

*Lebanon agreement*



# Illinois Department of Transportation

Division of Highways/District 8  
9300 St. Clair Avenue/Fairview Heights, Illinois/62208

*Copy to John  
awd  
6/17/85  
OK  
6-17  
pm*

April 19, 1985

LETTER OF UNDERSTANDING  
FAS Route 1780 (US 50 @ IL 4)  
Section 30R  
Lebanon  
St. Clair County

**MAINTENANCE**

**JUN 17**

The Honorable N. James Lombardo  
Mayor, City of Lebanon  
312 West St. Louis Street  
Lebanon, IL 62254

Dear Mayor Lombardo:

The State of Illinois, acting by and through its Department of Transportation, in cooperation with the City of Lebanon and others, in order to facilitate the free flow of traffic and increase the safety to the motoring public, proposes to improve the intersection of Federal Aid Secondary (FAS) Route 1780, marked U.S. Route 50, with Federal Aid Primary (FAP) Route 670, marked Illinois Route 4 and Madison Street in Lebanon, by reconstructing 900 feet of the U.S. Route 50 leg opposite McAllister Street; improving McAllister Street to a point approximately 120 feet from the centerline of Illinois Route 4 including a commercial entrance on the north side; by widening approximately 1520 feet of Illinois Route 4 varying from 24 to 38 feet from a point approximately 880 feet north of McAllister Street to a point south of South Street providing two 12-foot traffic lanes with 12-foot left turn lanes for north and south bound traffic and variable width painted medians, widening the railroad crossing and the installation of crossing gates, improving the South Street connection to the right of way line; and by performing all other work necessary to complete the improvement in accordance with the approved plans and specifications.

In order to advance this improvement, which is desired and which will be of immediate benefit to the residents of the City of Lebanon, it is necessary that the City and the State agree as to the responsibilities of each party for the portion of the improvement within the City of Lebanon. This letter and the acceptance thereof by the Village shall constitute such agreement. These responsibilities are as follows:

LETTER OF UNDERSTANDING

City of Lebanon

April 19, 1985

Page 2

1. The State agrees to make the surveys, obtain all necessary rights of way, prepare plans and specifications; receive bids and award the contract; furnish engineering inspection during construction and cause the improvement to be built in accordance with the plans, specifications, and contract; and to pay all costs incidental thereto.
2. The State will negotiate with the Baltimore and Ohio Railroad for the adjustment of their railroad facilities.
3. The City agrees to make any necessary adjustments to City-owned utilities at its expense and to exercise its franchise right, if the need arises, to cause private utilities to be relocated or adjusted at no expense to the State.
4. Upon completion of the improvement and so long as U.S. Route 50 and Illinois Route 4 are used as State highways, the State agrees to maintain or cause to be maintained the medians, the through traffic lanes, left-turn and right-turn lanes, each being 12 feet and variable in width, and any curb and gutter adjacent to those traffic lanes and turn lanes maintained by the State.
5. Upon completion of the improvement, the City agrees to maintain or cause to be maintained the City streets outside the traffic lanes of the State highway and those portions of the improvement which are not to be maintained by the State, including all curbs and gutter flags not maintained by the State and all manholes, catch basins, storm sewers, utilities and appurtenances.
6. The CITY has adopted and will put into effect, prior to the State's advertising for the work to be performed hereunder, an ordinance requiring that parking be prohibited within the limits of this improvement, a copy of which is attached hereto as "Exhibit A ", and will in the future prohibit parking at such locations on or immediately adjacent to this improvement as may be determined necessary by the State from traffic capacity studies.
7. The City has previously adopted or agrees to adopt and will put into effect, prior to the State's advertising for the work to be performed hereunder an appropriate ordinance relative to the disposition of encroachments and prohibiting in the future any new encroachments within the limits of the improvement, a copy of which is attached hereto as "Exhibit B" and made a part hereof.

LETTER OF UNDERSTANDING  
City of Lebanon  
April 19, 1985  
Page 3

8. The City agrees to adopt, prior to the State's advertising for the work to be performed hereunder, a resolution approving the plans and specifications as prepared.
9. It is mutually agreed that the covenants contained herein shall become null and void in the event a contract covering construction work contemplated is not awarded by December 31, 1988.
10. It is mutually agreed that this Letter of Understanding shall be binding upon and inure to the benefit of the parties hereto, their successors, and assigns.

If the conditions contained herein are acceptable to the City, it is requested that the City Council pass a resolution authorizing the Mayor to sign this Letter of Understanding in behalf of the City and return one of the two copies to this office, along with the appropriate ordinances and resolutions.

