

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on March 20, 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, Library Director Ryan Franklin and City Clerk Susan O'Brien.

CONSENT AGENDA

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting March 6, 2012; Fire Department report for the month of February, 2012; Fire Pension and Police Pension report for the month of February, 2012; and Financial report for the month of February, 2012; payroll and bills for the first half of March, 2012.

Bills and Payroll for the first half of March, 2012

	<u>General Fund</u>		
Payroll		\$	229,515.11
Bills		\$	<u>149,073.20</u>
	Total	\$	378,588.31
	<u>Hotel Tax Fund</u>		
Payroll		\$	1,699.99
Bills		\$	<u>28,097.22</u>
	Total	\$	29,797.21
	<u>Midtown TIF Fund</u>		
Bills		\$	<u>6,159.00</u>
	Total	\$	6,159.00
	<u>Insurance & Tort Judgment</u>		
Bills		\$	<u>44,204.91</u>
	Total	\$	44,204.91
	<u>Capital Project Fund</u>		
Bills		\$	<u>51,258.66</u>
	Total	\$	51,258.66
	<u>South Rte 45 TIF</u>		
Bills		\$	<u>60,616.97</u>
	Total	\$	60,616.97
	<u>Water Fund</u>		
Payroll		\$	26,825.39
Bills		\$	<u>21,675.67</u>
	Total	\$	48,501.06

Sewer Fund

Payroll		\$	32,405.39
Bills		\$	<u>28,334.97</u>
	Total	\$	60,740.36

Motor Fuel Tax Fund

Bills		\$	<u>21,654.52</u>
	Total	\$	21,654.52

Health Insurance Fund

Bills		\$	<u>175,242.41</u>
	Total	\$	175,242.41

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 AND COMMUNICATIONS

There were no public comments.

Presentation: Captains Erin Eddy and Jeff Eddy present the mobile feeding program "Food on the Move" for children during the summer months.

Captain Erin Eddy described the need for feeding the Mattoon school district children who currently qualify for free or reduced-priced school meals during the summer months, provided a mobile feeding program proposal entitled "Food on the Move", requested volunteers to distribute the meals, and noted the program would serve over 900 children. The floor was opened for questions. Council inquired as to various coordination efforts by Captain Eddy with her responding. Mayor Gover opened the floor for public questions with no responders.

NEW BUSINESS

Mayor Gover seconded by Commissioner Becker moved to adopt Ordinance No. 2012-5348, approving and causing publication of the Official Zoning Map of the City of Mattoon, Illinois.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2012-5348**

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 Coordinator 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, 2012 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, 2011 and March 31, 2012.

Section 2. Updated versions of the Official Zoning Map may be printed in the interim between the approval of this Official Zoning Map and the 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 Becker, adopted this 20th day of March, 2012, by a roll call vote as follows:

AYES (Names): Commissioner Becker, Commissioner Ervin,
Commissioner Hall, Commissioner Rankin,
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

APPROVED this 20th day of March, 2012.

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

Recorded in the Municipality's Records o n March 20, 2012

Mayor Gover opened the floor for discussion. Commissioner Hall inquired as to the absence of the new exit north of Mattoon and possibility of incorporating the area. Coordinator Gill noted the area was beyond the mile and one-half extraterritorial boundary and the annexation agreement requirements with land owners before incorporation could occur.

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 adopt Special Ordinance No. 2012-1476, granting a side yard setback variance and granting an intensity of use variance for 3413 Richmond Avenue for the purpose of replacing a garage. John Myers – Petitioner

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2012-1476

AN ORDINANCE GRANTING A VARIANCE FROM THE SIDE YARD SET BACK REQUIREMENT AND THE INTENSITY OF USE AT 3413 RICHMOND AVENUE

WHEREAS there has been filed a written Petition by John Myers for a variance, respecting the property legally described as:

Lot 4, Fair Lawn Place; Also known as: 3413 Richmond Ave. Mattoon, Illinois

WHEREAS, said petition requests that a variance be granted pursuant to applicable ordinances of the municipality to allow the construction of a new accessory building that encroaches into the side yard setback on the east side of the property located at 3413 Richmond Ave., and which will reduce the side yard setback on the east side from the required 3 feet to 1 foot; and

WHEREAS said petition also requests that a variance be granted pursuant to applicable ordinances of the municipality to allow for the construction of a 14 feet by 26 feet accessory building in which the intensity of use of the lot would be increased from 30% to 32%; and

WHEREAS the Planning Commission for the City of Mattoon held a properly noticed, public hearing on March 13, 2012 regarding petitioners' request for said variance; and

WHEREAS the Planning Commission for the City of Mattoon has recommended that the requested variances be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended variance is in the public interest.

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

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a variance of the side yard setback requirement to enable the construction of a new accessory building which will reduce the side yard setback from the required 3 feet to 1 foot.

Section 2. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a variance of the intensity of use to enable the construction of a 14 feet by 26 feet accessory building in which the intensity of use of the lot would be increased from 30% to 32%.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Gover, seconded by Commissioner Ervin, adopted this 20th day of March, 2012, by a roll call vote, as follows:

AYES (Names): Commissioner Becker, Commissioner Ervin,
Commissioner Hall, Commissioner Rankin,
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 20th day of March, 2012.

/s/ Tim Gover
Tim 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 March 20, 2012.

Mayor Gover opened the floor for discussion with no responders.

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.

