

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on April 1, 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, 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 18, 2014 and special meeting March 26, 2014; bills and payroll for the last half of March, 2014.

Bills and Payroll for the last half of March, 2014

		<u>General Fund</u>	
Payroll		\$	244,538.13
Bills		\$	34,356.76
	Total	\$	278,894.89
		<u>Hotel Tax Administration</u>	
Payroll		\$	2,387.24
Bills		\$	24,315.83
	Total	\$	26,703.07
		<u>Insurance & Tort Judgment</u>	
Bills		\$	40,399.78
	Total	\$	40,399.78
		<u>Capital Project Fund</u>	
Bills		\$	1,592.07
	Total	\$	1,592.07
		<u>Water Fund</u>	
Payroll		\$	32,726.41
Bills		\$	30,408.77
	Total	\$	63,135.18

Sewer Fund

Payroll	\$	38,069.28
Bills	\$	<u>72,746.91</u>
Total	\$	110,816.19

Heath Insurance Fund

Bills	\$	<u>132,889.61</u>
Total	\$	132,889.61

Motor Fuel

Bills	\$	<u>608.09</u>
Total	\$	608.09

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 questions or comments with no response.

Mr. Justin Grady, Chairman, of the Mattoon Arts Council with Mr. Bruce Karmazin in attendance presented to the Council the Mattoon Arts Council Annual Report. Mr. Grady discussed the Lumpkin Foundation feasibility study results of networking and building partnerships, finding a location, and finding a staff person. Mr. Grady elaborated on the accomplishments of each goal. He further announced three large opportunities consisting of the Mural program, Quilters of Gee's Bend, and Museum on Main Street Proposal. Council and Mr. Grady discussed future goals. Council thanked Mr. Grady for his dedication to the Arts Council and others' efforts in making the Arts Council a success.

Mayor Gover opened the Public Hearing on the FY15 Budget at 6:49 p.m. in the City Hall Council Chambers. Administrator Gill presented the proposed budget by reviewing the FY14 Budget Review, FY15 General Fund Obstacles, requests, cuts with surplus, budgeted revenues, largest revenues, budget expenditures, largest expenditures, pensions and insurance costs, health and dental insurance overview, and General Fund overview largest expenses in each department/fund. The floor was opened for questions from the Council or Public with no response. Mayor Gover closed the Public Hearing on the FY15 Budget at 7:07 p.m.

NEW BUSINESS

Mayor Gover seconded Commissioner Hall moved to approve Council Decision Request 2014-1498, awarding the bid to R.E. Pedrotti Co. Inc. in the amount of \$75,367 for the Waste Water Treatment Plant SCADA upgrade.

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 Gover moved to approve Council Decision Request 2014-1499, approving the re-appointment of Joe Tilman to the Electrical Commission with a term expiring 04/30/2018.

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 2014-1500, approving the re-appointment of Randall Ross to the Police Pension Board with a term expiring 04/30/2016.

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 Cox moved to approve Council Decision Request 2014-1501, approving the re-appointments of Bernard DeBuhr, Jr. and Robert Shamdin to the Revolving Loan Fund Board with terms expiring 04/30/16; and approving the appointment of Amanda Perdomo to the Revolving Loan Fund Board with a term expiring 04/30/16.

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 thanked Mrs. Perdomo for serving.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2014-1502, approving a \$17,500 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Hit-Men League for hosting five events to be held on May

16-18th, May 30-June 1st, June 6-8th, June 13-15th, and June 28; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for comments/discussion/questions. Commissioner Graven inquired as to the contingency amount. Director Burgett noted \$17,000 was for next year's budget and \$45,000 was owed in taxes by two hotels.

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 2014-1503, approving a \$5,500 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Junior Baseball League for hosting the 10th Annual Spring Classic 2014 to be held April 26-28th, 2014; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for questions/discussion/comments 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 Owen seconded by Commissioner Hall moved to approve Council Decision Request 2014-1504, approving a proposal from Bernardi Securities, Inc. to serve as underwriter for a 2014 bond refunding issue; and authorizing the Mayor to sign the engagement letter and risk disclosure document.

