

**CITY COUNCIL AGENDA
CITY OF BELLEVILLE
JUNE 3, 2013 – 7:00 PM**

1. CALL TO ORDER BY MAYOR
2. ROLL CALL ALDERMEN
3. ROLL CALL DEPARTMENT HEADS
4. PLEDGE OF ALLEGIANCE
5. PUBLIC PARTICIPATION (2 MINUTES PER PERSON)
6. PUBLIC HEARING
7. PRESENTATIONS, RECOGNITIONS & APPOINTMENTS
 - A. MAYOR ECKERT WILL RECOGNIZE THE CHARACTER WORD OF THE MONTH "FAIRNESS" MEANING PLAYING BY THE RULES, BEING OPEN-MINDED AND NOT TAKING ADVANTAGE.
 - B. PRESENTATION BY KEITH PRYOR OF THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY REGARDING THE ILLINOIS BUILDING BLOCKS PROGRAM.
 - C. MAYOR ECKERT WILL RE-APPOINT CAROL KEELEY FOR A 3 YEAR TERM ON THE LIBRARY BOARD.
 - D. MAYOR ECKERT WILL APPOINT VICTORIA WEYGANDT FOR A 3 YEAR TERM ON THE LIBRARY BOARD.
 - E. MAYOR ECKERT WILL RE-APPOINT ED DINTELMAN FOR A 5 YEAR TERM ON THE PARKS & REC BOARD.
 - F. MAYOR ECKERT WILL RE-APPOINT MARGE BELT FOR A 5 YEAR TERM ON THE PARKS & REC BOARD.
8. READING OF MINUTES
 - A. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 20, 2013
 - B. EXECUTIVE SESSION MINUTES DATED SEPT. 4 2012, SEPT. 17, 2012, OCT. 1, 2012, OCT. 15, 2012, DEC. 3, 2012, JAN. 7, 2013

9. CLAIMS, PAYROLL & DISBURSEMENTS

10. REPORTS

A. ZONING BOARD OF APPEALS ADVISORY REPORTS

- 1) CASE #28-MAY13 – PAT FLYNN/RICHARD LEHR – REQUESTING A USE VARIANCE IN ORDER TO BUILD A 1740 SQUARE FOOT STRUCTURE AT 2011 EAST A ST. TO BE USED AS A FACILITY TO FABRICATE DECK PARTS LOCATED IN AN A-2 TWO FAMILY RESIDENTIAL DISTRICT. (APPLICABLE PORTION OF THE ZONING CODE: 60-6-18)
- 2) CASE #29-MAY13 – MATHIS, MARIFAN, RICHTER – A SIGN INSTALLATION PERMIT FOR THE AREA OF SPECIAL CONTROL IN ORDER TO INSTALL ONE FLUSH MOUNTED, INDIRECTLY ILLUMINATED SIGN TOTALING APPROXIMATELY 85 SQUARE FEET, AT 23 PUBLIC SQUARE, IN A C-2 HEAVY COMMERCIAL ZONING DISTRICT. (APPLICABLE PORTION OF ZONING CODE: 60-6-50.)
- 3) CASE #30-MAY13 – TARA WAGNER – REQUESTING A USE VARIANCE IN ORDER TO OPERATE A MASSAGE THERAPY BUSINESS FROM 215 N. DELAWARE AVE. LOCATED IN AN A-1 SINGLE FAMILY ZONING DISTRICT. (APPLICABLE PORTION OF THE ZONING CODE: 60-6-4)
- 4) CASE #31-MAY13 – RICKY RUHMAN – REQUESTING A USE VARIANCE IN ORDER TO PLACE A MOBILE OFFICE ON THE PROPERTY TO BE USED AS A CAR DEALERSHIP AT 8421 OLD ST. LOUIS RD. LOCATED IN AN A-1 SINGLE FAMILY ZONING DISTRICT. (APPLICABLE PORTION OF THE ZONING CODE: 60-6-4)
- 5) CASE #32-MAY13 – MICHAEL GOEDEL – REQUESTING A USE VARIANCE IN ORDER TO USE THE PROPERTY AT 909/911 PRAIRIE AS A TWO FAMILY DWELLING, LOCATED IN AN A-1 SINGLE FAMILY ZONING DISTRICT. (APPLICABLE PORTION OF THE ZONING CODE: 60-6-4)
- 6) CASE #33-MAY13 – CHET & KIM SHELTON – REQUESTING A USE VARIANCE IN ORDER TO OPERATE A CHILD DAYCARE CENTER AT 423 S. ILLINOIS ST. LOCATED IN A C-2 HEAVY COMMERCIAL ZONING DISTRICT. (APPLICABLE PORTION OF ZONING CODE: 60-6-50)

11. ORAL REPORTS FROM STANDING COMMITTEES, SPECIAL COMMITTEES, AND ANY OTHER ORAL REPORTS FROM THE ELECTED OFFICIALS OR STAFF

A. ALDERMAN SEIBERT WILL MAKE THE FOLLOWING MOTIONS TO APPROVE THE RIGHT-OF-WAY ACQUISITIONS FOR CITIZENS TO BELLEVUE PARK BIKE TRAIL:

- 1) MEMORIAL HOSPITAL; DONATED RIGHT-OF-WAY (\$111,500.00)
- 2) ST. HENRY'S ROMAN CATHOLIC CHURCH; \$17,107.00
- 3) CATHOLIC DIOCESE OF BELLEVILLE; \$95,893.00
- 4) CASOD, INC.; \$600.00
- 5) JACQUELINE BRAMMER; \$2,505.00
- 6) BOUSE PROPERTIES; \$300.00
- 7) PROFESSIONAL RESOURCE DEVELOPMENT; \$16,800.00

B. ALDERMAN SILSBY WILL MAKE THE FOLLOWING MOTIONS ON BEHALF OF THE FINANCE COMMITTEE:

- 1) MOTION TO OPEN NEW LIBRARY CHECKING ACCOUNT AND TO TRANSFER FUNDS FROM TIF PREVIOUSLY APPROVED FOR LIBRARY TO NEW DEDICATED CHECKING ACCOUNT.

C. ALDERMAN HEISLER WILL MAKE THE FOLLOWING MOTIONS ON BEHALF OF THE MASTER SEWER COMMITTEE:

- 1) MOTION TO APPROVE THE LTCP CONSTRUCTION PAY REQUEST #35 FROM KORTE/LUITJOHAN AND THOUVENOT, WADE & MOERCHEN FOR A TOTAL AMOUNT OF \$455,493.75

D. ALDERMAN KINSELLA WILL MAKE THE FOLLOWING MOTION ON BEHALF OF THE ECONOMIC DEVELOPMENT & ANNEXATION COMMITTEE:

- 1) MOTION TO APPROVE THE DEVELOPMENT AGREEMENT WITH JOHN D. CONKRIGHT TRUST AND CONKRIGHT INC. FOR THE PROPERTY OF 116 & 120 E MAIN ST.

12. COMMUNICATIONS FROM MAYOR, CLERK, OR OTHER CITY OFFICIALS

13. PETITIONS

14. RESOLUTIONS

- A. RESOLUTION NO. 3140 – A RESOLUTION TO ALLOW THE MAYOR TO SIGN A UTILITY PERMIT FOR PHASE III OF THE LTCP.

15. ORDINANCES

- A. ORDINANCE NO. 7690 – CASE #29-MAY13 – MATHIS, MARIFAN, RICHTER – A SIGN INSTALLATION PERMIT FOR THE AREA OF SPECIAL CONTROL IN ORDER TO INSTALL ONE FLUSH MOUNTED, INDIRECTLY ILLUMINATED SIGN TOTALING APPROXIMATELY 85 SQUARE FEET, AT 23 PUBLIC SQUARE, IN A C-2 HEAVY COMMERCIAL ZONING DISTRICT. (APPLICABLE PORTION OF ZONING CODE: 60-6-50.)
- B. ORDINANCE NO. 7691 – CASE #33-MAY13 – CHET & KIM SHELTON – REQUESTING A USE VARIANCE IN ORDER TO OPERATE A CHILD DAYCARE CENTER AT 423 S. ILLINOIS ST. LOCATED IN A C-2 HEAVY COMMERCIAL ZONING DISTRICT. (APPLICABLE PORTION OF ZONING CODE: 60-6-50)
- C. ORDINANCE NO. 7692 – AN ORDINANCE ADOPTING THE PREVAILING WAGE RATE

16. UNFINISHED BUSINESS

17. MISCELLANEOUS & NEW BUSINESS

- A. MOTOR FUEL CLAIMS IN THE AMOUNT OF \$107,714.90
- B. THE CITY COUNCIL WILL GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL/CONTRACT NEGOTIATIONS, LITIGATION, AND PROPERTY ACQUISITION.
- C. MOTION TO APPROVE ONE WORKER COMPENSATION CLAIM.

18. ADJOURNMENT (ALL QUESTIONS RELATING TO THE PRIORITY OF BUSINESS SHALL BE DECIDED BY THE CHAIR WITHOUT DEBATE, SUBJECT TO APPEAL.)

ZONING BOARD OF APPEALS, CITY OF BELLEVILLE, ILLINOIS

APPLICATION FOR AMENDMENT: CASE #28-MAY13 – PAT FLYNN/RICHARD LEHR

ADVISORY REPORT

Application Filed: 4/24/13

CASE #28-MAY13 – PAT FLYNN/RICHARD LEHR – Requesting a Use variance in order to build a 1740 square foot structure at 2011 East A St. to be used as a facility to fabricate deck parts located in an A-2 Two Family Residential District. (Applicable portion of the zoning code: 60-6-18)

Present Zoning: A-2 Two Family Residential District

Meeting Held: May 23, 2013

Publication in News Democrat: May 8, 2013

Supporters: none

Objectors: Jim Roach, 2007 E. A St,
Austin Hayden, 2010 E. B St,
Mike Hagberg, 701 Centreville Ave.

