

**CITY OF LINCOLN**  
**REGULAR CITY COUNCIL MEETING**  
**AGENDA**  
**JULY 16, 2018**  
**CITY HALL COUNCIL CHAMBERS**  
**7:00 PM**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Public Participation**
5. **Consent Agenda by Omnibus Vote**

All items under the Consent Agenda are considered to be routine in nature and/or non-controversial and will be approved by one motion. If any one wishes to have a separate vote on any item, it will be pulled from the Consent Agenda and voted on separately.

- A. Payment of Bills
- B. Approval of minutes July 2, 2018 Regular City Council Meeting, July 10, 2018 Committee Of The Whole Meeting

6. **Ordinance and Resolution**

Resolution for improvement under the Illinois Highway Code in the amount of \$10,304.65 from the MFT Fund

7. **Bids**

8. **Reports**

- A. City Treasurer Report for June, 2018
- B. City Clerks Report for June, 2018
- C. Department Head Reports for June, 2018

9. **New Business/Communications**

- A. Advise and consent to the Mayoral Appointment of Dayne Dalpoas as Alderman for Ward 4
- B. Swearing in of Dayne Dalpoas as Alderman for Ward 4
- C. Approval of the purchase of Real Estate at the corner of Broadway and Hamilton Streets in an amount not to exceed \$70,000.00
- D. Advise and consent to the Mayoral Appointment of a City Administrator

10. **Announcements**

11. **Possible Executive Session**

12. **Adjournment**

We welcome the participation of persons with disabilities at all City of Lincoln meetings. If auxiliary aid or service is required for most effective participation and communication, please notify the City Clerk's Office at 217-735-2815 or [cityclerk@lincoln.il.gov](mailto:cityclerk@lincoln.il.gov) no later than 48 hours prior to the meeting time.



**REGULAR CITY COUNCIL MEETING**  
Lincoln City Hall, Council Chambers  
700 Broadway Street | Lincoln, Illinois

**Monday, July 2, 2018**

The Regular Meeting of the City Council of Lincoln was called to order by Mayor Seth Goodman at 7 p.m., with proper notice given. City Clerk Peggy Bateman called roll.

**Present:**

Alderman Steve Parrott  
Alderman Tracy Welch  
Alderman Ron Fleshman  
Alderman Ron Keller  
Alderwoman Heidi Browne  
Alderman Jeff Hoinacki  
Alderman Rick Hoefle

**Staff Present:**

Treasurer Chuck Conzo  
City Clerk Peggy Bateman  
City Attorney Blinn Bates  
Fire Chief Mark Miller  
Police Chief Paul Adams  
Streets Superintendent Walt Landers

**Absent:**

Alderwoman Michelle Bauer  
Building and Safety Officer Wes Woodhall  
Waste Water and Treatment Manager Tim Ferguson

**Presiding:**

Mayor Seth Goodman

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**Public Comment:**

Mayor Goodman called upon citizens registered to speak, there being none, he moved to the Consent Agenda.

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**Consent Agenda by Omnibus Vote:**

**A. Payment of Bills**

**B. Approval of minutes June 18, 2018 Regular City Council Meeting, June 26, 2018  
Committee Of The Whole Meeting**

**C. Request from Lincoln Park District for the use and closure of various streets for the  
July 4th Children's Parade from 9 a.m. until 11:30 a.m.**

A motion was made by Alderman Keller seconded by Alderwoman Browne; to approve the item. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (7)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Ron Fleshman, Alderman Ron Keller, Alderwoman Heidi Browne, Alderman Jeff Hoinacki, Alderman Rick Hoefle

**Nays:** None

**Absent: (1)** Alderwoman Michelle Bauer

Mayor Goodman moved to other items on the agenda.

**Ordinance and Resolution:**

A motion was made by Alderman Hoefle, seconded by Alderman Welch; to approve the item.

This is approval to go out for bids. Opened discussion.

Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (7)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Ron Fleshman, Alderman Ron Keller, Alderwoman Heidi Browne, Alderman Jeff Hoinacki, Alderman Rick Hoefle

**Nays:** None

**Absent: (1)** Alderwoman Michelle Bauer

Mayor Goodman moved to other items on the agenda.

**Bids:**

**Approval for bids for Oil and Chip Resurfacing of City Streets for F.Y. 2018-2019**

A motion was made by Alderman Hoefle seconded by Alderman Welch; to approve the item.

Streets Superintendent Walt Landers opened discussion saying this is the approval to request for bids. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (7)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Ron Fleshman, Alderman Ron Keller, Alderwoman Heidi Browne, Alderman Jeff Hoinacki, Alderman Rick Hoefle

**Nays:** None

**Absent: (1)** Alderwoman Michelle Bauer

Mayor Goodman moved to other items on the agenda.

**Reports:**

None.

**New Business/Communications:**

**A. Approval of the designation of a reserved parking space for veterans in front of the John A. Logan Building at 122 N. McLean Street which will contain hours of operation for the Office of Veterans Assistance**

A motion was made by Alderwoman Browne, seconded by Alderman Hoefle; to approve the item.

Alderman Welch opened discussion, sharing the significance of a parking spot specifically for veterans, the office of Veterans Assistance feels they can better serve veterans in the community if they can offer a parking spot. The spot would pay tribute to their service to the country and community. He said it is a small thing, for all they do for us. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (7)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Ron Fleshman, Alderman Ron Keller, Alderwoman Heidi Browne, Alderman Jeff Hoinacki, Alderman Rick Hoefle

**Nays:** None

**Absent:** (1) Alderwoman Michelle Bauer

Mayor Goodman moved to other items on the agenda.

**B. Ratification of contract between the International Association of Fire Fighters, Local 3092 and the City of Lincoln**

A motion was made by Alderman Hoinacki, seconded by Alderwoman Browne; to move to approve the item. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas:** (7) Alderman Steve Parrott, Alderman Tracy Welch, Alderman Ron Fleshman, Alderman Ron Keller, Alderwoman Heidi Browne, Alderman Jeff Hoinacki, Alderman Rick Hoefle

**Nays:** None

**Absent:** (1) Alderwoman Michelle Bauer

Mayor Goodman moved to other items on the agenda.

**C. Approval of changing previously approved salary increase of 2.75% to be a 3% increase for Deputy Police Chief. Retro pay effective May 1, 2018 to be Difference of .25% from what has already been approved (Tabled)**

A motion was made by Alderman Hoinacki, seconded by Alderwoman Brown; to un-table the item. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

Alderman Hoefle asked, "So what did we just do?" Alderman Hoinacki said the council un-tabled the item.

**Yeas:** (7) Alderman Steve Parrott, Alderman Tracy Welch, Alderman Ron Fleshman, Alderman Ron Keller, Alderwoman Heidi Browne, Alderman Jeff Hoinacki, Alderman Rick Hoefle

**Nays:** None

**Absent:** (1) Alderwoman Michelle Bauer

Mayor Goodman moved to other items on the agenda.

A motion was made by Alderman Hoinacki, seconded by Alderwoman Brown; to then remove the item from the agenda. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas:** (7) Alderman Steve Parrott, Alderman Tracy Welch, Alderman Ron Fleshman, Alderman Ron Keller, Alderwoman Heidi Browne, Alderman Jeff Hoinacki, Alderman Rick Hoefle

**Nays:** None

**Absent:** (1) Alderwoman Michelle Bauer

Mayor Goodman moved to other items on the agenda.

**Announcements:**

Mayor Goodman asked if anyone had any announcements.

- Alderman Hoinacki mentioned a document he had passed out at the beginning of the meeting pertaining to the University of Illinois Extension. They will be doing a small presentation at a council meeting in the coming weeks. More can be found at [go.illinois.edu/CEDProgramAreas](http://go.illinois.edu/CEDProgramAreas)
- Alderman Hoefle thanked Alderman Keller for postponing discussion on the City Administrator role as he was absent the previous week. He also apologized to the council and Alderman Welch. He then announced his resignation for July 3, at noon. Alderman Parrott thanked Alderman Hoefle for his service to the city, his constituents, and the council. Alderman Hoinacki said he would be missed in



Ward 4 and throughout the city. City Clerk Peggy Bateman thanked him for picking up the slack when it needed to be picked up. Mayor Goodman said he had been an immensely big help and said he couldn't thank him enough. Alderman Welch said he has passion for his community and his vacancy will have an impact on everyone, he thanked him for the time he had committed. Alderman Keller said he would join the chorus of the accolades, he said he sometimes had to play the adversary role and it was in the best interest of the city. Alderwoman Browne said he had always been there for her, she thanked him.

Mayor Goodman called for further announcements.

**Executive Session:**

There being no further announcements to come before the council, Alderman Welch made the motion to move into Executive Session under 2 (C)2 collective bargaining, seconded by Alderwoman Browne. Mayor Goodman said there would be no further business discussed in the Regular City Council Meeting following Executive Session. City Clerk Peggy Bateman called roll.

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The Regular city council sat in recess for Executive Session at 7:11 p.m. and reconvened at 8:01 p.m.

**Adjournment:**

There being no further business to come before the City Council of Lincoln, Alderman Welch motioned to adjourn, seconded by Alderman Fleshman. Mayor Goodman adjourned the meeting at 8:02 p.m.

**Upcoming Meetings:**

Committee of the Whole | Tuesday, July 10, at 7 p.m.  
Regular Meeting | Monday, July 16, at 7 p.m.  
Committee of the Whole | Tuesday, July 24, at 7 p.m.  
Regular Meeting | Monday, August 6, at 7 p.m.

**Respectfully Submitted By:**

Alex Williams, Recording Secretary



**COMMITTEE OF THE WHOLE MEETING**  
Lincoln City Hall, Council Chambers  
700 Broadway Street | Lincoln, Illinois

**Tuesday, July 10, 2018**

The Committee of the Whole Meeting of the City Council of Lincoln was called to order by Mayor Seth Goodman at 7 p.m., with proper notice given. City Clerk Peggy Bateman took roll.