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 Owen seconded by Commissioner Cox moved to adopt Ordinance No. 2014-5366, authorizing the issuance of Waterworks Revenue Bonds and Sewerage Revenue Bonds, and Alternate Revenue Source Bonds (in lieu of such revenue bonds) of the City of Mattoon, Coles County, Illinois to finance and refinance the Waterworks System and Sewerage System Facilities.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2014-5366**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF WATERWORKS REVENUE BONDS AND SEWERAGE REVENUE BONDS, AND ALTERNATE REVENUE SOURCE BONDS (IN LIEU OF SUCH REVENUE BONDS) OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, TO FINANCE AND REFINANCE WATERWORKS SYSTEM AND SEWERAGE SYSTEM FACILITIES

PREAMBLES

WHEREAS, the City of Mattoon, Coles County, Illinois (the “**Municipality**”), operates its municipally-owned Waterworks system and Sewerage system (collectively, the “**Systems**”) in accordance with the provisions of Divisions 129 (for the “**Waterworks System**”) and 141 (for the “**Sewerage System**”) of Article 11 of the Illinois Municipal Code [Section 5/11-129-1 *et seq.* and 5/11-141-1 *et seq.* of Chapter 65 of the Illinois Compiled Statutes, as supplemented and amended, including by the Local Government Debt Reform Act (collectively, the “**Act**”) and is entitled to receive a certain distributive share of State of Illinois income taxes (“**Revenue Sharing Receipts**”); and

WHEREAS, the Municipality’s City Council (the “**Corporate Authorities**”) has determined that it is advisable, necessary and in the best interests of the Municipality’s public health, safety and welfare to finance and refinance certain facilities, improvements and costs (water treatment plant work for the Waterworks System and wastewater treatment plant work for the Sewerage System, collectively, including related facilities, improvements and costs, the “**Prior Projects**”) by refunding (each a “**Refunding**”) at a lower interest cost issued to finance and refinance the Prior Projects; and

WHEREAS, in connection with the estimated costs of the Refundings, up to \$10,000,000 (\$3,500,000 for the Waterworks System and \$6,500,000 for the Sewerage System) in aggregate principal amount is to be paid from proceeds of the hereinafter described Alternate Bonds (and any balance from funds on hand or grant proceeds, as the case may be), being general obligation in lieu of revenue bonds as authorized by Section 15 of the Local Government Debt Reform Act, but nevertheless expected to be paid from applicable revenues of the Systems, as the alternate revenue sources and/or Revenue Sharing Receipts rather than by any levy of general taxes, and the balance from other available funds, with respect to which authorization is necessary to issue the same aggregate principal amount of waterworks revenue bonds and sewerage revenue bonds (howsoever styled, the “**Revenue Bonds**”) and to issue up to the same principal amount of general obligation alternate bonds (applicable System revenues and/or Revenue Sharing Receipts as the alternate revenue source(s)) (howsoever styled, the “**Alternate Bonds**”), provided, however, that only one set of such obligations for each System be issued: either applicable Revenue Bonds or Alternate Bonds in lieu of such Revenue Bonds; and

WHEREAS, such costs are expected to be paid from, as the case may be, funds on hand, grant proceeds, if any, and proceeds of the Alternate Bonds, to be payable from one or more of the revenues of each applicable System and/or Revenue Sharing Receipts and issued pursuant to the Act, this ordinance and one or more ordinances supplemental to this ordinance authorizing and providing for the issuance of Alternate Bonds in lieu of the applicable Revenue Bonds,

prescribing the details of such obligations and providing for the collection, segregation, distribution and application of System revenues to pay the Alternate Bonds or Revenue Bonds, as the case may be, in either case to be in lieu of any levy of general taxes; and

WHEREAS, the Municipality has insufficient funds to pay the costs of the Refundings and, therefore, must borrow money and issue applicable Revenue Bonds, to be included in an issue of Alternate Bonds, if authorized to be issued in lieu of the Revenue Bonds, in evidence thereof, at one time or from time to time and in one or more series, in an approximate principal amount aggregating not to exceed \$3,500,000 in the aggregate for the Waterworks System project and \$6,500,000 for the Sewerage System project for such purposes (Alternate Bonds and Revenue Bonds separate not to exceed \$10,000,000 in the aggregate), pursuant to and in accordance with the provisions of the Act.

