial/Industrial	M-2	Heavy Commercial

BACKGROUND

1. The subject site is approximately 1.48 acres and is located at 2940 North Dinneen Street and is currently developed with an industrial structure.

PROJECT DESCRIPTION

1. The petitioner proposes to rezone from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District to make the zoning consistent on the entire property with the intent to subdivide the property. Rezoning the subject site from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District would allow for all those uses permitted in the M-1 Intense Commercial/Light Industrial District.

STAFF ANALYSIS

1. The surrounding zoning includes M-1 Intense Commercial/Light Industrial District to the north and south and M-2 Heavy Industrial District to the east and west. The Macon County and Decatur Comprehensive Plan shows this area as Heavy Commercial. The permitted uses in the M-1 Intense Commercial/Light Industrial District are compatible with Heavy Commercial as shown in the Comprehensive Plan. The proposed zoning is compatible with adjacent zoning and uses in all directions.
2. The proposed rezoning of the subject site should have no adverse effect on the adjacent properties or the City as a whole.

STAFF RECOMMENDATION

1. Staff recommends approval of the rezoning.

PLAN COMMISSION ACTION

1. Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 17-38 to the City Council with a recommendation for approval is suggested.

The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Department of Planning and Building Services, City of Decatur.

Suzan Stickle
Senior Planner

ATTACHMENTS

1. Petition
2. Site Map

Excerpts from Plan Commission Meeting of September 7, 2017:

Cal. No. 17-38

Petition of AD BINDER PLUMBING, to rezone property located at 2940 NORTH DINNEEN STREET from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District.

Ms. Stickle presented the recommendation of staff:

The subject site is approximately 1.48 acres and is located at 2940 North Dinneen Street and is currently developed with an industrial structure.

The petitioner proposes to rezone from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District to make the zoning consistent on the entire property with the intent to subdivide the property. Rezoning the subject site from M-2 Heavy Industrial District to M-1 Intense Commercial/Light Industrial District would allow for all those uses permitted in the M-1 Intense Commercial/Light Industrial District.

The surrounding zoning includes M-1 Intense Commercial/Light Industrial District to the north and south and M-2 Heavy Industrial District to the east and west. The Macon County and Decatur Comprehensive Plan shows this area as Heavy Commercial. The permitted uses in the M-1 Intense Commercial/Light Industrial District are compatible with Heavy Commercial as shown in the Comprehensive Plan. The proposed zoning is compatible with adjacent zoning and uses in all directions.

The proposed rezoning of the subject site should have no adverse effect on the adjacent properties or the City as a whole.

Staff recommends approval of the rezoning.

A motion to forward Calendar Number 17-38 to the City Council with a recommendation for approval is suggested.

Mr. Jonas Ozier, representative, was sworn in by Mrs. Poland.

Mr. Ozier stated the petitioner discovered there was dual zoning at the site and would like to have the zoning consistent in order to subdivide in the future.

There were no questions and no objectors present.

It was moved and seconded (Myatt/Newton) to forward Calendar No. 17-38 to the City Council with a recommendation for approval. Motion carried unanimously.

Economic & Community Development

DATE: 9/22/2017

MEMO: No. 17-28

TO: Honorable Mayor Julie Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Raymond Lai, AICP, Economic and Community Development Director
Suzan Stickle, Senior Planner

SUBJECT:

Rezone 960 East Mound Road from B-3 Planned Shopping Center District to O-1 Office District

SUMMARY RECOMMENDATION:

Staff recommends approval of the rezoning request from B-3 Planned Shopping Center District to O-1 Office District. The City Plan Commission voted 8-0 to recommend approval of this petition at the September 7, 2017 meeting; the minutes of the meeting are attached.

BACKGROUND:

The subject site is approximately 1.33 acres and is located at 960 East Mound Road and is currently undeveloped.

The subject site was rezoned to B-3 Planned Shopping Center District in 1982 and was to serve as part of the commercial area for a greater development that was to include a residential subdivision.

The petitioner proposes to rezone from B-3 Planned Shopping Center District to O-1 Office District which would allow for all those uses permitted in the O-1 Office District.