Aldermen Present: Aldermen Heisler & Kinsella

Witnesses having been sworn, evidence presented and the Board fully advised in the premises, the Board makes the following determinations:

- A. The proposed variance is not consistent with the general purposes of this Code and
- B. strict application of the district requirements would not result in great practical difficulties of hardship to the applicant, and present a reasonable return on the property; and
- C. the proposed variance is not the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property; and
- D. the plight of the applicant is not due to peculiar circumstances not of his own making; and
- E. the peculiar circumstances engendering the variance request are applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and
- F. the variance, if granted, will alter the essential character of the area where the premises in question are located nor materially frustrate implementation of this municipality's comprehensive plan.

Steve Zimmerman made a motion to DENY the request and seconded by Rebecca Boyer, with all members present voting aye. Motion carried.

IT IS THEREFORE the recommendation of the Zoning Board of Appeals that the requested Use Variance be **DENIED BY A UNANIMOUS VOTE OF ALL MEMBERS PRESENT.**

Chairman

ZONING BOARD OF APPEALS, CITY OF BELLEVILLE, ILLINOIS

APPLICATION: CASE #29-MAY13 – MATHIS, MARIFAN, RICHTER

ADVISORY REPORT

Application Filed: 4/22/13

CASE #29-MAY13 – MATHIS, MARIFAN, RICHTER – A Sign Installation permit for the Area of Special Control in order to install one flush mounted, indirectly illuminated sign totaling approximately 85 square feet, at 23 Public Square, in a C-2 Heavy Commercial Zoning District. (Applicable portion of zoning code: 60-6-50.)

Present Zoning: C-2 Heavy Commercial Zoning District

Meeting Held: May 23, 2013

Publication in News Democrat: May 8, 2013

Supporters: none

Objectors: none

Aldermen Present: Alderman Hult

Witnesses having been sworn, evidence presented and the Board fully advised in the premises, the Board makes the following determinations:

- A. the proposed sign requires a sign installation permit for the Area of Special Control.
- B. the proposed sign is compatible with other signs in the Downtown area.
- C. the materials that will be used to construct the proposed sign are similar to other graphics in Area of Special Control.
- D. the proposed sign is similar in size and shape to that of other graphics in Area of Special Control.

Roger Wigginton made a motion to APPROVE the request and seconded by Rebecca Boyer, with all members present voting aye. Motion carried.

IT IS THEREFORE the recommendation of the Zoning Board of Appeals that the requested Sign Installation in Area of Special Control be **APPROVED BY A UNANIMOUS VOTE OF ALL MEMBERS PRESENT.**

Chairman

ZONING BOARD OF APPEALS, CITY OF BELLEVILLE, ILLINOIS

APPLICATION FOR AMENDMENT: CASE #30-MAY13 – TARA WAGNER

ADVISORY REPORT

Application Filed: 4/26/13

CASE #30-MAY13 – TARA WAGNER – Requesting a Use Variance in order to operate a massage therapy business from 215 N. Delaware Ave. located in an A-1 Single Family Zoning District. (Applicable portion of the zoning code: 60-6-4)

Present Zoning: A-1 Single Family Residential District

Meeting Held: May 23, 2013

Publication in News Democrat: May 8, 2013

Supporters: David Feld, 1718 E. C St.
Daryl Drennen, 609 Sycamore St.
Brandy Brown, 16 Kansas Ave.

Objectors: Rev. Arland Lester, 1806 E. C St.
Angie Weilmuenster, 301 N. Delaware
Herman McKenzie, 1800 E. C St.
Marvin Glaus, 1717 E. B St.
Jackie Shepard, 1801 E. B St.

Aldermen Present: Aldermen Heisler & Kinsella

Witnesses having been sworn, evidence presented and the Board fully advised in the premises, the Board makes the following determinations:

- A. The proposed variance is not consistent with the general purposes of this Code and
- B. strict application of the district requirements would not result in great practical difficulties of hardship to the applicant, and present a reasonable return on the property; and
- C. the proposed variance is not the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property; and
- D. the plight of the applicant is not due to peculiar circumstances not of his own making; and
- E. the peculiar circumstances engendering the variance request are applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and
- F. the variance, if granted, will alter the essential character of the area where the premises in question are located nor materially frustrate implementation of this municipality's comprehensive plan.

Roger Wigginton made a motion to DENY the request and seconded by Toni Togias, with all members present voting aye. Motion carried.

IT IS THEREFORE the recommendation of the Zoning Board of Appeals that the requested Use Variance be DENIED BY A UNANIMOUS VOTE OF ALL MEMBERS PRESENT.

Chairman

ZONING BOARD OF APPEALS, CITY OF BELLEVILLE, ILLINOIS

APPLICATION FOR AMENDMENT: CASE #31-MAY13 – RICKY RUHMAN

ADVISORY REPORT

Application Filed: 4/26/13

CASE #31-MAY13 – RICKY RUHMAN – Requesting a Use Variance in order to place a mobile office on the property to be used as a car dealership at 8421 Old St. Louis Rd. located in an A-1 Single Family Zoning District. (Applicable portion of the zoning code: 60-6-4)

Present Zoning: A-1 Single Family Residential District

Meeting Held: May 23, 2013

Publication in News Democrat: May 8, 2013

Supporters: none

Objectors: none

Aldermen Present: Alderman Musgrove

Witnesses having been sworn, evidence presented and the Board fully advised in the premises, the Board makes the following determinations:

- A. The proposed variance is not consistent with the general purposes of this Code and
- B. strict application of the district requirements would not result in great practical difficulties of hardship to the applicant, and present a reasonable return on the property; and
- C. the proposed variance is not the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property; and
- D. the plight of the applicant is not due to peculiar circumstances not of his own making; and
- E. the peculiar circumstances engendering the variance request are applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and
- F. the variance, if granted, will alter the essential character of the area where the premises in question are located nor materially frustrate implementation of this municipality's comprehensive plan.

Rebecca Boyer made a motion to DENY the request and seconded by Toni Togias, voting went as follows: Rebecca Boyer-aye, Tim Price-nay, Toni Togias-aye, Roger Wigginton-nay, Steve Zimmerman-nay, Chairman Nollman-aye. Motion does not carry; the case will go to council without a recommendation from the Zoning Board.

Chairman

ZONING BOARD OF APPEALS, CITY OF BELLEVILLE, ILLINOIS

APPLICATION FOR AMENDMENT: CASE #32-MAY13 – MICHAEL GOEDDEL

ADVISORY REPORT

Application Filed: 4/29/13

CASE #32-MAY13 – MICHAEL GOEDDEL – Requesting a Use Variance in order to use the property at 909/911 Prairie as a two family dwelling, located in an A-1 Single Family Zoning District. (Applicable portion of the zoning code: 60-6-4)

Present Zoning: A-1 Single Family Residential District

Meeting Held: May 23, 2013

Publication in News Democrat: May 8, 2013

Supporters: Barbara Woods, 126 Cindy Lane

Objectors: none

Aldermen Present: none

Witnesses having been sworn, evidence presented and the Board fully advised in the premises, the Board makes the following determinations:

- A. The proposed variance is consistent with the general purposes of this Code and
- B. strict application of the district requirements would result in great practical difficulties of hardship to the applicant, and present a reasonable return on the property; and
- C. the proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property; and
- D. the plight of the applicant is due to peculiar circumstances not of his own making; and
- E. the peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and
- F. the variance, if granted, will not alter the essential character of the area where the premises in question are located nor materially frustrate implementation of this municipality's comprehensive plan.

Roger Wigginton made a motion to APPROVE the request and seconded by Steve Zimmerman, voting went as follows: Rebecca Boyer-aye, Tim Price-aye, Toni Toggias-nay, Roger Wigginton-aye, Steve Zimmerman-aye, Chairman Nollman-aye. Motion carried.

IT IS THEREFORE the recommendation of the Zoning Board of Appeals that the requested Use Variance be **APPROVED BY A MAJORITY VOTE OF ALL MEMBERS PRESENT.**

Chairman

ZONING BOARD OF APPEALS, CITY OF BELLEVILLE, ILLINOIS

APPLICATION FOR AMENDMENT: CASE #33-MAY13 – CHET & KIM SHELTON

ADVISORY REPORT

Application Filed: 4/30/13

CASE #33-MAY13 – CHET & KIM SHELTON – Requesting a Use Variance in order to operate a child daycare center at 423 S. Illinois St. located in a C-2 Heavy Commercial Zoning District. (Applicable portion of zoning code: 60-6-50)

Present Zoning: A-1 Single Family Residential District
Meeting Held: May 23, 2013
Publication in News Democrat: May 8, 2013
Supporters: none
Objectors: none
Aldermen Present: none

Witnesses having been sworn, evidence presented and the Board fully advised in the premises, the Board makes the following determinations:

- A. The proposed variance is consistent with the general purposes of this Code and
- B. strict application of the district requirements would result in great practical difficulties of hardship to the applicant, and present a reasonable return on the property; and
- C. the proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship, and allow a reasonable return on the property; and
- D. the plight of the applicant is due to peculiar circumstances not of his own making; and
- E. the peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and
- F. the variance, if granted, will not alter the essential character of the area where the premises in question are located nor materially frustrate implementation of this municipality's comprehensive plan.

Steve Zimmerman made a motion to APPROVE the request and seconded by Rebecca Boyer, with all members present voting aye. Motion carried.

