

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on April 2, 2013.

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, and YEA Mayor Tim Gover.

Also physically present were City personnel: Interim 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, and City Clerk Susan O'Brien.

CONSENT AGENDA

Mayor Gover seconded by Commissioner Rankin moved to approve the consent agenda consisting of minutes of the regular meeting March 19, 2013; and bills and payroll for the last half of March, 2013 and HOME Rehab Expenditures.

Bills and Payroll for the last half of March, 2013

General Fund

Payroll	\$	246,868.03
Bills	\$	<u>77,970.44</u>
Total	\$	324,838.47

Hotel Tax Administration

Payroll	\$	1,810.91
Bills	\$	<u>1,663.55</u>
Total	\$	3,474.46

Insurance & Tort Judgment

Bills	\$	<u>2,325.84</u>
Total	\$	2,325.84

Capital Project Fund

Bills	\$	<u>13,220.00</u>
Total	\$	13,220.00

Broadway East Bus Dist

Bills	\$	<u>428.00</u>
	\$	428.00

Water Fund

Payroll	\$	30,477.87
Bills	\$	<u>15,779.41</u>
Total	\$	46,257.28

Sewer Fund

Payroll	\$	29,279.29
Bills	\$	<u>35,008.81</u>
Total	\$	64,288.10

Revolving Loan Fund

Bills	\$	<u>90.00</u>
	\$	90.00

Heath Insurance Fund

Bills		\$	182,430.40
	Total	\$	182,430.40

Motor Fuel Tax

Bills		\$	1,423.26
	Total	\$	1,423.26

Mayor Gover opened the floor for questions or comments which followed with no further discussion.

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

Mayor Gover opened the floor for public comments which followed with no comments.

PRESENTATION: Comprehensive Plan (Houseal Lavigne Associates – Doug Hammel)

Administrator Gill introduced Mr. Doug Hammel of Houseal Lavigne Associates. Mr. Hammel presented the draft version of the Comprehensive Plan, and described the development of the Plan and recommendations and implementation of Comprehensive Plan. Mr. Rick Otto of the Planning Commission announced the Planning Commission’s approval, recommended adoption with proposed changes. A question/comment section followed. Mr. Hammel thanked the City for allowing his firm to prepare the Plan.

PUBLIC HEARING: 2013/2014 Budget

Mayor Gover opened the Public Hearing in the City Hall Council Chambers at 7:04 p.m. on the City of Mattoon 2013/2014 Budget. Administrator Gill reviewed the Budget including the General Fund Projections, Water & Sewer Fund Projections as well as the overviews of the different funds. Mayor Gover opened the floor for comments/questions. A public discussion followed. Mayor Gover closed the Public Hearing at 7:28 p.m.

NEW BUSINESS:

Mayor Gover seconded by Commissioner Becker moved to adopt Ordinance No. 2013-5362, ratifying the Mattoon Code of Ordinances to update the City’s Electrical Code with local amendments.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2013-5362**

**AN ORDINANCE RATIFYING THE MATTOON CODE OF ORDINANCES TO UPDATE THE CITY’S
ELECTRICAL CODE WITH LOCAL AMENDMENTS**

WHEREAS, the City of Mattoon has previously acknowledged the need for and has adopted codes to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of electrical systems in the City of Mattoon; and

WHEREAS, by Ordinances No. 99-5001 and No.2011-5314, Mattoon adopted regulations for installation of electrical work, including the *National Electrical Code*®, Article 80 of the 2008 edition of the NEC® with local amendments, and provided for the registration of electrical contractors, the issuance of permits and fees therefore; and

WHEREAS, the *National Electrical Code*® has become the most widely adopted code in the United States – it is the standard used in all 50 states and all U.S. territories; and

WHEREAS, building code enforcement officials have long recognized a need for uniform code provisions for administration of the *National Electrical Code*® and other national standards applicable to electrical systems; and

WHEREAS, Article 80 of the 2008 edition of the *National Electrical Code*® published by the National Fire Protection Association is designed to meet these needs through model code regulations.

