

**Mascoutah City Council**  
**February 5, 2018**  
**REGULAR MEETING AGENDA**

**City Council Meeting - 7:00 pm**

- 1. PRAYER & PLEDGE OF ALLEGIANCE**
- 2. CALL TO ORDER**
- 3. ROLL CALL**
- 4. AMEND AGENDA** – consideration of items to be added/ deleted to /from the meeting agenda. *No action can be taken on added items, but may be discussed only. Exceptions – emergency items as authorized by law.*
- 5. MINUTES**, January 16, 2018 City Council Meeting (Page   1   to Page   4  )
- 6. PUBLIC COMMENTS (3 minutes)** – opportunity for the public to comment.
- 7. REPORTS AND COMMUNICATIONS**
  - A. Mayor
  - B. City Council
  - C. City Manager
  - D. City Attorney
  - E. City Clerk
- 8. COUNCIL BUSINESS**
  - A. Council Items for Action –**
    - 1. SWIDA Bond Cap Reallocation Resolution** (Page   5   to Page   8  )  
Description: Council approval of Resolution allowing the transfer of Private Activity Industrial Revenue Bond Volume Cap to SWIDA.  
  
Recommendation: Council Approval and Adoption of Resolution.
    - 2. Pool Fees Resolution** (Page   9   to Page  11 )  
Description: Council approval of the Pool Fees Resolution, increasing some of the pool fees beginning in the 2018 Season.  
  
Recommendation: Council Approval and Adoption of Resolution.
    - 3. Purchasing Policy** (Page  12  to Page  26 )  
Description: Council approval of Resolution adopting a purchasing policy for the City of Mascoutah.  
  
Recommendation: Council Approval and Adoption of Resolution.

**4. IDOT Resolution/Local Public Agency Agreement for Federal Participation for Berm Multi-Use Path IL 4 to 10<sup>th</sup> Street**

(Page 27 to Page 37)

Description: Adoption of Resolution approving the Local Public Agency Agreement for Federal Participation for the construction of the Mascoutah Berm Multi-Use Path from IL Route 4 to Tenth Street.

Recommendation: Council Approval and Adoption of Resolution.

**5. IDOT Resolution/Local Public Agency Agreement for Federal Participation for Berm Multi-Use Path 10<sup>th</sup> Street to County Road.**

(Page 38 to Page 48)

Description: Adoption of Resolution approving the Local Public Agency Agreement for Federal Participation for the construction of the Mascoutah Berm Multi-Use Path from Tenth Street to County Road.

Recommendation: Council Approval and Adoption of Resolution.

**6. PC 18-01 Design Standards of Driveways & Recreational Vehicles (First Reading)**

(Page 49 to Page 60)

Description: Council approval to update Section 34-11-6 regarding Design Standards of Driveways & Section 34-9-21 regarding Recreational Vehicles..

Recommendation: First Reading.

**7. Bid Waiver & Approval – Large Welcome to Mascoutah Sign**

(Page 61 to Page 63)

Description: Council approval to waive the competitive bidding requirements for the large Welcome to Mascoutah sign purchase, and approve the purchase with ProSigns Advertising and Design Company.

Recommendation: Council Approval.

**B. Council Miscellaneous Items**

**C. City Manager**

- Plaza 23 rezone
- Hunting on City Land
- Police/Ambulance Security Fee
- Building Access Security
- Recommendation of Golf Cart Regulations

**10. PUBLIC COMMENTS (3 MINUTES)**

**11. ADJOURNMENT TO EXECUTIVE SESSION - NONE**

**12. MISCELLANEOUS OR FINAL ACTIONS**

**13. ADJOURNMENT**

**POSTED 2/2/18 at 5:00 PM**

**CITY OF MASCOUTAH  
CITY COUNCIL MINUTES  
#3 WEST MAIN STREET  
MASCOUTAH, IL 62258-2030**

**JANUARY 16, 2018**

The minutes of the regular meeting of the City Council of the City of Mascoutah.

**PRAYER AND PLEDGE OF ALLEGIANCE**

City prayer was delivered by City Clerk Kari Haas. The Council remained standing and recited the Pledge of Allegiance.

**CALL TO ORDER**

Mayor Gerald Daugherty called the meeting to order at 7:00 p.m.

**ROLL CALL**

*Present:* Mayor Gerald Daugherty and Council members Paul Schorr, John Weyant, Pat McMahan, and Michael Baker.

*Absent:* None.

*Other Staff Present:* City Manager Cody Hawkins, Assistant City Manager Mike Bolt, City Clerk Kari Haas, City Engineer Tom Quirk, Police Chief Scott Waldrup, Finance Coordinator Lynn Weidenbenner, Fire Chief Joe Zinck, and Public Works Coordinator Jesse Carlton.

*Establishment of a Quorum:* A quorum of City Council members was present.

**AMEND AGENDA**

Baker moved, seconded by McMahan, to remove Executive Session from the agenda.

***Motion passed.*** Passed by unanimous yes voice vote.

**MINUTES**

The minutes of the January 2, 2018 regular City Council meeting were presented and approved as presented. The minutes of the January 2, 2018 Executive Session meeting were presented and approved as presented.

***Motion passed.*** Passed by unanimous yes voice vote.

**PUBLIC COMMENTS**

None.

**DEPARTMENT REPORTS**

*Fire Chief Joe Zinck* – December 2017 report was provided.



*Police Chief Scott Waldrup* – December 2017 report was provided. Mayor asked about the EMS billing reports and asked what the WD stood for on the collection statistics report. EMS Supervisor Jeremy Gottschammer stated that he was going to contact Andres to find out.

*Finance Coordinator Lynn Weidenbenner* – Monthly financials provided.

*City Engineer/Director of Public Works Tom Quirk* – Status report on public projects and monthly building report were provided. Councilman Schorr asked about the Main Street / Jefferson Street improvements and if there was already a design plan and if it was available for review. City Engineer stated that there are plans and those have been submitted to IDOT for approval and stated that he could get those to the Council for their review.

## **REPORTS AND COMMUNICATIONS**

### *Mayor*

Attended the following meetings and functions: SLM Water Commission water operator interviews, Wisper open house event, City holiday party, MIA appreciation dinner, IML Executive Board meeting via teleconference.

### *City Council*

Schorr – Nothing to report.

Weyant – Attended the following meetings and functions: City holiday party, MIA appreciation dinner.

McMahan – Attended the following meetings and functions: City holiday party, MIA appreciation dinner.

Baker – Attended the following meetings and functions: MIA appreciation dinner.

*City Manager* – Nothing to report.

*City Attorney* – absent.

*City Clerk* – Nothing to report.

## **COUNCIL BUSINESS**

### **CONSENT CALENDAR (OMNIBUS)**

The December 2017 Fund Balance Report and Claims & Salaries Report were provided under the omnibus consideration.

Weyant moved, seconded by Schorr, to accept all items under Omnibus consideration.

***Motion passed.*** AYE's – Schorr, Weyant, McMahan, Baker, Daugherty. NAY's – none.



## **CLOSED SESSION RESOLUTIONS**

City Manager presented report for Council consideration of approval of resolutions regarding the release of closed session meeting minutes and the destruction of closed session tapes.

McMahan moved, seconded by Weyant, to approve and adopt Resolution No. 17-18-18, a Resolution Authorizing the Destruction of Closed Session Tapes and Resolution No. 17-18-19, a Resolution Regarding the Release of Closed Session Minutes.

***Motion passed.*** AYE's – Schorr, Weyant, McMahan, Baker, Daugherty. NAY's – none.

## **BID AWARD – AMBULANCE PURCHASE**

City Manager presented report for Council consideration of approval and authorization of bids for the purchase of an ambulance.

City Manager stated that a question was raised about warranty on a stock remount and the warranty is the same as a brand new ambulance.

Councilman Weyant commented on the ambulance service being one of the most important services we have and stated that he would be in favor of purchasing a brand new ambulance at the higher cost of \$135,000. City Manager explained that the quality and reliability is the same on the remount as it is on a brand new ambulance and the benefit of going with a remount is the cheaper price.

McMahan moved, seconded by Schorr, to approve the purchase in the amount not to exceed \$121,500.00 with Foster Coach of Sterling, IN for furnishing a 2017 Stock remount with Medtec conversion ambulance, and authorize appropriate officials to execute the necessary documents.

***Motion passed.*** AYE's – Schorr, Weyant, McMahan, Baker, Daugherty. NAY's – none.

## **COUNCIL – MISCELLANEOUS ITEMS**

Council discussed the budget guidance for FY18-19.

Councilman Schorr asked about the non-profit contracts. City Manager stated that they have all been signed and are in his office.

## **CITY MANAGER – MISCELLANEOUS ITEMS**

City Manager introduced Jesse Carlton who has been hired as the Public Works Coordinator.

City Manager provided information to Council regarding regulations for the possible allowance of golf carts and other non-highway vehicles. Council discussed the different possible regulations. City Manager will bring back a recommendation listing the state regulations and the possible local regulations.

City Manager provided Council with an updated Purchasing Policy for their review and discussion. Councilman Schorr voiced concerns with legislating purchasing to in town businesses and stated that we do have a fiduciary responsibility to save the taxpayers money. Council discussed the “10% of competitive pricing to be purchased in town” and the Council was in consensus to remove the 10% of competitive pricing and will keep an eye on future purchases. Council had no issues with the other revisions.

City Manager provided information to Council regarding the electric easements and the requests from the property owners. City Manager will incorporate the requests that can be granted into the easement documents and notify the property owners.

#### **PUBLIC COMMENTS**

None.

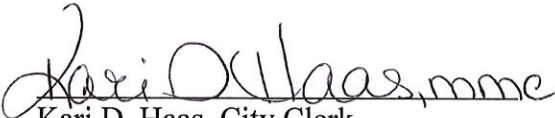
#### **MISCELLANEOUS OR FINAL ACTIONS**

None.

#### **ADJOURNMENT**

McMahan moved, seconded by Schorr, to **adjourn at 8:09 p.m.**

***Motion passed.*** Motion passed by unanimous yes voice vote.

  
Kari D. Haas, City Clerk

**CITY OF MASCOUTAH  
Staff Report**

**TO:** Honorable Mayor & City Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** **SWIDA Bond Cap Reallocation Resolution**

**MEETING DATE:** February 5, 2018

**REQUESTED ACTION:**

Council approval of Resolution allowing the transfer of Private Activity Industrial Revenue Bond Volume Cap to SWIDA.

**BACKGROUND & STAFF COMMENTS:**

For many years, the City of Mascoutah has transferred its Private Activity Industrial Revenue Bond Volume Cap to Southwestern Illinois Development Authority (SWIDA) to assist the development of projects in Bond, Clinton, Madison and St. Clair counties. This action has passed through Council for many years and takes no funding from the City. All home-rule units are allocated a specific bond volume cap, based on their latest Census population. Since the City of Mascoutah did not issue (and could not use) the bonds it was allocated this year, SWIDA combines Mascoutah's unused bond allocations with other units and issues bonds for organizations that have large projects and are in need of additional bond amounts. Staff believes this action is warranted. SWIDA was created to facilitate economic development in Bond, Clinton, Madison and St. Clair counties. By allocating the bond cap to SWIDA, the City guarantees that the funding capacity stays in our immediate area.

**RECOMMENDATION:**

Staff recommends that the Council approve and adopt this Resolution.

**SUGGESTED MOTION:**

I move that the Council approve and adopt Resolution No.17-18-\_\_, thereby relinquishing the City of Mascoutah's Private Activity Industrial Revenue Bond Volume Cap to SWIDA.

Prepared By: Melissa Schanz  
Melissa Schanz  
Executive Assistant

Approved By: Cody Hawkins  
Cody Hawkins  
City Manager

Attachments: A – Letter from SWIDA Executive Director Michael Lundy  
B – Resolution



Members of the Board:  
James Nations, Chair  
Mark Rabe  
Rickie Thomas  
David A. Miller  
Greg Kuehnel  
Kevin Kaufhold  
Kennard Tucker  
Reggie Sparks  
Jim Sullivan  
David Willey



Ex. Officio:  
Sean McCarthy  
Randall Blankenhorn

Executive Director:  
Michael J. Lundy

Assistant Executive Director  
Joe Gasparich, MBA, CPA

January 26, 2018

The Honorable Gerald Daugherty, Mayor  
City of Mascoutah  
3 West Main Street  
Mascoutah, IL 62258-2030

Dear Mayor Daugherty:

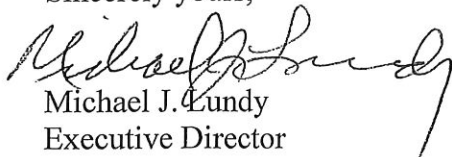
In the past, home-rule cities and villages have agreed to transfer industrial revenue bond volume cap to SWIDA to assist the development of projects in Bond, Clinton, Madison and St. Clair Counties. SWIDA is once again hoping that the City of Mascoutah will agree to transfer their private activity industrial revenue bond cap to us prior to the May 1<sup>st</sup> deadline.

If the City of Mascoutah does not use its bond volume cap for a project or does not transfer its unused bond volume cap to SWIDA by May 1, 2018, the state requires the cities to return the cap back to the state where it will be used in other parts of Illinois.

SWIDA uses the transferred cap to finance developments in our four-county area. If later in the year the City of Mascoutah finds it needs the bond cap for a project in the City of Mascoutah, the City of Mascoutah can request an allocation from the pool. Since 1989, SWIDA has issued 1.1 billion dollars in revenue bonds to finance projects in its jurisdiction. These projects have built the tax base of the area and created and retained jobs for our citizens.