The surrounding zoning includes R-1 Single Family Residence District to the north, south and west and B-3 Planned Shopping Center District to the east. The Macon County and Decatur Comprehensive Plan shows this area as Retail. The permitted uses in the O-1 Office District are compatible with Retail as shown in the Comprehensive Plan. The proposed zoning is compatible with adjacent zoning and uses in all directions.

Rezoning the subject site to O-1 Office District will make it more easily developed and create a district that is a little more compatible with the surrounding uses.

The proposed rezoning of the subject site should have no adverse effect on the adjacent properties or the City as a whole.

POTENTIAL OBJECTIONS: No members of the public spoke at the public hearing.

INPUT FROM OTHER SOURCES:

The petition has been reviewed by the City’s Technical Review Committee; Planning, Engineering and Fire.

STAFF REFERENCE: Any additional questions may be forwarded to Suzan Stickle at 424-2786 or at sstickle@decaturil.gov.

BUDGET/TIME IMPLICATIONS: None

ATTACHMENTS:

Description	Type
Ordinance	Ordinance
Supporting Documentation	Backup Material

ORDINANCE NO. _____

**ORDINANCE REZONING PROPERTY
FROM B-3 PLANNED SHOPPING CENTER DISTRICT
TO O-1 OFFICE DISTRICT
- 960 EAST MOUND ROAD -**

WHEREAS, on the 7th day of September, 2017, upon due notice, the Decatur City Plan Commission held a public hearing upon the petition of Kane-Yeh Family Limited Partnership, and Illinois Ltd. Partnership, to rezone premises legally described as:

Lot One (1) of Gaitros Subdivision, a Subdivision of Lot One (1) of Mound Properties Second Addition to the City of Decatur, as per Plat recorded in Book 1832, Page 498 of the Macon County, Illinois Recorder of Deeds, situated in Macon County, Illinois.

Except any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any,

from B-3 Planned Shopping Center District to O-1 Office District; and,

WHEREAS, the Decatur City Plan Commission recommended that the prayer of said petition be granted.

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

Section 1. That the recommendation of the Decatur City Plan Commission be, and the same is hereby, received, placed on file and approved.

Section 2. That said described premises be, and they are hereby, rezoned from B-3 Planned Shopping Center District to O-1 Office District.

Section 3. That the Districts herein mentioned are those districts set forth and defined in Ordinance No. 3512 of the City of Decatur, Illinois, commonly known as the Zoning Ordinance, and all the provisions, regulations, restrictions and requirements therein set forth shall apply to the premises described herein.

Section 4. That the zoning of said premises as set out herein shall be shown and verified on the Zoning District Map as in such Ordinance No. 3512 provided and said District be, and it is hereby, amended and changed as herein set forth.

PRESENTED, PASSED, APPROVED AND RECORDED this 2nd day of October, 2017.

JULIE MOORE WOLFE, MAYOR

ATTEST:

CITY CLERK



City of Decatur, Illinois

PETITION FOR REZONING

Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois

Economic and Urban Development Department
One Gary K. Anderson Plaza
Decatur, Illinois 62523-1196

424-2793
FAX 424-2728

Please Type

SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION

Petitioner	Kane-Yeh Family Limited Partnership, an Illinois Ltd. Partnership				
Address	2020 Iles Ave.				
City	Springfield	State	IL	Zip	62704
Telephone	217-652-3030	Fax		E-mail	syeh2020@aol.com
Property Owner	Kane-Yeh Family Limited Partnership, an Illinois Ltd. Partnership				
Address	2020 Iles Ave.				
City	Springfield	State	IL	Zip	62704
Telephone	217-652-3030	Fax		E-mail	syeh2020@aol.com
Representative	Edward F. Flynn				
Address	225 N. Water St., Suite 200				
City	Decatur	State	IL	Zip	62523
Telephone	217-429-4453	Fax	217-425-8892	E-mail	eflynn@decatur.legal

SECTION TWO: SITE INFORMATION

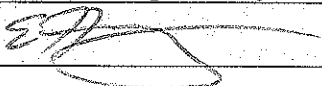
Street Address						
Legal Description	See Exhibit "A"					
Present Zoning	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Is this property a Planned Unit Development?
	☐ B-1	☐ B-2	☒ B-3	☐ B-4	☒ O-1	☐ YES Approval Date: _____
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☒ NO
Please list all improvements on the site:				None		
Size of Tract	58,150 ☒ SF ☐ AC					

SECTION THREE: REQUESTED ACTION

Rezone Property To:	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Will this property be a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☒ O-1	☐ YES
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☐ NO
Other:						

Section Three Continued	
Purpose	Please state the purpose of the proposed rezoning.
To construct an office to provide optometry services.	