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

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Chapter 151 of the Code of Ordinances of the City of Mattoon is hereby repealed and is reenacted as the following:

CHAPTER 151: ELECTRICAL CODE

151.01 NATIONAL ELECTRIC CODE ADOPTED. The National Electrical Code® (NEC®), as it may be amended from time to time, is hereby adopted as the code of the City of Mattoon for regulating the design, construction, quality of materials, erection, installation, alternation, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the City of Mattoon.

151.02 LOT LIGHTING. Any light used for illumination of buildings, signs, parking areas, security, or for any other purposes shall be arranged so as to contain direct lighting on the property on which the light source is located and away from nearby residential properties and the vision of motorist on adjacent streets. The cone of light from any light source other than a street light shall not extend onto adjacent residential property or pavement.

A. Outdoor lighting design.

- (1) All commercial and industrial outdoor lighting shall be fully-shielded (full-cutoff) as defined in this chapter. The City of Mattoon may waive this requirement to allow for appropriate historic or decorative lighting fixtures.
- (2) All outdoor lighting shall be so designed and placed as to limit light trespass onto adjacent lots. Light levels at lot lines, with the exception of ingress and egress points, shall be a maximum of one-half footcandles.
- (3) The average light level for all parking areas shall fall between one and two footcandles. Light levels shall not exceed a minimum to maximum ratio of 8:1, or an average to minimum ratio of 6:1. Variances for Increased light levels for gas stations and retail car dealerships may be granted, but shall not exceed a maximum of thirty (30) footcandles or an average of twenty-five (25) footcandles.
- (4) The mounting height of outdoor lighting shall not exceed the average roof height of the principle building to which it relates or forty (40) feet, whichever is less. Unshielded residential and pedestrian fixtures shall not exceed ten (10) feet in height.
- (5) In all multi-lot developments, unified lighting standards, including mounting height and fixture style, shall be required.

B. Exceptions.

- (1) Luminaries used for public-roadway illumination shall be exempt from the requirements of this chapter.
- (2) All temporary emergency lighting needed by the police or fire departments, public utilities, or other emergency services, as well as all vehicular luminaries, shall be exempt from the requirements of this chapter.
- (3) All hazard-warning luminaries required by Federal and State regulatory agencies are exempt from the requirements of this chapter.

- (4) Outdoor lighting for recreational facilities shall be exempt from footcandle standards set forth in Section 2A. However, lighting at these types of facilities shall not exceed IES (Illuminating Engineering Society) standards for the type of field and use. Recreational facilities shall otherwise adhere to the standards set forth in Section 2 A.

151.03 PROVISIONS SUPERSEDED BY LOCAL AMENDMENT. The following sections of the 2008 NEC® are hereby superseded by local amendment.

A. 110.12 Mechanical Execution of Work. Electrical equipment, as defined in the NEC, shall be installed in a neat and workmanlike manner.

- (1) Neat and workmanlike manner will be reasonably determined by the electrical inspector.
- (2) Neat and workmanlike includes but is not limited to; proper bends in conduit, proper support, and the elimination of exposed cable runs, field-bent, kinked, flattened, or poorly measured raceway, as well as cabinets, boxes, and enclosures not plumb or properly secured.

B. 230.70(A)(1) Service Disconnect. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. Except where an electric utility may prescribe more stringent requirements, in locations where the main panel is greater than 15-cable feet from the meter, a weatherproof protective disconnect shall be installed adjacent to the meter installation.

C. 250.122 Size of Equipment Grounding Conductor. All new single phase wiring done will be four-wire with an equipment grounding conductor sized in accordance with table 250.122 in the 2008 NEC. All Three Phase WYE systems will have a separate grounding conductor sized as well.

- (1) It will not be acceptable to use a metallic raceway for grounding conductor purposes.

D. 300.5(F) Backfill in Underground Installations. Backfill that contains large rocks, paving materials, cinders, large or sharply angular substances, or corrosive material shall not be placed in an excavation where materials may damage raceways, cable, or other substructures or prevent adequate compaction of fill or contribute to corrosion of raceway, cable, or other substructures. Where necessary to prevent physical damage to the raceway or cable, protection shall be provided in the form of granular or selected material, suitable running boards, suitable sleeves, or other approved means.