We would appreciate your help again this year. The process has been simplified, only passing of the enclosed draft ordinance by May 1<sup>st</sup> is required; no Intergovernmental Agreement is necessary. A copy of the passed ordinance along with the attached draft letter, *Report of Allocation Granted by Home-Rule Units*, needs to be sent to the Governor by May 1st, with a copy to SWIDA. If you have any questions please call me at 618-345-3400. If you would like the documents emailed to you in Word format, please call the above number and ask for Teri.

Sincerely yours,



Michael J. Lundy  
Executive Director

Enclosures

**RESOLUTION NO. 17-18-\_\_**

**A RESOLUTION AUTHORIZING THE TRANSFER OF VOLUME CAP  
IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES,  
AND RELATED MATTERS**

**WHEREAS**, Mascoutah, Illinois (the “Municipality”) is a municipality and a home rule unit of government under Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

**WHEREAS**, Section 146 of the Internal Revenue code of 1986, as amended (the “Code”), provides that the Municipality has volume cap equal to \$105 per resident of the Municipality in each calendar year, which volume cap may be allocated to certain tax-exempt private activity bonds; and

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

**WHEREAS**, it is now deemed necessary and desirable by the Municipality to transfer its entire volume cap allocation for calendar year 2018 to the Southwestern Illinois Development Authority (the “Issuer”) to be applied toward the issuance of private activity bonds by the Issuer (the “Bond”) or for such other purpose permitted by this Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Mascoutah, Illinois, as follows:

**SECTION 1.** That, pursuant to Section 146 of the Code and the Act, the entire volume cap of the Municipality for calendar year 2018 is hereby transferred to the Issuer, which shall issue the Bonds using such transfer of volume cap, without any further action required on the part of the Municipality, and the adoption of this Resolution shall be deemed to be an allocation of such volume cap to the issuance of the Bonds or such other bonds.

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

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

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

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

**PRESENTED, PASSED, APPROVED AND RECORDED** by the City Council of the City of Mascoutah, Illinois on the 5<sup>th</sup> day of February, 2018, by the following votes, to wit:

AYES -

NAYS -

ABSENT -

Approved by the Mayor of the City of Mascoutah, Illinois, the 5<sup>th</sup> day of February, 2018.

CITY OF MASCOUTAH

\_\_\_\_\_  
Gerald Daugherty, Mayor

[SEAL]

ATTEST:

\_\_\_\_\_  
City Clerk

I, Kari D. Haas, City Clerk of the CITY OF MASCOUTAH, hereby certify that the foregoing is a true copy of the Resolution duly and legally adopted by the CITY COUNCIL OF THE CITY OF MASCOUTAH at a regular meeting of said body.

DATE CERTIFIED: February 5, 2018



**CITY OF MASCOUTAH**  
**Staff Report**

**TO:** Honorable Mayor & City Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** **Pool Fees Resolution**

**MEETING DATE:** February 5, 2018

**REQUESTED ACTION:**

Council approval of the Pool Fees Resolution, increasing some of the pool fees beginning in the 2018 Season.

**BACKGROUND & STAFF COMMENTS:**

The Pool Fees Resolution is suggested due to maintenance and upkeep of our Community Pool. Since the pool is a service, keeping fees reasonable for our citizens is of the utmost importance. Affected areas of increase include non-resident rates for after 4 p.m., non-resident pool pass rates and non-resident swim lesson fees. Pool party rates will increase for residents and non-residents to ensure that our rates cover the costs for hosting a pool party. The daily rate for children 2 and under will be free, age 3 and up will be general admission which coincides with age limits in surrounding pools.

**RECOMMENDATION:**

The City Manager recommends that the Council approve the Pool Fees Resolution, 17-18-\_\_, increasing fees beginning in the 2018 Season.

**SUGGESTED MOTION:**

I move to approve the Pool Fees Resolution, 17-18-\_\_, and increasing fees beginning in the 2018 Season.

Prepared By:   
Melissa Schanz  
Executive Assistant

Approved By:   
Cody Hawkins  
City Manager

Attachments: A – Fees Resolution

## RESOLUTION 17-18-\_\_

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MASCOUTAH ESTABLISHING POOL FEES

**In accordance with Ordinance #03-113, an Ordinance consolidating City fees and establishing a schedule of fees by Resolution action.**

**WHEREAS**, said Fees Code adopted by the City of Mascoutah shall be paid in accordance with the Schedule of Fees established by Resolution action, and;

**WHEREAS**, the City Council has determined that the schedule of fees should be revised;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MASCOUTAH, ILLINOIS** that the following Schedule of Fees be adopted:

#### SCHEDULE OF FEES

##### City Pool Rates

| Swimming Pool                                   | Resident Rates*     | Non-Resident Rates                |
|---|---------------------|-----------------------------------|
| Daily Rate                                      | \$5.00              | \$8.00                            |
| Rate After 4pm                                  | \$3.00              | <del>\$4.00</del> <b>5.00</b>     |
| Daily Child 3- 2 years & younger                | Free                | Free                              |
| Individual Pass- Child, Adult, Senior           | \$80.00             | <del>\$120.00</del> <b>170.00</b> |
| Family Pass (2)                                 | \$150.00            | <del>\$205.00</del> <b>255.00</b> |
| Family Pass (3)                                 | \$175.00            | <del>\$235.00</del> <b>285.00</b> |
| Family Pass (4)                                 | \$200.00            | <del>\$270.00</del> <b>320.00</b> |
| Family Pass (5)                                 | \$225.00            | <del>\$300.00</del> <b>350.00</b> |
| Family Pass (6)                                 | \$250.00            | <del>\$335.00</del> <b>385.00</b> |
| 10 Visit Punch Card                             | \$45.00             | \$72.00                           |
| 20 Visit Punch Card                             | \$90.00             | \$144.00                          |
| Swim Lessons (2 week class)                     | \$70.00             | <del>\$90.00</del> <b>100.00</b>  |
| Pool Party <del>50 people or less</del>         | <del>\$175.00</del> | <del>\$240.00</del>               |
| Pool Party <b>up to 51 people to 100 people</b> | \$250.00            | \$340.00                          |
| Pool Party 101 people to 150                    | \$325.00            | \$430.00                          |

\*Residential Rates shall only apply to residents who live within the city limits of Mascoutah

**BE IT FURTHER RESOLVED**, that the fees listed in this Resolution supercede all fees listed in the City Code of Ordinances, and any fees not listed will remain in tact until they are amended by a further Resolution.

**PASSED AND APPROVED** by the CITY COUNCIL of the CITY OF MASCOUTAH on the 5<sup>th</sup> day of February 2018, by the following votes, to wit:

|        |   |   |
|--------|---|---|
| AYES   | - | . |
| NAYS   | - | . |
| ABSENT | - | . |

---

Gerald Daugherty  
Mayor

ATTEST:

---

Kari D. Haas, City Clerk  
(SEAL)

I, Kari D. Haas, City Clerk of the CITY OF MASCOUTAH, hereby certify that the foregoing is a true copy of the Resolution duly and legally adopted by the CITY COUNCIL OF THE CITY OF MASCOUTAH at a regular meeting of said body.

DATE CERTIFIED: February 5, 2018



**CITY OF MASCOUTAH**

**Staff Report**

**TO:** Honorable Mayor & Council  
**FROM:** Cody Hawkins – City Manager  
**SUBJECT:** **Purchasing Policy**

**MEETING DATE:** February 5, 2018

**REQUESTED ACTION:**

Council approval of resolution adopting a purchasing policy for the City of Mascoutah.

**BACKGROUND & STAFF COMMENTS:**

Per discussion at the previous meeting, attached is the revised purchasing policy for the City of Mascoutah regarding the expenditure of public funds to ensure the City of Mascoutah will receive the maximum value for each public dollar spent.

**RECOMMENDATION:**

Council approval of Resolution, as attached.

**SUGGESTED MOTION:**

I move that the City Council approve and adopt Resolution No. 17-18-\_\_, a Resolution Adopting a Purchasing Policy for the City of Mascoutah.

Prepared By: Melissa Schanz  
Melissa Schanz  
Executive Assistant

Approved By: Cody Hawkins  
Cody Hawkins  
City Manager

Attachments: A – Resolution  
B – Purchasing Policy

**RESOLUTION NO. 17-18-\_\_**

**A RESOLUTION ADOPTING A PURCHASING POLICY  
FOR THE CITY OF MASCOUTAH**

**WHEREAS**, the City desires to adopt policies regarding the expenditure of public funds to ensure the City of Mascoutah will receive the maximum value for each public dollar spent.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY  
COUNCIL OF THE CITY OF MASCOUTAH:**

**SECTION 1:** The City of Mascoutah does hereby adopt the Purchasing Policy, copy of which is marked "Exhibit A" and incorporated herein by reference.

**SECTION 2:** The aforementioned policy will be distributed to all City of Mascoutah employees.

**ADOPTED and APPROVED** by the Mayor and City Council of the City of Mascoutah this 5<sup>th</sup> day of February, 2018, A.D.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk  
(SEAL)



## **City of Mascoutah**

3 West Main

Mascoutah, IL 62258

Phone (618) 566-2965 Fax (618) 566-4897

email—[info@mascoutah.com](mailto:info@mascoutah.com)

# **City Of Mascoutah Purchasing Policy**



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## **Section 1 -- Goals**

This manual has been designed to insure that the policies set by the Mascoutah City Council, with regard to the expenditure of public funds, are met by all city departments. If these policies are adhered to, the City will receive the maximum value for each public dollar spent.

### **BASIC GOALS**

The basic goals of the City's purchasing program are:

1. To comply with the legal requirements of public purchasing.
2. To assure vendors that impartial and equal treatment will be afforded to all that wish to do business with the City.
3. To receive maximum value for each public dollar spent.
4. To provide city departments required goods and services at the time and place needed in the proper quantity and quality.
5. To purchase only goods and services for which funds have been approved and not previously encumbered.
6. To make all effort to purchase locally if cost effective.
7. To establish consistent guidelines for travel expenses and reimbursements.

If the procedures and guidelines established in this manual are followed, each department will efficiently manage, control, and plan their available resources to meet present and future departmental needs and help the City obtain these goals. State laws or the City's Revised Code of Ordinances which conflict with the guidelines and procedures outlined in this manual shall have precedence.



## **Section 2 -- Administrative Purchasing Rules and Regulations**

These administrative purchasing rules and regulations are to be adhered to by all departments in procurement of goods and services.

- **LOCAL BUYING**

It is the desire of the City to purchase from Mascoutah vendors when possible. This can be accomplished by ensuring that local vendors who have goods or services available, which are needed by the City, are included in the competitive shopping procedure, which will precede most purchases. The City has a responsibility to its residents; however, to insure that the maximum value is obtained for each public dollar spent. It is assumed that local vendors who wish to do business with the City will offer the lowest possible quote for each item purchased.

- **FIXED ASSET/SERVICE PURCHASES**

No employee, Department Head, or purchasing agent shall purchase any fixed assets including furniture, fixtures, equipment, including computer software or peripherals, or professional services, including legal, accounting, personnel services, dues, subscriptions or engineering without City Manager's approval and the item is included in the budget.

- **PERSONAL PURCHASES**

Purchases for employees by the City are prohibited. City employees are also prohibited from using the City's name or the employee's position to obtain special consideration in personal purchases.

- **ENDORSEMENTS**

The City's policy is not to endorse or in anyway permit employee's name or position or the City's name to be used or advertised as supporting a product or vendor.

- **SALES TAX**

The City is exempt from all local state sales taxes or federal excise taxes. The City Manager's office will provide the necessary exemption documents to any vendor upon request.

- **BRIBERY**

Bribery, in any form, represents malfeasance in office and means that public funds are being mismanaged. Bribery by vendors in order to secure favorable consideration is seldom attempted. Vendors may attempt to secure favoritism by offering gifts or providing entertainment to city officials. Attempts to influence decisions regarding the expenditures of public funds may be directed towards any employee who has influence over the selection of vendors. All provisions of the Gift Ban Act should be adhered to at all times. The penalty for accepting a bribe is immediate termination.

- **OVERDRAFTS PROHIBITED**

No purchase will be authorized which would overdraw a budgetary line-item account. Department Heads contemplating a purchase that will exceed a budgetary account should contact the City

Manager to insure that provision is made for the necessary budget allocation prior to initiating the purchase.

- **BUYING PROPER QUALITY**

Quality and service are just as important as price and it is the duty of the requisitioning department to secure the best quality for the purpose intended. Quality buying is the buying of goods or services that will meet but not exceed the requirements for which they are intended. In some instances the primary consideration is durability. With other purchases, it may be a question of immediate availability, ease of installation, frequency of repair, or efficiency of operation that must be given primary consideration. In the case of motor vehicles and other capital expenditures, Department Heads may want to investigate life-cycle costs or EPA mileage ratings to compare bids as opposed to utilizing price as the sole criteria for determining the lowest responsible bidder.

- **PLANNING**

Planning for purchases should be done on both the short-term and long-term basis. Small orders and last-minute purchases should be minimal, thereby increasing the capability of each department to purchase its goods and services in larger quantities and in order to obtain the maximum discount available. Planning will also reduce the number of trips required to obtain materials to minimize the amount of clerical and supervisory time spent on documenting purchases. The purchasing process begins with the preparation of the annual budget. Any purchases, which result in the replacement of furniture, equipment or fixtures, must include a disposition plan for the replaced item(s).

- **PUBLIC ACCESS**

All specifications, bid documents, purchase orders, and supporting documents are public records which will be made available to citizens, vendors, or the media, upon request by FOIA.

### **Section 3 -- Purchasing Procedures**

The City Council has established the following policies regulating the degree of formality to be followed in the purchase of goods and services, depending on the cost of the items to be purchased. The splitting of purchases into smaller orders to avoid these requirements is prohibited. Purchasing Agents for the City shall be defined as Public Works Director/City Engineer, Public Safety Director, Fire Chief and City Manager. Purchasing Agents approve purchase Orders, properly submitted by Department Heads.