IT IS THEREFORE the recommendation of the Zoning Board of Appeals that the requested Use Variance be **APPROVED BY A UNANIMOUS VOTE OF ALL MEMBERS PRESENT.**

Chairman

MEMO

To: Mayor Mark Eckert
Dallas Cook, City Clerk

From: Engineering Department

Date: May 30, 2013

Re: Motion for City Council Agenda June 3, 2013

I. Citizens to Bellevue Park Bike Trail

Motion to approve the following right-of-way acquisitions:

Memorial Hospital	Donated right-of-way (\$111,500.00)
St. Henry's Roman Catholic Church	\$17,107.00
Catholic Diocese of Belleville	\$95,893.00
CASOD, Inc.	\$600.00
Jacqueline Brammer	\$2,505.00
Bouse Properties	\$300.00
Professional Resource Development	\$16,800.00

St Henry's & Belleville Diocese



Illinois Department of Transportation

Appraisal Report

Route _____
 Section _____
 County St. Clair

Project _____
 Job No. T22-110160
 Parcel 08-07.0-400-002 Unit _____

Take: Whole Partial Other _____
 Original Supplemental

Station: _____ to _____ Station: _____ to _____
 Station: _____ to _____ Station: _____ to _____

- In accordance with 49 CFR Part 24.103, attached is a complex non-complex appraisal, as set forth in the scope of work.
- Location and Address: 5401 West Main Street, Belleville, Illinois 62226
- Identification: St Clair County Parcel Number 08-07.0-400-002. See attached legal description
- Present Owner's Name, Address and Telephone No.: St Henry's & Althoff High School, 5401 West Main Street, Belleville, Illinois 62226 618-235-1100
- Tenant's or Lessee's Name, Address and Telephone No.: None

6. Person Interviewed: Principal David Harris

7. Interviewed by: Donna Howard

8. Farmland Preservation Act (pertains to fee takings and permanent easements): N/A
 CL _____ OC _____ HL _____ PL _____ FL _____ FS _____ RL _____ OL _____

9. Present Use: High School, Church and Daycare Highest and Best Use Before Taking: Institutional/Commercial
 Zoning: "A-2", Two-Family Residential Highest and Best Use After Taking: Institutional/Commercial

	Acres	Sq. Ft.
10. Area of Whole Property	32.96	1,435,738
Area to be Acquired in Fee Simple Title:	0.00	0
Area to be Acquired by New Dedication		
Area Acquired by Previous Dedication		
Area to be Acquired for Additional ROW		
Area to be Acquired by Permanent Easement	0.84722	36,905
Area to be Acquired by Temporary Easement	0.99679	43,420
Area of Remainder	32.96	1,435,738

11. Final Conclusion of Value Effective Date of Appraisal: 11/13/2012
 Fair Market Value of Whole Property -- LAND ONLY \$4,300,000
 For Partial Taking include the following:
 Fair Market Value of property taken (including improvements) as part of the whole \$ 0
 Fair Market Value of remainder as part of the whole before taking \$ 4,300,000
 Fair Market Value of remainder after taking as will be affected by contemplated improvements \$4,300,000
 Damage to Remainder \$ 0
 Compensation for Permanent Easement(s) \$ 100,000
 Compensation for Temporary Easement(s) 15,000
 Total Compensation \$ 113,000

Date of Signature: 11/26/2012

Donna Howard
 Signature of Appraiser

Type of License: Certified General License No. 553001267 Expiration Date: 9/30/2013

Checks made payable as follows:
 St. Henry's Roman Catholic Church of Belleville, St. Clair County, Illinois \$17,107.00
 The Catholic Diocese of Belleville \$95,893.00

Receipt and Disbursement Statement

Owner CASOD, LLC
 Job No. West Belleville Bike Trail
 Parcel No.

The City of Belleville, Illinois, (Grantee) acknowledges Receipt of the following:

(Check all that apply.)

- Warranty Deed covering 100 square feet
- Permanent Easement covering _____ acres
- Temporary Construction Easement covering 50 square feet

all located in St. Clair County, Illinois as right of way for the West Belleville Bike Trail dated March 9, 2013, executed by the undersigned Grantors.

Grantor and Grantee agree as follows:

1. The payment of the sum of Six Hundred Dollars (\$600.00) to Grantor as total consideration for the deed, by Grantee is subject to Grantee's approval of title and documentation and, if applicable, Grantee's final approval in accordance with Section 9.02 of the Illinois State Finance Act.
2. All improvements located, wholly or partially, on the parcel shall become the property of the City of Belleville, unless provided as follows:

None
3. Possession and transfer of title to the City occurs when Grantee delivers a warrant to Grantor, in person or to the address stated herein, in the amount of the above stated consideration, unless provided herein. Grantor shall have the sole responsibility and obligation to protect, preserve and maintain the parcel and improvements thereon until delivery of possession to Grantee.
4. Grantor directs Grantee to disburse the above stated consideration by warrant or by separate warrants as follows:

<u>Name*</u>	<u>TIN/FEIN/SSN</u>	<u>Address</u>	<u>Amount</u>
CASOD, LLC	37-1414109	5308 West Main St. Belleville, IL 62226	\$600.00
			\$
			\$

*If multiple names on the same warrant, list first and circle the name of the person or entity whose TIN/FEIN/SSN is entered above. If lien holder is to be paid by warrant, use Grantor's TIN or SSN.

BRAMMER

CMJP Properties

From: "joan brammer" <jb_rb79@yahoo.com>
To: "Craig Hiser" <cmjp@charter.net>
Sent: Wednesday, March 20, 2013 8:33 AM
Subject: Re: Counter Offer: 309 Bellevue Park Drive, Belleville, IL 62226
 Craig,

I just left you a voice mail message on your office & cell phone requesting a call back. I would like to discuss three items with you:

- 1) Patricia Grandcolas - Quit Claim Deed
- 2) Error on Commitment prepared by Commonwealth Land Title Insurance Corp
 - Schedule B; Section II; Exceptions; Item #16
 - Year(s) stated are incorrect
- 3) Counter Offer Status
 - City of Belleville written acceptance

I have appointments scheduled today but, would like to speak with you regarding above mentioned items.

Please call me today on my cell phone at 618.606.3371.

Thanks.

Joan Brammer

From: Craig Hiser <cmjp@charter.net>
To: joan brammer <jb_rb79@yahoo.com>
Cc: Craig Hiser <craig@cmjp.com>
Sent: Wednesday, March 13, 2013 9:18 AM
Subject: Re: Counter Offer: 309 Bellevue Park Drive, Belleville, IL 62226

You are correct...my mistake. I forgot to add the \$300 in for the TCE. It is \$2505 total. Sorry. I will await hearing back from you regarding the various paperwork. Thanks.

Craig Hiser
 CMJP Properties
 618.920.5700

Check made payable to: Jacqueline R. Brammer

joan brammer <jb_rb79@yahoo.com> wrote:

Craig,

Thank you for your response.

I want to bring to your attention the counter offer we made as stated in our email dated 3/11/13:

Counter Offer:

- 3,150 SF at \$2,205 (approx \$0.70 SF)
- Temporary Easement 10,145
- Item #19: Compensation for T.E. \$300

4/29/2013

Receipt and Disbursement Statement

Owner Bouse Properties, Inc.
 Job No. C-98-324-11
 Parcel No.

The City of Belleville, Illinois, (Grantee) acknowledges Receipt of the following:

(Check all that apply.)

- Warranty Deed covering _____ acres
- Permanent Easement covering _____ acres
- Temporary Construction Easement covering 67 square feet

all located in St. Clair County, Illinois as right of way for the West Belleville Bike Trail dated 3/11/13, executed by the undersigned Grantors.

Grantor and Grantee agree as follows:

1. The payment of the sum of THREE HUNDRED Dollars (\$300.00) to Grantor as total consideration for the deed, by Grantee is subject to Grantee's approval of title and documentation and, if applicable, Grantee's final approval in accordance with Section 9.02 of the Illinois State Finance Act.
2. All improvements located, wholly or partially, on the parcel shall become the property of the City of Belleville, unless provided as follows:

None
3. Possession and transfer of title to the City occurs when Grantee delivers a warrant to Grantor, in person or to the address stated herein, in the amount of the above stated consideration, unless provided herein. Grantor shall have the sole responsibility and obligation to protect, preserve and maintain the parcel and improvements thereon until delivery of possession to Grantee.
4. Grantor directs Grantee to disburse the above stated consideration by warrant or by separate warrants as follows:

<u>Name*</u>	<u>TIN/FEIN/SSN</u>	<u>Address</u>	<u>Amount</u>
Bouse Properties, LLC	26-1673874	772 Glenview Belleville, IL 62221	\$300.00
			\$
			\$

*If multiple names on the same warrant, list first and circle the name of the person or entity whose TIN/FEIN/SSN is entered above. If lien holder is to be paid by warrant, use Grantor's TIN or SSN.

Receipt and Disbursement Statement

Owner Professional Resource Development, Inc.
 Job No. C-98-324-11
 Parcel No.

The City of Belleville, Illinois, (Grantee) acknowledges Receipt of the following:

(Check all that apply.)

- Warranty Deed covering 1,036 square feet
- Permanent Easement covering square feet
- Temporary Construction Easement covering 518 square feet

all located in St. Clair County, Illinois as right of way for the West Belleville Bike Trail dated APRIL 10, 2013, executed by the undersigned Grantors.

Grantor and Grantee agree as follows:

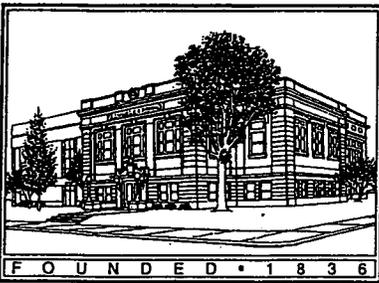
1. The payment of the sum of SIXTEEN THOUSAND EIGHT HUNDRED Dollars (\$16,800.00) to Grantor as total consideration for the deed, by Grantee is subject to Grantee's approval of title and documentation and, if applicable, Grantee's final approval in accordance with Section 9.02 of the Illinois State Finance Act.
2. All improvements located, wholly or partially, on the parcel shall become the property of the City of Belleville, unless provided as follows:

Owner will relocate their monument sign to a location outside of the acquisition area.