SECTION FOUR: JUSTIFICATION
The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):
This is a new business relocation to Decatur.

SECTION FIVE: CERTIFICATION	
	To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the Plan Commission hearing may result in items being tabled. Incomplete or erroneous petitions may delay items being heard by the Plan Commission.
Petitioner's Signature	
Date	August 16, 2017

NOTES:	
1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. Please make checks payable to the City of Decatur. See Schedule "A" for fees. 2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Decatur City Plan Commission hearing. Said sign will be removed within 15 days of final action by City Council. 3. In the event a petition for rezoning is denied by the Council, another petition for a change to the same district shall not be filed within a period of one year from the date of denial, except upon the initiation of the City Council or the City Plan Commission after showing a change of circumstances which would warrant a renewal. 4. All petitions before the Decatur City Plan Commission are reviewed through the Development Technical Review (DTR) Process. Please consult the DTR Brochure for information related to this process.	

OFFICE USE ONLY	
Date Filed	
By	

EXHIBIT A

LEGAL DESCRIPTION

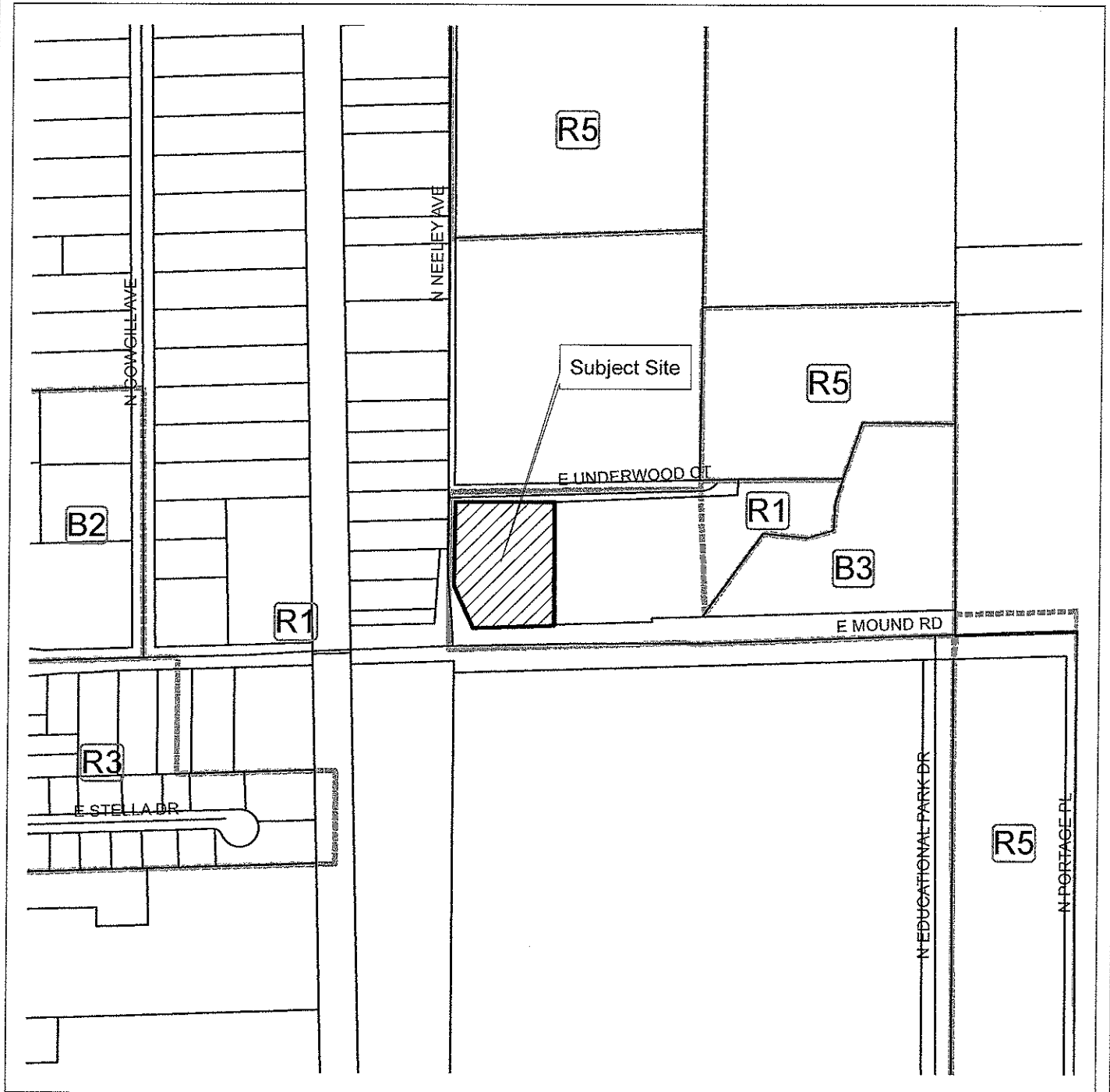
Lot One (1) of Gaitros Subdivision, a Subdivision of Lot One (1) Mound Properties Second Addition to the City of Decatur, as per Plat recorded at Book 1832, Page 498, of the Records of the Macon County, Illinois Recorder of Deeds, situated in Macon County, Illinois.