- **PURCHASES FROM \$100 TO \$1000**

For a purchase of more than \$100, but less than \$1000, a purchase order must be approved by the Purchasing Agent before an order is placed with the vendor. The requesting department should competitively shop to insure that vendors, with whom the City deals, are maintaining competitive pricing and appropriate quality. The Department Heads may find it convenient to use the Request for Quotation or Telephone Quotation forms even though items required are below the amount



necessary to trigger this procurement process. These forms need not be submitted to the City Manager with the purchase order when purchases are less than \$1000.

- **PURCHASES FROM \$1000 TO \$3000**

Purchase orders for goods or services having a value of \$1000, but less than \$3000, must be approved by the Purchasing Agent and the City Manager prior to placing an order with the vendor.

- **PURCHASES IN EXCESS OF \$3000**

Department Heads anticipating the purchase of goods or services exceeding \$5000 in value should prepare specifications based upon standards appropriate to meet City's needs.

Specifications should be forwarded to the Purchasing Agent for review and approval before submitting to the City Manager's office for review, comment and approval.

## **Section 4 -- Travel Regulations and Reimbursements**

- **GENERAL REGULATIONS**

The City's goals are to allow travel arrangements that (1) conserve public funds, (2) provide equitable treatment of all personnel, and (3) allow travel in a manner that is dignified and reflects credit on the City of Mascoutah. These regulations are applicable for all travel expenses incurred on behalf of the City by employees, elected officials, and board or commission members. Where these regulations do not adequately cover the travel situation, the City Manager may authorize exceptions.

Decisions as to which out of state trips will be authorized are generally made through the annual budget process. The City Manager must approve all out-of-state travel requests in advance.

Attendance at various local professional and technical conferences and meetings will be authorized as funds and time permit. Good judgment and a proper regard for economy are expected in incurring travel expense on behalf of the City.

There is no objection to a spouse and/or other family members traveling on an official trip, but no expenses directly attributable to them will be reimbursed by the City.

- **TRAVEL ADVANCE**

Travel advance will be used as a last resort when credit card or advance billing is not accepted.

Travel advances require prior written approval from the City Manager.

- **TRAVEL EXPENSE REPORT**

Within five days after returning from an authorized trip, any unused portion of any travel advance must be returned to the City Treasurer. The Treasurer on the unused portion will issue a return receipt. A Travel Voucher must be approved by the City Manager in order to receive reimbursement for all travel expenses incurred. Any required receipts should be attached to the travel expense



report. If actual expenses exceed the travel advance, the excess will be paid as soon as the expense report has been audited for compliance with these regulations.

- **MEALS AND MISCELLANEOUS EXPENSES**

For meetings and conferences held outside the metropolitan area or at such a distance that overnight lodging is required and previously approved by the City Manager, employees and city officials will be reimbursed for meals, tips, phone calls, taxi fare, and other miscellaneous expenses incurred.

Receipts will be required for all expenditures except tips and phone calls. The City Manager may approve an expense without a receipt if there is acceptable written documentation that the expenditure was incurred and that a receipt could not be obtained or was subsequently misplaced or lost. Professional luncheon meetings will be reimbursed at actual cost. Working lunches locally or outside the metropolitan area consisting of employees are not authorized for reimbursement.

Expenses not ordinarily allowed under the provisions of these regulations may be authorized by the City Manager when justification exists.

- **REGISTRATION FEES**

Registration and tuition fees for professional and technical meetings and conferences that have prior written approval from the City Manager's office will be reimbursed if not prepaid by the City. Receipts will be required.

- **TRAVEL TIME EXCEEDING ONE DAY**

Employees should not drive to meetings and conferences when travel time to the destination requires more than one day. In such instances, no reimbursement will be made for any lodging meals or other expenses incurred, unless prior written approval is received from the City Manager.

- **LODGING**

Hotel or motel reservations are expected to be made well in advance to insure that lodging is secured at moderate rates. Receipts per lodging are required.

- Reimbursement of lodging will be limited to the minimal number of nights required to conduct City business. If a conference, for example, opens on Sunday evening and closes Thursday, reimbursement for Sunday through Wednesday night would be allowed. If an employee or City official chooses to arrive earlier or stay later, the additional lodging and other expenses related to this decision are personal expenses and will not be reimbursed. There may be instances in which significant savings in travel expense may be achieved by taking advantage of discount fares requiring an additional night's stay. Prior written authorization from the City Manager will be required to utilize this arrangement.

No lodging expense will be reimbursed for meetings or conferences held in the St. Louis area unless prior written approval is obtained from the City Manager

- **VEHICLE RENTAL**

There may be instances when rental of a vehicle may be appropriate (i.e. great distance between hotel conference sites, or a group of City employees/officials traveling together). Prior authorization must be given by the City Manager. The actual cost will be reimbursed and receipts will be required.

- **USE OF PRIVATE VEHICLES**

Private vehicles may be used for travel on City business when authorized by the Purchasing Agent. Reimbursement will be limited to the lower of:

1. the standard mileage rate (as determined by the IRS), plus tolls, parking, and garage charges, or
2. the cost of air travel, as provided below.

When two or more people travel in the same private vehicle, reimbursement will be paid to the owner of the vehicle. Mileage reimbursement will be based on the actual number of miles driven while traveling on City business. A Travel Voucher request is to be filled out.

- **USE OF COMMERCIAL CARRIER**

Commercial carrier fares will be limited to "coach" or "economy" fares when such services are available. Travel to and from stations and airports may be by bus, limousine, taxi, or private vehicle (for which mileage will be paid), whichever is least costly. Receipts for transportation costs are required.

## **Section 5 -- Special Procurement Procedures**

Occasionally, the City may need to purchase goods or services under circumstances which do not clearly fit the City's procurement process or for which normal competitive shopping procedures do not apply.

- **SOLE SOURCE**

In the event that there is only one vendor capable of providing a particular good or service, the competitive shopping procedures outlined in this manual may be waived by the City Manager.

Whenever a Department Head determines that he must purchase goods or services from a "sole source vendor" he should document why there is only one company where an individual is capable of providing the goods or services required. The documentation should be attached to the purchase order. The Purchasing Agent and the City Manager must approve all sole source purchases over \$1000.

- **COOPERATIVE PROCUREMENT PROGRAMS**

Department Heads are encouraged to use cooperative purchasing programs sponsored by the State of Illinois or St. Clair County. Cooperative purchasing can prove advantageous to the City by relieving Department Heads of the paperwork necessary to document normal competitive purchasing



and by taking advantage of large quantity purchases made by State or County Government. Purchases made through these programs may have met the requirements of competitive shopping and require no further documentation. Department Heads are encouraged to check with the State or County regarding cooperative procurement contracts in effect prior to making any large purchase.

- **PROFESSIONAL SERVICES**

Normal competitive procedures cannot be utilize in securing professional services such as attorneys, engineers, certified public accountants, appraisers, planners, auditors and other professional people who, in keeping with the standards of their discipline, will not enter into a competitive bidding process.

A Request for Proposal (RFP) can be prepared much the same way as specifications, including requirements and minimal standards for the services to be provided. RFPs should be submitted to be City Manager for review and approval prior to distribution. When an RFP for professional services is approved, a limited number of qualified professionals known to the City will be invited to submit a proposal setting forth their interest, qualifications, and how they can meet the City's needs. In securing professional services it is the primary goal of the City to obtain these services from a provider who has a proven record of providing, in a professional way, those services required.

A contract will be negotiated with the professional, who it is deemed, best meets the City's needs. If an agreement on the cost and conditions cannot be reached, the negotiations will be terminated and negotiations will commence with the next most qualified professional. The City Manager is authorized to approve contracts for Professional Services valued at up to \$25,000. A memorandum setting forth the Department Head's recommendation should accompany any purchase order for such services. For contracts exceeding \$25,000, Council approval is required.

#### **OPEN PURCHASE ORDERS**

Open Purchase Orders are for long-term contracts for goods or services awarded after receiving competitive bids. The purchase order remains open for a period of up to one year to purchase the goods or services specified on an "as needed" basis.

- Examples of Open Purchase Orders include: construction materials such as rock, concrete and asphalt, trees and other landscaping materials, light bulbs, automotive supplies, such as tires and batteries, hardware, and office supplies frequently or routinely utilized by the City, and for which the initiation of competitive shopping each time the goods or services are required would be cumbersome and inefficient.

- **EMERGENCY PURCHASES**

The bid procedures outlined in this manual may be waived under emergency conditions when a delay may threaten the basic mission of the City or department.

True emergency situations are rare. Occasionally equipment will require emergency repairs or other circumstances will necessitate purchasing which cannot await compliance with these regulations. Department Heads faced with an emergency purchase are to notify the City Manager as quickly as possible.

- **PETTY CASH ACCOUNTS**

Very often, there is a need for immediate availability of funds. Petty cash funds will be maintained in, and issued from, the City Clerks Office. The City will maintain the Petty Cash Fund in an amount of \$500.

Petty Cash Funds should be used to avoid the time and expense of issuing purchase orders for items totaling (\$50) or less. Petty Cash receipts are to be completed by the person responsible for the fund in each department; information on petty cash receipts should include the amount, description of item, budget account number, and signatures of the person(s) receiving the funds and person issuing the funds. A proper receipt for the same amount must be attached. Petty Cash Funds will be replenished as needed and included in the must pay warrant.

The Accounts Payable Executive Assistant will prepare check from the appropriate departments disbursement to replenish the Petty Cash Fund and have them approved by the City Manager. The City may conduct unannounced audits of Petty Cash funds to assure that moneys are being properly accounted for. The use of Petty Cash funds for personal use even for very short periods of time is contrary to City policy and grounds for termination.

- **USE OF CHARGE CARDS**

The City holds charge cards and business charge accounts from a limited number of vendors. These vendors are primarily used for small day-to-day purchases. A listing of all business charge/credit card accounts are maintained by the City Manager's office. This list shall identify those employees who are authorized to use these accounts.

- **CHANGE ORDERS**

Change Orders are amendments to contracts for the purchase of goods or services that are made after the contract has been awarded. Change Orders result from the discovery of unforeseen conditions change Orders cannot be used to over draw a budgetary account, to avoid the City's competitive bidding process, or to materially alter the purpose of the original bid contract.

The City Manager must approve all Change Orders. The City Council must approve all change orders in excess of \$25,000, Change Orders which increase the total purchases above \$25,000, or Change Orders in excess of 10% of the value of a contract previously awarded must be approved by the Council.



All approved Change Orders on contracts previously awarded by the Council will be reported to the Council.

- **PURCHASES BY CONTRACT -- TIME SPECIFIC**

City purchases for specific goods and services are made through contracts with state a specific price for a specific time, such as uniforms for Labors Local 742 employees, garbage collection for City residents, maintenance of wastewater treatment plant, etc.

The City Manager will negotiate contracts under \$25,000, protecting the best interests of the City.  
The City Council will approve contracts for insurance coverage or other contracts over \$25,000.

## **Section 6 -- Purchase Orders**

The City's Purchase Order Form must be completed by entering all of the necessary data and must be signed by the Department Head under the procedures established in this manual. In order to ensure expeditious processing of purchase orders it is important that all forms are completed accurately by the requisitioning department.

A purchase order is a contract between the City and vendor; however, a contract is not binding if it is not properly approved and until it is accepted by the vendor. The City will not recognize the Issuance of purchase orders by unauthorized individuals. Payment of these obligations will not be approved. Unauthorized purchases are classified as personal expenses.

## **Section 7 -- Bidding and Contract Procedures Over \$25,000**

All purchases in excess of \$25,000 shall follow the requirements outlined under Chapter 1, Article 2, Section 27: BIDDING AND CONTRACT PROCEDURES of the Revised Code of City Ordinances, adopted September 3, 1996 and supplemented thereafter.

CITY OF MASCOUTAH

DATE:

PURCHASED FROM:

INVOICE

#

AMOUNT \$

DESCRIPTION:

| Department |                                |  |                       |  |                     |
|------------|--------------------------------|--|-----------------------|--|---------------------|
|            | GENERAL 100-50101              |  | STREETS 100-50505     |  | SWR TREAT 250-50501 |
|            | PLAN/DEV 100-50102             |  | LIGHT PLANT 200-50501 |  | EMS 300-50202       |
|            | POLICE 100-50201               |  | LIGHT DISTR 200-50502 |  | PARK 330-50401      |
|            | CEMETERY 100-50300             |  | WATER DIST 250-50503  |  | CIVIC CTR 330-50402 |
|            | MAINT 100-50301                |  | SEWER DIST 250-50504  |  | SWIM POOL 330-50403 |
|            | OTHER (MFT, PROJECTS) describe |  |                       |  | FIRE 360-50600      |

| Charges |                               |                                  |
|---------|-------------------------------|----------------------------------|
|         | 5800-EMPL PHYS, CDL LIC       | 6510-M&R EQUIPMENT               |
|         | 6001-OFFICE SUPPLIES          | 6515-M&R OFFICE EQUIPMENT        |
|         | 6020-DUES & MEMBERSHIPS       | 6520-M&R BLDG/FACILITIES         |
|         | 6040-TRNING, CONF, EDUC REIMB | 6530-M&R VEHICLES ONLY(no equip) |
|         | 6050-PROGRAM SUPPLIES         | 6540-M&R GRNDS/STRTS/ROW         |
|         | 6060-CM EXPENSES              | 6550-M&R TRANSMISSION/COLLECTN   |
|         | 6061-MAYOR EXPENSES           | 6555-M&R STRTS/SIDWLKS/STRT LTS  |
|         | 6062-COUNCIL EXPENSES         | 6560-M&R SPECIAL PROJECTS        |
|         | 6065-ECONOMIC DEV EXPENSES    | 6565-M&R IDOT & OTHER            |
|         | 6070-RENTAL-UNIFORMS          | 6710-GEN SUPPLIES                |
|         | 6075-RENTS & LEASES           | 6720-CHEMICALS                   |
|         | 6080-SUNDRY, MISC.            | 6730-INVENTORY SUPPLIES          |
|         | 6085-COMMUNITY RELATIONS      | 6740-TOOLS/SMALL PARTS           |
|         | 6210-PERMITS                  | 6750-PRODUCTION FUEL/DIESEL      |
|         | 6230-LAB EQUIP/SAMPLES        | 6760-GAS/DIESEL/OIL              |
|         | 6260-CLEAN UP/DISPOSAL        | 6770-NON VEH OIL & LUBR          |
|         | 6350-MISC-JULIE               | 7500-CONTRACTUAL SERVICES        |
|         | 6360-PAGER RENTAL             | 8010-DEVELOPER EXPENSE (IN/OUT)  |
|         |                               | CIP/FAR APPLICABLE TO BUDGET     |

Employee Making Purchase Signature

Department Head Approval

City Manager Approval

## CITY OF MASCOUTAH

### Staff Report

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins, City Manager

**SUBJECT:** IDOT Resolution/Local Public Agency Agreement for Federal Participation for Berm Multi-Use Path IL 4 to 10<sup>th</sup> Street

**MEETING DATE:** February 5, 2018

#### REQUESTED ACTION:

Adoption of Resolution approving the Local Public Agency Agreement for Federal Participation for the construction of the Mascoutah Berm Multi-Use Path from IL Route 4 to Tenth Street.