3. Possession and transfer of title to the City occurs when Grantee delivers a warrant to Grantor, in person or to the address stated herein, in the amount of the above stated consideration, unless provided herein. Grantor shall have the sole responsibility and obligation to protect, preserve and maintain the parcel and improvements thereon until delivery of possession to Grantee.
4. Grantor directs Grantee to disburse the above stated consideration by warrant or by separate warrants as follows:

<u>Name*</u>	<u>TIN/FEIN/SSN</u>	<u>Address</u>	<u>Amount</u>
Professional Resource Development, Inc.	20-0558118	1200 Network Centre Dr. Effingham, IL 62401	\$16,800.00
			\$
			\$

*If multiple names on the same warrant, list first and circle the name of the person or entity whose TIN/FEIN/SSN is entered above. If lien holder is to be paid by warrant, use Grantor's TIN or SSN.



BELLEVILLE PUBLIC LIBRARY

121 EAST WASHINGTON STREET • BELLEVILLE, ILLINOIS 62220 • TEL (618) 234-0441 • FAX (618) 234-9474

BELLEVILLE PUBLIC LIBRARY BOARD OF TRUSTEES RESOLUTION TO ESTABLISH A DEDICATED BANK ACCOUNT FOR

BELLEVILLE PUBLIC LIBRARY BOARD OF TRUSTEES

Upon a motion duly made, seconded, and unanimously carried, it was adopted that

A bank account shall be established and all funds previously designated for renovations in conjunction with and to include Illinois Public Library Construction Grant funds be deposited into this account. It is further resolved that all withdrawals and payments from this account be for the purpose of Construction related expenses.

RESOLVED, that the City Finance Director, Jamie Maitret, be authorized and directed to open a bank account for the Corporation with Commerce Bank, in the City of Belleville, which hereby is authorized to honor the deposits of the Corporation, and checks drawn against such deposits, signed by Dallas Cook, City Clerk, Dean Hardt, City Treasurer and Mark Eckert, Mayor, as long as there are funds in the account.

The undersigned, Mary Smith, certifies that he/she is the duly elected Secretary of this Corporation, and that the above is a true and correct copy of the resolution that was duly adopted at a meeting of the Board of Directors, which was held in accordance with State law and the Bylaws of the Corporation.

Dated: 5-28-2013

Carol Keeley
President

Mary L. Smith
Secretary

Greg R. Jolly, Trustee

Catherine D. Krebs, Trustee

Mary Graham Still, Trustee

_____, Trustee

TO OWNER: CITY OF BELLEVILLE, IL PROJECT: BELLEVILLE WRF LTCP APPLICATION NO: 34 Distribution to: 101 SOUTH ILLINOIS ST. 498 ENVIRONMENTAL DR PERIOD TO: 5/31/13 OWNER BELLEVILLE, IL 62220 BELLEVILLE, IL 62220-3248 PROJECT NOS.: 1017 ARCHITECT CONTRACTOR

FROM CONTRACTOR: KORTE & LUITJOHAN CONTR., INCA ARCHITECT: RANDY BURK CONTRACT DATE: 7468 12052 HIGHLAND RD. 4940 OLD COLLINSVILLE ROAD INVOICE NO: 1999 1999 HIGHLAND, IL 62249 SWANSEA, IL 62226 BELLEVILLE WRF LTCP

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

- 1. ORIGINAL CONTRACT SUM.....\$ 40,272,232.00
- 2. Net change by Change Orders\$ 1,176,300.54
- 3. CONTRACT SUM TO DATE (Line 1 + 2).....\$ 41,448,532.54
- 4. TOTAL COMPLETED & STORED TO DATE\$ 37,356,236.34 (Column G on G703)
- 5. RETAINAGE:
 - a. 4.75% of Completed Work \$ 1,562,420.01 (Columns D + E on G703)
 - b. 10% of Stored Material \$ 510,006.53 (Column F on G703)
- Total Retainage (Line 5a + 5b or Total in Column I of G703).....\$ 2,072,426.54
- 6. TOTAL EARNED LESS RETAINAGE.....\$ 35,283,809.80 (Line 4 less Line 5 Total)
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate).....\$ 34,840,706.80
- 8. CURRENT PAYMENT DUE\$ 443,103.00
- 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 6,164,722.74

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	1,176,300.54	0.00
Total approved this Month	0.00	0.00
TOTALS	1,176,300.54	0.00
NET CHANGES by Change Order	1,176,300.54	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: KORTZ & LUITJOHAN CONTR., INC.
 By: *[Signature]* Date: 5-28-13

State of: Illinois
 County of: Madison
 Subscribed and sworn to before me this 28th day of May, 2013
 OFFICIAL SEAL
 CHERYL KOERKENMEIER
 JUDICIAL OFFICER - STATE OF ILLINOIS
 MY COMMISSION EXPIRES: 03/04/15

Notary Public:
 My Commission expires: *[Signature]*

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED\$ 443,103.00
 (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT: TWM Date: 5-29-2013
 By: *[Signature]*
 This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CAUTION: You should use an original AIA document which has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reprinted.

CONTINUATION SHEET

AIA DOCUMENT G703 (Instructions on reverse side)

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification, is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

34

APPLICATION NO.:

5/31/2013

APPLICATION DATE:

5/31/2013

PERIOD TO:

1017

ARCHITECT'S PROJECT NO.:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD						
001	BOND & INSURANCE	588,932.00	588,932.00	0.00	0.00	0.00	588,932.00	100	0.00	28,521.98
005	GENERAL CONDITIONS	793,100.00	770,000.00	20,000.00	20,000.00	0.00	790,000.00	100	3,100.00	38,513.31
010	DEMOLITION	426,200.00	417,000.00	0.00	0.00	0.00	417,000.00	98	9,200.00	20,195.31
015	EROSION CONTROL @ SWMB (C10E)	983,600.00	913,970.00	0.00	0.00	0.00	913,970.00	93	69,630.00	44,263.57
017	AGGREGATE PIER REINFORCEMENT (421,400.00	421,400.00	0.00	0.00	0.00	421,400.00	100	0.00	20,408.40
020	EARTHWORK	592,000.00	588,000.00	0.00	0.00	0.00	588,000.00	99	4,000.00	28,476.84
021	CSO TO SWMB FM PIPING & SUPPOR	628,500.00	624,500.00	0.00	0.00	0.00	624,500.00	99	4,000.00	30,244.54
022	STORM SEWER	52,500.00	43,200.00	0.00	0.00	2,258.00	45,458.00	87	7,042.00	2,317.98
023	SANITARY SEWER	322,900.00	320,000.00	0.00	0.00	0.00	320,000.00	99	2,900.00	15,497.60
024	GRAVITY PROCESS PIPING (SITE)	1,353,600.00	1,337,400.00	6,000.00	6,000.00	3,630.66	1,347,030.66	100	6,569.34	65,423.93
025	WATERLINE	43,200.00	18,000.00	0.00	0.00	0.00	18,000.00	42	25,200.00	871.74
026	SITE CONCRETE & ACCESS DRIVES	962,300.00	557,700.00	10,000.00	10,000.00	0.00	567,700.00	59	394,600.00	27,493.71
027	MISC SITE FINISHES	177,200.00	161,000.00	0.00	0.00	0.00	161,000.00	91	16,200.00	7,797.23
028	MANHOLE STRUCTURES CAST / PRE-	342,000.00	316,500.00	20,000.00	20,000.00	0.00	336,500.00	98	5,500.00	16,296.70
030	COMMON CONCRETE ITEM - ALL STR	622,400.00	611,000.00	10,000.00	10,000.00	0.00	621,000.00	100	1,400.00	30,075.03
031	WEST TERMINAL LIFT STATION CON	653,500.00	653,500.00	0.00	0.00	0.00	653,500.00	100	0.00	31,649.01

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CONTINUATION SHEET

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In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO.: **34**
 APPLICATION DATE: **5/31/2013**
 PERIOD TO: **5/31/2013**
 ARCHITECT'S PROJECT NO.: **1017**

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
032	AERATION/CLARIFIER TANK CONC	1,488,100.00	1,488,100.00	0.00	0.00	0.00	1,488,100.00	0.00	72,068.68
033	LAB BUILDING CONCRETE	53,400.00	53,400.00	0.00	0.00	0.00	53,400.00	0.00	2,586.16
034	WEST UV / UV @ CHLORINE/PARSH	82,800.00	72,300.00	10,500.00	0.00	0.00	82,800.00	0.00	4,010.00
035	JUNC BOXES / CIP MH STRUCT / MA	202,500.00	163,000.00	0.00	0.00	0.00	163,000.00	39,500.00	7,894.09
036	SLUDGE TREATMENT BLD / DIGESTE	940,700.00	665,900.00	6,000.00	0.00	180,368.00	852,268.00	88,432.00	50,576.92
037	CSO LIFT STATION / VALVE VAULT	932,700.00	932,700.00	0.00	0.00	0.00	932,700.00	0.00	45,170.66
038	SWMB CONCRETE STRUCTURES / FND	704,700.00	704,700.00	0.00	0.00	0.00	704,700.00	0.00	34,128.62
039	GARAGE / STORAGE FACILITY CONC	132,000.00	132,000.00	0.00	0.00	0.00	132,000.00	0.00	6,392.76
040	FLOOD WALL	290,700.00	270,000.00	5,000.00	0.00	0.00	275,000.00	15,700.00	13,318.25
048	MASONRY	602,400.00	547,150.00	40,000.00	0.00	0.00	587,150.00	15,250.00	28,435.67
050	STRUCTURAL/MISC STEEL	1,562,200.00	1,295,300.00	15,000.00	0.00	10,000.00	1,320,300.00	241,900.00	64,457.83
053	CONCRETE REINFORCING	1,127,200.00	1,118,500.00	0.00	0.00	7,000.00	1,125,500.00	1,700.00	54,868.96
061	ROUGH CARPENTRY	17,500.00	17,500.00	0.00	0.00	0.00	17,500.00	0.00	847.53
070	THERMAL & MOISTURE PROTECTION	152,500.00	142,140.00	3,500.00	0.00	0.00	145,640.00	6,860.00	7,053.35
080	DOORS & WINDOWS	244,900.00	221,130.00	0.00	0.00	3,900.00	225,030.00	19,870.00	11,099.33
090	FINISHES	494,600.00	305,320.00	8,000.00	0.00	0.00	313,320.00	181,280.00	15,174.09
100	SPECIALTIES	19,800.00	6,330.00	0.00	0.00	0.00	6,330.00	13,470.00	306.56