- (1) "Large rocks" are defined as particles incapable of passing through a ½" sieve with square openings.
- (2) Crushed gravel, as defined by the Illinois Department of Transportation's Standard Specifications for Road and Bridge Construction (adopted January 1, 2002) shall not be allowed.

E. 334.10 Nonmetallic-sheathed Cable Uses Permitted. Type NM, Type NMC and Type NMS nonmetallic-sheathed cable may ONLY be used in one and two-family dwellings and residential garages (residential installations for the purpose of this ordinance). Furthermore this cable shall be sized no smaller than #12, unless on a switched leg, or by special permission of the electrical inspector.

- (1) Unless special permission is granted, anything other than the installations mentioned above (commercial installations for the purpose of this ordinance) shall be installed in approved metallic raceway, no smaller than metric designator 16 (trade size ½").
- (2) Metallic sheathed cable of metric designator 12 (trade size 3/8") may be used in no lengths greater than 6', and where not exposed to physical damage, to facilitate the wiring of branch circuit receptacles, and lighting whip. Longer lengths may be permitted with special permission of the electrical inspector.

F. 406.12 Tamper-Resistant Receptacles other than Dwelling Units. Within the following areas all 125-volt, 15- and 20-ampere receptacles shall be listed tamper-resistant receptacles.

- (1) In all areas publicly accessible, this includes but is not limited to all dining areas, waiting areas and the like.
- (2) In all areas of transient occupancy such as hotel rooms, motel rooms, and extended stay suites.

G. 550.32(A) Mobile Home Service Equipment.

- (1) Mobile homes shall have a minimum 1-1/2 inch conduit for service entrance conductors. This conduit shall be run from the service disconnect to at least one foot inside the outer wall line of the mobile home.
 - (a) The conduit shall be run a minimum of 18 inches below grade from the service equipment to under the mobile home where it shall be brought up to a minimum of 6 inches above grade.
 - (b) This conduit shall have a weatherproof junction box sized in accordance with the latest edition of the NEC® for terminating the conductors from the service disconnect to the mobile home.
- (2) The mobile home park owner, rather than a tenant, shall furnish and install the mobile home service equipment.
- (3) The owner of a mobile home must obtain a permit before connecting to the main power supply. After the mobile home has been connected to the power supply, the owner or contractor who obtained the permit must call for a final inspection.

151.04 ARTICLE 80 ADOPTED BY REFERENCE. Article 80 of the 2008 edition of the NEC®, ~~a copy of which is attached hereto, marked as "Exhibit A" and incorporated herein by reference,~~ is hereby adopted to provide for the administration and enforcement of the NEC®, except as amended by Section ~~§~~ 151.05 of this ordinance.

151.05 PROVISIONS CHANGED OR SUPPLEMENTED. The following sections of Article 80 of the 2008 edition of the NEC® are hereby changed or supplemented by local amendment.

A. 80.9. Application.

- (A) **New Installations.** This Code applies to new installations. Buildings with construction permits dated after the effective date of this Code shall comply with its requirements.
- (B) **Existing Installations.** Existing electrical installations that do not comply with the provisions of this Code shall be permitted to continue in use unless the Electrical Inspector determines that the lack of conformity with this Code presents an imminent danger to occupants. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazard.
- (C) **Additions, Alterations or Repairs.** Additions, alterations or repairs to any building, structure or premises shall conform to that required of a new building without requiring the existing building to comply with all the requirements of this Code. Additions, alterations, installations or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the Electrical Inspector. Electrical wiring added to any existing service, feeder or branch circuit shall not result in an installation that violates the provisions of the Code in force at the time the additions are made.
- (D) **Policy Regarding Existing Installations.** Strict enforcement of updated versions of national codes could make continued use or reuse of existing buildings and structures technically unfeasible or impose disproportionate costs due to characteristics that may not be in compliance with updated versions of the national codes. The various national codes occasionally grant interpretative latitude and administrative discretion to the officials responsible for code enforcement. It is the policy of the City Council to encourage the continued use or reuse of existing buildings and structures throughout the City of Mattoon. The provisions of updated versions of national building, electrical and fire codes relating to the repair, alteration, restoration and change of occupancy shall not be mandatory for existing structures where such structures are judged to not constitute a distinct life safety hazard. Where the building code, electrical code, fire code and other development codes grant discretion and judgment in approving alternative materials, alternative structural or dimensional design features, alternative construction and/or operational features, officials responsible for code enforcement are directed to employ discretion and judgment in the most liberal manner possible provided public safety is not endangered thereby.
- (E) **Appeals.** A person, who perceives he has been adversely affected by determinations of the Electrical Inspector regarding imminent dangers, unsafe conditions, electrical system performance or compliance time may appeal to the Electrical Board. The Electrical Board may sustain, modify or reverse determinations of the Electrical Inspector pursuant to the foregoing policy and procedures provided at 80.15 (G) of this Article.