Except any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any.

PIN: 07-07-26-451-001

Decatur City Plan Commission

960 East Mound Road



Cal. No.: 17-39
Date: September 7, 2017
Petition of: Kane-Yeh Family
Limited Partnership
Requested Action: Rezone to O-1 Office District

0 250 500 1,000
Feet



Legend

- Decatur Roads
-  subject site
-  Decatur Parcel data
-  Decatur Zoning

STAFF REPORT
Decatur City Plan Commission

COMMON NAME: 960 East Mound Road

GENERAL INFORMATION

Hearing Date September 7, 2017
Calendar No. 17-39
Property Location 960 East Mound Road
Requested Action Rezoning from B-3 Planned Shopping Center District to O-1 Office District
Petitioner Kane-Yeh Family Limited Partnership, an Illinois Ltd. Partnership
Representative Edward Flynn

LAND USE AND ZONING

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Undeveloped	B-3	Retail
North	School	R-1	Schools
South	School	R-1	Open Space
East	Office	B-3	Retail
West	Single Family Residential	R-1	Residential-Low Density

BACKGROUND

1. The subject site is approximately 1.33 acres and is located at 960 East Mound Road and is currently undeveloped.
2. The subject site was rezoned to B-3 Planned Shopping Center District in 1982 and was to serve as part of the commercial area for a greater development that was to include a residential subdivision.

PROJECT DESCRIPTION

1. The petitioner proposes to rezone from B-3 Planned Shopping Center District to O-1 Office District which would allow for all those uses permitted in the O-1 Office District.

STAFF ANALYSIS

1. The surrounding zoning includes R-1 Single Family Residence District to the north, south and west and B-3 Planned Shopping Center District to the east. The Macon County and Decatur Comprehensive Plan shows this area as Retail. The permitted uses in the O-1 Office District are compatible with Retail as shown in the Comprehensive Plan. The proposed zoning is compatible with adjacent zoning and uses in all directions.
2. Rezoning the subject site to O-1 Office District will make it more easily developed and create a district that is a little more compatible with the surrounding uses.
3. The proposed rezoning of the subject site should have no adverse effect on the adjacent properties or the City as a whole.

STAFF RECOMMENDATION

1. Staff recommends approval of the rezoning.

PLAN COMMISSION ACTION

1. Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 17-39 to the City Council with a recommendation for approval is suggested.

The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Department of Planning and Building Services, City of Decatur.

Suzan Stickle
Senior Planner

ATTACHMENTS

1. Petition
2. Site Map

Excerpts from Plan Commission Meeting of September 7, 2017:

Cal. No. 17-39

Petition of KANE-YEH FAMILY LIMITED
PARTNERSHIP, AN ILLINOIS LTD.
PARTNERSHIP, to rezone property located at 960
EAST MOUND ROAD from B-3 Planned
Shopping Center District to O-1 Office District.