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APPLICATION NO.: 34
 APPLICATION DATE: 5/31/2013
 PERIOD TO: 1017
 ARCHITECT'S PROJECT NO.: 1017

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE) RATE
			FROM PREVIOUS APPLICATION (D + E)	% (G ÷ C)					
120	LAB CASEWORK & FURNISHINGS	42,600.00	42,600.00	0.00	0.00	0.00	42,600.00	0.00	2,063.12
140	CRANES & HOISTS	83,800.00	73,600.00	0.00	0.00	0.00	73,600.00	10,200.00	3,564.45
155	PLUMBING - DOMESTIC	90,700.00	82,450.00	6,335.00	0.00	0.00	88,785.00	1,915.00	4,299.86
157	HVAC	191,200.00	160,000.00	0.00	0.00	10,000.00	170,000.00	21,200.00	8,748.80
160	ELECTRICAL / CONTROLS	5,230,100.00	4,238,478.00	64,200.00	0.00	265,000.00	4,567,678.00	662,422.00	234,878.70
200	ALL PROCESS EQUIPMENT	9,116,000.00	4,351,600.00	400,000.00	0.00	4,003,539.20	8,755,139.20	360,860.80	630,473.91
210	BAR SCREENS & SLIDE GATES - IN	44,000.00	36,000.00	4,000.00	0.00	0.00	40,000.00	4,000.00	1,937.20
220	SEWAGE & WATER PUMPS - INSTALL	80,300.00	24,000.00	0.00	0.00	0.00	24,000.00	56,300.00	1,162.32
230	CHEM FEED / BLOWER EQ - LAB BL	19,900.00	17,000.00	0.00	0.00	0.00	17,000.00	2,900.00	823.31
240	UV DISINFECTION SYSTEM	19,000.00	5,000.00	0.00	0.00	0.00	5,000.00	14,000.00	242.15
250	SLUDGE COMPACTORS AND CONVEYOR	16,900.00	10,000.00	0.00	0.00	0.00	10,000.00	6,900.00	484.30
270	AERATION & CLARIFIER TANK EQUI	97,800.00	84,800.00	0.00	0.00	0.00	84,800.00	13,000.00	4,106.86
272	SLUDGE TREATMENT EQUIPMENT INS	169,200.00	36,000.00	0.00	0.00	0.00	36,000.00	133,200.00	1,743.48
274	SWMB PROCESS EQUIPMENT	71,500.00	67,600.00	0.00	0.00	0.00	67,600.00	3,900.00	3,273.87
280	PROCESS MECHANICAL PIPING & MA	6,987,200.00	4,891,328.00	147,500.00	0.00	614,369.42	5,653,197.42	1,334,002.58	305,467.38
901	CO#1 5 ITEMS	96,493.51	96,493.51	0.00	0.00	0.00	96,493.51	0.00	4,673.18

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APPLICATION NO.: 34
 APPLICATION DATE: 5/31/2013
 PERIOD TO: 5/31/2013
 ARCHITECT'S PROJECT NO.: 1017

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE) RATE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
902	CO#2 TEMP CASING OF AGG PIERS	143,357.15	143,357.15	0.00	0.00	0.00	143,357.15	0.00	6,942.79
903	CO#3 PIPE, DEMO SHED, ENLARGE G	63,040.00	58,800.00	2,000.00	2,000.00	0.00	60,800.00	2,240.00	2,944.54
904	CO#4 ITEMS A-E	25,299.40	21,907.40	0.00	0.00	0.00	21,907.40	3,392.00	1,060.98
905	CO#5 BASINS, CANOPIES, BORE, IN ST	500,153.00	257,500.00	21,650.00	21,650.00	0.00	279,150.00	221,003.00	13,519.23
9006	CO#6 ADD 7 ITEMS	102,438.48	50,000.00	5,000.00	5,000.00	0.00	55,000.00	47,438.48	2,663.65
9007	CO#7 FTG DIGESTER/NON POTABLE	39,119.00	19,000.00	0.00	0.00	0.00	19,000.00	20,119.00	920.17
9008	CO#8 DIGESTER FOOTING REV'S	206,400.00	206,400.00	0.00	0.00	0.00	206,400.00	0.00	9,995.95
		41,448,532.54	31,451,486.06	804,685.00	804,685.00	5,100,065.28	37,356,236.34	4,092,296.20	2,072,426.54

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Invoice

Thouvenot, Wade, & Moerchen Inc.
 Exceptional Service.
 Nothing Less.

ENGINEERS • LAND SURVEYORS • PLANNERS



May 29, 2013
 Project No: E04090576
 Invoice No: 49637

Royce Carlisle
 City of Belleville
 Wastewater Treatment Facility
 498 Environmental Drive
 Belleville, IL 62220

Project E04090576 Belleville - 2010 WRF Bid Phase Work and Construction Observation

Consulting Services from April 15, 2013 to May 17, 2013

Phase 001 General Services
 Contract Amount \$1,438,000.00
 Previous Invoices against Contract \$1,184,095.75
 Amount Due this Invoice against Contract \$12,390.75
 Balance of Contract after this Invoice \$241,513.50

Note: These fees are IEPA reimbursable.
 Review by: Royce Carlisle

Professional Personnel

Professional Personnel	Hours	Rate	Amount
Project Engineer II	16.25	103.00	1,673.75
Project Engineer I	70.75	95.00	6,721.25
Project Manager IV	17.75	126.00	2,236.50
Structural Engr V	4.75	143.00	679.25
Senior Electrical Designer	9.25	102.00	943.50
Technician V	1.75	78.00	136.50
Totals	120.50		12,390.75

Total Labor

Total this Phase \$12,390.75
 Total this Invoice \$12,390.75

Please Remit Payment to: Thouvenot, Wade, and Moerchen Inc.- 494 Old Collinsville Road - Swansea IL 62226
 Customer agrees to pay service charge of 1 1/2% (18% annual) against accounts more than 30 days past due.
 Please return a copy of this invoice with payment.
 Telephone 618.624.4488 Fax 618.624.6688

DEVELOPMENT AGREEMENT

This agreement made this 3rd day of June, 2013 by and between the City of Belleville, Illinois (the "City") and John D. Conkright Trust and Conkright, Inc. ("John D. Conkright Trust and Conkright, Inc."):

WITNESSETH:

WHEREAS, John D. Conkright Trust and Conkright, Inc. intends on investing a minimum of \$500,000.00 to complete purchase, remodeling and façade improvements at the existing facilities located at 116 & 120 East Main Street in Belleville (the "Project"); and

WHEREAS, the parties have reached an agreement in order to set forth the terms upon which the City would provide certain economic incentives for the Project and the terms upon which John D. Conkright Trust and Conkright, Inc. would provide jobs at said location.

Responsibilities of the City of Belleville

1. Purchase Parcel #08-22.0-338-036 from John D. Conkright Trust for the sum of \$185,000.00 to be paid over two (2) City fiscal years.
2. Purchase Parcels #08-22.0-338-037 & 08-22.0-338-038 from John D. Conkright Trust for the collective sum of \$75,000.00 to be paid over two (2) City fiscal years.
3. Demolish the existing building located on Parcel #08-22.0-338-036 and expand the existing City parking lot.
4. Reserve six (6) parking stalls on parcel #08-22.0-338-042 for Ben's employees.
5. Allow truck access in City parking lot for deliveries at Ben's.
6. Certification of project's location in Belleville Enterprise Zone for the Abatement of Sales Tax on Building Materials used exclusively for the remodeling and facade improvements (Savings estimated at \$15,000.00) of the existing facilities located at 116 & 120 East Main Street.
7. Rebate 50% of incremental property taxes directly related to improvements at 116 & 120 East Main Street for five (5) years.
8. Façade improvement reimbursement of 20% (Reimbursement estimated at \$15,000.00) of cost of façade improvements for three (3) facades, after documentation of costs incurred has been received and approved by the City of Belleville.

Responsibilities of John D. Conkright Trust and Conkright, Inc..

- A. Commit to sell Parcels #08-22.0-338-036 to the City of Belleville for the sum of \$185,000 to be paid over two (2) City fiscal years, with no interest charges, and;
- B. Commit to sell Parcels #08-22.0-338-037 & 08-22.0-338-038 to the City of Belleville for the collective sum of \$75,000.00 to be paid over two (2) City fiscal years, with no interest charges, and;
- C. Commit to a private investment at 116 & 120 East Main Street of no less than \$500,000.00 including but not limited to the purchase, remodeling and façade improvements at 116 & 120 East Main Street no later than February 28, 2014, and;
- D. Commit to new sales subject to sales tax within the first year of no less than \$300,000.00, and;

- E. Commit to retain five (5) jobs, and;
- F. Commit to create one (1) job within the first year of operation, and;
- G. John D. Conkright Trust and Conkright, Inc. and any heirs and/or successors shall commit to remain and operate at the site for no less than ten (10) years, and;
- H. Compliance with all existing and applicable Federal, State, County and Local laws and ordinances.