**Present:**

Alderman Steve Parrott  
Alderman Tracy Welch  
Alderman Ron Fleshman  
Alderwoman Michelle Bauer  
Alderman Ron Keller  
Alderwoman Heidi Browne  
Alderman Jeff Hoinacki

**Staff Present:**

Treasurer Chuck Conzo  
City Clerk Peggy Bateman  
Fire Chief Mark Miller  
Police Chief Paul Adams  
Building and Safety Officer Wes Woodhall  
Streets Superintendent Walt Landers

**Absent:**

City Attorney Blinn Bates  
Waste Water and Treatment Manager Tim Ferguson

**Presiding:**

Mayor Seth Goodman

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**Public Comment:**

Mayor Goodman said item number eight will be pulled from the evening's agenda, he then called upon citizens registered to speak. Mrs. Wanda Lee Rohlfs came forward and started by saying that she wanted to look at a surprise that she saw in Lincoln Daily News this morning. She said American Water had been purchased.

Alderwoman Bauer said, "We know what you know," and there have been no formal meetings with Illinois American Water, they have not approached the city. She said what was released for public consumption is the same information that is available to the council.

Mrs. Rohlfs referred to an article she found on the web and urged the city to be cautionary with the new company. She said it looked like a global company.

She said we don't know if this will impact what is going on with the sewer.

Alderwoman Bauer said Tim did send an email once the article came out and that he would fill the city in once he knew more. She said nothing was changing besides the name change, but it would not impact services to the community. She said they had told him about staffing within his particular area that his folks are supposedly not going to be impacted from an employment standpoint. She said that is honestly all they know at this point.

Mrs. Rohlfs said when reading this she thought that there would have been discussion . . . and commented, "Oh no—all this work that has gone into the sewer plant . . ." just what we need something new.

Mr. Philip Gillen came forward and thanked the city council for hearing his thoughts, he wanted to discuss the lease with the Lincoln Soccer Committee and the city owns the land behind Walmart. He said the committee does not have a problem with him flying radio controlled airplanes in the field. He would like permission to use the area as a landing strip where there is already a main field, where there is parking (pressed asphalt). He wanted permission to pour a concrete slab on that and he and his group would work on it on their own. It would be about 15-20 feet wide and 100 feet long. He just wanted permission.

Alderman Fleshman asked about the pad. Mr. Gillen said it would be concrete, donated from ready-mix as it becomes available as they get rejected concrete. It would be a 3 inch slab of rolled down asphalt.

Mr. Gillen said most people are a part of a national association—the Academy of Modeling Aeronautics. It's a national association. They have pay a membership and get a \$2.5 million liability policy. Alderman Hoinacki asked if Mr. Walt Landers had any concern. He said they do not have any function out there, it would not affect Streets and Alleys at all. He said the soccer committee mows it and maintains it.

Alderman Parrott asked if he would be working with Mr. Tim Ferguson and their group as the forms went up. He said "we can," there is loose milling around. He said they built up three inches to it so people can park on the site. He called it a dual use.

Alderman Welch said he thinks it is a good idea. His questions were about a letter of endorsement from the soccer club, and he wanted to know about leaving the property in the state it was in, when the lease ends. Alderman Parrott said they would be responsible for it, if they were to allow it.

Alderwoman Bauer mentioned verifying something with City Attorney Blinn Bates about a memorandum of understanding. Mr. Wes Woodhall said he would like to work with the group to determine safety, standards, and design etc. Alderman Parrott asked if there are competitions that the group could do with these airplanes. Mr. Gillen said there is one in Springfield, Bloomington at Funks Grove. He said they have to be clubs that have a charter. He said this is just for leisure, even if they go their own club in Lincoln they may not need to sanction anything.

Alderman Hoinacki asked if the council needs to put anything on the agenda. Alderman Parrott asked about parking on it. Mr. Gillen said it would be a smooth surface if someone wanted to use it for handicap parking.

Mr. Chuck Fink came forward next to discuss his property at 520 North Logan Street. He said he has lived there since 1997, he said at that time, there was not a lot of train traffic. He said since recent rail renovations, it seems the train traffic has increased dramatically. His concern is the noise the trains make when they come through town. He said someone he had spoken with the city had reached out about making Lincoln a quiet zone. He wanted to know if that was on the table for discussion.

Mr. Wes Woodhall said he and Alderwoman Bauer talked about it a few months ago when they were dealing with The Lincoln Depot renovation project, he has done a lot of research on this and has talked with the Mayor of the City of Normal about it too. He said it can be done, with high-speed rail the crossings are already where they need to be at. He said staff has discussed it, his biggest concern is safety though. He said trains are loud, he brought up Federal Railroad Administration (FRA) standards. Union Pacific is again a quiet zone from a safety standpoint. His opinion personally is that he has seen people run under the barriers.

He said a train was recently uptown and going through a crossing, but the barriers were not down, the conductor had to lay on the horn. He said there's never been an accident in the five year span he had researched. He said it is up to the council. He said keep in mind that there is work to be done, it's a time consuming process, they could address that as it comes. He said keep that all in mind.

Alderman Parrott asked Mr. Woodhall if it was possible to only have passenger trains go by the rule versus freight trains—to allow freight trains to continue to blow their horns. Mr. Woodhall said it is all trains on a particular line. They start roughly a quarter mile out, north . . . Alderman Parrott asked if most passenger trains stop in Lincoln.

Mr. Woodhall said the trains will slowly start getting faster. He said if there is a dangerous situation, they are going to honk their horns and they will honk horns at platforms, they will still do that, if the train is coming/going. He said they don't really like to refer to it as a quiet zone, it is a relief zone, where they have every ability to honk the horn as they see fit. He said as this is going on, his biggest concerns are malfunctions in the gates. He said they are the highest grade gates. He said it's something to be weary of.

Alderman Keller asked if Mr. Woodhall has seen if there are more incidents of accidents in these quiet zones. Mr. Woodhall said he was reading something about quiet zones today. Alderwoman Bauer said she wanted to see the item placed on the agenda, regarding the process and procedurally what the city would have to do to apply—all of the nuts and bolts, along with some data. She wanted to see this brought to the council. Mr. Woodhall has gone through a lot of the preliminary steps, but said it's attainable. Alderwoman Bauer said she'd be happy to reach out to Normal's mayor too. He said it is a functioning option out there, no matter what, but there is a lot of information that impacts all the railroads, IDOT, the FRA etc. He said anyone on the line has to come through each crossing. He said the hard part is getting all the officials into one bus, to go from crossing to crossing.

Treasurer Chuck Conzo said he knows something about trains and railroad operations, he said Union Pacific is opposed to these zones because of the safety issues. He said Florida East Coast Railway has done this too and they've seen some increases in accidents and he said one thing you have to remember is that people at night—walk around the gates, and the city would not want to see anyone get hurt and killed. He said locomotives have whistles on them for a reason and it's not just for the cows in the fields, it's also for going through cities. He said liability of this may be far greater than the benefit of cutting down on the noise.

Mr. Woodhall said in his research—the final rule, when it comes to the quiet zone, it's not 100%, it's a case by case issue, but the federal government is trying to make it so that the lack of horns is not “why” something happens. He said that's just what they've tried to do with the final rule act. He could not speak to liability on this.

Mr. Fink referred to the treasurer's Florida reference, he said recently there was a death on the rails, the train whistle was blowing, but it did not stop the accident. He wanted to see a comparison. He said

at 3 a.m. in the morning you don't have to blow your whistle the entire time you're passing through Lincoln. The item will be placed on the next Committee of the Whole agenda—in two weeks.

There being no further public participation, Mayor Goodman moved down to other agenda items.

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**Presentation: Zach Kennedy University of Illinois Extension, programs in Community and Economic Development:**

Mr. Zach Kennedy, Extension Specialist from the University of Illinois came forward. He wanted to share a series of case studies that the group has done. He said he'd be happy to follow up with anyone after the meeting.

He said the extension has four different development areas. They have county based educators and then people on campus who are willing to work anywhere depending on what the project is. His team has looked at what cities/towns in rural areas are doing right. In Illinois, they've looked at Canton and Farmington.

**Lessons from Canton:** Canton is successful at engaging people, being collaborative, having open channels of communication, and having a mentorship program for entrepreneurs. He also said regionally—they're good at working with neighboring communities, building the public realm through programming, and recruiting past community members to come back and invest in the town.

**Lessons from Farmington:** Farmington is good at private investments, historical capital, marketing and communications, small business and main street retail, public events and programs.

The extension team can provide data, demographics, GIS—special analysis, commuting patterns. They can also provide Retail Market Place Data, psychographics, and business location mapping. He said this is a baseline. He said he'd be happy to work with the city and provide them this information and explain what this means and where next steps will go.

The extension also has LIVE Webinars on various topics. It allows the audience to ask speakers questions about various cases in their specific communities. He said these are also archived. They try to make them topical and timely.

They can do customized planning processes for a fee. As a public body they are not in it to make a profit. There is no profit motive. They can also match graduate students with a community, it's a win-win in a sense that the community gets a good product and the students get good experience. He then gave examples of communities that have utilized these services.

Alderman Hoinacki thanked him for coming. Mayor Goodman moved onto other agenda items.

**Compliance review of Motor Fuel Tax Accounts—Resolution:**

Streets Superintendent Walt Landers said the city was recently notified by IDOT that the city is going to have to go through a compliance review of the various MFT accounts. He said he and the City Clerk have supplied them with information and they are under review to see that funds were spent appropriately. Money has been spent from the fund without a resolution. Money has been spent from the MFT fund without a resolution passed by the council. Some funds have been spent from the MFT account that were not eligible.



He said this resolution is for a bill back in 2011 for the Fifth Street Road project. He said there will be several other resolutions, because in the last year and a half, two years there has been money spent out of this MFT Fund and there have not been resolutions on them. Refunds will need to go back to the MFT account. He said they're just getting started reviewing items from 2010 to 2017. He said it's going to be a working process. Mayor Goodman called for further questions and discussion, there being none . . . the item will be placed on the regular agenda.