- B. 80.13 (13).** Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the authority having jurisdiction shall be permitted to require that such work be exposed for inspection. The authority having jurisdiction shall be notified when the installation is ready for inspection and shall conduct the inspection within 2 business days.

- C. 80.15(A). Creation of the Electrical Board.** There is hereby created the Electrical Board of the City of Mattoon, hereinafter designated as the Board, consisting of six (6) members, as follows: The Chief Electrical Inspector of the City in an advisory capacity; a registered professional or Electrical engineer; an electrical contractor licensed within the City of Mattoon; Journeyman Wireman or equivalent as recognized by the Dept. Of Labor; current or acting Mattoon Fire Chief; and a representative of an electric supply utility serving the City of Mattoon.
- D. 80.15(C). Terms.** Members shall be appointed by the Mayor, by and with the advice and consent of the Council. Each appointment shall be for a term of 4 years or until a successor is appointed. The Chair of the Board shall be appointed for a term not to exceed 2 years.
- E. 80.15(D). Compensation.** Each appointed member of the Board shall serve without compensation. Subject to the prior approval of the Mayor, a member of the Board may be reimbursed for direct lodging, travel and meal expenses as covered by policies and procedures established by the City Council.
- F. 80.17 (F) (3).** When any portion of the electrical installation within the jurisdiction of an Electrical Inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the Electrical Inspector, and such equipment shall not be concealed until it has been approved by the Electrical Inspector or until 2 business days have elapsed from the time of such notification, provided that on large installations, where the concealment of equipment proceeds continuously, the person, firm, or corporation installing the equipment shall give the Electrical Inspector due notice in advance, and inspections shall be made periodically during the progress of the work.
- G. 80.19(E). Fees.** An applicant for an electrical permit shall pay fees before the permit is issued. The schedule of fees shall be found in section §35.01 (E) 2 of the City of Mattoon Code of Ordinances.
- H. 80.21. Plans Review.** Review of plans and specifications shall conform to 80.21(A) through (C), and (1) through (2).
- (1) All “commercial installations” or above as determined by Section 334.10 of this ordinance shall be required to submit comprehensive electrical plans. These plans must include panel schedules and load calculations to determine service sizing
 - (2) All “residential installations” as determined by section 334.10 of this ordinance which planned service size exceeds 400 Amperes shall be held to the same standards as (1) above.
- I. 80.23 Penalties.** Any person who fails to comply with the provisions of this Code or who fails to carry out an order made pursuant to this Code or violates any condition attached to a permit, approval or certificate shall be subject to penalties established at §10.99 of the City of Mattoon Code of Ordinances.
- J. 80.25(C). Notification.** If, within 2 business days, after the Electrical Inspector is notified of the completion of an installation of electric equipment, other than a temporary approval installation, the Electrical Inspector has neither authorized connection nor disapproved the installation, the supplier of electricity is authorized to make connections and supply electricity to such installation.
- K. 80.27 Appointment, Qualifications and Experience of Electrical Inspector.**
- (A) **Appointment.** The Community Development Coordinator with the advice of the Electrical Board and consent of the City Council shall appoint the Electrical Inspector and an Interim Electrical Inspector, who serves in the absence of the Electrical Inspector. The Public Works Director and the Electrical Board evaluate the performance of the Electrical Inspectors. A person appointed to an Electrical Inspector position shall be nominated solely on the basis of his or her qualifications and experience consistent with a job description adopted by the City Council.
 - (B) **Experience.** A person appointed to an electrical inspector position must demonstrate the following experience:
 - (1) Have a demonstrated knowledge of the standard materials and methods used in the installation of electric

equipment.