Penalties

In the event that John D. Conkright Trust and Conkright, Inc. fail to meet their obligations under Sections (A), (B), (C), (D), (E), (F), (G) or (H) of the section entitled "Responsibilities of John D. Conkright Trust and Conkright, Inc." of the Development Agreement, all public funds provided under (6), (7) and (8) of the section entitled "Responsibilities of the City of Belleville" received to date as per the Development Agreement from the City of Belleville shall be repaid to the City of Belleville and all remaining amounts to be provided if any, shall be terminated.

Miscellaneous

1. Entire Agreement. This Agreement and any written amendments hereto shall constitute the entire agreement between the parties. Neither party shall be bound by any terms, conditions, statements or representations, not herein contained. Each party hereby acknowledges that in executing this Agreement it has not been induced, persuaded or motivated by any promise or representation made by the other party, unless expressly set forth herein. All previous negotiations, statements and preliminary agreements by the parties or their representatives are merged in this Agreement.
2. Validity. It is understood and agreed by the parties hereto that if any part, term, or provision of this Agreement is held by a court of law to be illegal or in conflict with any law of the State of Illinois, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.
3. Notices. Notices, or other communications required or which may be given under this Agreement shall be in writing, and delivered either personally, or by certified or registered mail, to the addresses indicated for each party below after their respective signatures, or to such other address as designated by a party similar notice to the other party. Date of notice shall be the date of delivery in the case of delivered notice or the date of posting in the mail in the case of mail notice.
4. Signage. Agree to allow City to place on the premises a sign indicating financial assistance has been provided by the City of Belleville for a minimum of fifteen (15) days each before and after opening of the facility.
5. Current with Payments. Agree to pay in full the City of Belleville on any outstanding invoices containing the name or names of the individual, company and/or corporation receiving the said inducements.
6. Execution of Agreement. If this agreement is not fully executed within sixty (60) days of City Council approval, it shall be considered null and void.

7. Prevailing Wage. Projects receiving incentives/inducements from the City of Belleville will be required to comply with the President's executive order no. 11246, as amended (prevailing wage).
8. Request of Payment. The party receiving inducements must officially request payment from the City. This must be done via letter to include documentation of private investment, jobs created, etc. as outlined in the section titled "Responsibilities of John D. Conkright Trust and Conkright, Inc.".

CITY OF BELLEVILLE, ILLINOIS
City Hall
101 South Illinois Street
Belleville, Illinois 62220

By: _____
MAYOR

ATTEST: _____
CITY CLERK

John D. Conkright Trust &
Conkright, Inc.
112 East Main Street
Belleville, IL 62220

By: _____
John Conkright

By: _____
Beth Wamble

RESOLUTION #3140

PERMIT RESOLUTION

WHEREAS, the City of Belleville, located in the County of St. Clair, State of Illinois, wishes to install and to maintain two 48-inch force mains, according to conditions and restrictions of Permit No. 8-28631, within the right of way of FAU 9251 (IL 13/158) and FA 600 (IL 159), which by law comes under the jurisdiction and control of the Department of Transportation of the State of Illinois; and,

WHEREAS, a permit from said Department is required before said work can be legally undertaken by said City of Belleville; now,

THEREFORE, be it resolved by the City of Belleville, County of St. Clair, State of Illinois:

FIRST: That we do hereby request from the Department, State of Illinois, a permit authorizing the City of Belleville to proceed with the work herein described.

SECOND: That we hereby pledge the good faith of the City Council of the City of Belleville AND guarantee that all work shall be performed in accordance with the conditions of the permit to be granted by the Department of Transportation of the State of Illinois; and, to hold the State of Illinois, Department of Transportation, harmless on account of any damages that may occur to persons or property during the prosecution of such work; and, assume all liability for damages to persons or property due to accidents or otherwise by reason of the work which is to be performed under the provisions of said permit.

THIRD: That the proper officers of the City Council are hereby instructed and authorized to sign said permit in behalf of the City of Belleville.

I, _____, hereby certify the above to be a true copy of the Resolution passed by the _____, County of _____, State of Illinois.

Dated this _____ day of _____, A. D., 2013.

City Clerk

CORPORATE SEAL

28631permitresolution.doc



Public Improvement Yes No
IDOT Permit No. 8-28631
Utility Reference No. _____

I (We) _____ City of Belleville _____, _____ 101 S. Illinois Street
Name of Applicant Mailing Address

_____ Belleville _____, _____ IL 62220 _____, hereinafter termed the Permittee.
City State & Zip

request permission and authority to occupy, and to do certain work herein described on, the right-of-way of the State highway
known as _____, Section _____,
from _____ to _____ in _____ County.

The work is described in detail below and/or on the attached sketch or plans.

See attached sheet

This permit covers the operation and presence of specified equipment, material or facility on the right-of-way that may be related to the authorized work. A copy of this permit must be present when crews or equipment occupy highway right-of way. Failure to comply may result in the cessation of all construction.

This permit is subject to conditions and restrictions of Part 530 of Title 92 of the Illinois Administrative Code, Accommodation of Utilities on Right-of-Way of the Illinois State Highway System. The removal, relocation or modification of facilities permitted to occupy the right-of-way is governed by Section 9-113 of the Illinois Highway Code, as amended by Public Act 92-0470. The Permittee agrees to comply with the requirements of these laws and with all terms and conditions established by this permit. This permit is subject to revocation by the Department on violation of the terms and conditions governing its use.

Signature of Agent for Permittee Date

Name of Permittee (Print or Type)

Mailing Address

City State Zip

The work authorized by this permit shall be completed by _____ or within 360 days after the date of approval by the Department, otherwise the permit will be considered null and void.

Public Improvement Projects only: The anticipated letting date is _____

This permit allowing occupancy and work on state right-of-way is approved. The Utility Coordination Council established by the Department in the area covered by this permit is District 8 Utility Coordinating Council.

Department of Transportation Date

8-28631 Utility Permit (Continued)

The work is described in detail below and/or on the attached sketch or plans. (Continued)

FAU 9251 (IL Route 13/158)
Section 26,28RS
Station 245+70±

FA 600 (IL Route 159)
Section 45,46RS-2
Station 14+85±

St. Clair County

To have installed and to maintain two 48-inch pvc force mains, under and across the right of way of the above mentioned Routes and Section.

All work to be performed in accordance to the plans as prepared by Thouvenot, Wade & Moerchen, Inc., Project No. E04110194.

No pavement or drainage facilities to be disturbed.

including but not limited to the following:

- (1) The applicant represents all parties in interest and shall furnish material, do all work, pay all costs and shall in a reasonable length of time restore the damaged portions of the highway to a condition similar or equal to that existing before the commencement of the described work, including any landscape restoration necessary. (See Section 530.250 of Title 92).
- (2) The proposed work shall be located and constructed to the satisfaction of the Regional Engineer or his duly authorized representative. No revisions or additions shall be made to the proposed work on the right-of-way without the written permission of the Regional Engineer or his duly authorized representative (See Section 530.200 of Title 92). In certain circumstances the Department may require that the construction plans and/or the as-built documents be sealed by an Illinois Registered Professional Engineer. Typical of such projects would be petroleum or gas pipelines.
- (3) The applicant shall at all times conduct the work in such a manner as to minimize hazards to vehicular and pedestrian traffic. All signs, barricades, flaggers etc., required for traffic control shall be furnished by the applicant. (See Section 530.240 of Title 92).
- (4) The applicant must ascertain the presence of Highway Authority Agreements established in accordance with 35 Ill. Admin. Code Section 742.1020 in the path of its proposed installation and take precautions to protect its workers, human health and the environment in those areas. (See Section 530.240 of Title 92). Where contamination is encountered through excavation in the ROW, it should be managed offsite and IDOT's generator number for the appropriate county may be used.
- (5) The applicant shall not trim, cut or in any way disturb any trees or shrubbery along the highway without the approval of the Regional Engineer or his duly authorized representative. (See Section 530.600 of Title 92).
- (6) The facilities authorized to occupy the right-of-way by this permit are subject to removal, relocation or modification by the permittee at no expense to the State on notice given by the Department in accordance with Section 9-113 of the Illinois Highway Code, as amended. Participation by the permittee in the UTILITY Coordination Council identified on page one of this permit is required as a condition of this permit. Permittee shall cooperate with the Department with the scheduling of any removal, relocation or modification deemed necessary for highway or highway safety purposes, and, if Utility Coordination Council participation is required by this permit, with the activities of the council identified on the first page of this permit. (See Section 9-113 of the Illinois Highway Code.) Use of and compliance with current IDOT Traffic Control Standards will be required.
- (7) If the applicant and the District cannot agree either on whether the permit should be issued or on what conditions would be appropriate, the applicant may, within 30 days of the issuance of written notice of the District's position, appeal the District's determination to the Chief of the Department's Central Bureau of Operations. (See Section 530.900 of Title 92).
- (8) The permittee agrees to fully comply with the following legal obligations in advance of entering and while upon any Right-of-way within the Illinois State Highway System.
 - a) Only a permit issued by the Department under this Part will satisfy the "written consent" requirement of Section 9-113 of the Illinois Highway Code (the Code).
 - b) A permit from the Department grants a license only to undertake certain activities in accordance with this Part on a State right-of-way, and does not create a property right or grant authority to the permittee to impinge on the rights of others who may have an interest in the right-of-way. Such others might include an owner of an underlying fee simple interest if the right-of-way is owned as an easement or dedication of right of way, an owner of an easement, or another permittee.
 - c) It shall be the responsibility of the permittee to ascertain the presence and location of existing above-ground or underground facilities on the highway right-of-way to be occupied by their proposed facilities. The Department will make its permit records available to a permittee for the purpose of identifying possible facilities. When notified of an excavation or when requested by the Department, a permittee shall locate, physically mark, and indicate the depth of its underground facilities within 48 hours excluding weekends and holidays.
 - d) The permittee shall avoid conflicts with any existing underground or above-ground facilities on or near the highway right-of-way. Both the Department and J.U.L.I.E. are to be contacted for assistance during the application process.
 - e) The permittee shall comply with all other applicable laws relating to the placement of utility lines.
 - f) The issuance of a utility permit by the Department does not excuse the permittee from complying with any existing statutes, local regulations or requirements of other Department (e.g., oversize and overweight vehicles) or the requirements of other State agencies including, but not limited to, the following:

 Illinois Commerce Commission, Illinois Department of Agriculture
 Illinois Department of Natural Resources, Illinois Department of Mines and Minerals
 Illinois Environmental Protection Agency, Illinois Historic Preservation Agency
 - g) Rights of abutting and underlying property owners are protected by common law and Sections 9-113 and 9-127 of the Code. The permittee will address these rights prior to initiating activities on State right-of-way. The Department will not be a party in any negotiations between the utility and abutting property owners.
 - h) In no case shall the permit give or be construed to give an entity any easement, leasehold or other property interest of any kind in, upon, under, above or along the State highway right-of-way.
 - i) Each person responsible for a utility, in place on the effective date of this Part, on a State highway right-of-way shall notify the Department in writing, if that facility does not comply with this Part. The Department shall treat such a notice as a request for a variance under Section 530.130. Until informed that a variance will not be granted, a person responsible for a pre-existing utility will not be in violation of this Part. The failure to provide such notice constitutes a violation of this Part and of the utility accommodation permit (if any) and would justify the imposition of the sanctions set forth in Section 530.810.

Work to be coordinated with Department Representatives:

Mr. Lance Dawson

Phone (618) 346-3203

Illinois Department of Transportation

Phone ()

1102 Eastport Plaza Drive, Collinsville, IL 62234-6198

Utility Contact Person:

ERIC HEINLEIN

Phone (618) 624-4019

Work to be done by:

Contractor:

Daytime Phone: () Emergency Phone: ()

Traffic control operation:

Number of lane closures: Time of closures:

DISTRICT 8 UTILITY PERMIT SHEET
APPLICABLE TO
PERMIT NO. 8-28631

Attached is a copy of TYPICAL APPLICATION OF TRAFFIC CONTROL DEVICES HIGHWAY CONSTRUCTION AND MAINTENANCE, Standard No. 701006-03. This Standard is being attached to aid you in selecting the correct Application of Traffic Control to meet the conditions of your construction and does not relieve you of your responsibility of having the correct Traffic Control Devices if the above Standard does not fit your situation. If you have any questions concerning Traffic Controls, please contact the Utility Permit Technician, Phone No. 618-346-3203.

The STATE OF ILLINOIS, DIVISION OF HIGHWAYS, shall in no way be held liable for any accidental breakage or damage to any installations that are installed within the State's right-of-way due to any maintenance work or operations of the DIVISION.

The applicant will be responsible for determining location of and protecting State-owned facilities including buried facilities and will be responsible for the cost of repair or replacement of any such facilities damaged as a result of the work covered herein.

Clean-up of the State's right-of-way shall immediately follow construction operations as the job progresses; and, shall not be left until all construction is completed. Maintenance of trenches, filling of settlement, cleaning out eroded dirt from highway ditches and drainage structures shall be a continuous operation. Upon completion of the work covered by this permit, final grading, reseeding, resodding, or any other requirements to restore the right-of-way to a condition equivalent to that which existed prior to the commencement of work shall be completed.

The casings crossing under the pavement shall be installed by means of boring at a depth of at least 36" below the elevation (bottom of pavement) of the highway pavement and/or flow lines of ditches. The minimum length of bore shall extend a distance of 10' beyond the outer edges of the highway pavement.

Work shall be carried on in such a manner that traffic shall have full and unobstructed use of the pavement since actual construction work does not involve work in the traffic lanes.

Immediately after the force main installation, all excavation within the limits of the highway right-of-way shall be completely backfilled. The backfill shall be placed in layers of not over 6" each layer to be firmly tamped into place.

The Department is not a member of JULIE and does not locate its own facilities (such as underground conduit and/or cable for traffic signals or highway lighting). The applicant, at his/her own expense, must obtain the services of a qualified electrical contractor to locate such state-owned facilities.

Standard 701006

When the work operation requires four or more work vehicles enter through traffic lanes in a one hour period, a flagger shall be provided and a "FLAGGER" sign shall be substituted for the "WORKER" sign. [SS pg. 579 / 701.18(a)]

Various Specifications:

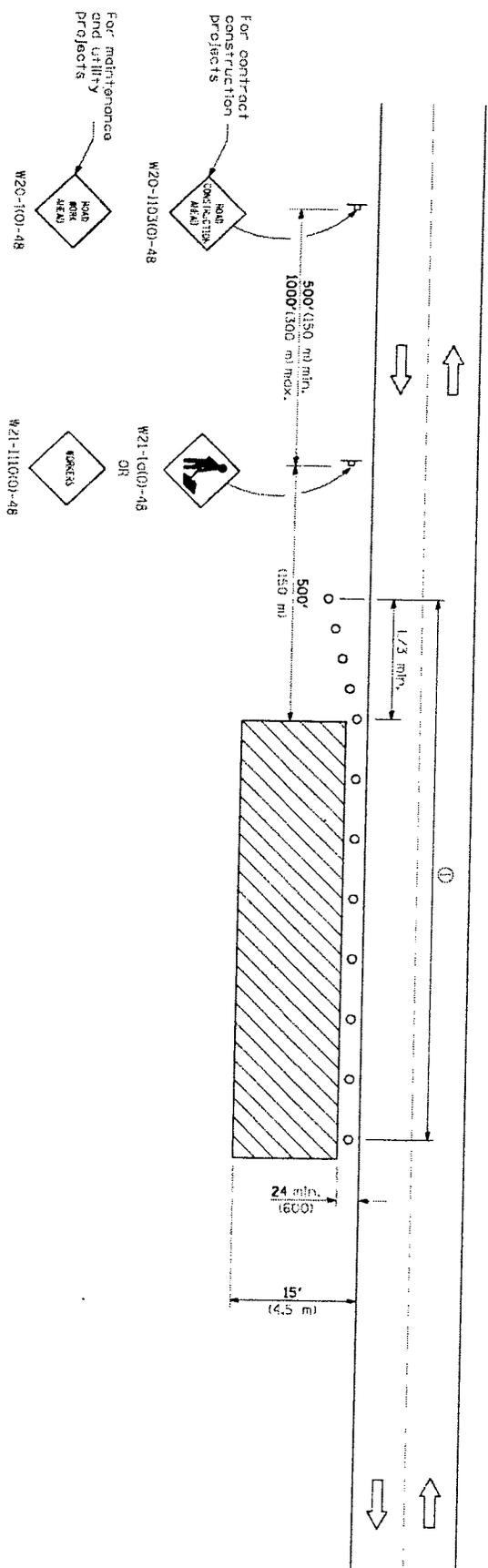
1. The Contractor shall keep all equipment, material, and vehicles off the pavement and shoulders on the side of the pavement which is open to traffic. ... At any location on existing pavements less than three lanes in width, the sequence of construction shall limit operations to one side of the pavement. [SS pg. 570 / 701.08]
2. Longitudinal dimensions shown on the plans for the placement of signs may be increased up to 100 ft. (30 m) to avoid obstacles, hazards, or to improve sight distance, when approved by the Engineer. [SS pg. 573 / 701.14]

General Information:

If the work operation does not exceed 60 minutes, traffic may be in conformance with STANDARD 701301.

FOR INFORMATIONAL USE ONLY

Illinois Department of Transportation
 APPROVED: [Signature] 2003
 ENGINEER OF OPERATIONS
 APPROVED: [Signature] 2003
 PROJECT NO. I-55/100-48
 ISSUED 1-1-97



TYPICAL APPLICATIONS

- Utility operations
- Culvert extensions
- Side slope changes
- Barrel or post installation and maintenance
- Reinforcing operations
- Shoulder repair
- Sign installation and maintenance

SYMBOLS

- Work area
- Sign
- Cone, drum or barricade

① When the work operation exceeds one hour, cones, drums or barricades shall be placed at 25' (8 m) centers for 1/3 distance, and at 50' (15 m) centers through the remainder of the work area.

GENERAL NOTES

This standard is used where any vehicles, equipment, workers or their activities will encroach in the area 15' (4.5 m) to 24' (600) from the edge of pavement.