#### **Appropriation Ordinance Fiscal Year 2018-2019:**

Treasurer Chuck Conzo said he has made a couple of revisions to the Appropriation—Fiscal Year 2018-2019.

The document he shared reflects a lower amount and he wanted to cover what those changes were.

He said he would point out that there's a difference between an appropriation and a budget. He said the document the council has, there have been changes to the legal services contract. From \$85,000 to \$87,000 in case the city needs this.

On page six of the document there was a change to the Building and Grounds, Utilities-Electric line item, from \$12,000 to \$15,000. There is now a General Revenue Fund total listed.

Under the Sewer Plant there was a change from \$75,000 to \$100,000. This increases the total sewer plan operations amount.

Lastly he touched on Capitol Projects, on page 13 of the document—he added in \$75,000 for possible use of land acquisition.

He said this is still subject to change, up until the time the council votes on this. That was scheduled for July 24. There will need to be a regular voting meeting following the public hearing and prior to the Committee of the Whole meeting etc. He called for the item to be placed on the agenda. Mayor Goodman called for questions, there being none, he moved to other items on the agenda.

#### **Replacement of Alderman Ward 4:**

Mayor Goodman opened discussion saying everyone knows Alderman Hoinacki resigned last week, he welcomed Mr. Dayne Dalpoas to come forward. Mr. Dalpoas said Alderman Hoinacki left some big shoes to fill and if given the appointment he would work hard every day to try to fill it.

He went into this background, he works at State Farm, he said he returned home about three years ago and immediately got involved in the community. He said about six months ago he decided he wanted to get involved on a larger level and wanted to run for the Lincoln City Council in 2019. He said he's passionate about the City of Lincoln. He welcomed questions.

Alderman Parrott asked what his fundraisers were. It was a Toss for Harley bags tournament in 2017, his team raised \$2,500 for the Humane Society of Logan County, with a second annual happening in 2018—with a goal of raising \$8,000.

Alderman Keller asked what Mr. Dalpoas would like to achieve on the council. He said economic development, beautification, and civic engagement. He said these areas would drive him every single day. He said he's learned a lot about problem analysis at State Farm and said this could serve him well in this role.

Alderman Welch asked what some of the biggest issues are the city faces at present. He said the sewer mandate, as it impacts taxpayers. He said no one ever wants to pay more for an essential service. He also said the City Administrator position.

Mayor Goodman called for further discussion. There being none, Mayor Goodman called for the item to be placed on the agenda.

**Announcements:**

Mayor Goodman asked if anyone had any announcements.

- Fire Chief Mark Miller brought up a land acquisition—a neighboring lot by City Hall is on the market and the price has been reduced. The city did make an offer, agreeing upon a \$70,000 purchase price for the property. The city would like to do a short-term finance on the property. He said they got a good deal on the four lots. They've made an offer and he'd like this to be put on the agenda next week.
- Police Chief Paul Adams said the open house for the new police station will be tomorrow, Wednesday, July 11. It will be from 6-8 p.m. The ribbon cutting will be at six.
- Mayor Goodman asked the council to send nominations for Home of the Month by the end of the day Sunday, July 15.

**Executive Session | 2 (C)1:**

There being no further announcements to come before the council, Alderman Welch made the motion to move into Executive Session under 2 (C)1, personnel seconded by Alderwoman Browne. City Clerk Peggy Bateman called roll.

**Present:**

Alderman Steve Parrott  
Alderman Tracy Welch  
Alderman Ron Fleshman  
Alderwoman Michelle Bauer  
Alderman Ron Keller  
Alderwoman Heidi Browne  
Alderman Jeff Hoinacki

**Yeas: (7)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Ron Fleshman, Alderwoman Michelle Bauer, Alderman Ron Keller, Alderwoman Heidi Browne, Alderman Jeff Hoinacki

**Nays: (0)**

**Absent: (0)**

The council recessed from the Committee of the Whole meeting at 8:00 p.m. in order to enter Executive Session. Mayor Goodman announced that there may be more city business to follow.

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The City Council returned to the Committee of the Whole meeting at 8:42 p.m. after adjourning Executive Session. City Clerk Peggy Bateman called roll.

**Present:**

Alderman Steve Parrott  
Alderman Tracy Welch  
Alderman Ron Fleshman  
Alderwoman Michelle Bauer



Alderman Ron Keller  
Alderwoman Heidi Browne  
Alderman Jeff Hoinacki

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**Discussion of City Administrator Position:**

Mayor Goodman wanted to discuss the current City Administrator ordinance, agreement. He asked how the council would like to see the position moving forward.

Alderwoman Bauer established that in Executive Session, there was a potential candidate identified and she had asked that the council come out and clearly define the position if such an appointment would be made.

She said she is pro City Administrator in a full-time capacity with the duties that role currently has. She did not see a necessity for needing to alter it, given the candidate that was brought forward, she thinks they would be able to fulfill the needs of the city as the current position is outlined. She did not see a necessity in renaming the position.

She said she does think the city needs someone in a full-time capacity.

She said all of these are necessities within the city that need to be filled. She feels confident in the person and that they would be able to fulfill those. She said she wanted the council to discuss the specifics with the candidate.

Alderman Parrott said he has a different slant, he said looking at it long-term for this position, he said the candidate seems to fit this going forward, if they are going to have other candidates come in for two to three years, if you look at comparable City Administrator positions, you'll see the pay salary is lower. He said you change the position title and some of the duties, hours associated with the position. You go full-time with the exception that there will be a lower salary.

Alderwoman Bauer said she does not care if it is a three-five year position, if what the city is offering is an opportunity for someone to come in and participate in the community in a way that they feel compelled to do so.

She said when we hired Clay, he came in with the expectation, of where our salaries are, and that the city was new to the idea of a City Administrator position. She said if they are coming to this community, they are coming here for the opportunity that they are able to be impactful. She said if this is what we're looking for, then this is what we're looking for. She said we've been very transparent about what the city is willing to pay and what the city has as far as benefits and deficiencies.

She said particularly for this candidate, maybe they're in a different spectrum of their life scale where they have been in a position for a long time and are looking for opportunities in their community.

She said we don't know, I hate the idea of bringing in a 30 hour position, for the sake of bringing in a 30 hour position when the city could use someone for a full-time capacity. She said I think it warrants a full-time position, she said I don't know why we would go back and upset the apple cart, or reinvent the wheel when we have a candidate that fits the role as it is now.

Alderman Keller said he guesses he was always in favor of a City Administrator because he saw what Clay does and because he knows it can and should be a very efficient form of government.

He said even from a cost analysis, this position pays for itself and in agreement with Alderwoman Bauer, this is a job that is very much warranted for. He wanted to ask to be sure to understand everyone's thinking. He wanted to know Alderman Parrott's position, if it was a financial aspect.

Alderman Parrott said in the last budget—he said he realized how much they've gone up in salaries, we're getting heavy on salaries, but we're not bringing in a lot of dollars into the city. Mayor Goodman said the benefit could outweigh the cost. Lincoln is not growing, but we need to put in every effort to make Lincoln grow. He said if we had someone in that position, we could really pull some of these people in.

He said when I ran for Mayor, he ran with the expectation that there would be a City Administrator. He said there will be a small group that doesn't want one, but he said we need the help full-time and not part-time.

Alderwoman Bauer said we don't have anyone actively pursuing grant dollars, or opportunities for economic development in any way, shape or form. She said we haven't gone back and revisited our strategic plan. She said we're not doing anything to help ourselves. She said we're the same, and we're missing an opportunity and we need somebody in that seat that has a vested interest.

She said we have to have someone with branding, marketing, economic development experience. She said I just feel like we're missing opportunities every day she is sure of it and she said she just feels like we're spinning our wheels, or reinvent something.

She said we're still utilizing 90% of the job description. Why not hire for this position? She said we know it works, when they were here, they were impactful.

Alderman Parrott asked when Clay was here, how much economic development was accomplished through his efforts?

Alderman Hoinacki said economic development is not cut and dry, he said it takes quite a bit of time and commitment. You have to massage it a bit. You can't just reach out to XYZ company.

Alderman Parrott said we gave out a contract to the alliance, he said that went nowhere. Alderwoman Bauer said they worked for us for a year. He said we did not get much from it. He said it did not bring any economic development in. Alderwoman Bauer said there was an active economic development effort, from McDonald's and St. Clara's Manor. She mentioned Cricket Wireless and Factory Connection. She said we had economic development and it was done in part with the alliance and the City Administrator.

Alderman Hoinacki said I think the mayor is saying that there isn't someone to answer that call.

Mayor Goodman said without a Chamber of Commerce, he said the options are limited and people don't know where to go. He said what are we offering them? He said we're not doing anything to increase revenue or do anything in this community. He said people are going to continue to leave unless, and businesses are going to leave unless we have that dedication. He said he understands that expense is a concern, but you can't pay half for a part-time effort and get a full-time result.

Alderman Parrott said if economic development is a big thing people are talking about where is it in the job description. Alderman Keller said it is number six, indirectly. Alderman Parrott said it that is a big point that people are talking about then it should be evident in the duties.

Alderman Keller said this person cannot be a savior for Lincoln, this person is not going to be the economic development director, but this person could take the lead and be a visionary, have a strategic plan. This person could be the face of the city in making some of this happen.

Alderman Parrott said to Alderwoman Bauer's point, if it is not in the description, we're not going to have individuals coming in here and ask them to do stuff that is not in here because we're going to set them up to fail.

Alderwoman Bauer said all of those things drive economic impact. She proceeded to list off items within the job duties. She said if economic development comes our way, that person is the person who leads that, that person is the person who sits here.

Alderman Welch asked who can they contact now—what can one person do to spur and drive economic development?

Alderman Welch said I think the community is tired of dumping money into this with no vision or plan. Quite honestly. He said he'd share his opinion as he was the last one to talk. He said he thinks it needs to be part-time, 30 hours, or full-time with limited scope in the job description and reduce the salary to \$40-\$45,000. He said he truly believes that candidate can come into the community, can come into City Hall, start addressing the problems that are critical in keeping things running. He is all for economic development . . . and seeing the community grow, but right now we have a City Clerk's office that is drowning. Alderman Welch said we need another body.