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

Section 1. Incorporation of Preambles and Determination to Issue Bonds. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this ordinance are true, complete and correct and hereby incorporate them into this Section 1 of this ordinance by this reference thereto. It is necessary and in the best interests of the Municipality to acquire, construct and install the Project and effect the Refunding, for the public health, safety and welfare, and that the System continue to be owned and operated as a combined municipal waterworks and sewerage System in accordance with the provisions of the Act, and that for such purposes there are hereby authorized to be issued and sold applicable Waterworks and/pr Sewerage Revenue Bonds, or the same amount of Alternate Bonds in lieu of the related Revenue Bonds (Alternate Bonds and Revenue Bonds not to exceed \$3,500,000 in the aggregate for the Waterworks System and \$6,500,000 for the Sewerage System in the aggregate).

Section 2. Publication and Notice. Within ten (10) days after the adoption of this ordinance by the Corporate Authorities, this ordinance, preceded by the notices hereinafter described, shall be published in a qualifying newspaper (as described in the Notice by Publication Act, 715 ILCS 5/0.01 *et seq.*) published (if any), and of general circulation within the Municipality, and **(a) concerning Alternate Bonds** -- if no petition, signed by not less than registered voters of the Municipality numbering the greater of **(i)** 7.5% of the registered voters in the Municipality or **(ii)** 200 of those registered voters or 15% of those registered voters, whichever is less, is filed with the City Clerk of the Municipality within thirty (30) days after the date of the publication of this ordinance, preceded by the Alternate Bond notice hereinafter described, asking that the question of the issuance of the Alternate Bonds to pay costs of the Refunding and the Project, and related expenses, be submitted to the electors of the Municipality, and/or **(b) concerning Revenue Bonds** -- if no petition signed by not less than the number of electors equal to 10% of the number of registered voters in the Municipality is filed with the City Clerk of the Municipality within thirty (30) days after the date of the publication of this ordinance, preceded by the Revenue Bond

notice hereinafter described, asking that the question of the issuance of the Revenue Bonds to pay costs of the Refunding and the Project, and related expenses, be submitted to the electors of the Municipality: then this ordinance shall be in full force and effect, and the Revenue Bonds, or the Alternate Bonds in lieu of such Revenue Bonds, as the case may be, shall be authorized to be issued by this ordinance and related proceedings supplemental to this ordinance. If an applicable petition is filed, an election on the question shall be held as set forth in the forms of the notices required by Sections 5 and 15 of the Local Government Debt Reform Act, and this ordinance shall not become effective as to the Revenue Bonds and/or the Alternate Bonds, as the case may be, until the applicable question or questions shall have been duly approved by a majority of the votes cast on the applicable question or questions at the election to be held as set forth in the applicable notice or notices. The City Clerk shall have available and provide an applicable form of the applicable petition to any person requesting one. The City Clerk shall give notice of the foregoing provisions as set forth in substantially the forms of such notices as are presented at the meeting of the Corporate Authorities at which this ordinance is adopted, modified as may be necessary for completeness and to comply with the Act.