Commissioner Ervin seconded by Commissioner Hall moved to adopt Special Ordinance No. 2012-1477, amending a grant agreement by and between the City of Mattoon and the Mattoon Public Library in connection with the Mattoon Midtown TIF Redevelopment Project Area.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2012-1477**

**AN ORDINANCE AMENDING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON,
ILLINOIS AND THE MATTOON PUBLIC LIBRARY IN CONNECTION WITH THE MATTOON MIDTOWN TIF
REDEVELOPMENT PROJECT AREA**

WHEREAS, on September 20, 2011 the Mattoon City Council approved, by Special Ordinance 2011-1456, a Grant Agreement between the City of Mattoon and the Mattoon Public Library, and;

WHEREAS, in the process of constructing the improvements that were the subject of the original Grant Agreement the contractor ran into unforeseen issues, including issues with the brick walkway on the North side of the building, curbing and the undermining of the columns at the east entrance due to deteriorated substructure covered by the steps that were replaced, and;

WHEREAS, change orders were approved in the total amount of \$14,200 bringing the total cost of the project to \$70,660, \$5,350 of which has been paid by the Library, and;

WHEREAS, the Mattoon Public Library has asked for an additional amount of \$10,310 from the Mattoon Midtown TIF, and;

WHEREAS, it is the recommendation of the Mattoon Midtown TIF Committee to amend the Special Ordinance and Grant Agreement to increase the total amount of the grant from \$55,000 to \$65,310.

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

Section 1. Special Ordinance 2011-1456 and the Grant Agreement attached thereto are hereby amended so as to specify that the total amount granted to the Mattoon Public Library shall be \$65,310. All other details of the Special Ordinance and Grant Agreement are not amended and remain in full force and effect as originally approved.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Ervin, seconded by Commissioner Hall, adopted this 20th day of March, 2012, by a roll call vote, as follows:

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

Approved this 20th day of March, 2012.

/s/ Tim Gover
Mayor Tim Gover
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 March 20, 2012.

Mayor Gover opened the floor for discussion with no responders.

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.

Commissioner Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2012-1302, approving an interfund transfer from the South Route 45 Business District Fund to the South Route 45 TIF District Fund in the amount of \$67,000.00 to correct a deficit left in the South Route 45 TIF District Fund after the payment on the promissory note funding the redevelopment agreement on the former Sheraton hotel. (Quality Inn)

Mayor Gover opened the floor for discussion with no responders.

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.

Commissioner Rankin seconded by Commissioner Hall moved to adopt Special Ordinance No. 2012-1478, authorizing the sale of Lot 88 in Lake Paradise Subdivision to Maria Graziano, owner of a home on leased premises at Lot 88, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (Commonly known as 1909 Scenic Lane)

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2012-1478**

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOT 88 IN LAKE PARADISE SUBDIVISION TO MARIA GRAZIANO OWNER OF A HOME ON LEASED PREMISES AT LOT 88, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION. (COMMONLY KNOWN AS 1909 SCENIC LANE)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, Maria Graziano is desiring to purchase the property for \$18,500; and

WHEREAS, Maria Graziano is the owner of the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$18,500 was the fair market value of the real estate as of March 13, 2012, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchaser is willing to pay his share of those costs.

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

Section 1. The City Attorney is authorized to prepare closing documents and the Mayor and City Clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 3 of this ordinance to Maria Graziano, subject to a payment of \$18,500 plus all other expenses of the sale. The purchase price will be due at closing.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 88 in Lake Paradise Subdivision, Unincorporated Coles County, Illinois.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Rankin, seconded by Commissioner Hall, adopted this 20th day of March, 2012, by a roll call vote, as follows:

AYES (Names): Commissioner Becker, Commissioner Ervin,
Commissioner Hall, Commissioner Rankin,
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 20th day of March, 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 March 20, 2012.

Mayor Gover opened the floor for discussion with no responders.

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 – noted work on the budget, upcoming public workshop on the comprehensive plan, and meeting with Director Barber and Justin Grady regarding the pocket park. Mayor Gover opened the floor for questions with no responders.

ATTORNEY & TREASURER – noted work on the budget, end-of-year closeout, and closed sale on the Lake Paradise property purchased by Mr. Taylor and Mr. Armstrong. Mayor Gover opened the floor for questions with no responders.

CITY CLERK – noted business as usual with 133 primary early voters. Mayor Gover opened the floor for questions with no responders.

PUBLIC WORKS – noted progress on brick patching on Champaign Avenue, sidewalk work on Stinson and Rudy, finishing of gutter repairs in Willowshire Subdivision; open marina and restrooms in Peterson Park, upcoming events for EIU Club softball tournament and EIU/U of I baseball game, mile markers on bike trail, plumbing improvements at shower houses at Lake Mattoon, electricity at church league field at Kinzel Field, 26th Street resurfacing and sidewalk projects after approved budget, landscaping in Progress Square in April, Depot platform status, South Side Detention Basin update, pocket park update, and IDOT to resurface Route 16. Mayor Gover opened the floor for questions with no responders.

COMMUNITY DEVELOPMENT – noted increased construction projects, fence permits, house construction, Slumberland plans, and nuisances adding 952 last year with 916 resolved. Mayor Gover opened the floor for questions with no responders.

FIRE – noted training, pre-plan walkthroughs at churches, inspection at daycare, and risk watch program at St. Mary's. Mayor Gover opened the floor for questions with no responders.

POLICE – provided a “Calls to Service” report, and noted an average weekend for police activity. Mayor Gover opened the floor for questions with no responders.

COMMENTS BY THE COUNCIL

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

Commissioner Hall seconded by Commissioner Rankin moved to adjourn at 7:02 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
Susan J. O'Brien
City Clerk