He said you yourself Mayor said you're not in favor of someone coming in, taking over the reins and going over the heads of the council. He then brought up the spending authority saying it needed to be reduced. He said that topic constantly came up with the previous City Administrator.

Alderwoman Bauer said I think since we pulled this from the agenda, thinking there was an opportunity to appoint someone, now we need to put this back on the agenda for public discussion, and we need to discuss this and push this out a couple of weeks. Discuss everything line by line.

Mayor Goodman said we are not getting anywhere and the help needs to come now.

Alderwoman Bauer said we can't possibly appoint someone to a position now if the council does not know what that position looks like.

Alderman Welch said why given someone with the correct skillset, could they not come in and help us build the job description.

Alderwoman Bauer said by law, can we hire someone when we don't even know if it is a full-time or part-time position, or a City Administrator position? She said if not a City Administrator position, it's a new position.

She said if we're not in a space where we can hire anyone.

Mayor Goodman called for more insight from Treasurer Chuck Conzo, Fire Chief Mark Miller, and City Clerk Peggy Bateman.

Alderman Parrott said if the idea is the hire a City Administrator to help the clerk's office—that is not a City Administrator.

Alderman Welch said we can use that resource to help the office now. He brought up a new potential software contract. He called the software garbage, saying it's the root of 67 calls to Chris today.

Alderman Keller said there's a situation that has been a nightmare, and that is putting it nicely. He said with this software, we're going to have to have something in place soon. He said this person does have to work with the City Clerk, because they're going to have to get the software in place. He said this is why a full-time position is going to be necessary—another reason why.

Treasurer Conzo said this has become a chicken and egg scenario, he said he can still see this as a part-time position, but if you have the right person, it would be advantageous to have them be full-time. He said this makes a lot of difference when you take the approach. He said the software problem the city is having is the number one priority. He said this job description is a piece of paper, and you can do anything you want with a piece of paper, it can be amended.

He brought up Walmart and said it was expanded to a Super Walmart and he mentioned Dollar Tree and said a lot of this happened because of the leadership that was had at the time. He said he can see both sides of this, but they need someone and someone soon.

Fire Chief Mark Miller said just from listening, he said right now he does not feel he has someone to go to talk about Human Resources (HR). He said right now it's in limbo. He said recently with the purchase of this property, he has no idea what some of the aspects are, he had never dealt with this and reached out to Chuck and Paul about the police station acquisition.

He said that day-to-day interaction is very important. He said they used to do weekly meetings and they are so helpful to department heads. He said his working relationship with Mr. Wes Woodhall is 100 times better because of having a City Administrator. He said we still see things developing on a small scale. Small steps. He said the small steps count too.

Alderman Browne said, "Obviously we're causing a lot of hardships by dragging this out and causing things to get further behind here." She said I would like to see you appoint this person for this role, but I would like to revise this piece of paper. She said they could even define it as 50% of duties are this, 20% of duties are this . . . she said you could base their responsibilities in that direction, and then identify things that the council is missing. She said there are some things councilmembers may not have to do. She said there are some councilmembers that won't step away from the things that they're doing. She said she feels bad because Peggy is here 7 days a week and until

She said I think that without causing further stress, we need to move forward. City Clerk Peggy Bateman said personally I feel like this candidate has a lot of knowledge and education that they can come in and pick up in the clerk's office because we're so far behind, but this person would do their duties as expected and see that people needed help and would help them out. She said this person is not going to walk away while we're all up here into mail. She said the software is not the only problem in the clerk's office, the monthly billing is drowning them. She said daily—all month long, they're putting payments in. She said the checks come in, "this big," on Sunday. She said Ashley is just putting payments in. She said then you have software that doesn't work right half the time. She talked about Chris putting in adjustments.

She said we let Julie do payroll.

She said the trash is pulling us down, between the trash and the monthly billing. She said she is not saying anybody is at fault, she said we're all at fault. She was at fault for not thinking it through.



Alderman Hoinacki asked about doing an interim City Administrator, a 90-day assignment and then come back and revisit, or revisit the job description during their interim placement . . . go with these for now and then go with a reduced rate of pay. That would be something they would have to agree to.

Alderman Parrott said he would not use that title necessarily. Mayor Goodman said the individual we're speaking about would have to make major life changes.

Alderman Hoinacki said maybe after three months, the person won't want to be here.

Alderman Keller said he is still looking at full-time or part-time. He said we're divided over something that's not in his opinion being that divided over. Alderman Keller said I think we're all in agreement that we need to get someone in here and that we can modify this after the fact. He said I think that's what we need to decide, right here and right now about full-time or part-time.

Alderwoman Bauer said I think the Mayor wants to appoint someone to a full-time position. She said we can mess with the job description, but we put it on the agenda and we vote yay or nay on a full-time/part-time position.

Mayor Goodman said the people here every day have made it very clear and with this individual, full-time makes the most sense.

Alderman Parrott said his expectation is that if we said 30 hours, then I wouldn't want this person working more than that because it wouldn't be fair to them. He said it seems to him it will be 40 plus hours. He said if they're putting 40 hours in then it's not fair to them.

Treasurer Conzo said I think City Clerk Peggy Bateman puts in 70 hours. She said she quit counting. He said he's sympathetic with not making them work more than 30 hours, but it's a leadership position, it's a management position, so you just have to agree upon a salary. He said the job description—you can wrangle over that. He said it's what's expected out of the City Clerk, the mayor and him. He said it is real important that we have a City Administrator that does not lead the council, but takes direction from the council and mayor. He said ultimately you control over how that's done. And you establish that at the start of the appointment.

Alderwoman Bauer said currently what is represented, the expectation is a 40 hour work week is not very likely. She said it talks about being active and a participant. She said which is the other reason I feel this is a full-time position. She said it's full-time because what they are asking of this person is that it's not going to be 9 a.m. to 5 p.m. or Monday through Friday. She said you get this person in here by valuing them, and giving them a full-time salary. She said that person will do above and beyond the expectations. She said if you go to a 30 hour or a 29 hour, you get an hourly person and that does not help anyone either.

Alderman Hoinacki wanted to back up to his use of the term "interim." He said he assumed that it would be placed on the agenda that they would hire a candidate at XXX number of dollars.

Alderman Welch said he agreed that this job description was very fluid. He said the right person, and I think this candidate is, could help us tailor this job description to what we need now and based on their past experience. He is okay if we go to 40 hours, but we still need to keep the salary . . . and he said he would come up to \$50,000 to \$55,000. He said it is hard to stand here and let someone walk in the door and start making \$70,000 a year . . . and he understands that she is an elected official, but when Peggy would make half of that . . .

Alderman Keller said the salary should represent that and be lower. Alderman Welch said he threw out two numbers—\$40-\$45,000 and \$50-\$55,000. Alderwoman Browne said she liked \$50,000 and there should be a quarterly evaluation. Or probationary period.

Alderman Welch said within 90 days or six months. Alderwoman Browne said she has a four month probationary period.

City Clerk Bateman said this person would still receive insurance, Illinois Municipal Retirement Fund (IMRF)—everything.

Alderman Fleshman said as far as the duties, he would hate to restrict a potential City Administrator from doing something that might be a strength for them. He said in fine-tuning these duties, you might pull something away from them that they might particularly like to do and have a strength there so he would be cautious with what they do with that side of things.

He said to bring them in at \$55,000, he thinks the \$50,000 with a six month evaluation would probably be a good starting point there. He said we really need someone in here for 40 hours a week. He said sometimes when we have to handle certain situations and they might not have missed the opportunity, but they have extended the time that it took to finalize . . . he brought up the fitness park.

He said he just thinks that they will be asking a lot of a part-time person, coming in here . . . there is going to be a lot for them to do. He said he had a couple of notes . . . he said the Fifth Street Road project is coming up, the safety complex is still incomplete, he said Mr. Conzo did an excellent job on the budget this year, that being said . . . we've appropriated \$18 million dollars. He said I don't see where bringing in a City Administrator at \$50,000 if a deficit.

He said he really wanted to move forward and look at salaries for department heads. He said I think it needs to be a full-time position, he said Mayor it's your appointment, ultimately it's going to be your decision to appoint who you want to appoint. And he knew the he wanted the council's blessing on this, but he

Mayor Goodman said he wanted to place the item on the regular agenda for the vote and approval of extending the offer of the position to the unnamed individual for \$50,000 for the full-time City Administrator position. He called for further city business.

**Adjournment:**

There being no further discussion to come before the City Council of Lincoln, Alderwoman Browne motioned to adjourn, seconded by Alderman Parrott. Mayor Goodman adjourned the meeting at 9:33 p.m.

**Upcoming Meetings:**

Regular City Council | Monday, July 16, 2018, 7 p.m.

Committee of the Whole | Tuesday, July 24, 2018, 7 p.m.

**Respectfully Submitted By:**

Alex Williams, Recording Secretary

## MEMORANDUM

**TO:** Mayor and Aldermen of the City of Lincoln

**FROM:** Walt Landers, Street Superintendent

**MEETING**

**DATE:** July 10, 2018

**RE:** Compliance Review of Motor Fuel Tax Accounts

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### Background

The city received a letter May 3, 2018, from the Illinois Department of Transportation (IDOT) regarding the Cities State Motor Fuel Accounts (MFT). They have requested the following, copies of MFT bank statements, ledgers, invoices and statements from any CD'S and or Money Market accounts purchased with MFT funds for the years January 1, 2010, through December 31, 2017.

### Analysis/Discussion

The City Clerk's office and I have been working to provide this information to IDOT and we have fulfilled most of their request so far. As IDOT reviews the information they have received they will need more clarification on certain issues and expenditures. At this point we have come across some expenditures that are not eligible to be paid for with MFT funds, the amount of these expenditures will need to be refunded to the Cities MFT account from another fund.