#### BACKGROUND & STAFF COMMENTS:

This is an action required by the City Council to authorize the City to enter an agreement with IDOT for the construction of the Mascoutah Berm Multi-Use Path from IL Route 4 to Tenth Street. The project consists of construction of a multi-use asphalt path, pavement marking, signage, and other ancillary work. The preliminary construction cost estimate is \$337,700. This agreement authorizes an IDOT CMAQ grant in the amount of \$270,160 and authorizes matching City funds in the amount of \$67,540. This agreement is under concurrent review by the IDOT Central Bureau. No revisions are anticipated but minor changes may be necessary prior to final execution. The signed agreement must be returned to IDOT Local Roads Office at the District 8 Headquarters by March 2, 2018. This project is currently scheduled for the April 27, 2018 IDOT letting.

The Resolution and draft Local Public Agency Agreement for Federal Participation is attached.

#### FUNDING:

This project will be paid for with the \$270,160 of CMAQ Federal Funding and \$67,540 from the General Fund.

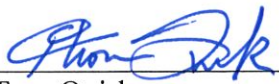
#### RECOMMENDATION:

Council approval and adoption of this resolution authorizing the City to enter a Local Public Agency Agreement for Federal Participation for the construction of the Mascoutah Berm Multi-Use Path from IL Route 4 to Tenth Street.

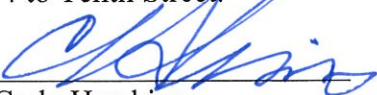
#### SUGGESTED MOTION:

I move that the Council approve and adopt IDOT Resolution No. 17-18-\_\_\_\_, a Resolution to authorize the City to enter a Local Public Agency Agreement for Federal Participation for the construction of the Mascoutah Berm Multi-Use Path from IL Route 4 to Tenth Street.

Prepared By:

  
Tom Quirk  
City Engineer

Approved By:

  
Cody Hawkins  
City Manager

Attachments: A – Resolution  
B – Draft Local Agency Agreement for State Participation



City of Mascoutah  
Location: Berm Multi-Use Path  
Section No.: 14-00024-00-BT  
Project No.: 4LHB(618)  
Job No.: C-98-359-14

**RESOLUTION NO. 17-18-\_\_**

**APPROPRIATION RESOLUTION AND  
RESOLUTION AUTHORIZING EXECUTION OF A  
LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION BETWEEN  
ILLINOIS DEPARTMENT OF TRANSPORTATION AND  
THE CITY OF MASCOUTAH**

**WHEREAS**, the City of Mascoutah endeavors to construct a Berm Multi-Use Path from IL Route 4 to Tenth Street that is approximately one (1) mile in length and known to the Illinois Department of Transportation as MFT Section Number 14-00024-00-BT and State Job Number C-98-359-14; and

**WHEREAS**, the cost of said improvement has necessitated the use of federal funds; and

**WHEREAS**, the federal fund source requires a match of local funds; and

**WHEREAS**, the use of federal funds requires a Joint Funding Agreement, Local Agency Agreement for Federal Participation (AGREEMENT) with the Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mascoutah, St. Clair County, Illinois, authorizes Sixty-Seven Thousand, Five Hundred Forty dollars (\$67,540.00) or as much of such sum as may be needed to match federal funds in the completion of the aforementioned project known as MFT Section Number 14-00024-00-BT.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized and directed to execute the above-mentioned AGREEMENT and any other such documents related to advancement and completion of said project.

**PASSED AND APPROVED** by the City Council of the City of Mascoutah, Illinois on the 5<sup>th</sup> day of February, 2018.

|        |   |   |
|--------|---|---|
| AYE's  | — | . |
| NAY's  | — | . |
| ABSENT | — | . |



\_\_\_\_\_  
Mayor

ATTEST:


\_\_\_\_\_  
City Clerk  
(SEAL)

Certificate:

I, Kari D. Haas, City Clerk in and for said City of Mascoutah in the State of Illinois, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect, and complete copy of a Resolution adopted by the City of Mascoutah City Council at its meeting held on February 5, 2018.

In testimony whereof, I have hereunto set my hand and affixed the seal of said City of Mascoutah at my office in City of Mascoutah, in St. Clair County, this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
City Clerk  
(SEAL)

|   |  |                      |                               |                |                  |
|---|--|----------------------|-------------------------------|----------------|------------------|
|  <b>Illinois Department of Transportation</b><br><b>Local Public Agency Agreement for Federal Participation</b> | Local Public Agency<br>City of Mascoutah | State Contract<br>XX | Day Labor                     | Local Contract | RR Force Account |
|   | Section<br>14-00024-00-BT                | Fund Type<br>CMAQ    | ITEP, SRTS, or HSIP Number(s) |                |                  |

|              |                |             |                |              |                |
|--------------|----------------|-------------|----------------|--------------|----------------|
| Construction |                | Engineering |                | Right-of-Way |                |
| Job Number   | Project Number | Job Number  | Project Number | Job Number   | Project Number |
| C-98-359-14  | 4LHB(618)      |             |                |              |                |

This Agreement is made and entered into between the above local public agency, hereinafter referred to as the "LPA", and the State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The **STATE** and **LPA** jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans prepared by, or on behalf of the **LPA**, approved by the **STATE** and the **STATE's** policies and procedures approved and/or required by the Federal Highway Administration, hereinafter referred to as "FHWA".

#### Location

Local Name Berm Multi-Use Path Route Unmarked Length 1.0 mi  
Termini IL 4 to 10<sup>th</sup> Street extension

Current Jurisdiction City of Mascoutah/State of IL TIP Number 6418-14 Existing Structure No N/A

#### Project Description

The project consists of construction of a multi-use path and all work necessary to complete the project.

#### Division of Cost

| Type of Work                   | CMAQ       | %     | %   | LPA       | %       | Total      |
|--------------------------------|------------|-------|-----|-----------|---------|------------|
| Participating Construction     | 269,360    | ( * ) | ( ) | 67,340    | ( BAL ) | 336,700    |
| Non-Participating Construction |            | ( )   | ( ) |           | ( )     |            |
| Preliminary Engineering        |            | ( )   | ( ) |           | ( )     |            |
| Construction Engineering       | 800        | ( * ) | ( ) | 200       | ( BAL ) | 1,000      |
| Right of Way                   |            | ( )   | ( ) |           | ( )     |            |
| Railroads                      |            | ( )   | ( ) |           | ( )     |            |
| Utilities                      |            | ( )   | ( ) |           | ( )     |            |
| Materials                      |            |       |     |           |         |            |
| TOTAL                          | \$ 270,160 |       |     | \$ 67,540 |         | \$ 337,700 |

\*80% CMAQ Funding not to exceed \$270,160

**NOTE:** The costs shown in the Division of Cost table are approximate and subject to change. The final **LPA** share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

#### Local Public Agency Appropriation

By execution of this Agreement, the **LPA** attests that sufficient moneys have been appropriated or reserved by resolution or ordinance to fund the **LPA** share of project costs. A copy of the authorizing resolution or ordinance is attached as an addendum (**required for State-let contracts only**)

#### Method of Financing (State Contract Work Only)

METHOD A---Lump Sum (80% of **LPA** Obligation) \_\_\_\_\_  
METHOD B--- \_\_\_\_\_ Monthly Payments of \_\_\_\_\_ due by the \_\_\_\_\_ of each successive month.  
METHOD C---**LPA's** Share Balance divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)



## Agreement Provisions

### THE LPA AGREES:

- (1) To acquire in its name, or in the name of the **STATE** if on the **STATE** highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established State policies and procedures. Prior to advertising for bids, the **LPA** shall certify to the **STATE** that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the **LPA**, and the **STATE** and the **FHWA**, if required.
- (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
- (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
- (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
- (5) To maintain or cause to be maintained, in a manner satisfactory to the **STATE** and the **FHWA**, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
- (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
- (7) To maintain, for a minimum of 3 years after final project close-out by the **STATE**, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the **LPA** agrees to cooperate fully with any audit conducted by the Auditor General and the **STATE**; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the **STATE** for the recovery of any funds paid by the **STATE** under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
- (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
- (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the **FHWA**.
- (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
  - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of billing, in lump sum, an amount equal to 80% of the **LPA**'s estimated obligation incurred under this Agreement. The **LPA** will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) within thirty (30) calendar days of billing in a lump sum, upon completion of the project based on final costs.
  - Method B - Monthly Payments. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE**, a specified amount each month for an estimated period of months, or until 80% of the **LPA**'s estimated obligation under the provisions of the Agreement has been paid, and will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
  - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of receipt, an amount equal to the **LPA**'s share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.

Failure to remit the payment(s) in a timely manner as required under Methods A, B, or C, shall allow the **STATE** to internally offset, reduce, or deduct the arrearage from any payment or reimbursement due or about to become due and payable from the **STATE** to **LPA** on this or any other contract. The **STATE**, at its sole option, upon notice to the **LPA**, may place the debt into the Illinois Comptroller's Offset System (15 ILCS 405/10.05) or take such other and further action as may be required to recover the debt.
- (11) (Local Contracts or Day Labor) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
- (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of, the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal funds received under the terms of this Agreement.
- (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal Funds received under the terms of this Agreement.



- (14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.
- Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.
- The **LPA** is responsible for the payment of the railroad related expenses in accordance with the **LPA**/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.
- Engineer's Payment Estimates shall be in accordance with the Division of Cost on page one.
- (15) And certifies to the best of its knowledge and belief its officials:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
  - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
  - (d) have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (16) To include the certifications, listed in item 15 above, and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (17) (State Contracts) That execution of this agreement constitutes the **LPA's** concurrence in the award of the construction contract to the responsible low bidder as determined by the **STATE**.
- (18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the **LPA's** certification that:
- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;
  - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;
  - (c) The **LPA** shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (19) To regulate parking and traffic in accordance with the approved project report.
- (20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.
- (21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.
- (22) To complete this phase of the project within three (3) years from the date this agreement is approved by the **STATE** if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
- (23) To comply with the federal Financial Integrity Review and Evaluation (FIRE) program, which requires States and subrecipients to justify continued federal funding on inactive projects. 23 CFR 630.106(a)(5) defines an inactive project as a project which no expenditures have been charged against Federal funds for the past twelve (12) months.
- To keep projects active, invoicing must occur a minimum of one time within any given twelve (12) month period. However, to ensure adequate processing time, the first invoice shall be submitted to the **STATE** within six (6) months of the federal authorization date. Subsequent invoices will be submitted in intervals not to exceed six (6) months.
- (24) The **LPA** will submit supporting documentation with each request for reimbursement from the **STATE**. Supporting documentation is defined as verification of payment, certified time sheets or summaries, vendor invoices, vendor receipts, cost plus fee invoice, progress report, and personnel and direct cost summaries, and other documentation supporting the requested reimbursement amount (Form BLRS 05621 should be used for consultant invoicing purposes). **LPA** invoice requests to the **STATE** will be submitted with sequential invoice numbers by project.



The **LPA** will submit to the **STATE** a complete and detailed final invoice with applicable supporting documentation of all incurred costs, less previous payments, no later than twelve (12) months from the date of completion of this phase of the improvement or from the date of the previous invoice, which ever occurs first. If a final invoice is not received within this time frame, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

- (25) The **LPA** shall provide the final report to the appropriate **STATE** district within twelve months of the physical completion date of the project so that the report may be audited and approved for payment. If the deadline cannot be met, a written explanation must be provided to the district prior to the end of the twelve months documenting the reason and the new anticipated date of completion. If the extended deadline is not met, this process must be repeated until the project is closed. Failure to follow this process may result in the immediate close-out of the project and loss of further funding.
- (26) (Single Audit Requirements) That if the **LPA** expends \$750,000 or more a year in federal financial assistance they shall have an audit made in accordance with 2 CFR 200. **LPAs** expending less than \$750,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the **STATE** (Office of Finance and Administration, Audit Coordination Section, 2300 South Dirksen Parkway, Springfield, Illinois, 62764), within 30 days after the completion of the audit, but no later than one year after the end of the **LPA's** fiscal year. The CFDA number for all highway planning and construction activities is 20.205.