- (2) Be well versed in the approved methods of construction for safety to persons and property.
- (3) Have a demonstrated knowledge of the statutes of the Illinois relating to electrical work and the National Electrical Code.
- (4) Have had at least 3 years' experience as an Electrical Inspector or 5 years in the installation of electrical equipment. In lieu of such experience, the applicant shall be a graduate in electrical engineering or of a similar curriculum of a college or university considered by the Board as having suitable requirements for graduation and shall have had two years' practical electrical experience.

(C) **Certificate.** A nationally recognized inspector certification program accepted by the Board shall certify the Electrical Inspector within 6 months of appointment. The certification program shall specifically qualify the inspector in electrical inspections. No person shall be employed as an Electrical Inspector unless that person is the holder of an Electrical Inspector's certificate of qualification issued by the Board. A person appointed on an interim basis during the absence of the Electrical Inspector or the person serving as the Electrical Inspector on the date this ordinance goes into effect shall be issued a special certificate permitting him or her to continue to serve as the Electrical Inspector in the City of Mattoon.

(D) **Recertification.** Electrical inspectors shall be recertified as established by the provisions of the applicable certification program.

(E) **Revocation and Suspension of Authority.** The Community Development Coordinator with the consent of the Electrical Board shall have the authority to revoke an inspector's authority to conduct inspections within the City of Mattoon.

L. 80.29. Liability for Damages. Article 80 shall not be construed to affect the responsibility or liability of any party owning, designing, operating, controlling or installing any electric equipment for damages to persons or property caused by a defect therein, nor shall the City of Mattoon or any of its officers or employees be held as assuming any such liability by reason of the inspection, re-inspection or other examination authorized.

M. 80.35. Effective Date. Article 80 shall take effect ~~30 days~~ after its passage and publication.

151.06 CERTIFICATE OF REGISTRATION. It shall be unlawful for any person to engage in the business of "Electrical Contractor" or "Electrical Serviceperson", as herein defined, in Mattoon, Illinois, without a Certificate of Registration from the Electrical Board which may be obtained in the manner as hereinafter set forth. No person, firm or corporation shall engage in business as an Electrical Contractor or an Electrical Serviceperson unless its supervising official shall be registered as herein above required. An Electrical Contractor or Electrical Serviceperson who has furnished proof of having paid a registration fee in any city or village within the State of Illinois having at least the minimum requirements including a comparable examination showing knowledge for qualification as required herein, must be issued registration at the current registration fee for such year in Mattoon, Illinois.

A. Definitions. Unless otherwise expressly stated the following words and terms shall, for the purposes of this code, have the following meanings:

1. Direct light. Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminary.

2. Electrical Contractor. Any person engaged in the business of installing, altering, erecting, repairing, or contracting to install, alter, erect or repair electrical equipment or wiring to supply light, heat or power, not including radio apparatus or equipment for wireless reception of sound or signals, and not including apparatus, conductors and other equipment installed for or by public utilities, including common carriers that are under the jurisdiction of the Illinois Commerce Commission, for use in their operations as public utilities. The term "Electrical Contractor" includes any person who supervises and is responsible for the electrical business. It does not include employees employed by such contractors. Nothing in this section shall preclude the principal owner of a single family residence from installing and erecting electrical equipment and wiring to supply light, heat and power in his personal place of residence.

3. Electrical Board. An examination and registration authority of the City of Mattoon created and established by Article 80.15 of the NEC® as supplemented by Section 3 of this ordinance.