Section 3. Additional Ordinances. If no petition meeting the requirements of applicable law is filed as provided above in Section 2, then the Corporate Authorities in accordance with and pursuant to the Act may adopt additional ordinances or other proceedings supplemental to or amending this ordinance, providing for the issuance and sale of up to but in any event not to exceed \$3,500,000 in the aggregate for the Waterworks System and \$6,500,000 for the Sewerage System in aggregate principal amount of the Revenue Bonds, or the same aggregate principal amount of Alternate Bonds in lieu of such Revenue Bonds, prescribing the details of such Alternate Bonds or Revenue Bonds, providing for the collection, segregation, distribution and application of revenues of each applicable System and Revenue Sharing Receipts for the payment thereof, and, in the case of the Alternate Bonds providing for a levy of taxes as further security and source of payment, although expected to be paid from the applicable System revenues and Revenue Sharing Receipts and not any levy of taxes. Such additional or supplemental ordinances or other proceedings shall in all instances become effective in accordance with applicable law; and this ordinance, together with such supplemental and additional ordinances or other proceedings, shall constitute complete authority for the issuance of applicable Alternate Bonds and/or Revenue Bonds under applicable law (but in any event not to exceed \$5,000,000 in aggregate principal amount separate). Applicable Alternate Bonds are expected to be issued in lieu of Revenue Bonds.

Section 4. Severability and Repealer. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Upon motion by Commissioner Owen, seconded by Commissioner Cox, adopted (and recorded in the Municipality's records) on April 1, 2014, by roll call vote, as follows:

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

NAYS (names) : None

ABSENT, Etc. : None

Approved: April 1, 2014

Attest: /s/ Susan J O'Brien
City Clerk
City of Mattoon
Coles County, Illinois

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

Mayor Gover opened the floor for questions/comments/discussion. Commissioner Hall inquired as to the savings with Commissioner Owen noting roughly \$80,000 for both funds over the next five years.

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 work on budgets, union negotiations, development in the downtown area, and increase in building permits. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY noted an increase in city court cases due to nuisance violations in the near future and review of an ordinance regulating synthetic drugs. Mayor Gover opened the floor for questions with no response.

CITY CLERK had nothing new to report. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS noted upcoming tournaments, cleanup of east side of town with EIU volunteers and Rotary help on April 26th. Mayor Gover opened the floor for questions with no response.

FIRE announced the new recruit completing Week #4 of the academy with good reports and graduation on April 18th. Mayor Gover opened the floor for questions with no response.

POLICE announced new K-9's track on home invasion and robbery, thanked Kal Kan for their donations, acknowledged the proposed synthetic drug ordinance, and cooperative effort with situation involving Charleston and the County. Commissioner Cox inquired as to the frustration of the train detaining traffic and solutions. Chief Branson stated the City cannot dictate how to operate the railroad and explained past situations. Mayor Gover noted meetings with Charleston Mayor Rennels regarding Friday night's issue, meeting with Kal Kan and thanked them for the K-9 contributions. Mayor Gover also met with Charleston Mayor Rennels and Ashmore Mayor Kurt Crail regarding the synthetic drug ordinance.

ARTS AND TOURISM noted preparation for the Bagelfest and Smithsonian Exhibit and acknowledged the efforts to bring events to Mattoon. Mayor Gover opened the floor for questions. Mayor Gover complimented Kurt Stretch and his efforts.

COMMENTS BY THE COUNCIL

Commissioners Cox, Graven, and Owen had nothing to add.

Commissioner Hall acknowledged a good ceremony for the Camp Grant memorial. Mayor Gover thanked Steve Thompson and the Public Works Department for their efforts to make the memorial possible.

Mayor Gover seconded by Commissioner Hall moved to recess to closed session at 7:28 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)); 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)); and litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11)).

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 7:59 p.m.

Council with Administrator Gill and Chief Branson discussed an economic development opportunity, request for additional police officers, options, deadlines, competition, ordinance preparation, contracts and licensing issues.

Council with Administrator Gill and Director Barber discussed the addition of Public Works personnel and the budget. Mayor Gover directed commissioners to make a determination and inform Administrator Gill of their decision.

Mayor Gover opened the floor for further question with no response.

Commissioner Hall seconded by Commissioner Cox moved to adjourned at 8:22 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