

The City Council of the City of Mattoon held a special meeting in the City Hall Council Chambers on May 13, 2014.

Mayor Gover presided and called the meeting to order at 3:30 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, Absent Commissioner Rick Hall, Absent 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, and City Clerk Susan J. O'Brien.

Mayor Gover opened the floor for Public comments. There were no comments from the Public.

#### NEW BUSINESS

Commissioner Cox seconded by Commissioner Graven moved to approve Resolution No. 2014-2915, authorizing a lease agreement between the City of Mattoon and Douglas Hart Nature Center for bike trail connection purposes.

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### **CITY OF MATTOON, ILLINOIS RESOLUTION NO. 2014-2915**

#### **A RESOLUTION AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF MATTOON AND DOUGLAS HART NATURE CENTER**

**WHEREAS**, the Douglas Hart Nature Center is a 70 acre natural area and education center located at 2204 Dewitt Avenue East; and

**WHEREAS**, the City of Mattoon and the City of Charleston own and maintain a 12+ mile Recreational Trail between the two communities; and

**WHEREAS**, the City of Mattoon and Douglas Hart Nature Center wish to connect the Nature Center to the existing Recreation Trail by means of a 450' long x 10' wide bike trail for pedestrian and bicycle access; and

**WHEREAS**, Douglas Hart Nature Center has recently purchased the property located at 2121 Dewitt Avenue East for that expressed purpose; and

**WHEREAS**, the City of Mattoon and Douglas Hart Nature Center wish to enter into the attached Lease Agreement to allow construction and maintenance of said bike trail connection.

**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 Douglas Hart Nature Center be approved.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 13<sup>th</sup> day of May, 2014, by a roll call vote, as follows:

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

Approved this 13th day of May, 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 May 13, 2014.

Mayor Gover opened the floor for comments/discussion. Director Barber explained two amended sections to the agreement as:

8. The CITY and DOUGLAS HART agree to each pay 50% of the cost to remove the Bike Trail Connection if, at any point in the future the Bike Trail Connection ceases to serve it's intended purpose, or requires removal for any reason. Any such action would also be subject to potential reimbursement requirements from any grant funds used for construction of the Bike Trail Connection which would also be divided equally between the CITY and DOUGLAS HART.

9. This Lease Agreement may be modified, amended, or terminated by written agreement between both parties. Any such agreement shall contain provisions for the continued maintenance or removal of the Bike Trail Connection. Any such agreement may be subject to approval of any grant funding agencies involved in the initial construction of the Bike Trail Connection.

Commissioner Cox seconded by Commissioner Graven moved to approve the amendments to the lease agreement.

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

Commissioner Cox seconded by Commissioner Graven moved to approve Resolution No. 2014-2915 as amended, authorizing a lease agreement between the City of Mattoon and Douglas Hart Nature Center for bike trail connection purposes.

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

Commissioner Cox seconded by Commissioner Graven moved to adjourn at 3:34 p.m.

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

/s/ Susan J. O'Brien  
City Clerk