4. Electrical Serviceperson. A person authorized by registration to perform ~~or supervise~~ limited installation, alteration or repair of electrical equipment or wiring for laundry washing and drying appliances, dishwashing appliances, refrigerators, freezers, ranges, furnaces, garbage and trash compacting appliances, garage door openers, air conditioning units, sump pumps, security, alarm and telecommunication systems. ~~A registered electrical contractor shall be required when appliances require additional load capacity or new circuits.~~

5. Fixture. The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

6. Flood or spotlight. Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

7. Fully-shielded (full-cutoff) light. Outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report.

8. Glare. Means light emitting from a luminary with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

9. Grandfathered luminaries. Luminaries not conforming to this chapter that were in place at the time this chapter was voted into effect. When an ordinance "grandfathers" a luminary, it means that such already existing outdoor lighting does not need to be changed.

10. Height of luminary. The height of a luminary shall be the vertical distance from the ground directly below the centerline of the luminary to the lowest direct-light-emitting part of the luminary.

11. Indirect light. Direct light that has been reflected or has scattered off of other surfaces.

12. Lamp. The component of a luminary that produces the actual light.

13. Light trespass. Means the shining of light produced by a luminary beyond the boundaries of the property on which it is located.

14. Luminary. This is a complete lighting system, and includes a lamp or lamps and a fixture.

15. Mounting height. Includes the total height of any proposed base combined with the height of the light pole and fixture.

16. Outdoor lighting. The nighttime illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

17. Temporary outdoor lighting. The specific illumination of an outside area of object by any man-made device located outdoors that produces light by any means for a period of less than seven days, with at least one hundred eighty (180) days passing before being used again.

B. Examination and Registration Duties of the Electrical Board. The Electrical Board is charged with the duty of examining and providing Certificates of Registration of persons applying to engage in the business of "Electrical Contractor" or "Electrical Serviceperson", as herein defined, in Mattoon, Illinois. The Electrical Board shall meet at regular times at an established place not less than two (2) times a year, and more often as circumstances may require. Special meetings may be called by the Chair, or by any three members of the Board. The Electrical Board shall establish its own rules, not inconsistent with the provisions of this Ordinance, which shall be in printed form. Forty-eight (48) hour advance notice shall be given to all members before a special meeting. A majority shall constitute a quorum, and a majority of members present and voting shall be required to pass any proposition.

C. Application for a Certificate of Registration; Fee. Any person desiring to engage in the business of Electrical

Contractor or ~~Electrical Serviceman~~ in the City of Mattoon shall make a written application for a certificate of registration on forms provided by the Electrical Board. The application must contain a resume documenting the applicant's work experience for the last five years, names, addresses and phone numbers of employers, their business, work performed and supervisors' names. The application must contain a notarized affidavit statement indicating that the applicant has been doing electrical work (both installation and maintenance) for at least four (4) years. Said application shall be filed with the City Clerk together with the sum of one hundred dollars (\$100.00) for Electrical Contractor Registration. If the applicant thereafter is issued a Certificate of Registration, the fee paid shall be for the current year, and the Certificate shall expire December 31st of each year. If an applicant is denied a certificate of registration, the fee shall be retained for the time and expense of reviewing the application and conducting the examination.

