

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on January 10, 2012.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Bob Becker, YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Sue McLaughlin, Attorney & Treasurer J. Preston Owen, Community Development Coordinator Kyle Gill, Public Works Director Dean Barber, Fire Chief Tony Nichols, Police Chief Jeff Branson, and City Clerk Susan O'Brien.

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting December 20, 2011 and special meeting December 27, 2011; Fire Department report for the month of December 2011 and annual Fire Department report; bills and payroll for the last half of December, 2011.

Bills and Payroll last part of December, 2011

	<u>General Fund</u>		
Payroll		\$	491,221.07
Bills		\$	<u>176,927.54</u>
	Total	\$	668,148.61
	<u>Hotel Tax Fund</u>		
Payroll		\$	3,894.98
Bills		\$	<u>1,224.50</u>
	Total	\$	5,119.48
	<u>Mobile Equipment Fund</u>		
Bills		\$	<u>74,928.00</u>
	Total	\$	74,928.00
	<u>Festival Management Fund</u>		
Bills		\$	<u>5,521.90</u>
	Total	\$	5,521.90
	<u>Midtown TIF Fund</u>		
Bills		\$	<u>4,224.74</u>
	Total	\$	4,224.74
	<u>Insurance & Tort Judgment</u>		
Bills		\$	<u>2,781.99</u>
	Total	\$	2,781.99
	<u>Capital Project Fund</u>		
Bills		\$	<u>43,216.48</u>
	Total	\$	43,216.48
	<u>Water Fund</u>		
Payroll		\$	58,673.21
Bills		\$	<u>92,568.57</u>
	Total	\$	151,241.78

Sewer Fund

Payroll	\$	65,986.11
Bills	\$	<u>418,698.83</u>
Total	\$	484,684.94

Motor Fuel Tax Fund

Bills	\$	<u>2,905.51</u>
Total	\$	2,905.51

Health Insurance Fund

Bills	\$	<u>155,338.82</u>
Total	\$	155,338.82

Mayor Gover opened the floor for discussion with no responders.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

PRESENTATIONS, PETITIONS & COMMUNICATIONS

- Public comments/presentations and non-agenda items

Mayor Gover opened the floor for public comments or questions with no responders.

Mrs. Barb Kay Allen Denny commended the Police Department. Chief Branson added Mrs. Denning had complimented the work of Officer West and Captain Hall; and thanked her for her kind words. Mayor Gover opened the floor for further public comments with no responders.

NEW BUSINESS:

Commissioner Ervin seconded by Commissioner Becker moved to adopt Resolution 2012-2849, approving the participation in the Illinois Metropolitan Investment Fund (IMET) and authorizing execution of a first amended and restated declaration of trust.

**CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2012-2849**

**A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A FIRST AMENDED AND RESTATED
DECLARATION OF TRUST**

WHEREAS, the City of Mattoon (the "City"), desires to participate in the joint investment of certain of its funds in accordance with the Constitution and laws of the State of Illinois (the "State"); and,

WHEREAS, Section 10 of Article VII of the Constitution of the State provides that the State shall encourage intergovernmental cooperation and use its technical and financial resources to assist intergovernmental activities among its units of local government; and,

WHEREAS, the Intergovernmental Cooperation Act, as amended (the "Cooperation Act"), provides a statutory framework that supplements the constitutional grant of intergovernmental cooperation powers found in said Section 10 of Article VII; and,

WHEREAS, Section 3 of the Cooperation Act provides that “[a]ny power or powers privileges, functions, or authority exercised or which may be exercised by a public agency of [the] State may be exercised, combined, transferred, and enjoyed with any other public agency of [the] State...except where specifically and expressly prohibited by law; and,

WHEREAS, Section 5 of the Cooperation Act, provides that any one or more public agencies may contact with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body or each part of the contract; and,

WHEREAS, such contract shall set forth fully the purposes, powers, rights, objectives and responsibilities of the contracting parties; and,

WHEREAS, Section 1-1-5 of the Illinois Municipal Code, as amended (the “Municipal Code”), provides among other things, that the corporate authorities of each municipality may exercise jointly, with one or more other municipal corporations or governmental subdivisions or districts, all of the powers set forth in the Municipal Code; and,

WHEREAS, Section 3.1-35-50 of the Municipal Code provides, among other things, that each municipal treasurer is permitted to join with other municipal treasurers or municipalities for the purpose of investing the municipal funds of which the treasurer has custody; and,

WHEREAS, pursuant to a Declaration of Trust, dated as of September 1, 1995 (the “Original Declaration”) certain municipal treasurers entered into an agreement establishing the Illinois Metropolitan Investment Fund (the “Fund”), for the purpose of combining their respective available investment funds so as to enhance the investment opportunities available to them and increase the investment earnings accruing to the benefit of the respective municipalities on behalf of which they acted, pursuant to the aforementioned constitutional and statutory authority; and,

WHEREAS, the Original Declaration was amended and restated by adoption of that certain First Amended and Restated Declaration of Trust, dated as of July 1, 1996 and incorporating amendments dated January 28, 1999, January 27, 2000, March 22, 2002, March 18, 2004 and May 9, 2007 (the Original Declaration, as amended by the Amended and Restated Declaration of Trust, hereinafter referred to as the “Declaration of Trust”); and,

WHEREAS, the Fund’s assets can only be invested in instruments authorized by the Public Funds Investment Act, as amended; and,

WHEREAS, no public agency, shall become a participant (a “Participant”) in the Fund unless and until such public agency, including the City, has adopted and authorized the Declaration of Trust; and,

WHEREAS, the Participants anticipate that other municipal treasurers, official custodians of municipal funds, public agencies and intergovernmental entities composed solely of participating municipalities may wish from time to time to become Participants; and,

WHEREAS, the City deems it necessary and in the best interests of the City to participate in the Fund by having the City become a Participant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The preambles to this Resolution are hereby found and determined to be true, correct and complete and are hereby incorporated into the text of this Resolution by this reference as set out herein at length.