Ms. Stickle presented the recommendation of staff:

The subject site is approximately 1.33 acres and is located at 960 East Mound Road and is currently undeveloped.

The subject site was rezoned to B-3 Planned Shopping Center District in 1982 and was to serve as part of the commercial area for a greater development that was to include a residential subdivision.

The petitioner proposes to rezone from B-3 Planned Shopping Center District to O-1 Office District which would allow for all those uses permitted in the O-1 Office District.

The surrounding zoning includes R-1 Single Family Residence District to the north, south and west and B-3 Planned Shopping Center District to the east. The Macon County and Decatur Comprehensive Plan shows this area as Retail. The permitted uses in the O-1 Office District are compatible with Retail as shown in the Comprehensive Plan. The proposed zoning is compatible with adjacent zoning and uses in all directions.

Rezoning the subject site to O-1 Office District will make it more easily developed and create a district that is a little more compatible with the surrounding uses.

The proposed rezoning of the subject site should have no adverse effect on the adjacent properties or the City as a whole.

Staff recommends approval of the rezoning.

Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 17-39 to the City Council with a recommendation for approval is suggested.

Mr. Ed Flynn, representative, was sworn in by Mrs. Poland.

Mr. Flynn stated the petitioner is proposing to open an optometry clinic and would like to rezone the property.

There were no questions and no objectors present.

It was moved and seconded (Newton/Peoples) to forward Calendar No. 17-39 to the City Council with a recommendation for approval. Motion carried unanimously.

**CITY COUNCIL MEMORANDUM
NO. 2017-14**

TO: Mayor Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Wendy Morthland, Corporation Counsel

DATE: September 26, 2017

SUBJECT: Addition of two (2) sites to Decatur Public Building Commission (PBC) and The County of Macon, Illinois (County) Multiple Facilities Lease Agreement (Lease)

On the Agenda tonight is a request by the PBC that the City approve the addition of two (2) sites (2405 N. Woodford and Macon County Stock Pile No. 4) to the Lease. The sites are owned by the County and not utilized by the City.

The City Council must approve the addition of these two (2) sites to the Lease pursuant to state statute. Specifically, 50 ILCS 20/14(a)(1) requires that the City Council, having adopted the original resolution creating the PBC, must approve the selection, location, and designation of a site or sites being acquired by the PBC for the conduct of “executive, legislative and judicial functions of government.”

The PBC is asking the City Council to authorize and approve the addition of the sites to the Lease. There is no current cost or future cost to the City, nor will the City have any liabilities, duties or responsibilities for the two (2) sites under the Lease.

Staff recommends approval of the Ordinance. Any questions can be directed to Wendy Morthland, Corporation Counsel.

ORDINANCE NO. 2017-_____

**ORDINANCE APPROVING ADDITION OF SITES TO
PUBLIC BUILDING COMMISSION LEASE
-(2405 N. WOODFORD STREET AND MACON COUNTY STOCK PILE NO. 4)-**

BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF DECATUR,
ILLINOIS:

WHEREAS, the City adopted the original resolution for the creation of the Decatur Public Building Commission ("Commission"); and

WHEREAS, the Commission has entered into a Multiple Facilities Lease Agreement dated June 1, 2005 and subsequently amended ("Lease") between the Commission, as lessor, and The County of Macon, Illinois, ("County"), as lessee, providing for the County's leasing from the Commission certain sites within the municipal limits of the City, which sites the City has previously approved; and

WHEREAS, the Commission and the County now wish to include as additional sites to the Lease property located at 2405 N. Woodford, Decatur, Illinois known as Macon County Highway Department Buildings and Macon County Stock Pile No. 4.

Section 1. That pursuant to 50 ILCS 20/14(a)(1) and the Lease, the addition of the property commonly known as 2405 N. Woodford Street and the Macon County Stock Pile No. 4, Decatur, Illinois, legally described in Exhibit A, are hereby approved as sites to be added to the Lease.

Section 2. That the Mayor be, and she is hereby, authorized and directed to sign any said documents for and on behalf of the City, evidencing the approval granted hereby.

PRESENTED, PASSED, APPROVED AND RECORDED this _____ day of _____.

JULIE MOORE WOLFE, MAYOR

ATTEST:

CITY CLERK

EXHIBIT A

Name: Macon County Highway Department
Site Address: 2405 N. Woodford St., Decatur, IL 62526
Legal Description:

A tract of land in the Northeast Quarter of the Southeast Quarter of Section Two (2) Township Sixteen (16) North, Range Two (2) East of the Third Principal Meridian, more particularly described as follows: Beginning at a point Three Hundred Fifty-eight and Twenty-five one-hundredths (358.25) feet South and Thirty (30) feet West of the Northeast corner of said Northeast Quarter of the Southeast Quarter of Section Two (2), thence South on a line Thirty (30) feet West of and parallel to the East line of said Northeast Quarter of the Southeast Quarter of Section Two (2), Two Hundred (200) feet to a point Forty-five (45) feet Northwesterly, measured at right angles to the center line of the Illinois Central Railroad, thence Southwest on a line Forty-five (45) feet distant from and parallel to the center line of said Illinois Central Railroad, Five Hundred Forty-three and Sixty-five one-hundredths (543.65) feet, to a point Fifteen (15) feet North of the North property line of the Leader Iron Works, thence West on a line Fifteen (15) feet North of and parallel to the said Leader Iron Works property, Two Hundred Fifty and Seventy-five one-hundredths (250.75) feet, to a point Twenty-five (25) feet East of the center of Illinois Terminal Railroad siding, thence North on a line Twenty-five (25) feet East of and parallel to the center line of said Illinois Terminal Railroad siding, Six Hundred Twenty and Fifty one-hundredths (620.50) feet to a point Three Hundred Fifty-eight and Twenty-five one-hundredths (358.25) feet South of the North line of said Northeast Quarter of the Southeast Quarter of Section Two (2), thence East, Five Hundred Ninety-three and Six-tenths (593.6) feet to the point of beginning, containing Six and Eighty one-hundredths (6.80) acres, and situated in the County of Macon and State of Illinois.

Name: Macon County Highway Department – Stockpile 4
Site Address: *No street address exists.*

Lot Four (4) of Laukaitis-Bledsaw Addition to the City of Decatur, as per Plat recorded in Book 1832 Page 263 of the records in the Recorder's Office of Macon County, Illinois.

ATTACHMENTS:

Description

Resolution

Type

Resolution Letter

RESOLUTION NO. R2017-_____

**RESOLUTION REGARDING HALLOWEEN
TRICK OR TREAT HOURS**

WHEREAS, the Council recognizes that the Halloween activity commonly known as trick or treat is one of long standing tradition in the community; and,

WHEREAS, the Council also recognizes that past experience has shown that there can be risks attendant thereon particularly to children; and,

WHEREAS, the Council has been made aware of many organized activities and events being made available in the community as substitutes to be engaged in on Halloween in lieu of trick or treat; and,

WHEREAS, the Council is reluctant to address such risks by totally prohibiting trick or treat, believing instead that if proper care, caution and supervision are exercised said risks can be greatly reduced and curtailed.

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

Section 1. That the Council does hereby urge those children and those responsible for them and their safety who choose to engage in the trick or treat activity that said activity be confined to the evening of October 31st between the hours of 6:00 p.m. and 8:00 p.m., and that such be done so as to accord with the suggestions and practices set out on the list thereof attached hereto.

PRESENTED AND ADOPTED this 2nd day of October, 2017.

Julie Moore Wolfe, Mayor

ATTEST:

City Clerk

HALLOWEEN

TRICK OR TREAT

- 1) The activity is to be confined to one evening only, October 31, 2017, between the hours of 6:00 p.m. and 8:00 p.m.
- 2) Children should be accompanied by responsible adults.
- 3) The activity should be confined to the neighborhood of the residence of the participants.
- 4) Only wrapped and sealed treats should be given or accepted.
- 5) Children are asked not to consume treats during the trick or treat period and that all treats be inspected by a responsible adult prior to consumption.
- 6) Calls should be made only at residences where porch or other exterior lights have been turned on as a sign of hospitality.
- 7) Costumes when worn should be highly visible, of nonflammable material so constructed as not to interfere with the vision or mobility of the wearer.
- 8) Basic pedestrian safety rules should be obeyed.