- D. Application for a Serviceman's Registration; Fee.** Any person desiring to engage in the business of Electrical Serviceman in the City of Mattoon shall make a written application for a certificate of registration on forms provided by the Electrical Board. The application must contain a resume documenting the applicant's work experience for the last five years, names, addresses and phone numbers of employers, their business, work performed and supervisors' names. The application must contain a notarized affidavit statement indicating that the applicant has been doing electrical service work (both installation and maintenance) for at least four (2) years. Said application shall be filed with the City Clerk together with the sum of twenty five dollars (\$25.00) for Electrical Serviceman's Registration. If the applicant thereafter is issued a Certificate of Registration, the fee paid shall be for the current year, and the Certificate shall expire December 31st of each year. If an applicant is denied a certificate of registration, the fee shall be retained for the time and expense of reviewing the application and conducting the examination.
- E. Examination.** Before a Certificate of Registration shall be issued to an applicant by the Electrical Board, the applicant shall, following reasonable advance notice, present himself or herself for examination as instructed by the Electrical Board at a time and place set by it. The Electrical Board shall examine such applicant as to his/her practical knowledge of the installation and alteration of electrical equipment as set forth in the rules and regulations of City's Electrical Code. Such examination shall be in whole or in part in writing and shall be of practical character, but sufficiently strict to thoroughly test the experience and qualifications of the applicant. The applicant must receive a favorable evaluation from the Electrical Board before he or she may receive a Certificate of Registration. If the applicant fails the first test, he or she must wait 30 days before repeating the examination. If the applicant fails the second test, he or she must wait 60 days before repeating the examination.
- F. Bond and Liability Insurance Requirements.** The Electrical Board shall issue a Certificate of Registration as an Electrical Contractor or as an Electrical Serviceman to any person who shall have filed a proper application, paid the required fee, satisfactorily passed the examination, filed proof of bonding and liability insurance. The bond shall be ten thousand dollars (\$10,000), issued by a bonding company authorized to do business in Illinois that will indemnify and save harmless the City of Mattoon from all liability arising out of any work done under or by virtue of any permit that may be issued to the registrant by the City. A Certificate of Insurance shall be provided giving evidence that the registrant has insurance coverage in limits not less than \$1 million per occurrence, covering both personal injury, death and property damage exposures.
- G. Registration Fee; Duration.** The fee for registration as an Electrical Contractor shall be one hundred dollars (\$100) per annum, ~~or equivalent fee for registration as an Electrical Contractor in the Illinois city or village, where the contractor maintains a business address, whichever is greater,~~ and shall permit an Electrical Contractor to do all phases of electrical wiring within the City of Mattoon. The fee for registration as an Electrical Serviceman shall be twenty five dollars (\$25) per annum. Any registration fee shall be paid to the Finance Department and deposited in the city' treasury, in advance, with the application. The Certificate of Registration issued shall expire on the 31st day of December of the year in which it is issued; provided that any business manager, building or plant engineer or electrician who shall engage in electrical installation work or repairs solely upon the premises of his employer shall secure a Certificate of Registration without charge, which Certificate shall, however, be confined to the premises of his employment and shall not permit engaging in such work in any place other than upon such premises. ~~Electrical Contractors~~ Registrants shall be issued a new Certificate of Registration for the ensuing year provided that they have paid the required fee not later than December 31st of the ensuing year; they had been issued valid Certificate of Registration for the previous calendar year and submit evidence of bonding and insurance. Failure to pay the required fee later than March 31st of the ensuing year will result in the standard registration fee doubling. All other applicants shall be examined as provided in Paragraph C or D as applicable hereof.
- H. Certificate of Registration Not Transferable or Assignable.** A Certificate of Registration issued by the Electrical Board shall not be transferable or assignable.

I. Suspension or Revocation. A Certificate of Registration may, after hearing, be suspended or revoked by the City Council upon the recommendation of the Electrical Board for failure or refusal to comply with this Ordinance or with the City's Electrical Code.

151.99 PENALTY. Any person, firm, or corporation that shall engage in the business of Electrical Contractor without obtaining a Certificate of Registration as herein provided, or fails to comply with the provisions of this ordinance, or fails to carry out an order made pursuant to this ordinance, or violates any condition attached to a permit or approval or certificate shall be subject to penalties established at §10.99 of the City of Mattoon Code of Ordinances.

Section 3. Ordinance No. 99-5001 and No. 2011-5314 of the City of Mattoon entitled "AN ORDINANCE REGULATING THE INSTALLATION OF ALL ELECTRICAL WORK IN THE CITY OF MATTOON, ILLINOIS AND PROVIDING FOR THE REGISTRATION AND LICENSING OF ELECTRICAL CONTRACTORS" and all other ordinances or parts of ordinance in conflict herewith are hereby repealed.

Section 4. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable.

Section 5. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council. This ordinance shall be effective upon its publication in pamphlet form and approval as provided by law.

Upon motion by Mayor Gover, seconded by Commissioner Becker, adopted this 2nd day of April, 2013, 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 2nd day of April, 2013.

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

ATTEST:

APPROVED AS TO FORM:

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 April 2, 2013.

Mayor Gover opened the floor for questions or comments which followed with no further discussion.