Very truly yours

*Dale L. Klohr*

Dale L. Klohr  
District Engineer

Attachments

ACCEPTED BY THE CITY OF LEBANON

By: *Wm. Lombard*  
Title: *Mayor*  
Date: *6/10/85*

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF ST. CLAIR )

I, Edna Friedrich, City Clerk in and for the City of Lebanon, of the State of Illinois hereby certify that James Lombardo, the Mayor of the City of Lebanon was duly authorized to execute the foregoing Letter of Understanding on behalf of the City of Lebanon pursuant to a resolution adopted by the City Council at a meeting on June 10 A.D., 19 85.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 10<sup>th</sup> day of June A.D., 19 85.

Edna M. Friedrich  
City Clerk

SEAL

No # 27-85

RESOLUTION TO AUTHORIZE EXECUTION  
OF LETTER OF UNDERSTANDING BETWEEN  
THE CITY OF LEBANON AND THE ILLINOIS  
DEPARTMENT OF TRANSPORTATION

WHEREAS, the State of Illinois, acting by and through its Department of Transportation, proposes to improve the intersection of U.S.

Route 50 with Illinois Route 4 and Madison Street in the City of Lebanon and certain nearby roadways to facilitate the free flow of traffic and increase safety to the motoring public, and

WHEREAS, it is deemed to be in the best public interest and serves the public purpose of the City of Lebanon that the said improvement be undertaken, and

WHEREAS, it is necessary that the City and the State agree as to their respective responsibilities for the portion of the improvement within the City of Lebanon, and

WHEREAS, the said respective responsibilities are set forth in the attached Letter of Understanding, and

WHEREAS, the responsibilities and conditions set forth in said Letter of Understanding are acceptable to the City Council of the City of Lebanon.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF LEBANON, that execution of said Letter of Understanding between the City of Lebanon and the Illinois Department of Transpor-

tation be authorized and that the Mayor be, and hereby is, authorized to execute same on behalf of the City.

*James L. Smith*  
MAYOR

ATTEST:

*Edward M. Friedman*  
CITY CLERK

AYES *Aldeerman Heleb, Fritz, Richard, Deitzman, Steensen, Furtkamp, Kamm*

NAYS: *Aldeerman Kuehn, Absent.*

Passed: *June 10 1985*

Approved: *June 10 1985*

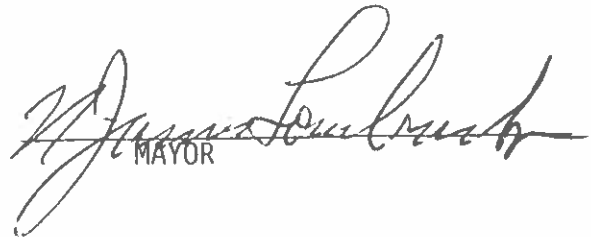
RESOLUTION NO. 26-85

RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
FOR IMPROVING THE INTERSECTION OF FAS ROUTE 1780 (U.S. 50)  
AND FAP ROUTE 670 (ILL. 4) IN LEBANON, ILLINOIS

WHEREAS, the City of Lebanon and the State of Illinois, acting by and through its Department of Transportation, have entered into a Letter of Understanding relative to the improvement of the intersection of FAS Route 1780 (U.S. Route 50), FAP Route 670 (Illinois Route 4), Section 30R; and,

WHEREAS, representatives of the City of Lebanon have reviewed the plans and specifications and approve them on behalf of the City of Lebanon, Illinois;

NOW, THEREFORE, BE IT RESOLVED, by the City Council and the Mayor that the City of Lebanon does hereby approve the plans and specifications for the said improvement.

  
MAYOR

ATTEST:

Edna M. Friedrick  
CITY CLERK

AYES: Aldermen Nick Levy, Rodney Dellgen, Herman Fritchman, Raymond

NAYES: Alderman Rufus Adams

PASSED: June 10 1985

APPROVED June 10 1985

ORDINANCE NO. 123

AN ORDINANCE REGULATING ENCROACHMENT ON  
PUBLIC RIGHT OF WAY IN THE  
CITY OF LEBANON, ILLINOIS

WHEREAS, the City of Lebanon hereinafter known as the CITY, and the State of Illinois, acting by and through its Department of Transportation, Division of Highways, have entered into an agreement relative to the improvement of the intersection of FAS Route 1780 (U.S. Route 50) and FAP Route 670 (Illinois Route 4), Section 30R; and,

WHEREAS, in order to facilitate said improvement, it is necessary for the CITY to adopt an ordinance regulating encroachments on the right of way for said improvement in accordance with the following definition:

Roadway Right of Way is defined as those areas existing or acquired by dedication or by fee simple for highway purposes; also, the areas acquired by temporary easement during the time the easement is in effect;

Project Right of Way is defined as those areas within the project right of way lines established jointly by the CITY and the STATE, which will be free of encroachments except as hereinafter defined;

Encroachment is defined as any building, fence, sign or any other structure or object of any kind (with the exception of utilities and public road signs), which is placed, located or maintained in, on, under or over any portion of the project right of way or the roadway right of way where no project right of way line has been established.