Another issue we have come across is MFT funds being used to pay for other services such as engineering. The use of MFT funds must be appropriated by resolution and passed by the Council and then approved by IDOT before they can be used much like we do every year with our MFT General Maintenance Program.

So far we have come across this issue once early in the process and that is the Resolution you see on the agenda for this meeting. I am sure there will be several others found as the Compliance Review moves forward.





# Illinois Department of Transportation

Division of Highways / District 6  
126 East Ash Street / Springfield, Illinois / 62704-4792

CITY CLERK  
LINCOLN, ILLINOIS

MAY 03 2018

RECEIVED

March 19, 2018

City of Lincoln  
Attn: Peggy Bateman, City Clerk  
PO Box 509  
700 Broadway  
Lincoln, IL 62656

Dear: Ms. Bateman:

This year we are sending the request to the local agencies and asking you to provide copies of you MFT account bank statements, MFT ledgers, invoices spent out of MFT funds, and statements from any CD's and or Money Market accounts purchased with MFT funds. For the following years **(January 1, 2010 to December 31, 2017)**

It is necessary that we verify the amount of interest earned on all types of investments purchased with **Motor Fuel Tax Funds**, along with the ending balance of each from your financial institution. This information will be used during the course of the State of Illinois' compliance review of **Motor Fuel Tax Funds**.

Please mail the documents to 126 E Ash St, Springfield, IL 62704-4792  
ATTN: Kayla Friederich D6 Local Roads & Streets. If you would prefer the documents can be email to [kayla.friederich@illinois.gov](mailto:kayla.friederich@illinois.gov)

If you have any questions, please contact Kayla Friederich at 217/785-5346  
or email [kayla.friederich@illinois.gov](mailto:kayla.friederich@illinois.gov)

Sincerely,

Kayla Friederich  
Local Roads & Streets  
Compliance Review Technician

BY:

A handwritten signature in black ink, appearing to read "Chris Isbell", written over a horizontal line.

Chris Isbell

Local Roads & Streets Engineer

## **MFT Document Checklist**

- Copies of checking/savings account bank statements
- Copies of account ledgers/check book ledgers (QuickBooks ledger)
- Copies of Invoices (only bills paid with MFT funds)
- Copies of ledgers from CD's/ Money Market accounts (please include interest)
- Copies of any engineering agreements

Attached is an Elected and Appointed Municipal Officials form, if you haven't recently updated this form please include with other documents.



Resolution for Improvement Under the Illinois Highway Code



Table with Resolution Number (2018-366), Resolution Type (Original), and Section Number (98-00081-00-PV)

BE IT RESOLVED, by the Council of the City of Lincoln Illinois that the following described street(s)/road(s)/structure be improved under the Illinois Highway Code. Work shall be done by Contract

For Roadway/Street improvements:

Table with columns: Name of Street(s)/Road(s), Length (miles), Route, From, To. Lists 5th Street Road, Forest Hills Road, Connolley Road, and Memorial Park Road.

For Structures:

Table with columns: Name of Street(s)/Road(s), Existing Structure No., Route, Location, Feature Crossed. Contains one empty row.

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Construct 1.6 miles on New Horizontal & Vertical Alignment, Drainage Items & Other Associated Work

2. That there is hereby appropriated the sum of Ten Thousand Three Hundred Four Dollars and Sixty Five Cents Dollars (\$10,304.65) for the improvement of said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Peggy S. Bateman City Clerk in and for said City of Lincoln in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by

Council of Lincoln at a meeting held on July 16, 2018

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 16 day of July 2018

(SEAL)

Clerk Signature

Approved

Regional Engineer Department of Transportation Date

HANSON PROFESSIONAL SERVICES INC.

12/19/11

2376-1257-2

Obligation	Description	Invoice Number	Fundware Account Number	Amount
64544	MFT-5TH ST. PROJECT ENGIN. *** Total ***		A20 00-06 5300	10,304.65 10,304.65
MOTOR FUEL TAX FUND	1525 SOUTH SIXTH STREET SPRINGFIELD IL 62703			



**COST PLUS FIXED FEE  
INVOICE**

Date: 11/23/11 Invoice No. 27 -Revised  
Work Order No. \_\_\_\_\_

To: City of Lincoln  
Attn. Mark Mathon  
  
700 Broadway Street  
Lincoln, IL 62656

From: \_\_\_\_\_  
Firm Address: 1525 South Sixth Street  
Springfield, IL 62703

PTB / Item # _____	Project _____	<b>Consultant's Job Number</b>  <b>05S2092</b>
Route _____	County _____	
Section _____	Job No. _____	
Phase _____		

For Professional Services performed as set forth in the Agreement dated: \_\_\_\_\_  
& Supplemental Agreement(s) dated: \_\_\_\_\_

1) Invoice Period From: 01/02/11 To: 11/05/11

	This Invoice	Previously Invoiced	Earned to Date	Max allowable
2) Maximum Payable				\$343,245.52
3) Direct Salaries subject to overhead on line #5	\$ 3,532.46	\$ 102,281.07	\$ 105,813.53	
4) QC/QA	\$ -	\$ -	\$ -	
5) Payroll & Overhead				
this invoice	158.32%			
average	158.32%			
6) Fixed Fee = 75.20%	\$ -	\$ 31,839.73	\$ 31,839.73	42,340.07
7) Direct Costs Prime	\$ 1,179.60	\$ 31,519.67	\$ 32,699.27	
8) Services by others				
See Attached Detail	\$ -	\$ -	\$ -	
	\$ -	\$ -	\$ -	
9) Total invoiced for project including this invoice			\$ 337,876.51	
10) Previously Invoiced		\$ 327,571.86		
11) Payment Due this invoice	\$ _____			

*M.D.M.*  
*12/29/2011*  
*F. H. Street Rd*  
*Project Engineering*  
*120-150-06-53019*

I have reviewed the invoice and found it in compliance with "The Simple Guide To Consultant Payments" published on the Consultant Engineering Sharepoint site. The percent of work shown as completed on this invoice matches the attached Progress Report signed by the project engineer.

I certify the costs included in this invoice have been expended and the percent of work shown as completed on this invoice is correct. As the prime consultant, work invoices included in this invoice for work done by others were reviewed and approved.

Approved IDOT Rep. \_\_\_\_\_ Date: \_\_\_\_\_  
Invoice Accepted \_\_\_\_\_ Date: \_\_\_\_\_  
Checked \_\_\_\_\_ Date: \_\_\_\_\_

Consultant: Hanson Professional Services Inc.  
By / Date: Les McNeely 11/23/11  
(Name) Les McNeely  
(Title) Senior Associate-Accountant

Distribution: 2 complete packages plus 2 copies of invoice form to Liaison Engineer.



**Cost Plus Fixed Fee  
Personnel Summary  
for Period**

Firm Name Hanson Professional Services Inc.

From: 01/02/11 To: 11/05/11

PTB / Item # \_\_\_\_\_  
Route \_\_\_\_\_  
Section \_\_\_\_\_  
County \_\_\_\_\_  
Job No. \_\_\_\_\_

Invoice No. 25

Work Order No. \_\_\_\_\_

Employee	Classification	Regular Hours	Overtime Premium Hours	Hours	Rate**	Direct Salaries Total	Premium Rate	Overtime Premium Cost
BRENNAN, BRYAN J	Engineer	82.00	-	82.00	\$ 30.18	\$ 2,474.76	\$ -	
BRENNAN, BRYAN J	Engineer	15.50	-	15.50	\$ 30.18	\$ 467.79	\$ 15.09	\$ -
EMRICK, JEFFREY D	Project Engineer	2.00	-	2.00	\$ 36.30	\$ 72.60	\$ -	
KOHL, ELIZABETH A	Clerical	0.25	-	0.25	\$ 20.73	\$ 5.18	\$ 10.36	\$ -
KRAMER, LISA D	Project Engineer	12.50	-	12.50	\$ 40.97	\$ 512.13	\$ 20.48	\$ -
		-	-	-	\$ -		\$ -	
		-	-	-	\$ -		\$ -	
		-	-	-	\$ -		\$ -	
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<b>Total Labor excluding QC/QA</b>		112.25	-	112.25		\$ 3,532.48	<b>Total</b>	\$ -
<b>QC/QA</b>								
<b>Total Labor for QC/QA</b>						\$ -		
<b>TOTAL LABOR</b>						\$ 3,532.48		

\*\* For employee's not receiving benefits, the approved reduced rates must be used.



Firm Name Hanson Professional Services Inc.

From: 01/02/11 To: 11/05/11

PTB/Item # \_\_\_\_\_  
Route \_\_\_\_\_  
Section \_\_\_\_\_  
County \_\_\_\_\_  
Job No. \_\_\_\_\_

Invoice No. 27

Work Order No. \_\_\_\_\_

Item	Max Allowable Rate	Rate	Quantity	Total	Remarks
Overtime Premium (See Personnel Summary)				\$ -	
Mileage			-	\$ -	
Compact Disc			-	\$ -	
Postage, Air Mail		\$ 100.00		\$ -	
Services		\$ 775.00	-	\$ -	
Company Vehicle-Car		\$ 0.550	-	\$ -	
Company Vehicle-Van/Truck		\$ 0.650		\$ -	
Computer Usage-AutoCad	\$ 15.00	\$ 15.00	78.64	\$ 1,179.60	
Travel - Air Fares, etc.			-	\$ -	
Travel - Hotel			-	\$ -	
Travel - Meals			-	\$ -	
Travel-Pers Vehicle/Gas/Etc.			-	\$ -	
				\$ -	
<b>Total for period</b>				<b>\$ 1,179.60</b>	