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 Becker seconded by Commissioner Ervin moved to approve Council Decision Request 2013-1401: Awarding the bids for the 2013 MFT General Street Maintenance Program [13-00000-00-GM] to:

Howell Asphalt Company for Hot Mix Asphalt in the amount of \$78.00/ton;
Howell Asphalt Company for Cold Mix Asphalt in the amount of \$68.00/ton;
Mid-Illinois Concrete for PC Concrete in the amount of \$88.00/cu yd; and
Fraker Trucking for CA-6 Aggregate in the amount of \$13.85/ton.

Mayor Gover opened the floor for questions or comments which followed with no further discussion.

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 Becker seconded by Commissioner Ervin moved to approve Council Decision Request 2013-1402, awarding the bids for the 2013 Oil & Chip Program [13- 00000-00-GM] to:

Earl Walker Co. for Seal coat HFE 150 in the amount of \$2.89/gal;
Earl Walker Co. for CA-16 Spread only in the amount of \$10.95/ton; and
Charles Heuerman Trucking for CA-16 FOB @ City Yard in the amount of \$14.77/ton.

Mayor Gover opened the floor for questions or comments which followed with no further discussion.

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 Hall seconded by Commissioner Rankin moved to approve Council Decision Request 2013-1403, approving a \$6,000.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon American Legion Baseball for hosting the Post 88 Senior Legion Baseball Team June 24-29, 2013 to be paid in Fiscal Year 2013-2014.

Mayor Gover opened the floor for questions or comments which followed with no further discussion.

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 Hall seconded by Commissioner Ervin moved approve Council Decision Request 2013-1404: Approving a \$12,500.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Babe Ruth Baseball for hosting two events: the 12-year olds State Tourney July 11-14th and the 12-year olds Ohio Valley Regional to be held July 24-29, 2013 to be paid in Fiscal Year 2013-2014.

Mayor Gover opened the floor for questions or comments which followed with no further discussion.

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 Hall seconded by Commissioner Becker moved to approve Council Decision Request 2013-1405, approving a \$15,600.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Cobra's Softball for hosting three events: The Mother's Day Softball Tourney May 11-13th, the USSSA Central Illinois State Championship and World Series Qualifier June 14-16th, and the USSSA Fall Tournament October 13, 2013 to be paid in Fiscal Year 2013-2014.

Mayor Gover opened the floor for questions or comments which followed with no further discussion.

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/ COMMUNITY DEVELOPMENT – noted business as usual with many building code questions and budget work. Mayor Gover opened the floor for questions with no responders.

CITY ATTORNEY – noted nothing to report. Mayor Gover opened the floor for questions with no responders.

CITY CLERK – noted business as usual with 44 early voters through today in the Consolidated Election; and responded with voting through April 8th in the City Clerk's Office. Mayor Gover opened the floor for further questions.

FINANCE – noted work on the budget, and completion and filing of the annual report. Mayor Gover opened the floor for questions with no responders.

PUBLIC WORKS – announced dates for the EIU Women’s Softball Tournament this weekend; EIU Men’s Baseball Game on April 23rd; and City-wide Cleanup Day of May 18th. Commissioner Hall reported the Public Works Advisory Board meeting with discussion regarding the Elm Ridge Project was well received by the attendees; and commended Mr. Barber on his work. Mayor Gover opened the floor for additional discussion with no responders.

FIRE – noted Driver Ronnie Spurgeon’s receipt of Fireman of the Year for 2012 at their banquet, as well as the passing of former Fire Chief Dale Price. Mayor Gover opened the floor for questions with no responders.

POLICE – noted Lt. John Seiler and Officer Ryan Koop’s receipt of Policemen of the Year for 2012 at their banquet, as well as Sgt. Sam Gaines receipt of the Chaplin Award. He further commended his detective staff for their 90 hours of work on a murder investigation, and assistance from the US Marshal Service. Mayor Gover further commended the MPD staff for their efforts. Mayor Gover opened the floor for further questions with no responders.

COMMENTS BY THE COUNCIL

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

Commissioner Hall seconded by Commissioner Becker moved to adjourn at 7:42 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