Permissible Encroachment is defined as any existing awning, marquee, advertising sign or similar overhanging structure supported from a building immediately adjacent to the limits of the platted street where there is a sidewalk extending to the building line and which does not impair the free and safe flow of traffic on the highway, the permissive retention of overhanging signs is not to be construed as being applicable to those signs supported from poles constructed outside the project right of way line and not confined by adjacent buildings.

Construction Easement Area is defined as the area lying between the project right of way limits and the platted street limits which the CITY, by concurrence in the establishment of the project right of way lines, will permit the STATE to enter to perform all necessary construction operations; and,

WHEREAS, representatives of the City and the STATE have, by visual inspection, cooperatively established project right of way lines and have mutually determined the disposition of encroachments;



NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Lebanon, St. Clair County, Illinois:

Section 1: It shall be unlawful for any person, firm or corporation to erect or cause to be erected, to retain or cause to be retained, any ENCROACHMENT (herein above defined), within the limits of the project right of way or roadway right of way where no project right of way lines have been established.

Section 2: Project right of way lines have been established as being coincident with the right of way lines.

Section 3: This ordinance is intended to and shall be in addition to all other ordinances, rules and regulations concerning encroachments and shall not be construed as repealing or rescinding any other ordinance unless in direct conflict herewith.

Section 4: Any person, firm or corporation violating this ordinance shall be fined not less than Five (\$ 50.00) nor more than Ten (\$ 10.00) for each offense, and a separate offense shall be deemed committed for each and every day during which a violation continues or exists.

Section 5: This ordinance shall be published 1 time(s) within 10 days after its passage in a newspaper having a general circulation in the City of Lebanon, Illinois, and shall be in full force and effect after its passage, publication and approval as provided by law.

Passed this 10<sup>th</sup> day of June, 1985.

[Signature]  
ATTEST

Passed June 10/85

Signed June 10/85

Published June 12, 1985

[Signature]  
City Clerk

RESOLUTION

# 25-84

WHEREAS, the City of Lebanon, St. Clair County, Illinois, is in receipt of a request from the Illinois Department of Transportation, and

WHEREAS, said request seeks assurances that parking on North and South Madison Street will be prohibited by City ordinance upon completion of the construction by the said Department of a turn lane on said street, and

WHEREAS, it is necessary to enact this Resolution granting the requested assurances to the Illinois Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lebanon, St. Clair County, Illinois, that upon completion of the construction of a turn lane on North and South Madison Street by the Illinois Department of Transportation the City Council shall take all legal action necessary to prohibit parking on North and South Madison Street from the northern corporate limits to the southern corporate limits of the City of Lebanon.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to submit a certified copy of this Resolution to the Illinois Department of Transportation.

ATTEST:

*[Handwritten Signature]*  
ACTING MAYOR

*[Handwritten Signature]*  
CITY CLERK

AYES: *[Handwritten Names]*  
NAYS: *[None]*  
PASSED: June 25 1984  
APPROVED: June 25 1984

**Sec. 12-100. Restriction on U-turns.**

A vehicle may be turned so as to proceed in the opposite direction only within an intersection which is not posted with signs prohibiting such turns. (Code 1964, § 38.28)

**State law references**—Power of municipality to prohibit U-turns, Ill. Rev. Stat. Ch. 95½, § 11-208(a)11; turning on curve or crest of grade prohibited, Ill. Rev. Stat. Ch. 95½, § 11-802.

**Secs. 12-101–12-112. Reserved.****ARTICLE IV. STOPPING, STANDING AND PARKING\*****Sec. 12-113. Prohibited in specified places.**

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

- (1) Stop, stand or park a vehicle:
  - (a) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
  - (b) On a sidewalk;
  - (c) Within an intersection;
  - (d) On a crosswalk;
  - (e) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
  - (f) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

\*State law reference—Local authority to regulate standing or parking of vehicles, Ill. Rev. Stat. Ch. 95½, § 11-208(a)1.

- (g) Upon any bridge or other elevated structure or within a highway tunnel, underpass or subway;
  - (h) On any railroad tracks;
  - (i) At any place where official signs prohibit stopping.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge passengers:
- (a) In front of a public or private driveway;
  - (b) Within fifteen (15) feet of a fire hydrant;
  - (c) Within twenty (20) feet of a crosswalk at an intersection;
  - (d) Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the side of a roadway;
  - (e) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance (when properly sign-posted);
  - (f) At any place where official signs prohibit standing.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:
- (a) Within fifty (50) feet of the nearest rail of a railroad crossing;
  - (b) At any place where official signs prohibit parking.
- (4) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually