

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on March 18, 2014.

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 Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, YEA Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber, Fire Chief Tony Nichols, Police Chief Jeff Branson, Arts and Tourism Director Angelia Burgett and City Clerk Susan J. O'Brien.

CONSENT AGENDA

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting March 4, 2014; bills and payroll for the first half of March, 2014.

**Bills and Payroll for the first half of March, 2014**

	<b><u>General Fund</u></b>		
Payroll		\$	258,186.65
Bills		\$	<u>149,144.85</u>
	Total	\$	407,331.50
	<b><u>Hotel Tax Administration</u></b>		
Payroll		\$	3,107.24
Bills		\$	<u>26,347.80</u>
	Total	\$	29,455.04
	<b><u>Festival Management</u></b>		
Bills		\$	<u>55.20</u>
	Total	\$	55.20
	<b><u>Midtown TIF Fund</u></b>		
Bills		\$	<u>1,956.20</u>
	Total	\$	1,956.20
	<b><u>Capital Project Fund</u></b>		
Bills		\$	<u>15,652.44</u>
	Total	\$	15,652.44
	<b><u>Broadway East Bus Dist</u></b>		
Bills		\$	<u>2,237.29</u>
	Total	\$	2,237.29
	<b><u>Water Fund</u></b>		
Payroll		\$	41,930.76
Bills		\$	<u>51,413.20</u>
	Total	\$	93,343.96

	<b><u>Sewer Fund</u></b>		
Payroll		\$	39,282.79
Bills		\$	<u>112,781.82</u>
	Total	\$	152,064.61
	<b><u>Heath Insurance Fund</u></b>		
Bills		\$	<u>143,820.43</u>
	Total	\$	143,820.43
	<b><u>Motor Fuel</u></b>		
Bills		\$	<u>9,439.17</u>
	Total	\$	9,439.17

Mayor Gover opened the floor for discussion or questions which was followed with no response.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover opened the floor for Public comments, which was followed by no response.

Administrator Gill updated the Council with an overview of the current budget position, general fund obstacles, needs of the City, and FY15 changes and costs. Administrator Gill requested a Council workshop to dissect the budget. Administrator Gill and Mayor Gover opened the floor for questions with no response.

**NEW BUSINESS**

Mayor Gover seconded by Commissioner Cox moved to adopt Ordinance No. 2014-5365, approving and causing publication of the Official Zoning Map of the City of Mattoon, Illinois.

**CITY OF MATTOON, ILLINOIS**

**ORDINANCE NO. 2014-5365**

**ORDINANCE APPROVING AND CAUSING PUBLICATION OF THE OFFICIAL ZONING MAP OF THE CITY OF MATTOON, ILLINOIS**

**WHEREAS**, the Illinois Municipal Code requires the City Council of the City of Mattoon, Illinois to cause to be published each year a map showing the existing zoning classifications and revisions made during the preceding year and the map so published shall be the Official Zoning Map for the City of Mattoon; and

**WHEREAS**, the Community Development Office has submitted a request to approve the revised Official Zoning Map; and

**WHEREAS**, after due and proposed consideration, the Mattoon City Council has deemed it to be in the best interest of the City of Mattoon to approve the new Official Zoning Map.

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

**Section 1.** The attached map entitled Official Zoning Map of Mattoon, Illinois dated March 31, 2014 is hereby approved as the Official Zoning Map of the City of Mattoon, Illinois pursuant to the Illinois Municipal Code

and Section 159.20 of the Mattoon Code of Ordinances, which said map reflects the correct location of the official zoning districts in the City of Mattoon between March 31, 2013 and March 31, 2014.

**Section 2.** Updated versions of the Official Zoning Map may be printed in the interim between the date of approval of this Official Zoning Map and the date of approval of the Official Zoning Map next year.

**Section 3.** The City Clerk is hereby directed to publish a full-sized copy of the Official Zoning Map and to make copies available in her office for inspection and purchase by the public.

**Section 4.** The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

Upon motion by Mayor Gover, seconded by Commissioner Cox, adopted this 18th day of March, 2014, by a roll call vote as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Commissioner Owen,  
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

APPROVED this 18<sup>th</sup> day of March, 2014.

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

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

APPROVED AS TO FORM:  
/s/ Janett Winter-Black  
Janett Winter-Black, City Attorney

Recorded in the Municipality's Records on March 18, 2014.

Mayor Gover opened the floor for discussion or comments. Commissioner Hall inquired as to notable changes with Administrator Gill acknowledging two to three zoning changes, including Rural King's addition. There were no further questions.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Graven seconded by Commissioner Cox moved to adopt Resolution No. 2014-2908, authorizing a grant agreement in the amount of \$625,000 between the City of Mattoon and Illinois Department of Economic Opportunity for roadway improvements.

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2014-2908**

**A RESOLUTION AUTHORIZING A GRANT AGREEMENT BETWEEN THE CITY OF MATTOON AND THE ILLINOIS DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY**

**WHEREAS**, the City of Mattoon has received preliminary approval of a legislative grant from the State of Illinois in the amount of \$625,000.00 for roadway improvements; and

**WHEREAS**, said roadway improvements include:

17th Street from Marshall Avenue to Wabash Avenue.  
Broadway Avenue Alley from 15th Street to 16th Street.  
Peterson Park Parking Areas from 3rd Street to 5th Street.  
Rudy Avenue Parking Lanes from 9th Street to Lake Land Boulevard.  
Oklahoma Avenue Concrete Work from 6th Street to 9th Street.

**WHEREAS**, said grant is being administered by the Illinois Department of Commerce and Economic Opportunity (DCEO); and

**WHEREAS**, the terms and conditions of said grant are stipulated in the attached Grant Agreement identified as Grant No. 13-203249; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Mattoon, Coles County, Illinois, that the attached Grant Agreement between the City of Mattoon and the Illinois Department of Commerce and Economic Opportunity be approved.

Upon motion by Commissioner Graven, seconded by Commissioner Cox, adopted this 18<sup>th</sup> day of March, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Commissioner Owen,  
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

ABSTAIN (Names): None

Approved this 18th day of March 2014.

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

ATTEST:

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

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on March 18, 2014.

Mayor Gover opened the floor for comments or discussion which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Hall moved to adopt Resolution No. 2014-2909, approving the change to the lease agreement between Mattoon Pride Softball and the City of Mattoon to allow the Civil War Memorial to be centered between the Softball Training Building and the Skate Park.

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2014-2909**

**A RESOLUTION AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF MATTOON AND MATTOON PRIDE SOFTBALL**

**WHEREAS**, the City of Mattoon owns the real estate bounded by Shelby Avenue, 10th Street, Lincoln Prairie Bike Trail, and Logan Street, otherwise known as the City of Mattoon Sports Complex; and

**WHEREAS**, the City of Mattoon and Mattoon Pride Softball entered into a Lease Agreement on February 02, 2005 for a portion of said real estate; and

**WHEREAS**, the City of Mattoon and Mattoon Pride Softball wish to nullify the existing Lease Agreement dated February 02, 2005, and enter into a new Lease Agreement so as to change the boundaries of the real estate to be leased; and

**WHEREAS**, said change in boundaries is being undertaken to allow additional public uses of the real estate between a practice facility constructed by Mattoon Pride Softball and a skatepark constructed by the City of Mattoon; and

**WHEREAS**, the proposed Lease Agreement is attached to this Resolution and is incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Mattoon, Coles County, Illinois, that the attached Lease Agreement between the City of Mattoon and Mattoon Pride Softball be approved.

Upon motion by Commissioner Cox, seconded by Commissioner Hall, adopted this 18th day of March, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven  
Commissioner Hall, Commissioner Owen  
Mayor Gover  
NAYS (Names): None  
ABSENT (Names): None  
ABSTAIN (Names): None

Approved this 18th day of March, 2014.

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

ATTEST:

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

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on March 18, 2014.

Mayor Gover opened the floor for comments/discussion/questions which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Graven moved to adopt Resolution No. 2014-2910, establishing a Deferred Compensation Plan to be administered by Pacific Life Insurance Company; and authorizing the City Clerk to sign all necessary documents.

**RESOLUTION NO. 2014-2910**

**A RESOLUTION ESTABLISHING A DEFERRED COMPENSATION PLAN TO BE ADMINISTERED BY PACIFIC LIFE INSURANCE COMPANY.**

**WHEREAS**, the City of Mattoon, Illinois (“City”) has considered the establishment of a Deferred Compensation Plan to be made available to all eligible employees and elected officials pursuant to Section 457 of the Internal Revenue Code permitting such Plans; and,

**WHEREAS**, Mr. Michael Noteboom of Professional Benefits Group has requested an opportunity to make available to all eligible employees and elected officials of the City of Mattoon, a deferred compensation plan written by the City of Mattoon and administered by Pacific Life Insurance Company (“Pacific Life”); and,

**WHEREAS**, the City Council for the City of Mattoon, Coles County, Illinois deems that it is in the interest of the employees of the City of Mattoon to have deferred compensation plans available; and,

**WHEREAS**, with regard to Resolution 99-2223, a number of six or more employees have requested to enroll in the Pacific Life Plan; and,

**WHEREAS**, by adoption of the Pacific Life Plan, all regulatory, operational, and administrative responsibilities are hereby assumed by Pacific Life on behalf of the City.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS AS FOLLOWS:**

**Section 1.** The City hereby approves the Pacific Life Value Select variable annuity Qualified Plan (the “Plan”), attached hereto as Appendix A.

**Section 2.** The City hereby executes the Plan, attached hereto as Appendix A, intending this execution to be operative with respect to any retirement or deferred compensation plan subsequently established by the Employer, if the assets of the plan are to be invested in the Pacific Life Insurance Company.

**Section 3.** The assets of the Plan shall be held in trust, with the City serving as trustee, for the exclusive benefit of the Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose.

**Section 4.** The Plan will NOT permit loans by participants or their beneficiaries until the Internal Revenue Service has promulgated regulations specifically allowing public sector employers to implement a loan program from 457 plan assets held in trust.

**Section 5.** The City hereby agrees to serve as trustee under the Plan.

**Section 6.** The City Clerk shall be the coordinator for this Deferred Compensation Plan; shall receive necessary reports, notices, etc. from Pacific Life or the Pacific Life Insurance Company; shall cast, on behalf of the Employer, any required votes under the Pacific Life Insurance Company, and is authorized to administer the Plan and execute all necessary agreements with the Pacific Life Insurance Company incidental to the administration of the Plan.

**Section 7.** The City Clerk is authorized to sign the Qualified Plan and 457(b) Plan Disclosure with the Pacific Life, attached hereto as Appendix B.

Upon motion by Mayor Gover, seconded by Commissioner Graven, adopted this 18<sup>th</sup> day of March, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Commissioner Owen,  
Mayor Gover  
NAYS (Names): None  
ABSENT (Names): None

Approved this 18th day of March, 2014.

/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/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on March 18, 2014.

Mayor Gover opened the floor for comments or discussion which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2014-1493, ratifying the Mayor's re-appointment of Susan O'Brien to the Firemen's Pension Board for a term expiring April 18, 2017.

Mayor Gover opened the floor for comments/discussion/questions which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2014-1494, approving a \$5,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Area Family YMCA for hosting the Illinois State Weightlifting Championship to be held on April 19, 2014; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for questions. Mayor Gover inquired as to the difference between income and expenditures with Director Burgett noting the value of the event and return on investment as a \$25,000 minimum. Commissioner Hall noted the YMCA was not making money by hosting the event. Mayor Gover noted no issues with the YMCA or event, but was interested in the extra \$850.00 applied to the grant.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Abstain Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2014-1495, approving a \$16,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Pride Softball Organization for hosting four events (ASA Season Opener on April 5-6, NJCAA Region 24 Softball Tournament on May 1-3, Mattoon NSA World Series Qualifier on June 6-8, and Mattoon Bagelfest Tournament July 17-20, 2014); and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for comments/discussion/questions which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Owen moved to approve Council Decision Request 2014-1496, approving a \$5,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to Eastern Illinois University Club Softball for hosting the 3<sup>rd</sup> Annual Spring Slugfest Tournament to be held on April 11-13, 2014; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for comments/discussion/questions. Director Burgett noted the games were to be held in Mattoon with Commissioner Cox adding at the Complex.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Owen seconded by Commissioner Hall moved to approve Council Decision Request 2014-1497, approving a proposal from Doehring, Winders & Co., LLP for auditing services in connection with the April 30, 2014, April 30, 2015 and April 30, 2016 financial statements; and authorizing the Mayor to sign all necessary documents.

Mayor Gover opened the floor for comments/discussion/questions which was followed with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

#### DEPARTMENT REPORTS:

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT noted efforts focused on the budgets and labor negotiations. Mayor Gover opened the floor for questions. Commissioner Cox inquired as to the status of the former Villa Pizza location and fencing. Administrator Gill noted the weather and availability of staff as factors for the delay in filling the lot with dirt. There were no additional questions.

CITY ATTORNEY had nothing to report at this time.

CITY CLERK noted business as usual with the addition of 214 voters in the primary, preparing for the new 457, and several FOIAs. Mayor Gover opened the floor for questions with no response.

FINANCE reviewed the February Financial Report; and noted work on the budget with Kyle and Speer Financial with refunding the bonds. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS reviewed projects on the Monthly Status Report. Mayor Gover inquired about the Welcome sign on east Route 16. Director Barber stated Monitor Signs maintain the sign. Mayor Gover opened the floor for additional questions with no response.

FIRE noted the upcoming ISO inspection preparation, budgets, and business as usual. Mayor Gover inquired whether a favorable rating would reduce commercial fire rates with Chief Nichols answering affirmatively.

POLICE –had nothing to report at this time.

ARTS AND TOURISM noted Gee's Bend Quilters in Mattoon, Smithsonian Exhibit to be constructed, and Bagelfest entertainment to be announced on Thursday. Mayor Gover opened the floor for questions with no response.

#### COMMENTS BY THE COUNCIL

Commissioners Cox, Graven, and Owen had no comments. Commissioner Hall noted a personal experience with the Mattoon Fire Department Ambulance and expressed accolades for their professionalism.

Mayor Gover seconded by Commissioner Graven moved to recess to closed session at 7:04 p.m. pursuant to the Illinois Open Meetings Act for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the City (5ILCS/20 (2)(C)(1)); and collective negotiating matters between the City of Mattoon and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees (5ILCS/20 (2)(C)(2)).

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Council reconvened at 7:54 p.m.

Administrator Gill opened discussion on a budget work session. Council's consensus was to have a budget work session on March 26, 2014 at 4:00 p.m. in the Council Chambers.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:56 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, NAY Commissioner Owen, YEA Mayor Gover.

/s/ Susan J. O'Brien  
City Clerk