Calculations as follows:

SPEED LIMIT	FORMULAS
40 mph (70 km/h) or less	$L = \frac{WS^2}{20}$ $L = \frac{WS^2}{15.2}$
45 mph (80 km/h) or greater	$L = \frac{WS^2}{15}$ $L = \frac{0.65WS^2}{15.2}$

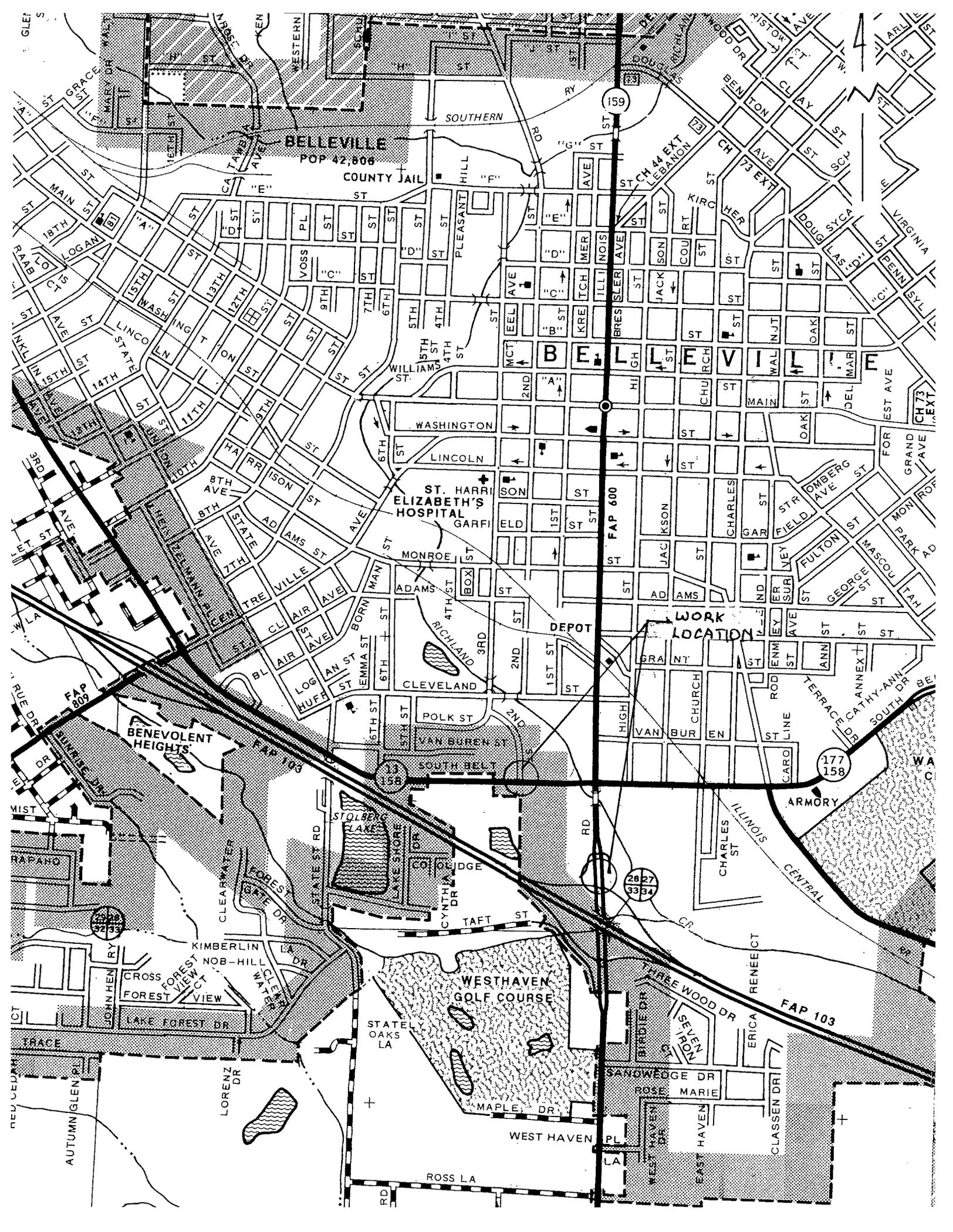
W = Width of offset
 S = Normal posted speed
 mph (km/h)

All dimensions are in inches (millimeters) unless otherwise shown.

DATE	REVISIONS
1-1-03	Switched units to English metric
1-1-05	Corrected sign No.'s, revised dimensions, and sign spacing.

OFF-RD OPERATIONS, 2L, 2W, 15' (4.5 m) TO 24" (600 mm) FROM PAVEMENT EDGE

STANDARD 701006-03



ORDINANCE NO. 7690

A ZONING ORDINANCE IN RE CASE #29MAY13
Mathis, Marifian, Richter

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.

THE CITY OF BELLEVILLE IS NOW OPERATING UNDER THE PROVISIONS OF THE ILLINOIS MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

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

Whereas, an application has been filed requesting a Sign Installation permit for the Area of Special Control in order to install one flush mounted, indirectly illuminated sign totaling approximately 85 square feet at 23 Public Square, in a C-2 Heavy Commercial Zoning District. (Applicable portion of zoning code: 60-6-50).

Whereas, a public hearing has been held before the City's Zoning Board of Appeals which has issued its advisory report.

NOW, THEREFORE, be it ordained by the City Council of the City of Belleville, Illinois as follows:

Section 1. That the application requesting a Sign Installation permit for the Area of Special Control in order to install one flush mounted, indirectly illuminated sign totaling approximately 85 square feet at 23 Public Square, in a C-2 Heavy Commercial Zoning District is hereby granted. (Applicable portion of zoning code: 60-6-50).

Section 2. That conflicting ordinances or pertinent portions thereof in force at the time of this ordinance takes effect are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval and publication, all as provided by law.

PASSED by the City Council of the City of Belleville, Illinois, on this _____ day of _____, 2013 on the following roll call vote:

	<u>AYE</u>	<u>NAY</u>
Michael Heisler	_____	_____
Ken Kinsella	_____	_____
Janet Schmidt	_____	_____
Melinda Hult	_____	_____
Kent Randle	_____	_____
Arnold "Gabby" Rujawitz	_____	_____
Johnnie Anthony	_____	_____
Joseph W. Hayden	_____	_____
Phillip Silsby	_____	_____
Paul Seibert	_____	_____
Bob White	_____	_____
Lillian Schneider	_____	_____
Trent Galetti	_____	_____
Joe Orlet	_____	_____
James Musgrove	_____	_____

APPROVED by the Mayor of the City of Belleville, Illinois this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. 7691

A ZONING ORDINANCE IN RE CASE #33MAY13

Chet & Kim Shelton

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.

THE CITY OF BELLEVILLE IS NOW OPERATING UNDER THE PROVISIONS OF THE ILLINOIS MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

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

Whereas, an application has been filed requesting a use Variance in order to operate a child daycare center at 423 S. Illinois St. located in a C-2 Heavy Commercial Zoning District (Applicable portion of zoning code: 60-6-50).

Whereas, a public hearing has been held before the City's Zoning Board of Appeals which has issued its advisory report.

NOW, THEREFORE, be it ordained by the City Council of the City of Belleville, Illinois as follows:

Section 1. That the application requesting a use Variance in order to operate a child daycare center at 423 S. Illinois St. located in a C-2 Heavy Commercial Zoning District is hereby granted. (Applicable portion of zoning code: 60-6-50).

Section 2. That conflicting ordinances or pertinent portions thereof in force at the time of this ordinance takes effect are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval and publication, all as provided by law.

PASSED by the City Council of the City of Belleville, Illinois, on this _____ day of _____, 2013 on the following roll call vote:

	<u>AYE</u>	<u>NAY</u>
Michael Heisler	_____	_____
Ken Kinsella	_____	_____
Janet Schmidt	_____	_____
Melinda Hult	_____	_____
Kent Randle	_____	_____
Arnold "Gabby" Rujawitz	_____	_____
Johnnie Anthony	_____	_____
Joseph W. Hayden	_____	_____
Phillip Silsby	_____	_____
Paul Seibert	_____	_____
Bob White	_____	_____
Lillian Schneider	_____	_____
Trent Galetti	_____	_____
Joe Orlet	_____	_____
James Musgrove	_____	_____

APPROVED by the Mayor of the City of Belleville, Illinois this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. 7692

AN ORDINANCE ADOPTING THE PREVAILING WAGE RATE

Whereas, the State of Illinois has enacted an Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public body or any political subdivision or by any one under contract for public works, approved June 26, 1941, as amended, (820 Illinois Compiled Statutes, 130/0.01, et seq. as amended by Public Acts 86-799 and 86-693); and

Whereas, the aforesaid Act requires that the City of Belleville of the County of St. Clair investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of said City of Belleville employed in performing construction of public works, for said City of Belleville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVILLE, ILLINOIS:

Section 1: To the extent and as required by An Act regulating wages of laborers, mechanics and other workers employed in any public works by State, county, city of any public body or any political subdivision or by any one under contract for public works, approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the City of Belleville is hereby ascertained to be the same as the prevailing rate of wages for construction work in St. Clair County area as determined by the Department of Labor of the State of Illinois as of June of the current year a copy of that determination being attached hereto and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Departments June determination and apply to any and all public works construction undertaken by the City of Belleville. The definition of any terms appearing in this Ordinance which are also used in aforesaid Act shall be the same as in said Act.

Section 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the City of Belleville to the extent required by the aforesaid Act.

Section 3: The City Clerk shall publicly post or keep available for inspection by any interested party in the main office of City Clerk this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

Section 4: The City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

Section 5: The City Clerk shall promptly file a certified copy of this Ordinance with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

Section 6: The City Clerk shall cause to be published in a newspaper of general circulation within the area a copy of this Ordinance, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

PASSED by the City Council of the City of Belleville, Illinois, on this 3rd day of June, 2013, on the following roll call vote:

	<u>AYE</u>	<u>NAY</u>
Michael Heisler	_____	_____
Ken Kinsella	_____	_____
Janet Schmidt	_____	_____
Melinda Hult	_____	_____
Kent Randle	_____	_____
Arnold "Gabby" Rujawitz	_____	_____
Johnnie Anthony	_____	_____
Joseph W. Hayden	_____	_____
Phillip Silsby	_____	_____
Paul Seibert	_____	_____
Bob White	_____	_____
Trent Galetti	_____	_____
James Musgrove	_____	_____
Joe Orlet	_____	_____
Lillian Schneider	_____	_____

APPROVED by the Mayor of the City of Belleville, Illinois this 3rd day of June, 2013.

MAYOR

ATTEST:

CITY CLERK