Federal funds utilized for construction activities on projects let and awarded by the **STATE** (denoted by an "X" in the State Contract field at the top of page 1) are not included in a **LPA's** calculation of federal funds expended by the **LPA** for Single Audit purposes.

- (27) That the **LPA** is required to register with the System for Award Management or SAM (formerly Central Contractor Registration (CCR)), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. To register or renew, please use the following website: <https://www.sam.gov/portal/public/SAM/#1>.

The **LPA** is also required to obtain a Dun & Bradstreet (D&B) D-U-N-S Number. This is a unique nine digit number required to identify subrecipients of federal funding. A D-U-N-S number can be obtained at the following website: <http://fedgov.dnb.com/webform>.

#### THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the **LPA's** certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the **STATE** (and **FHWA**, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the **LPA** to proceed with the construction of the improvement when Agreed Unit Prices are approved, and to reimburse the **LPA** for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) For agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
- (a) To reimburse the **LPA** for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the **LPA**;
  - (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by **STATE** inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the **STATE**.

#### IT IS MUTUALLY AGREED:

- (1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction and federal Buy America provisions.
- (2) That this Agreement and the covenants contained herein shall become null and void in the event that the **FHWA** does not approve the proposed improvement for Federal-aid participation within one (1) year of the date of execution of this Agreement.
- (3) This Agreement shall be binding upon the parties, their successors and assigns.
- (4) For contracts awarded by the **LPA**, the **LPA** shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The **LPA** shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The **LPA's** DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the **STATE** may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for

enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.). In the absence of a USDOT – approved **LPA** DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the **STATE's** USDOT approved Disadvantaged Business Enterprise Program.

- (5) In cases where the **STATE** is reimbursing the **LPA**, obligations of the **STATE** shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (6) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application.

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#### ADDENDA

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1- Location Map.    Number 2 – LPA Appropriation Resolution    Number 3 - Jurisdiction and Maintenance

(Insert Addendum numbers and titles as applicable)

---

The **LPA** further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all Addenda indicated above.

#### APPROVED

Local Public Agency

Gerald E. Daugherty

\_\_\_\_\_  
Name of Official (Print or Type Name)

Mayor

\_\_\_\_\_  
Title (County Board Chairperson/Mayor/Village President/etc.)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

The above signature certifies the agency's TIN number is  
37-6001969 conducting business as a Governmental  
Entity.

DUNS Number    300005340

#### APPROVED

State of Illinois  
Department of Transportation

\_\_\_\_\_  
Randall S. Blankenhorn, Secretary

\_\_\_\_\_  
Date

By:

\_\_\_\_\_  
Aaron A. Weatherholt, Deputy Director of Highways

\_\_\_\_\_  
Date

\_\_\_\_\_  
Omer Osman, Director of Highways/Chief Engineer

\_\_\_\_\_  
Date

\_\_\_\_\_  
William M. Barnes, Chief Counsel

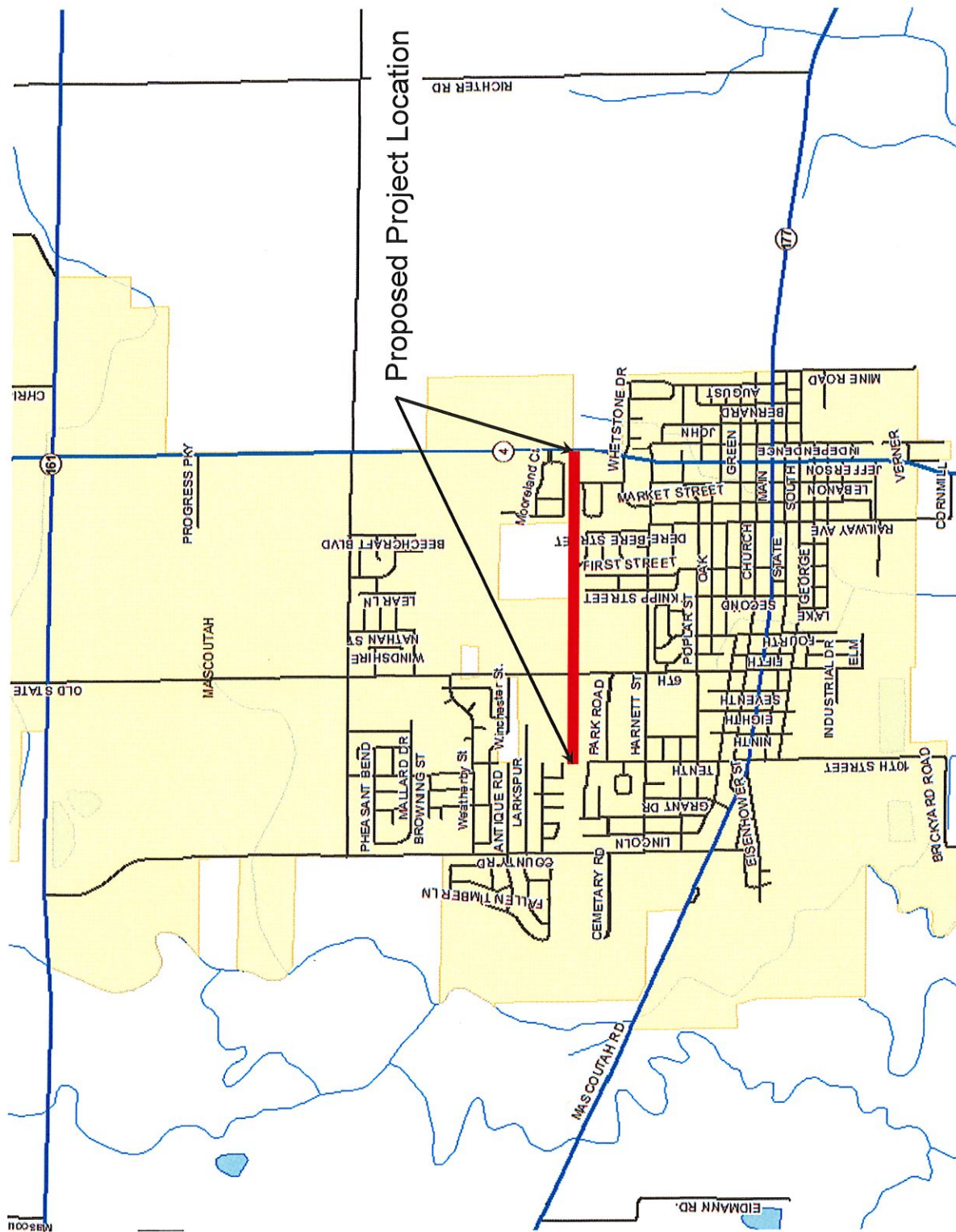
\_\_\_\_\_  
Date

\_\_\_\_\_  
Jeff Heck, Chief Fiscal Officer (CFO)

\_\_\_\_\_  
Date

**NOTE:** If the **LPA** signature is by an **APPOINTED** official, a resolution authorizing said appointed official to execute this agreement is required.





Proposed Project Location

Addendum 1 – Location Map  
City of Mascoutah  
14-00024-00-BT, C-98-359-14

ADDENDUM #2

Local Appropriation Resolution

**PLACEHOLDER**

**To be replaced for final Joint Agreement by Local Agency**



**ADDENDUM NUMBER 3**  
City of Mascoutah  
14-00024-00-BT  
Jurisdiction and Maintenance

1. The STATE hereby agrees that upon final field inspection of the improvement and so long as Sixth Street is used as a State Route that they will maintain or cause to be maintained those items they currently maintain.
2. The LOCAL AGENCY hereby agrees to maintain or cause to maintain those items they currently maintain and all improvements, including drainage and appurtenances, constructed as part of this project.

## CITY OF MASCOUTAH

### Staff Report

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins, City Manager

**SUBJECT:** **IDOT Resolution/Local Public Agency Agreement for Federal Participation for Berm Multi-Use Path 10<sup>th</sup> Street to County Road**

**MEETING DATE:** February 5, 2018

#### **REQUESTED ACTION:**

Adoption of Resolution approving the Local Public Agency Agreement for Federal Participation for the construction of the Mascoutah Berm Multi-Use Path from Tenth Street to County Road.

#### **BACKGROUND & STAFF COMMENTS:**

This is an action required by the City Council to authorize the City to enter an agreement with IDOT for the construction of the Mascoutah Berm Multi-Use Path from Tenth Street to County Road. The project consists of construction of a multi-use asphalt path, pavement marking, signage, and other ancillary work. The preliminary construction cost estimate is \$105,000. This agreement authorizes the IDOT STU grant in the amount of \$54,525 and authorizes matching City funds in the amount of \$50,475. This agreement is under concurrent review by the IDOT Central Bureau. No revisions are anticipated but minor changes may be necessary prior to final execution. The signed agreement must be returned to IDOT Local Roads Office at the District 8 Headquarters by March 2, 2018. This project is currently scheduled for the April 27, 2018 IDOT letting.

The Resolution and draft Local Public Agency Agreement for Federal Participation is attached.

#### **FUNDING:**

This project will be paid for with the \$54,525 of STU Federal Funding with the remaining \$50,475 from the General Fund.


#### **RECOMMENDATION:**

Council approval and adoption of this resolution authorizing the City to enter a Local Public Agency Agreement for Federal Participation for the construction of the Mascoutah Berm Multi-Use Path from Tenth Street to County Road.


#### **SUGGESTED MOTION:**

I move that the Council approve and adopt IDOT Resolution No. 17-18-\_\_\_\_, a Resolution to authorize the City to enter a Local Public Agency Agreement for Federal Participation for the construction of the Mascoutah Berm Multi-Use Path from Tenth Street to County Road.

Prepared By:

  
Tom Quirk  
City Engineer

Approved By:

  
Cody Hawkins  
City Manager

Attachments: A – Resolution  
B – Draft Local Agency Agreement for State Participation

City of Mascoutah

Location: Mascoutah Berm Multi-Use Path

Section No.: 15-00024-01-BT

Project No.: A89V(102)

Job No.: C-98-254-18

**RESOLUTION NO. 17-18-\_\_**

**APPROPRIATION RESOLUTION AND  
RESOLUTION AUTHORIZING EXECUTION OF A  
LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION BETWEEN  
ILLINOIS DEPARTMENT OF TRANSPORTATION AND  
THE CITY OF MASCOUTAH**

**WHEREAS**, the City of Mascoutah endeavors to construct a Berm Multi-Use Path from Tenth Street to County Road that is approximately 0.3 miles in length and known to the Illinois Department of Transportation as MFT Section Number 15-00024-01-BT and State Job Number C-98-254-18; and

**WHEREAS**, the cost of said improvement has necessitated the use of federal funds; and

**WHEREAS**, the federal fund source requires a match of local funds; and

**WHEREAS**, the use of federal funds requires a Joint Funding Agreement, Local Agency Agreement for Federal Participation (AGREEMENT) with the Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mascoutah, St. Clair County, Illinois, authorizes Fifty Thousand, Four Hundred Seventy-Five dollars (\$50,475.00) or as much of such sum as may be needed to match federal funds in the completion of the aforementioned project known as MFT Section Number 15-00024-01-BT.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized and directed to execute the above-mentioned AGREEMENT and any other such documents related to advancement and completion of said project.

**PASSED AND APPROVED** by the City Council of the City of Mascoutah, Illinois on the 5<sup>th</sup> day of February, 2018.

|        |   |   |
|--------|---|---|
| AYE's  | — | . |
| NAY's  | — | . |
| ABSENT | — | . |



\_\_\_\_\_  
Mayor

ATTEST:


\_\_\_\_\_  
City Clerk  
(SEAL)

Certificate:

I, Kari D. Haas, City Clerk in and for said City of Mascoutah in the State of Illinois, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect, and complete copy of a Resolution adopted by the City of Mascoutah City Council at its meeting held on February 5, 2018.

In testimony whereof, I have hereunto set my hand and affixed the seal of said City of Mascoutah at my office in City of Mascoutah, in St. Clair County, this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
City Clerk  
(SEAL)

|   |  |                      |                               |                |                  |
|---|--|----------------------|-------------------------------|----------------|------------------|
|  <b>Illinois Department of Transportation</b><br><b>Local Public Agency Agreement for Federal Participation</b> | Local Public Agency<br>City of Mascoutah | State Contract<br>XX | Day Labor                     | Local Contract | RR Force Account |
|   | Section<br>15-00024-01-BT                | Fund Type<br>STU     | ITEP, SRTS, or HSIP Number(s) |                |                  |

|              |                |             |                |              |                |
|--------------|----------------|-------------|----------------|--------------|----------------|
| Construction |                | Engineering |                | Right-of-Way |                |
| Job Number   | Project Number | Job Number  | Project Number | Job Number   | Project Number |
| C-98-254-18  | A89V(102)      |             |                |              |                |

This Agreement is made and entered into between the above local public agency, hereinafter referred to as the "LPA", and the State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LPA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans prepared by, or on behalf of the LPA, approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration, hereinafter referred to as "FHWA".