Unit	Table	Name							
Date	Description	Project	Task	Account	Quantity	Cost Amount	Billing Amount	Billing Extension	
2/19/2011	Employee #000862	GISEVAL04	2600	7150-10	1.690	25.35	25.35	25.35	
2/19/2011	Employee #001296	TIPS825P	0001	7150-10	.250	3.75	3.75	3.75	
				<b>Computer Usage - GIS Total</b>	<b>1.940</b>	<b>29.10</b>	<b>29.10</b>	<b>29.10</b>	
1008	<DEFAULT>	Computer Usage - AutoCad							
2/19/2011	Employee #000223	00S5075J	5000	5150-10	.950	14.25	14.25	14.25	
2/19/2011	Employee #000851	02S2041A	2080	5150-10	.300	4.50	4.50	4.50	
2/19/2011	Employee #000106	04S1546A	1200	5150-10	20.200	303.00	303.00	303.00	
2/19/2011	Employee #001003	04S3020A	3005	5150-10	2.950	44.25	44.25	44.25	
2/19/2011	Employee #000641	05F8057	1006	5150-10	1.490	22.35	22.35	22.35	
2/19/2011	Employee #000223	05P2032A	2100	5150-10	.230	3.45	3.45	3.45	
2/19/2011	Employee #000866	05P2032A	2300	5150-10	15.460	231.90	231.90	231.90	
2/19/2011	Employee #000555	05P2032A	2300	5150-10	.410	6.15	6.15	6.15	
2/19/2011	Employee #000878	05P2032A	3100	5150-10	3.090	46.35	46.35	46.35	
2/19/2011	Employee #001247	05P2033B	2000	5150-10	.870	10.05	10.05	10.05	
2/19/2011	Employee #000993	05P2033B	2100	5150-10	.180	2.70	2.70	2.70	
2/19/2011	Employee #000993	05P2033B	7000	5150-10	.420	6.30	6.30	6.30	
2/19/2011	Employee #000248	05S2092	2000	5150-10	8.430	126.45	126.45	126.45	
2/19/2011	Employee #001230	05S3004A	1000	5150-10	1.110	16.65	16.65	16.65	
2/19/2011	Employee #000939	05S3004A	1000	5150-10	4.430	66.45	66.45	66.45	
2/19/2011	Employee #000939	05S3004A	6060	5150-10	2.360	35.40	35.40	35.40	
2/19/2011	Employee #000855	06L2870057	0057	5150-10	.990	14.85	14.85	14.85	
2/19/2011	Employee #000927	06L2870057	0057	5150-10	.260	3.90	3.90	3.90	
2/19/2011	Employee #000850	06L2870058	5801	5150-10	.830	12.45	12.45	12.45	
2/19/2011	Employee #000862	06L2870058	5801	5150-10	2.500	37.50	37.50	37.50	
2/19/2011	Employee #001464	06L2870058	5801	5150-10	.200	3.00	3.00	3.00	
2/19/2011	Employee #000850	06L2870058	5802	5150-10	.560	8.40	8.40	8.40	
2/19/2011	Employee #000862	06L2870058	5802	5150-10	4.940	74.10	74.10	74.10	
2/19/2011	Employee #001464	06L2870058	5802	5150-10	15.010	225.15	225.15	225.15	
2/19/2011	Employee #000850	06L2870059	0058	5150-10	4.290	64.35	64.35	64.35	
2/19/2011	Employee #001382	06R1583	1700	5150-10	12.810	192.15	192.15	192.15	
2/19/2011	Employee #001267	06S1778CA	9600	5150-10	.430	6.45	6.45	6.45	
2/19/2011	Employee #000613	06S1776CA	9600	5150-10	2.510	37.65	37.65	37.65	
2/19/2011	Employee #000944	06S2055	2004	5150-10	7.530	112.95	112.95	112.95	
2/19/2011	Employee #001364	06S2055	2007	5150-10	42.580	638.70	638.70	638.70	
2/19/2011	Employee #000408	06S2055	2010	5150-10	.230	3.45	3.45	3.45	
2/19/2011	Employee #000148	06S2055	2010	5150-10	3.040	45.60	45.60	45.60	
2/19/2011	Employee #001238	06S2055	2011	5150-10	1.980	29.70	29.70	29.70	
2/19/2011	Employee #000944	06S2055	2011	5150-10	15.870	238.05	238.05	238.05	
2/19/2011	Employee #000411	06S2055	2011	5150-10	12.870	193.05	193.05	193.05	
2/19/2011	Employee #001238	06S2055	2012	5150-10	9.300	139.50	139.50	139.50	
2/19/2011	Employee #000411	06S2055	2012	5150-10	21.620	324.30	324.30	324.30	

Unit	Table	Name							
Date	Description	Project	Task	Account	Quantity	Cost Amount	Billing Amount	Billing Extension	
9/3/2011	Employee #001511	05P2032A	2000	5150-10	12.550	188.25	188.25	188.25	
9/3/2011	Employee #001216	05P2032A	2500	5150-10	.190	2.85	2.85	2.85	
9/3/2011	Employee #000028	05P2032A	3000	5150-10	110.620	1,659.30	1,659.30	1,659.30	
9/3/2011	Employee #000110	05P2032A	3000	5150-10	.540	8.10	8.10	8.10	
9/3/2011	Employee #000836	05P2032A	3000	5150-10	58.100	871.50	871.50	871.50	
9/3/2011	Employee #001480	05P2032A	3000	5150-10	14.460	216.90	216.90	216.90	
9/3/2011	Employee #000878	05P2032A	3100	5150-10	15.340	230.10	230.10	230.10	
9/3/2011	Employee #001390	05P2032A	3100	5150-10	17.380	260.70	260.70	260.70	
9/3/2011	Employee #000248	05S2092	2000	5150-10	.520	7.80	7.80	7.80	
9/3/2011	Employee #000613	05S3004A	4500	5150-10	8.160	122.40	122.40	122.40	
9/3/2011	Employee #001464	06L2870058	5805	5150-10	2.100	31.50	31.50	31.50	
9/3/2011	Employee #001216	06P2030	2200	5150-10	28.490	427.35	427.35	427.35	
9/3/2011	Employee #000157	07E0099A	1000	5150-10	2.190	32.85	32.85	32.85	
9/3/2011	Employee #000878	07L0042	1300	5150-10	2.240	33.60	33.60	33.60	
9/3/2011	Employee #001511	07L0042	1300	5150-10	21.500	322.50	322.50	322.50	
9/3/2011	Employee #001211	07L0042	1500	5150-10	.210	3.15	3.15	3.15	
9/3/2011	Employee #001216	07L0042	1500	5150-10	47.710	715.65	715.65	715.65	
9/3/2011	Employee #001390	07L0042	1600	5150-10	48.950	734.25	734.25	734.25	
9/3/2011	Employee #001457	07L0042	1600	5150-10	2.810	39.15	39.15	39.15	
9/3/2011	Employee #001364	07L0120	1300	5150-10	7.440	111.60	111.60	111.60	
9/3/2011	Employee #001446	08A0024C	0801	5150-10	.780	11.70	11.70	11.70	
9/3/2011	Employee #000682	08A0150	3100	5150-10	1.770	26.55	26.55	26.55	
9/3/2011	Employee #001385	08A0153	2000	5150-10	14.250	213.75	213.75	213.75	
9/3/2011	Employee #001115	08A0182	0800	5150-10	1.670	25.05	25.05	25.05	
9/3/2011	Employee #001384	08E0165	1100	5150-10	4.110	61.65	61.65	61.65	
9/3/2011	Employee #000609	08E0175	3600	5150-10	1.320	19.80	19.80	19.80	
9/3/2011	Employee #001384	08E0175	3600	5150-10	.170	2.55	2.55	2.55	
9/3/2011	Employee #001384	08E0175	4000	5150-10	4.230	63.45	63.45	63.45	
9/3/2011	Employee #001517	08G0117	0020	5150-10	1.560	23.40	23.40	23.40	
9/3/2011	Employee #000809	08G0214	8100	5150-10	2.830	42.45	42.45	42.45	
9/3/2011	Employee #000884	08G0214	8100	5150-10	16.100	241.50	241.50	241.50	
9/3/2011	Employee #000809	08G0214	9000	5150-10	8.860	132.90	132.90	132.90	
9/3/2011	Employee #000613	08G0214	9000	5150-10	1.890	28.35	28.35	28.35	
9/3/2011	Employee #000884	08G0214	9000	5150-10	9.180	137.70	137.70	137.70	
9/3/2011	Employee #000843	08H0120A	4000	5150-10	1.990	29.85	29.85	29.85	
9/3/2011	Employee #001198	08H0120B	1000	5150-10	2.210	33.15	33.15	33.15	
9/3/2011	Employee #000494	08H0120C	1000	5150-10	.640	9.60	9.60	9.60	
9/3/2011	Employee #001439	08H0120C	1000	5150-10	110.220	1,653.30	1,653.30	1,653.30	
9/3/2011	Employee #001457	08H0120C	1000	5150-10	64.500	967.50	967.50	967.50	
9/3/2011	Employee #000841	08H0120C	9500	5150-10	103.820	1,557.30	1,557.30	1,557.30	
9/3/2011	Employee #000954	08H0120C	9500	5150-10	90.670	1,360.05	1,360.05	1,360.05	

Unit	Table	Name							
Date	Description	Project	Task	Account	Quantity	Cost Amount	Billing Amount	Billing Extension	
10/1/2011	Employee #000377	03R1808	1200	5150-10	35.900	538.50	538.50	538.50	
10/1/2011	Employee #000843	04S3020A	3003	5150-10	.180	2.70	2.70	2.70	
10/1/2011	Employee #000223	04S3020A	3004	5150-10	.970	14.55	14.55	14.55	
10/1/2011	Employee #001216	05P2032A	2500	5150-10	2.050	30.75	30.75	30.75	
10/1/2011	Employee #000878	05P2032A	3100	5150-10	40.430	606.45	606.45	606.45	
10/1/2011	Employee #001216	05P2032A	3100	5150-10	45.880	688.20	688.20	688.20	
10/1/2011	Employee #001390	05P2032A	3100	5150-10	19.850	297.75	297.75	297.75	
10/1/2011	Employee #001238	05R1532A	5000	5150-10	.570	8.55	8.55	8.55	
10/1/2011	Employee #000248	05S2092	2000	5150-10	23.610	354.15	354.15	354.15	
10/1/2011	Employee #000613	05S3004A	4500	5150-10	3.850	57.75	57.75	57.75	
10/1/2011	Employee #000659	06O5570A	9600	5150-10	5.790	86.85	86.85	86.85	
10/1/2011	Employee #001216	06P2030	4000	5150-10	1.540	23.10	23.10	23.10	
10/1/2011	Employee #000613	06S1778CA	9600	5150-10	.750	11.25	11.25	11.25	
10/1/2011	Employee #000884	06S1778CA	9600	5150-10	2.550	38.25	38.25	38.25	
10/1/2011	Employee #001384	06S2055	2004	5150-10	.600	9.00	9.00	9.00	
10/1/2011	Employee #000028	06S2055	2022	5150-10	13.730	205.95	205.95	205.95	
10/1/2011	Employee #001355	07A0042H	2005	5150-10	1.280	19.20	19.20	19.20	
10/1/2011	Employee #001299	07A0042H	2006	5150-10	.500	7.50	7.50	7.50	
10/1/2011	Employee #001213	07A0147	0800	5150-10	.680	10.20	10.20	10.20	
10/1/2011	Employee #000878	07L0042	1300	5150-10	2.390	35.85	35.85	35.85	
10/1/2011	Employee #001390	07L0042	1600	5150-10	6.840	102.60	102.60	102.60	
10/1/2011	Employee #001457	07L0042	1600	5150-10	3.180	47.40	47.40	47.40	
10/1/2011	Employee #000148	07S2010	2010	5150-10	7.020	105.30	105.30	105.30	
10/1/2011	Employee #000608	07S2010	2010	5150-10	13.240	198.60	198.60	198.60	
10/1/2011	Employee #000284	07S2010	2400	5150-10	.110	1.65	1.65	1.65	
10/1/2011	Employee #000682	08A0150	3100	5150-10	11.800	177.00	177.00	177.00	
10/1/2011	Employee #000841	08A0153	2000	5150-10	.760	11.40	11.40	11.40	
10/1/2011	Employee #001355	08A0193	1003	5150-10	5.740	86.10	86.10	86.10	
10/1/2011	Employee #000106	08E0175	3600	5150-10	19.330	289.95	289.95	289.95	
10/1/2011	Employee #000604	08E0175	3600	5150-10	8.400	126.00	126.00	126.00	
10/1/2011	Employee #000613	08E0175	3600	5150-10	4.150	62.25	62.25	62.25	
10/1/2011	Employee #001517	08E0175	3600	5150-10	.210	3.15	3.15	3.15	
10/1/2011	Employee #001384	08E0175	4000	5150-10	7.580	113.70	113.70	113.70	
10/1/2011	Employee #001517	08G0117	0020	5150-10	3.270	49.05	49.05	49.05	
10/1/2011	Employee #000609	08G0167	1600	5150-10	.990	14.85	14.85	14.85	
10/1/2011	Employee #000613	08G0167	1600	5150-10	1.000	15.00	15.00	15.00	
10/1/2011	Employee #000884	08G0214	8100	5150-10	9.820	147.30	147.30	147.30	
10/1/2011	Employee #000223	08H0120A	4000	5150-10	26.650	399.75	399.75	399.75	
10/1/2011	Employee #000843	08H0120A	4000	5150-10	6.910	103.65	103.65	103.65	
10/1/2011	Employee #001009	08H0120A	4000	5150-10	6.190	92.85	92.85	92.85	
10/1/2011	Employee #001198	08H0120B	1000	5150-10	3.130	46.95	46.95	46.95	

Unit	Table	Name							
Date	Description	Project	Task	Account	Quantity	Cost Amount	Billing Amount	Billing Extensel	Extensel
10/29/2011	Employee #000678	05P2032A	3100	5150-10	9.000	135.00	135.00	135.00	135.00
10/29/2011	Employee #000993	05P2033B	7000	5150-10	.090	1.35	1.35	1.35	1.35
10/29/2011	Employee #000248	05S2082	2000	5150-10	46.080	691.20	691.20	691.20	691.20
10/29/2011	Employee #000850	06L2870058	5803	5150-10	2.050	30.75	30.75	30.75	30.75
10/29/2011	Employee #001484	06L2870058	5803	5150-10	9.970	149.55	149.55	149.55	149.55
10/29/2011	Employee #000850	06L2870058	5808	5150-10	.190	2.85	2.85	2.85	2.85
10/29/2011	Employee #001484	06L2870058	5808	5150-10	5.680	85.20	85.20	85.20	85.20
10/29/2011	Employee #000659	06O5570A	1096	5150-10	13.800	207.00	207.00	207.00	207.00
10/29/2011	Employee #000659	06O5581A	1996	5150-10	1.690	25.35	25.35	25.35	25.35
10/29/2011	Employee #000609	06S1776CA	9600	5150-10	3.000	45.00	45.00	45.00	45.00
10/29/2011	Employee #000884	06S1776CA	9600	5150-10	4.420	66.30	66.30	66.30	66.30
10/29/2011	Employee #001267	06S1776CA	9600	5150-10	1.260	18.90	18.90	18.90	18.90
10/29/2011	Employee #000678	07L0042	1300	5150-10	34.650	519.75	519.75	519.75	519.75
10/29/2011	Employee #001216	07L0042	1300	5150-10	38.510	577.65	577.65	577.65	577.65
10/29/2011	Employee #001382	07L0042	1400	5150-10	6.630	99.45	99.45	99.45	99.45
10/29/2011	Employee #001216	07L0042	1500	5150-10	52.720	790.80	790.80	790.80	790.80
10/29/2011	Employee #001390	07L0042	1600	5150-10	14.590	218.85	218.85	218.85	218.85
10/29/2011	Employee #000578	07L0121	2500	5150-10	.800	12.00	12.00	12.00	12.00
10/29/2011	Employee #000608	07S2010	2010	5150-10	29.030	435.45	435.45	435.45	435.45
10/29/2011	Employee #000608	07S2010	2030	5150-10	10.480	157.20	157.20	157.20	157.20
10/29/2011	Employee #001364	07S2010	2030	5150-10	74.630	1,119.45	1,119.45	1,119.45	1,119.45
10/29/2011	Employee #000909	07S2010	2040	5150-10	.720	10.80	10.80	10.80	10.80
10/29/2011	Employee #001058	07S2010	2040	5150-10	15.030	225.45	225.45	225.45	225.45
10/29/2011	Employee #001299	08A0079	0004	5150-10	.840	12.60	12.60	12.60	12.60
10/29/2011	Employee #001324	08A0079	0006	5150-10	4.320	64.80	64.80	64.80	64.80
10/29/2011	Employee #000248	08A0153	2000	5150-10	6.180	92.85	92.85	92.85	92.85
10/29/2011	Employee #001338	08A0153	2000	5150-10	3.740	56.10	56.10	56.10	56.10
10/29/2011	Employee #001115	08A0182	0800	5150-10	14.420	216.30	216.30	216.30	216.30
10/29/2011	Employee #001355	08A0193	1003	5150-10	23.070	346.05	346.05	346.05	346.05
10/29/2011	Employee #001355	08A0193	1008	5150-10	1.380	20.70	20.70	20.70	20.70
10/29/2011	Employee #000106	08E0175	3600	5150-10	32.590	488.85	488.85	488.85	488.85
10/29/2011	Employee #000604	08E0175	3600	5150-10	12.500	187.50	187.50	187.50	187.50
10/29/2011	Employee #000609	08E0175	3600	5150-10	15.480	232.20	232.20	232.20	232.20
10/29/2011	Employee #000813	08E0175	3600	5150-10	19.210	288.15	288.15	288.15	288.15
10/29/2011	Employee #001384	08E0175	3600	5150-10	4.050	60.75	60.75	60.75	60.75
10/29/2011	Employee #000106	08E0175	4000	5150-10	18.480	277.20	277.20	277.20	277.20
10/29/2011	Employee #000939	08E0175	4000	5150-10	15.150	227.25	227.25	227.25	227.25
10/29/2011	Employee #001384	08E0175	4000	5150-10	3.870	58.05	58.05	58.05	58.05
10/29/2011	Employee #000926	08E0217	2000	5150-10	.550	8.25	8.25	8.25	8.25
10/29/2011	Employee #000609	08G0187	1320	5150-10	1.280	19.20	19.20	19.20	19.20
10/29/2011	Employee #000984	08G0214	8200	5150-10	16.400	246.00	246.00	246.00	246.00



Engineering | Architecture | Planning | Allied Services

CITY OF LINCOLN  
 MARK MATHON  
 700 BROADWAY STREET  
 LINCOLN, IL 62656

November 23, 2011  
 Project No: 05S2092  
 Invoice No: 1032345  
 PM: LISA KRAMER

Project 05S2092 FIFTH STREET ROAD  
 Contact Person - Mark Mathon 217-732-7544 Fifth Street Road I-55 to Lincoln Parkway Design Plans  
Professional Services through November 05, 2011

**Fee**

Billing Phase	Fee	Percent Complete	Earned	
FIXED FEE	42,340.07	75.20	31,839.73	
Total Fee	42,340.07		31,839.73	
		Previous Fee Billing	31,839.73	
		Current Fee Billing	0.00	
		<b>Total Fee</b>		<b>0.00</b>

**Professional Personnel**

	Hours	Rate	Amount	
Engineer/Architect/Scientist VI KRAMER, LISA	12.50	40.97	512.13	
Engineer/Architect/Scientist V EMRICK, JEFFREY	2.00	36.30	72.60	
Engineer/Architect/Scientist III BRENNAN, BRYAN	97.50	30.18	2,942.55	
Administrative IV KOHL, ELIZABETH	.25	20.73	5.18	
Totals	112.25		3,532.46	
Total Labor		2.5832 times	3,532.46	9,125.05

**Unit Billing**

Computer Usage - AutoCad	78.64 Hours @ 15.00	1,179.60	
Total Units		1,179.60	1,179.60