Section 2. The Declaration of Trust is attached hereto and by this reference incorporated herein and a part hereof, and is hereby adopted, authorized and approved in all respects; and the City is hereby authorized to become an additional Participant of the Fund.

Section 3. The Mayor and City Clerk and other officers or employees of the City are hereby empowered and directed to execute and deliver all documents, certificates and other instruments necessary to further the intent and purpose of the Resolution.

Section 4. All resolutions or motions in conflict herewith are hereby superseded to the extent of such conflict, and that this Resolution shall be in full force and effect forthwith upon its adoption.

Section 5. The city clerk is directed to publish a copy of this resolution in pamphlet form at the first opportunity following its adoption and approval by the City Council.

Upon motion by Commissioner Ervin , seconded by Commissioner Becker, adopted this 10th day of January, 2012, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Becker, Commissioner Ervin,</u> <u>Commissioner Hall, Commissioner Rankin,</u> <u>Mayor Gover</u>
NAYS (Names)	<u>None</u>
ABSENT (Names)	<u>None</u>

Approved this 10th day of January, 2012.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on January 10,2012.

Mayor Gover opened the floor for discussion. Commissioner Hall inquired whether this was a renewal with Commissioner Ervin stating no noting a pooling of investments for better rates.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Ervin moved to approve Council Decision Request 2012-1281, approving a home occupation application and authorizing the Mayor to sign a permit to enable a beauty shop use at 809 Piatt by Yvonda Johnston.

Mayor Gover opened the floor for discussion. Commissioner Hall inquired whether the neighbors were formally noticed. Coordinator Gill stated the ordinance not requiring notice, explained the process for home occupation permits, and noted the neighbors were asked and the Inspections Department had no issues with the location.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2012-1282, authorizing the employment of Peter I. Lusk to the Mattoon Police Department as a probationary officer effective March 1, 2012.

Mayor Gover opened the floor for discussion. Commissioner Ervin provided accolades and assured the Council of Mr. Lusk's outstanding performance at Lake Land College. Mayor Gover complimented and welcomed Mr. Lusk.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR – reported on the various mediums used to promote the Public session of the Comprehensive Plan workshop to be conducted at 6:30 p.m. at Williams Elementary School on the 24th of January, Commercial session of the Comprehensive Plan workshop to be conducted at noon on the 24th of January at a location to be determined, completion of a draft personnel code policy; discussion held with Director Barber and Justin Grady regarding the pocket park design, and upcoming Depot finishing changes to the large room and smaller room. Mayor Gover opened the floor for questions with no responders.

ATTORNEY & TREASURER – reported normal financial routine with work on the budget for next year. Mayor Gover opened the floor for questions with no responders.

CITY CLERK – reported business as usual with personnel and insurance issues. Mayor Gover opened the floor for questions with no responders.

PUBLIC WORKS – reported on the Champaign Avenue brick street patching and Depot parking lot and platform plans. Commissioner Rankin inquired whether the issues with Amtrak and the State had been resolved with Director Barber noting issues should be resolved in the near future and noting a set bid date for the project. Mayor Gover noted his receiving of many compliments on Progress Square and complimented Director Barber and Staff on their work.

Mrs. Jackie Record requested more gravel in the Depot parking lot with Director Barber acknowledging the request. Chief Branson complimented Public Works on the signage and traffic islands on Broadway Avenue. Mayor Gover opened the floor for questions with no responders.

COMMUNITY DEVELOPMENT – reported steady construction, upcoming demolitions, and additional upcoming remediation. Mayor Gover opened the floor for questions with no responders.

FIRE – reported on annual skills review for SBLHC certification, training, efforts to prepare an after-hours plan for businesses at Cross County Mall, review of fire extinguisher locations at NCI, and completion of the IT room at City Hall. Mayor Gover opened the floor for questions with no responders.

POLICE – thanked the Council for the new officer and elaborated on his expectations. Mayor Gover and Chief Branson thanked Lake Land College Police Chief Ervin for the support of LLC officers in the City. Mayor Gover opened the floor for questions with no responders.

COMMENTS BY THE COUNCIL

Commissioners Becker, Ervin, Hall, and Rankin had no further comments.

Mayor Gover seconded by Commissioner Becker moved to recess to closed session at 6:53 p.m. pursuant to the Illinois Open Meetings Act for the purpose of the discussion of employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

Mayor Gover mentioned no further action except for the adjournment after closed session.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

Council reconvened at 7:27 p.m.

Commissioner Hall seconded by Commissioner Rankin moved to adjourn at 7:27 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

/s/ Susan J. O'Brien
City Clerk