#### Location

Local Name Mascoutah Berm Multi-Use Path Route Various Length 0.3 mi  
Termini 10<sup>th</sup> Street to County Road

Current Jurisdiction City of Mascoutah TIP Number 6614-19 Existing Structure No N/A

#### Project Description

The project consists of the construction of a multi-use path and all work necessary to complete the project

#### Division of Cost

| Type of Work                   | STU       | %     | %   | LPA       | %       | Total      |
|--------------------------------|-----------|-------|-----|-----------|---------|------------|
| Participating Construction     | 54,525    | ( * ) | ( ) | 50,475    | ( BAL ) | 105,000    |
| Non-Participating Construction |           | ( )   | ( ) |           | ( )     |            |
| Preliminary Engineering        |           | ( )   | ( ) |           | ( )     |            |
| Construction Engineering       |           | ( )   | ( ) |           | ( )     |            |
| Right of Way                   |           | ( )   | ( ) |           | ( )     |            |
| Railroads                      |           | ( )   | ( ) |           | ( )     |            |
| Utilities                      |           | ( )   | ( ) |           | ( )     |            |
| Materials                      |           |       |     |           |         |            |
| TOTAL                          | \$ 54,525 |       |     | \$ 50,475 |         | \$ 105,000 |

\*75% STU Funds not to exceed \$54,525

**NOTE:** The costs shown in the Division of Cost table are approximate and subject to change. The final LPA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

#### Local Public Agency Appropriation

By execution of this Agreement, the LPA attests that sufficient moneys have been appropriated or reserved by resolution or ordinance to fund the LPA share of project costs. A copy of the authorizing resolution or ordinance is attached as an addendum (required for State-let contracts only)

#### Method of Financing (State Contract Work Only)

METHOD A---Lump Sum (80% of LPA Obligation) \_\_\_\_\_  
METHOD B--- \_\_\_\_\_ Monthly Payments of \_\_\_\_\_ due by the \_\_\_\_\_ of each successive month.  
METHOD C---LPA's Share Balance divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)



## Agreement Provisions

### THE LPA AGREES:

- (1) To acquire in its name, or in the name of the **STATE** if on the **STATE** highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established State policies and procedures. Prior to advertising for bids, the **LPA** shall certify to the **STATE** that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the **LPA**, and the **STATE** and the **FHWA**, if required.
- (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
- (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
- (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
- (5) To maintain or cause to be maintained, in a manner satisfactory to the **STATE** and the **FHWA**, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
- (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
- (7) To maintain, for a minimum of 3 years after final project close-out by the **STATE**, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the **LPA** agrees to cooperate fully with any audit conducted by the Auditor General and the **STATE**; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the **STATE** for the recovery of any funds paid by the **STATE** under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
- (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
- (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the **FHWA**.
- (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
  - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of billing, in lump sum, an amount equal to 80% of the **LPA**'s estimated obligation incurred under this Agreement. The **LPA** will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) within thirty (30) calendar days of billing in a lump sum, upon completion of the project based on final costs.
  - Method B - Monthly Payments. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE**, a specified amount each month for an estimated period of months, or until 80% of the **LPA**'s estimated obligation under the provisions of the Agreement has been paid, and will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
  - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of receipt, an amount equal to the **LPA**'s share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.

Failure to remit the payment(s) in a timely manner as required under Methods A, B, or C, shall allow the **STATE** to internally offset, reduce, or deduct the arrearage from any payment or reimbursement due or about to become due and payable from the **STATE** to **LPA** on this or any other contract. The **STATE**, at its sole option, upon notice to the **LPA**, may place the debt into the Illinois Comptroller's Offset System (15 ILCS 405/10.05) or take such other and further action as may be required to recover the debt.
- (11) (Local Contracts or Day Labor) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
- (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of, the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal funds received under the terms of this Agreement.
- (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal Funds received under the terms of this Agreement.



- (14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.
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- Engineer's Payment Estimates shall be in accordance with the Division of Cost on page one.
- (15) And certifies to the best of its knowledge and belief its officials:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
  - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
  - (d) have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (16) To include the certifications, listed in item 15 above, and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (17) (State Contracts) That execution of this agreement constitutes the **LPA's** concurrence in the award of the construction contract to the responsible low bidder as determined by the **STATE**.
- (18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the **LPA's** certification that:
- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;
  - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;
  - (c) The **LPA** shall require that the language of this certification be included in the award documents for all subawards at all ties (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (19) To regulate parking and traffic in accordance with the approved project report.
- (20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.
- (21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.
- (22) To complete this phase of the project within three (3) years from the date this agreement is approved by the **STATE** if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
- (23) To comply with the federal Financial Integrity Review and Evaluation (FIRE) program, which requires States and subrecipients to justify continued federal funding on inactive projects. 23 CFR 630.106(a)(5) defines an inactive project as a project which no expenditures have been charged against Federal funds for the past twelve (12) months.
- To keep projects active, invoicing must occur a minimum of one time within any given twelve (12) month period. However, to ensure adequate processing time, the first invoice shall be submitted to the **STATE** within six (6) months of the federal authorization date. Subsequent invoices will be submitted in intervals not to exceed six (6) months.
- (24) The **LPA** will submit supporting documentation with each request for reimbursement from the **STATE**. Supporting documentation is defined as verification of payment, certified time sheets or summaries, vendor invoices, cost plus fee invoice, progress report, and personnel and direct cost summaries, and other documentation supporting the requested reimbursement amount (Form BLRS 05621 should be used for consultant invoicing purposes). **LPA** invoice requests to the **STATE** will be submitted with sequential invoice numbers by project.



The **LPA** will submit to the **STATE** a complete and detailed final invoice with applicable supporting documentation of all incurred costs, less previous payments, no later than twelve (12) months from the date of completion of this phase of the improvement or from the date of the previous invoice, which ever occurs first. If a final invoice is not received within this time frame, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

- (25) The **LPA** shall provide the final report to the appropriate **STATE** district within twelve months of the physical completion date of the project so that the report may be audited and approved for payment. If the deadline cannot be met, a written explanation must be provided to the district prior to the end of the twelve months documenting the reason and the new anticipated date of completion. If the extended deadline is not met, this process must be repeated until the project is closed. Failure to follow this process may result in the immediate close-out of the project and loss of further funding.
- (26) (Single Audit Requirements) That if the **LPA** expends \$750,000 or more a year in federal financial assistance they shall have an audit made in accordance with 2 CFR 200. **LPAs** expending less than \$750,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the **STATE** (Office of Finance and Administration, Audit Coordination Section, 2300 South Dirksen Parkway, Springfield, Illinois, 62764), within 30 days after the completion of the audit, but no later than one year after the end of the **LPA's** fiscal year. The CFDA number for all highway planning and construction activities is 20.205.
- Federal funds utilized for construction activities on projects let and awarded by the **STATE** (denoted by an "X" in the State Contract field at the top of page 1) are not included in a **LPA's** calculation of federal funds expended by the **LPA** for Single Audit purposes.
- (27) That the **LPA** is required to register with the System for Award Management or SAM (formerly Central Contractor Registration (CCR)), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. To register or renew, please use the following website: <https://www.sam.gov/portal/public/SAM/#1>.

The **LPA** is also required to obtain a Dun & Bradstreet (D&B) D-U-N-S Number. This is a unique nine digit number required to identify subrecipients of federal funding. A D-U-N-S number can be obtained at the following website:  
<http://fedgov.dnb.com/webform>.

#### THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the **LPA's** certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the **STATE** (and **FHWA**, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the **LPA** to proceed with the construction of the improvement when Agreed Unit Prices are approved, and to reimburse the **LPA** for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) For agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
- (a) To reimburse the **LPA** for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the **LPA**;
  - (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by **STATE** inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the **STATE**.

#### IT IS MUTUALLY AGREED:

- (1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction and federal Buy America provisions.
- (2) That this Agreement and the covenants contained herein shall become null and void in the event that the **FHWA** does not approve the proposed improvement for Federal-aid participation within one (1) year of the date of execution of this Agreement.
- (3) This Agreement shall be binding upon the parties, their successors and assigns.
- (4) For contracts awarded by the **LPA**, the **LPA** shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The **LPA** shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The **LPA's** DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the **STATE** may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for

enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.). In the absence of a USDOT – approved **LPA** DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the **STATE's** USDOT approved Disadvantaged Business Enterprise Program.

- (5) In cases where the **STATE** is reimbursing the **LPA**, obligations of the **STATE** shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (6) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application.

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### ADDENDA

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1- Location Map.    Number 2 – LPA Appropriation Resolution

(Insert Addendum numbers and titles as applicable)

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The **LPA** further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all Addenda indicated above.

#### APPROVED

Local Public Agency

Gerald E. Daugherty

Name of Official (Print or Type Name)

Mayor

Title (County Board Chairperson/Mayor/Village President/etc.)

(Signature)

Date

The above signature certifies the agency's TIN number is  
37-6001969 conducting business as a Governmental  
Entity.

DUNS Number    300005340

#### APPROVED

State of Illinois  
Department of Transportation

Randall S. Blankenhorn, Secretary

Date

By:

Aaron A. Weatherholt, Deputy Director of Highways

Date

Omer Osman, Director of Highways/Chief Engineer

Date

William M. Barnes, Chief Counsel

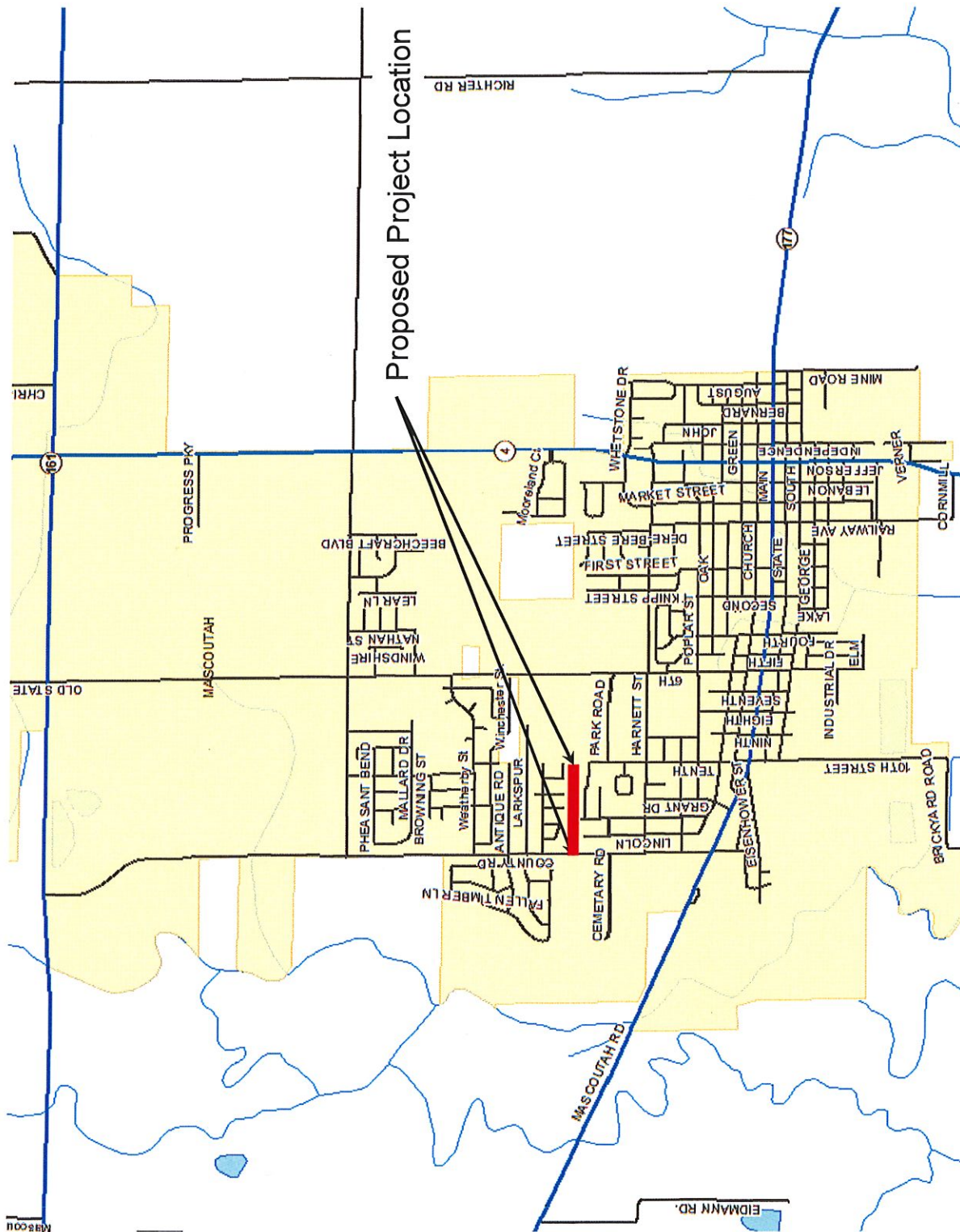
Date

Jeff Heck, Chief Fiscal Officer (CFO)

Date

**NOTE:** If the LPA signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.





Addendum 1 – Location Map  
 City of Mascoutah  
 15-00024-01-BT, C-98-254-18

## Tom Quirk

---

**From:** Mikolay, Catherine E. <Catherine.Mikolay@Illinois.gov>  
**Sent:** Tuesday, January 30, 2018 12:29 PM  
**To:** 'Tom Quirk'  
**Cc:** 'jreis@twm-inc.com'; Schaller, Jon A; Hensley, Joshua A.  
**Subject:** Jt Agr Mascoutah 15-00024-01-BT C-98-254-18 (Berm Multi-Use Path, Ph 2)  
**Attachments:** Jt Agr Mascoutah 15-00024-01-BT C-98-254-18.pdf; Addendum 1 - Location Map.pdf; Addendum 2 - Placeholder Appropriation Resolution.pdf; Sample Appropriation Resolution.pdf

**Importance:** High

Tom,

Please find attached to this email the joint agreement (Jt Agr Mascoutah 15-00024-01-BT C-98-254-18.pdf) and associated addenda required between the State and the City for federal participation in construction of **Phase 2** of the Berm Multi-Use Path project. This is being sent to you for your review and for placement on the City Board's agenda, which it is also being reviewed in the Central Office. If there are no corrections or changes, after council meeting approval, please have the Mayor sign and date four (4) copies of the agreement and return them to the Local Roads office at the District 8 headquarters by **March 2, 2018**. This project is schedule for the **April 27, 2018** letting.

As with the previous email, the local agency will also need to pass an Appropriation Resolution that authorizes the local agency share of the funding. This must be submitted with the four (4) locally executed joint agreements. I've attached another sample to this email.

Please return all four (4) copies after execution. If you have any questions or require any further assistance, please contact Mr. Jon Schaller at 618-346-3334. Please let me know if I can be of further assistance. Thank you for your help.

Sincerely,

*Catherine Mikolay*  
*Local Roads and Streets, Federal Funds Program*  
*Illinois Department of Transportation, District 8*  
*1102 Eastport Plaza Drive, Collinsville, Illinois 62234*  
*618.346.3335, [catherine.mikolay@illinois.gov](mailto:catherine.mikolay@illinois.gov)*



Reduce, Reuse & Recycle. Please don't print this e-mail unless it's really necessary. Thanks.



Illinois Department of Transportation

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ADDENDUM #2

Local Appropriation Resolution

**PLACEHOLDER**

**To be replaced for final Joint Agreement by Local Agency**



**CITY OF MASCOUTAH**  
Mascoutah, Illinois

**TO:** Honorable Mayor and Council

**FROM:** Mike Bolt, Assistant City Manager

**SUBJECT:** **PC 18-01 Design Standards of Driveways & Recreational Vehicles (FIRST READING)**

**MEETING DATE:** February 5<sup>th</sup>, 2018

**REQUESTED ACTION:**

Council approval to update Section 34-11-6 regarding Design Standards of Driveways & Section 34-9-21 regarding Recreational Vehicles.

**BACKGROUND & STAFF COMMENTS:**

City of Mascoutah Administration is recommending an update to Design Standards of Driveway for large Agricultural zoned parcels in the City Limits. Below is the current verbiage, and the **red** is what Staff is recommending for update/addition.

Also City of Mascoutah Administration and the Mascoutah Police Department would also like to clarify, and further define Recreational Vehicles in Section 34-9-21 Recreational Vehicles. Below is the current verbiage, and the **red** is what Staff is recommending for update/addition.

**Sec. 34-11-6. - Design standards.**

(8)*Driveways.* Driveways shall be set back at least four feet from the side lot line. Driveways and parking pads shall consist of only stabilized surfaces such as asphalt or concrete. **Driveways in Agricultural zoned areas in the City Limits, 5 acres minimum, shall be allowed to use rock, gravel, or oil/chip. The parking pad however adjacent to building shall be paved with stabilized surfaces such as asphalt or concrete. (minimum 20' feet length).**

**Sec. 34-9-21. - Recreational vehicles.**

With the exception of travel trailer parks and commercial establishments engaged in the sale of recreational vehicle, recreational vehicles shall comply with the following regulations:

- (a) Not more than one recreational vehicle shall be parked on any lot.
- (b) No recreational vehicle shall be used as a dwelling.
- (c) No recreational vehicle shall be used as an office or for any other commercial purposes.
- (d) No recreational vehicle shall be parked on a regular basis in front of any existing residences or in the front yard or driveway on any lot in any single-family residential zoning district. Such vehicles may be parked in the side and rear yards.
- (e) Recreational vehicles are defined as RV's, Campers, Boats, Jet Ski's, Trailers, Utility Trailers, Towing Trailers, Pull Trailers, Buses, Shuttles, Limousines, Tractors, ATV's, 4-wheelers, RTV's, Golf Carts, and other similar such vehicles.**
- (f) Recreational vehicles shall not be parked on city roads for more than 24 consecutive hours.**
- (g) Any person who violates any of the provisions of this section can and shall, upon conviction, be fined as provided in section 1-1-20.**

**DISCUSSION POINTS / ISSUES:**

**Public Notice:** Planning Commission Meetings/Public Hearings require public notice. The legal notice for the public hearing was published 01/03/2018 in the Herald Newspaper, posted at City Hall, and posted on the City's website and marquee sign. As of the date of this report, staff has received zero calls, comments, or opposition.

**PLANNING COMMISSION:** The Planning Commission unanimously recommended these two, Section 34 Code updates, at their meeting on January 17, 2018.

**STAFF RECOMMENDATION:**


Council approval and adoption of Ordinance.

**MOTION:**

I move that the City Council approve and adopt Ordinance No. 18-\_\_\_\_, amending Chapter 34-11-6, Design standards of Driveways, and Chapter 34-9-21, Recreational vehicles, of the City of Mascoutah Code of Ordinances.

Approved By: 

Cody Hawkins  
City Manager

Prepared By: 

Mike Bolt  
Assistant City Manager

**Attachments:**

- A-Public Notice
- B-Current Driveway code
- C-Current RV Code
- D-Planning Commission Minutes
- E-Ordinance

(A)

## Legal Notice

### NOTICE OF PUBLIC HEARING TO WHOM IT MAY CONCERN

The Planning Commission of the City of Mascoutah will conduct a Public Hearing on Wednesday, January 17th, 2018 at 7:00 p.m. in the City Council Chambers at City Hall, #3 West Main Street, Mascoutah, IL 62258.

The purpose of the hearing is to:

- Consider updates to the City's Comprehensive Plan.
- Consider updates to Code Section 34-9-21 regarding Recreational Vehicles.
- Consider updates to Code Section 34-11-6 regarding Design standards of Driveways.

Anyone interested in this subject may appear and be heard for or against. Questions or requests for further details can be directed to the City

Manager's Office, (618) 566-2964, ext. 121. Comments in writing may be forwarded to the City Manager's Office, #3 West Main St., Mascoutah, IL 62258.

A regular meeting of the Planning Commission will follow this hearing for action on this request.

PLANNING COMMISSION  
Ken Zacharski, Chairman





## NOTICE OF PUBLIC HEARING TO WHOM IT MAY CONCERN

The Planning Commission of the City of Mascoutah will conduct a Public Hearing on Wednesday, January 17<sup>th</sup>, 2018 at 7:00 p.m. in the City Council Chambers at City Hall, #3 West Main Street, Mascoutah, IL 62258.

*The purpose of the hearing is to:*

- Consider updates to the City's Comprehensive Plan.
- Consider updates to Code Section 34-9-21 regarding Recreational Vehicles.
- Consider updates to Code Section 34-11-6 regarding Design standards of Driveways.

Anyone interested in this subject may appear and be heard for or against. Questions or requests for further details can be directed to the City Manager's Office, (618) 566-2964, ext. 121. Comments in writing may be forwarded to the City Manager's Office, #3 West Main St., Mascoutah, IL 62258.

A regular meeting of the Planning Commission will follow this hearing for action on this request.

PLANNING COMMISSION  
Ken Zacharski, Chairman

not be flat or nearly flat except for the center portion of the roof that is not visible from ground level. At least 60 percent of the roof area on a one-story building, when seen in plan view, must be pitched. The pitch of such roof shall have at least a four-foot rise to 12-foot horizontal run but shall not exceed a 12-foot rise to 12-foot horizontal run. All roofs shall be subject to review and approval of the architectural review board for materials, pitch and color. Colors for roof materials shall not deviate from the list of permissible building colors unless such material is a shade of dark gray or black that is not designed to call attention to the building or such material is not visible from any nearby property or roadway.

- (7) *Garages.* Garages may be front, side or rear-entry although attempts shall be made to design all commercial and institutional buildings such that buildings do not have garage doors facing any street. Garages should conform architecturally to the building and its environs.

- (8) *Driveways.* Driveways shall be set back at least four feet from the side lot line. Driveways and parking pads shall consist of only stabilized surfaces such as asphalt or concrete.

- (9) *Walkways.* All walkways shall consist of stone, brick or concrete.

- (10) *Sod required.* No slopes shall be permitted in excess of 3:1. Except, however, that sod shall not be required for areas of the site which have a slope exceeding a 3:1 pitch prior to site development and which will remain in an undisturbed natural state. Sod shall be required on all storm water runoff areas.


- (11) *Mechanical equipment.* All mechanical equipment on commercial and institutional buildings (such as air conditioning units) shall be completely screened from view. All buildings shall be architecturally designed so that roof-mounted equipment is hidden from all sides of the building when the building is ready for occupancy. In addition, any mechanical equipment shall be hidden so that it is not visible from the property line of the business or industrial park or subdivision in which the building is located or from any residential property.

- (12) *Front facade.* The front facade of every commercial and institutional building excluding window glass shall be comprised of brick or stone masonry unless alternative material is approved by the architectural review board based on the design of the building. All buildings shall present a good, well-maintained frontage, harmonious in design to the surrounding vicinity. If architecturally acceptable, glass could be considered for part of the front facade.

- (13) *Facades of one-story buildings.* All facades of one-story buildings shall consist primarily of solid materials. The combined area of windows, glass, and

Sec. 34-9-21. - Recreational vehicles.

With the exception of travel trailer parks and commercial establishments engaged in the sale of recreational vehicle, recreational vehicles shall comply with the following regulations:

- 
- (a) Not more than one recreational vehicle shall be parked on any lot.
  - (b) No recreational vehicle shall be used as a dwelling.
  - (c) No recreational vehicle shall be used as an office or for any other commercial purposes.
  - (d) No recreational vehicle shall be parked on a regular basis in front of any existing residences or in the front yard or driveway on any lot in any single-family residential zoning district. Such vehicles may be parked in the side and rear yards.

(Sec. 9.4.8)





CITY OF MASCOUTAH  
PLANNING COMMISSION  
#3 WEST MAIN STREET  
MASCOUTAH, IL 62258-2030

JANUARY 17, 2018

The minutes of the Regular Meeting of the Planning Commission of the City of Mascoutah.

**PUBLIC HEARING – 7:00PM**

**PC 18-01 – Design Standards of Driveways & Recreational Vehicles.**

Assistant City Manager Mike Bolt presented staff recommendations for changes to the design standards of driveways for large Agricultural zoned parcels in the City Limits. Below is the current verbiage, and the **red** is what Staff is recommending for update/addition.

*Driveways.* Driveways shall be set back at least four feet from the side lot line. Driveways and parking pads shall consist of only stabilized surfaces such as asphalt or concrete. **Driveways in Agricultural zoned areas in the City Limits, 5 acres minimum, shall be allowed to use rock, gravel, or oil/chip. The parking pad however adjacent to building shall be paved with stabilized surfaces such as asphalt or concrete.**

***Commission also thought it is necessary to include a minimum of 20' feet length on the parking pad as an amendment to the recommendation. Commission inquired on the amount of AG zoned locations in town. Assistant City Manager stated only a handful remain south of Fuesser and there are about 3 north of Fuesser.***

City of Mascoutah Administration and the Mascoutah Police Department would also like to clarify, and further define Recreational Vehicles. Below is the current verbiage, and the **red** is what Staff is recommending for update/addition.

With the exception of travel trailer parks and commercial establishments engaged in the sale of recreational vehicle, recreational vehicles shall comply with the following regulations:

- (a) Not more than one recreational vehicle shall be parked on any lot.
- (b) No recreational vehicle shall be used as a dwelling.
- (c) No recreational vehicle shall be used as an office or for any other commercial purposes.
- (d) No recreational vehicle shall be parked on a regular basis in front of any existing residences or in the front yard or driveway on any lot in any single-family residential zoning district. Such vehicles may be parked in the side and rear yards.
- (e) Recreational vehicles are defined as RV's, Campers, Boats, Jet Ski's, Trailers, Utility Trailers, Towing Trailers, Pull Trailers, Buses, Shuttles, Limousines, Tractors, and other similar such vehicles.**
- (f) Recreational vehicles shall not be parked on city roads for more than 24 consecutive hours.**
- (g) Any person who violates any of the provisions of this section can and shall, upon conviction, be fined as provided in section 1-1-20.**

***Commission discussed in detail the 24 consecutive hours. They looked at increasing it to 48 or 72 but decided to leave it at 24. It was stated that it doesn't matter what amount of time we give some they will abuse it. We will be lenient with those who would need extra time, but 24hrs should be***

**sufficient. Commission discussed how owners can still utilize side and rear yards & garages.**

**The Planning Commission feels like the biggest obstacle is enforcement along with informing the residents of the rules. They also asked that golf cart and RTV, ATV, 4wheelers be included. Assistant City Manager stated that those vehicles would fall under "similar such vehicles", but we can certainly put those in there. Chairman mentioned he liked what staff did to further define recreational vehicles to help the police department when enforcing.**

Planning Commission Meetings/Public Hearings require public notice. The legal notice for the public hearing was published 01/03/2018 in the Herald Newspaper, posted at City Hall, and posted on the City's website and marquee sign. As of the date of this report, staff has received zero calls, comments, or opposition.

There was no further discussion.

**PUBLIC HEARING ADJOURNED at 7:42 PM**

**CALL TO ORDER at 7:43PM**

Chairman Ken Zacharski called the meeting to order.

**PRESENT**

Commission members Charles Lee, Jack Klopmeier, Glenn Shelley, Rich Thompson, Bruce Jung, Jim Connor and Chairman Ken Zacharski were present.

**ABSENT – NONE**

**ALSO PRESENT**

Assistant City Manager Mike Bolt, Executive Assistant Melissa Schanz, & Councilman Paul Schorr.

**ESTABLISHMENT OF A QUORUM**

A quorum of Planning Commission members was present.

**GENERAL PUBLIC COMMENT - None**

**AMEND AGENDA**

There was no need to amend Agenda.

**MINUTES**

Lee moved, seconded by Thompson, to approve the minutes of the September 20, 2017 Planning Commission Meeting.

**THE MOTION BY ROLL CALL**

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Rich Thompson aye, Bruce Jung aye, Jim Connor aye and Chairman Ken Zacharski aye  
7-ayes, 0-nays

**PC 18-01 – Design Standards of Driveways & Recreational Vehicles.**

Discussion was held during the Public Hearing Process. Please see Public Hearing section of these minutes for details.





**MOTION:**

Lee moved, seconded by Jung that the Planning Commission recommend these requests, subject to the Findings attached as amended, to Mayor and City Council.

**THE MOTION BY ROLL CALL**

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Rich Thompson aye, Bruce Jung aye, Jim Connor aye and Chairman Ken Zacharski aye.

7-ayes, 0-nays

**MISCELLANEOUS – None**

**ADJOURNMENT**

Lee moved, seconded by Conner, to adjourn at 7:45 p.m. All were in favor.

DRAFT



**ORDINANCE NO. 18-\_\_**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES,  
CHAPTER 34 – UNIFIED LAND DEVELOPMENT CODE  
ADOPTED OF THE CITY OF MASCOUTAH, ILLINOIS.**

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MASCOUTAH, IN ST. CLAIR COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** Amending CHAPTER 34 – UNIFIED LAND DEVELOPMENT CODE, ARTICLE XI – ARCHITECTURAL REVIEW, and ARTICLE IX – OFF-STREET PARKING AND LOADING, DIVISION 4 – DESIGN AND MAINTENANCE STANDARDS, as attached.

**SECTION 2:** This ordinance shall be in full force and effect after passage, approval and publication as required by law.

**PASSED** by the Mayor and the City Council of the City of Mascoutah, County of St. Clair, State of Illinois, upon motion by Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_, adopted on the following roll call vote on the 20<sup>th</sup> day of February, 2018, and deposited and filed in the Office of the City Clerk in said City on that date.

|                  | <u>Aye</u> | <u>Nay</u> | <u>Absent</u> |
|------------------|------------|------------|---------------|
| Paul Schorr      | ___        | ___        | ___           |
| John Weyant      | ___        | ___        | ___           |
| Pat McMahan      | ___        | ___        | ___           |
| Michael Baker    | ___        | ___        | ___           |
| Gerald Daugherty | ___        | ___        | ___           |

**APPROVED AND SIGNED** by the Mayor of the City of Mascoutah, Illinois, this 20<sup>th</sup> day of February, 2018.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk  
(SEAL)

Attachment E

## CHAPTER 34 – UNIFIED LAND DEVELOPMENT CODE

### ARTICLE XI – ARCHITECTURAL REVIEW

#### Sec. 34-11-6. Design standards.

Items considered for architectural review may include design elements and directives as found in the balance of this section. While adherence to the below-listed standards is mandatory, the city accepts that individual site plans may have combinations of design and materials that are acceptable while not complying with specific items in these sections.

Additional design elements may be determined to be similar and consistent with those listed. In each case the development administrator shall consider the “unlisted” design element’s compatibility in the proposed location. He also may determine the design element to be “not permitted” but suitable for conditional use consideration.

- (a) Commercial and institutional buildings.
- (8) *Driveways.* Driveways shall be set back at least four feet from the side lot line. Driveways and parking pads shall consist of only stabilized surfaces such as asphalt or concrete. *Driveways in Agricultural zoned areas in the City limits, 5 acres minimum, shall be allowed to use rock, gravel, or oil/chip. The parking pad however adjacent to building shall be paved with stabilized surfaces such as asphalt or concrete (minimum 20 feet in length).*

### ARTICLE IX – OFF-STREET PARKING AND LOADING

#### DIVISION 4 – DESIGN AND MAINTENANCE STANDARDS

#### Sec. 34-9-21. Recreational vehicles.

With the exception of travel trailer parks and commercial establishments engaged in the sale of recreational vehicle, recreational vehicles shall comply with the following regulations:

- (a) Not more than one recreational vehicle shall be parking on any lot.
- (b) No recreational vehicle shall be used as a dwelling.
- (c) No recreational vehicle shall be used as an office or for any other commercial purposes.
- (d) No recreational vehicle shall be parked on a regular basis in front of any existing residences or in the front yard or driveway on any lot in any single-family residential zoning district. Such vehicles may be parking in the side and rear yards.
- (e) *Recreational vehicles are defined as RV’s, campers, boats, jet ski’s, trailers, utility trailers, towing trailers, pull trailers, buses, shuttles, limousines, tractors, ATV’s, 4-wheelers, RTV’s, golf carts, and other similar such vehicles.*

- (f) *Recreational vehicles shall not be parking on city roads for more than 24 consecutive hours.*
- (g) *Any person who violates any of the provisions of this section can and shall, upon conviction, be fined as provided in section 1-1-20.*



**CITY OF MASCOUTAH**  
**Staff Report**

**TO:** Honorable Mayor and Council

**FROM:** Mike Bolt, Assistant City Manager

**SUBJECT:** Bid Waiver & Approval - Large Welcome to Mascoutah Sign

**MEETING DATE:** February 5<sup>th</sup>, 2018

**REQUESTED ACTION:**

Approval to waive the competitive bidding requirements for the large Welcome to Mascoutah sign purchase, and approve the purchase with ProSigns Advertising and Design Company.

**BACKGROUND & STAFF COMMENTS:**

The total cost for a large "Welcome to Mascoutah" sign is \$38,274. Staff is asking for the competitive bidding to be waived for this purchase. Section 1-2-27 of the City Code states that competitive bidding can be waived by a vote of two-thirds of the Council. The design of the Welcome Sign is very specialized to the needs and wants of the City. Requesting bids for this purchase would be impossible since it would involve a very detailed design which would result in only one bidder ; the company who did the design work for the requested. The City would be purchasing the sign from ProSigns Advertising and Design Company from Belleville Illinois.

ProSigns also recently installed the 3 new smaller Welcome Signs in town. This 25' x 9' sign would be located near Route 4 and Progress Parkway.

After several meetings, design workshops, & feedback, the Welcome Sign Committee has approved this design.

**FUNDING:**

This project is a budgeted item, and will be paid for out of the Planning/Development Budget.


**RECOMMENDATION:**

Approval to waive the competitive bidding requirements for the Welcome Sign purchase, and approve the purchase with ProSigns in the amount of \$38,274.

**SUGGESTED MOTION:**

I move that the Council waive the competitive bidding requirements for the Welcome Sign purchase, and approve the purchase with ProSigns in the amount of \$38,274.

Prepared By: \_\_\_\_\_

  
Mike Bolt  
Assistant City Manager

Approved By: \_\_\_\_\_

  
Cody Hawkins  
City Manager

Attachments: A. Quote



**Mike Bolt**

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**From:** david@prosignsbydesign.com  
**Sent:** Friday, February 02, 2018 11:49 AM  
**To:** Cody Hawkins; Mike Bolt  
**Subject:** New Mascoutah Welcome Sign

Hey Cody and Mike,

Happy Friday. Here's what we have for the Great Wall of Mascoutah-

Scope of work (to match approved drawing) -

Construct 25'x9' brick wall/footing with 3 commercial grade flagpoles (2-20 feet tall and 1-25 feet tall) set to the rear of the wall. The front of the wall will read "Welcome To Mascoutah" in stainless steel-halo lit letters.

The city of Mascoutah will be responsible for the electrical hook-up and lighting for the flagpoles (if needed for the flags).

Job total - \$38,274

There is a couple of variables that could drive the cost up or down (flagpoles). The flagpoles we have included are the better commercial grade "sets" with a satin finish. You can get locks, different ways to raise the flag; different finishes for the pole and cheaper poles. The brickwork is the same Mason/bricks/caps as the first 3 entrance signs. The letters will be the same quality as the first three signs as well (just a little larger and silver). The letters are stainless steel and lit from the inside with LEDs for a halo glow.

Let us know if you have any questions. With your approval, we'll get started.

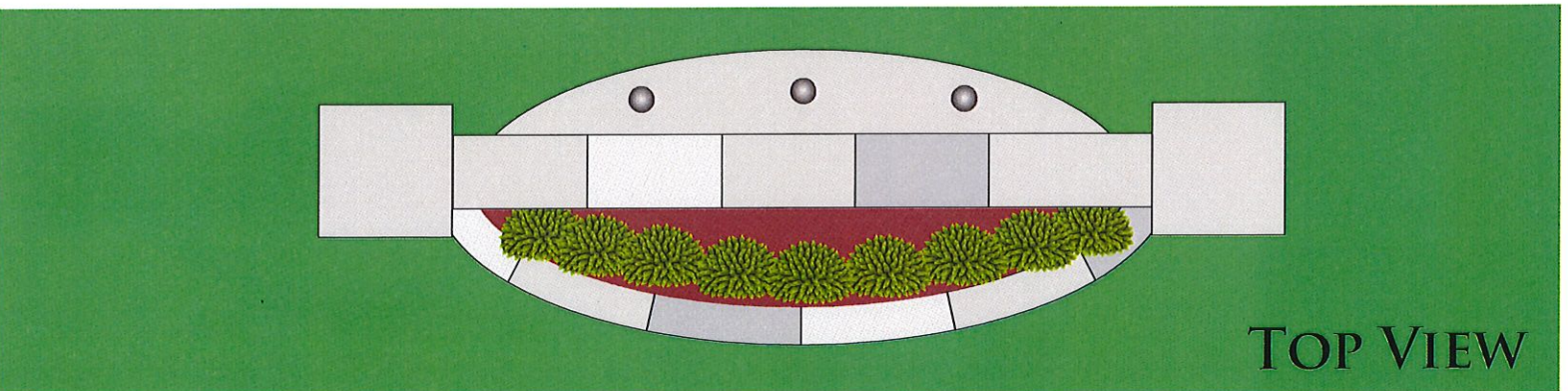
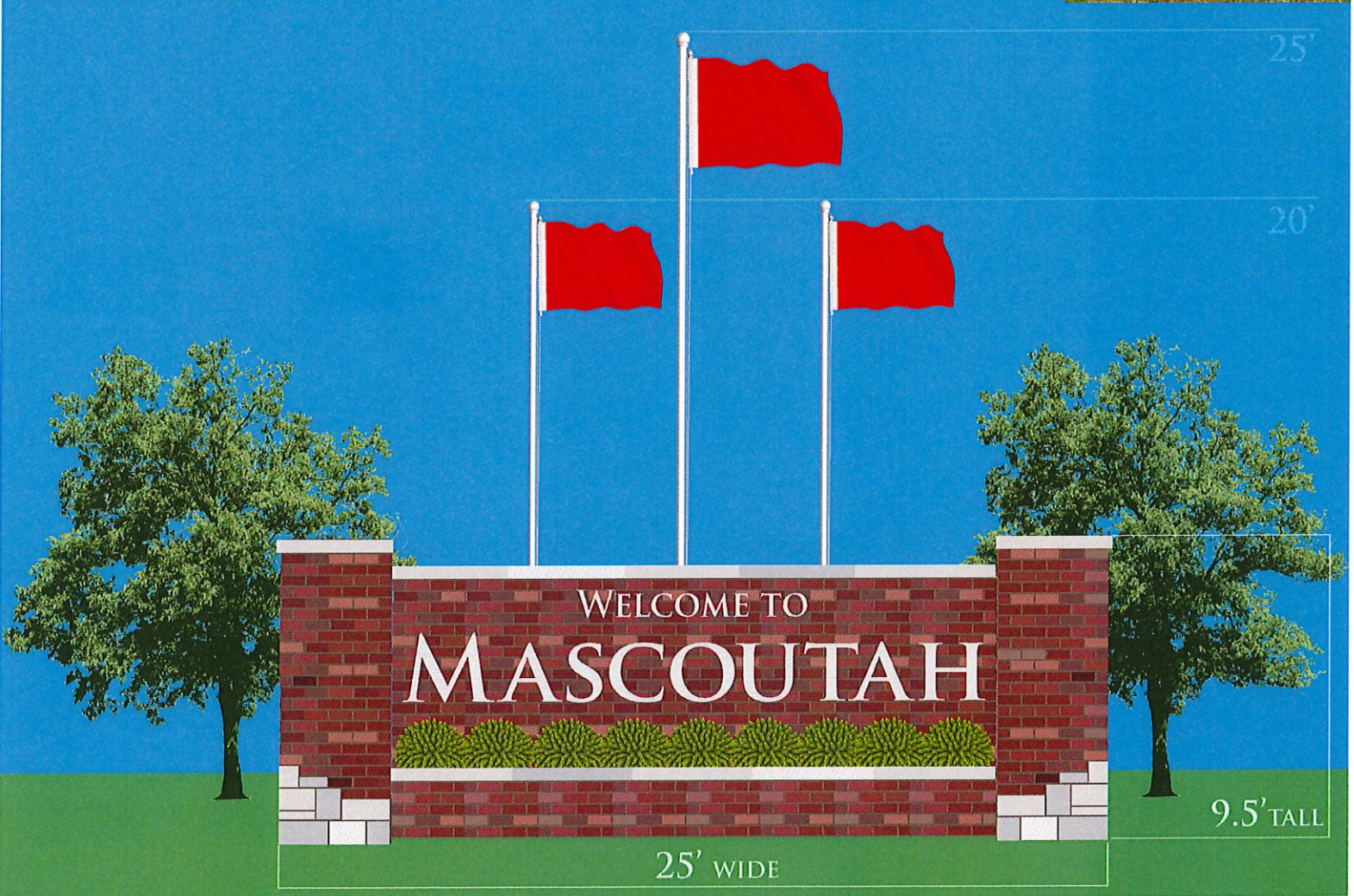
Thanks,

David Mayr  
Pro Signs Advertising & Design  
[www.prosignsbydesign.com](http://www.prosignsbydesign.com)  
618.222.SIGN (7446)





A



TOP VIEW