**Billing Limits**

	Current	Prior	To-Date	
Total Billings	10,304.65	327,571.86	337,876.51	
Limit			419,774.16	
Remaining			81,897.65	
		<b>Total this Invoice</b>		<b>\$10,304.65</b>

Project

05S2092

FIFTH STREET ROAD

Invoice

<Draft>



CONTRACT FOR SALE OF REAL ESTATE

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2018, between LINCOLN SAND & GRAVEL CO., and Iowa Corporation, of 812 Cindy Drive, Burlington, Iowa 52601, hereinafter referred to as Seller, and THE CITY OF LINCOLN, of 700 Broadway, Lincoln, Illinois 62656, hereinafter referred to as Buyer, WITNESSETH:

1. DESCRIPTION, PRICE, and PAYMENT: That Seller sells the following described real estate, to-wit:

Lots 9, 10, 11 and 12 in Block 8 in the Original Town, now City of Lincoln, Logan County, Illinois, subject to the following:

a. The 2018 and all subsequent years' real estate taxes, which the Buyer assumes and agrees to pay, subject to the credit as hereinafter set forth;

b. Rights of the public, the State of Illinois, and the municipality in and to that part of the land, if any, taken or used for road purposes;

c. Rights of way for drainage tiles, ditches, feeders, and laterals, if any;

Tax I.D. No. 08-210-065-00;

with improvements commonly known as 716 Broadway, to Buyer, who agrees to pay SEVENTY THOUSAND DOLLARS (\$70,000.00) therefor in the manner following: ONE THOUSAND DOLLARS (\$1,000.00) upon the execution of this agreement, to be held in escrow at the LOGAN COUNTY TITLE COMPANY, receipt whereof is hereby acknowledged; and the balance of SIXTY-NINE THOUSAND DOLLARS (\$69,000.00) on or before the 30<sup>th</sup> day of October, 2018, and on receipt of Deed.

2. EVIDENCE OF TITLE: That as soon as possible, Seller will furnish Buyer a written commitment from a title insurance company duly authorized to do business in Illinois, showing title to said premises subject only to the matters to which this sale is subject by the terms hereof and to the customary exceptions contained in owners' policies issued by such company. If written commitment discloses defects in title other than matters to which this sale is subject by the terms hereof and the customary exceptions in such policies, then Seller shall have until date for delivery of Deed to correct such defects. An owner's title policy, in the amount of the purchase price

for said premises, will be paid for by Seller and issued to Buyer after delivery of Deed.

3. DEED: That Seller will cause fee simple title to said real estate to be conveyed to Buyer, or to such party as Buyer may direct, by Warranty Deed upon payment being made as herein provided, on or before the 30<sup>th</sup> day of October 2018.

4. POSSESSION: That possession of said real estate is to be delivered to Buyer at the time of delivery of the Deed. Seller will pay public utility service charges incurred for improvements on said real estate up to the time when possession passes to Buyer.

5. INSURANCE: That Seller will keep fire and extended coverage insurance on the improvements on said real estate in force during the term of this agreement in not less than the amount of present coverage for the benefit of both parties as their interests may appear. This Agreement is subject to the Uniform Vendor and Buyer Risk Act of the State of Illinois.

6. ENCUMBRANCES: That said real estate is subject to the following encumbrances:

a. The 2017 real estate taxes shall be paid by the Seller prior to the date for delivery of Deed. The 2018 real estate taxes shall be prorated between the parties, based on the date of possession, with the Seller's portion thereof being allowed to the Buyer as a credit against the balance of the purchase price due at the time of closing. The proration of the 2018 real estate taxes shall be based on the actual 2017 real estate tax bill.

b. Easements and building or use restrictions of record, and provisions of zoning and building ordinances, if any, none of which shall be considered as rendering title unmerchantable or unacceptable, provided the same are not violated by the existing improvements or the use thereof.

7. PERSONAL PROPERTY: That the purchase price expressed above includes the following items which pass to the Buyer for no additional consideration: NONE

8. SPECIAL PROVISIONS:

a. If a title guarantee policy cannot be provided as set forth in clause 2 hereof, then the downpayment shall be repaid to the Buyer and this Contract shall automatically become null and void.

b. Should the Seller fail to perform this Contract

on their part at the time and in the manner herein specified, the earnest money paid as above shall, at the option of the Buyer, be returned to the Buyer, and this Contract shall become null and void; or the Buyer may elect to continue this Contract in full force and effect and hold the Seller for all damages arising from a breach of the provisions hereof, or the Buyer may enforce this Contract by specific performance.

c. If additional time is needed for title requirements, the date for closing shall be extended accordingly, not to exceed 15 days.

d. Seller warrants that no conditions exist on the foregoing described real estate with respect to storage of chemicals thereon, and the real estate has not been used as a site for any facility or chemical which is subject to reporting under Federal or State agency regulations on pollution and environmental controls since Seller purchased the same on February 1, 1994, and Seller further warrants that no underground storage tanks are presently in use on said real estate requiring notification to any Federal or State agency under the Solid Waste Disposal Act or any other laws or regulations.

e. Should either Seller or Buyer be required to incur Attorneys' fees, costs, and/or other expenses as a result of the other party's failure to perform any obligation pursuant to the terms of this Agreement, then the party so failing shall be liable to the other party for any such reasonable Attorneys' fees, costs, and expenses incurred by such other party. Should Seller or Buyer fail to reimburse the other party for such reasonable Attorneys' fees, costs, and other expenses, then said amount shall be added either to the principal balance at the election of Seller or subtracted from the principal balance at the election of Buyer, or either party may bring an action against such other party for such reasonable Attorneys' fees, costs, and expenses incurred as a result of the other party's failure to perform hereunder.

f. This Agreement is being executed in counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument, and the same shall be binding upon the parties signing any one of said counterparts.

g. The Buyer's obligations pursuant to the terms hereof are contingent upon the Buyer being able to obtain a first mortgage loan from a reputable lending institution in an amount of not less than 95% of the purchase price. The Buyer agrees to make a diligent effort to obtain such financing and will apply for the same within five (5) days after the date of this Agreement. If the

Buyer is unable to obtain said financing and so notify the Seller in writing at least ten (10) days prior to the date of closing that they are unable to obtain such financing, then this Contract shall be null and void and the downpayment paid pursuant to the terms hereof shall be returned to the Buyer.

h. The Buyer and Seller both acknowledge and represent to the other that no real estate agent is involved in this transaction and there is no real estate commission due to any individual or entity.

9. NOTICES, ETC.: That title commitments, communications, or notices with reference to this contract may be delivered by or to the parties or their respective Attorneys, whose names and addresses are:

BUYER'S ATTORNEY

SELLER'S ATTORNEY

WOODS & BATES  
306 Clinton Street  
Lincoln, IL 62656  
Telephone: (217) 735-1234  
email: [blinn@woodsandbates.com](mailto:blinn@woodsandbates.com)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This contract was prepared by WILLIAM B. BATES, JR., Attorney, and approved by \_\_\_\_\_, Attorney.

10. SETTLEMENT: That settlement shall be made and deed shall be delivered at the LOGAN COUNTY TITLE COMPANY, 507 Pulaski Street, Lincoln, Illinois, or such place as the parties agree upon.

11. When used in this instrument, unless the contract requires otherwise, words importing the masculine gender include the feminine, and words importing the singular number include the plural and words importing the plural number include the singular.

12. It is mutually agreed by and between the parties hereto, that the covenants and agreements herein contained shall extend to and be obligatory upon the heirs, executors, administrators, and assigns of the respective parties, and that time is of the essence of this contract.

13. The parties agree that LOGAN COUNTY TITLE is designated as Escrowee for the purposes of any escrow created or hereafter required in connection with this Contract. The escrow conditions are as follows:

a. Escrowee shall deposit the downpayment in an escrow account and hold said downpayment in escrow pursuant to the terms of this Contract until closing and not release said funds except with the agreement of all parties or an Order entered by a Court of competent jurisdiction.

b. No interest shall be paid on the escrowed funds.

14. DUE DILIGENCE: For ninety (90) days following the date of the full execution of this Contract (the "Due Diligence Period"), the Buyer, at its sole expense, may conduct any and all engineering tests, architectural surveys, geotechnical tests, soil compaction tests and environmental inspections (including, without limitation, a Phase I and, if necessary, Phase 2 Environmental Investigations) to ascertain, in Buyer's sole discretion, that the real estate is satisfactory to Buyer and that all of the surface and subsurface conditions at the real estate are acceptable to Buyer, and to determine that the environmental conditions are acceptable to Buyer in Buyer's sole discretion.

In furtherance of the foregoing, at Buyer's sole cost, risk and expense, Buyer may enter upon the real estate to conduct such tests and inspections as Buyer deems necessary, at reasonable times and upon reasonable notice to Seller. In regard to such testing and inspections, if Buyer performs such tests, Buyer shall restore the real estate to the same condition as it existed prior to its entry onto the real estate to conduct such tests and inspections and shall be liable for any and all damage caused by such testing. The parties agree that the costs and expense of such investigations and inspections shall be paid by Buyer when due, and that Buyer will not suffer or allow a lien to attach to the real estate therefor.

Notwithstanding anything herein to the contrary, if, in Buyer's sole discretion, it deems that any of said conditions are unsatisfactory for any reason, Buyer shall advise Seller of the same in writing no later than within three (3) business days of the expiration of the Due Diligence Period. In such notice, Buyer shall have the option of either waiving all or any of said conditions or of terminating this Contract, and in the event Buyer terminates this Contract, Buyer will be entitled to return of its Earnest Money Deposit.

**THIS IS A LEGAL DOCUMENT. AN ATTORNEY AT LAW SHOULD BE  
CONSULTED PRIOR TO THE EXECUTION OF THIS DOCUMENT.**

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands and seals to this agreement in duplicate the date and year first above written.

LINCOLN SAND & GRAVEL CO.

\_\_\_\_\_

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

The above-named designated Escrowee hereby accepts the escrow on the terms and conditions heretofore set forth.

\_\_\_\_\_

Escrowee