

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on May 21, 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 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: 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, 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 May 7, 2013; and bills and payroll for the first half of May, 2013.

**Bills and Payroll for the first half of May, 2013**

**General Fund**

Payroll	\$	256,014.08
Bills	\$	<u>78,694.20</u>
Total	\$	334,708.28

**Hotel Tax Administration**

Payroll	\$	2,325.24
Bills	\$	<u>18,613.57</u>
Total	\$	20,938.81

**Festival Management**

Bills	\$	<u>4,544.75</u>
Total	\$	4,544.75

**Insurance & Tort**

Bills	\$	<u>62,993.20</u>
Total	\$	62,993.20

**Capital Projects**

Bills	\$	<u>510.00</u>
Total	\$	510.00

**Broadway East Bus Dist**

Bills	\$	<u>2,945.27</u>
Total	\$	2,945.27

**Water Fund**

Payroll	\$	27,744.50
Bills	\$	<u>32,780.04</u>
Total	\$	60,524.54

**Sewer Fund**

Payroll	\$	38,908.53
Bills	\$	<u>32,618.12</u>
Total	\$	71,526.65

**Heath Insurance Fund**

Bills	\$	<u>96,524.97</u>
	\$	96,524.97

**Motor Fuel Fund**

Bills	\$	<u>19,136.19</u>
	\$	19,136.19

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

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.

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Mayor Gover opened the floor for the public discussion. There was no public discussion.

**NEW BUSINESS**

Commissioner Cox seconded by Commissioner Graven moved to adopt Special Ordinance No. 2013-1519, declaring the personal property owned by the municipality surplus and authorizing the sale or disposal of property by most advantageous means.

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**CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO.: 2013-1519**

**A SPECIAL ORDINANCE DECLARING THE PERSONAL PROPERTY OWNED BY THE MUNICIPALITY  
SURPLUS AND AUTHORIZING THE SALE OR DISPOSAL OF THE PROPERTY**

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

**Section 1.** Supplies and equipment identified on Exhibit A to this ordinance are no longer necessary or useful to, or for the best interest of the City of Mattoon, and are hereby declared surplus to the needs of the City of Mattoon.

**Section 2.** The City of Mattoon, Illinois does not express any warranty nor imply any statement of condition of this surplus property. The Department Heads are hereby authorized to administratively sell by the most advantageous means and to negotiate the conditions for the sale, recycle, or otherwise destroy the property without further formal consideration or approval by the City Council. The City of Mattoon shall reserve the right to accept or reject any and/or all offers for this property.

**Section 3.** The Mayor and City Clerk are authorized and directed to execute any documents necessary to affect the sale or disposal of the property.

**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 Cox, seconded by Commissioner Graven, adopted this 21st day of May, 2013, 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 21<sup>st</sup> day of May, 2013.

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

Recorded in the Municipality's Records on May 21, 2013.

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

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 adopt Special Ordinance No. 2013-1520, approving the rezoning of 1401-1421 North 11<sup>th</sup> Street, 1517 North 11<sup>th</sup> Street, 1513 North 11<sup>th</sup> Street, 1509 North 11<sup>th</sup> Street, and 1501 North 11<sup>th</sup> Street from Residential (R-1) to Industrial (I). (Holly A. Bailey, President Howell Asphalt Company – Petitioner)

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**CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO. 2013-1520**

**ORDINANCE TO APPROVE PETITION FOR REZONING**

**WHEREAS**, A Petition For Rezoning was filed with the City Clerk for the City of Mattoon, by Howell Asphalt Company requesting the City of Mattoon, Illinois rezone from R1 Single Family Residence District (R1) to Industrial District (I) for the real estate described as follows:

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5) AND SIX (6) IN BLOCK FOUR (4) OF JONTE'S FIRST ADDITION TO THE CITY OF MATTOON, COLES COUNTY, ILLINOIS

also known as 1401 - 1421 North 11<sup>th</sup> Street, Mattoon, Illinois

and

LOTS TWO (2), THREE (3), FOUR (4) AND FIVE (5) IN BLOCK THREE (3) OF JONTE'S FIRST ADDITION TO THE CITY OF MATTOON, COLES COUNTY, ILLINOIS

also known as 1517 North 11<sup>th</sup> Street, 1513 North 11<sup>th</sup> Street, 1509 North 11<sup>th</sup> Street and 1501 North 11<sup>th</sup> Street, Mattoon, Illinois.

**WHEREAS**, a public hearing was held before the Planning Committee of the City of Mattoon on the 14<sup>th</sup> day of May, 2013 pursuant to published notice;

**WHEREAS**, said Mattoon Planning Committee considered said Petition and recommended the Petition For Rezoning be approved;

WHEREAS, the City Council for the City of Mattoon, Coles County, Illinois, deems it would be in the public interest to approve the rezoning of the premises described in this ordinance.

NOW, THEREFORE, IT BE 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, shall be rezoned from R1 Single Family Residence District, to I, Industrial District.

**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.

**Section 4:** The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor Gover and seconded by Commissioner Cox, adopted this 21<sup>st</sup> day of May, 2013 by a roll call vote as follows:

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

Approved this 21<sup>st</sup> day of May, 2013.

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

Recorded in the Municipality's Records on May 21, 2013

Mayor Gover opened the floor for discussion or comments. Commissioner Hall requested information on the area. Ms. Holly Bailey stated Howell Asphalt wanted to place an eight foot chain link fence around the property for security purposes, which would only be allowed in an Industrial zoning. Commissioner Owen stated he would abstain when voting, due to his ownership of adjacent property.

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.

Mayor Gover seconded by Commissioner Cox moved to adopt Special Ordinance No. 2013-1521, approving the vacating of a portion of Harrison Avenue starting at the west right-of-way line of North 11<sup>th</sup> Street and continuing 140' feet west. (Holly A. Bailey, President Howell Asphalt Company – Petitioner)

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CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO. 2013-1521

AN ORDINANCE VACATING A PORTION OF HARRISON AVENUE IN THE CITY OF MATTOON, COLES COUNTY, ILLINOIS

**WHEREAS**, a Petition to Vacate Street was filed with the City Clerk for the City of Mattoon, by Howell Asphalt Company, requesting the City of Mattoon, Illinois vacate the street described as follows:

Harrison Avenue vacated from the east line of Lot One (1) in Block Four (4) in Jonte's First Addition to the City of Mattoon extended to the west line of Lot Six (6) in Block Three (3) of Jonte's First Addition to the City of Mattoon

**WHEREAS**, a public hearing was held before the Planning Committee for the City of Mattoon on the 14<sup>th</sup> of May, 2013 pursuant to published notice;

**WHEREAS**, the Mattoon Planning Committee considered said Petition and recommended the petition to vacate street be approved;

**WHEREAS**, the City Council for the City of Mattoon, Coles County, Illinois deems that it would be in the public interest to approve the petition to vacate street described in this ordinance.

**NOW, THEREFORE, IT BE 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 street legally described as aforesaid, shall be vacated.

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

**Section 3:** This ordinance shall be effective immediately after Howell Asphalt Company has tendered to the City of Mattoon an amount equivalent to the average of two appraisals of the fair market value of the vacated premises and payment of all costs associated with said vacation.

**Section 4.** Howell Asphalt Company, after having made the entire payment of the average appraised value and the costs associated with this vacation, shall be and is vested with title to the vacated portion of Harrison Avenue as legally described above.

**Section 5:** Upon becoming effective, the City Clerk shall make and record a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor Gover and seconded by Commissioner Cox, adopted this 21<sup>st</sup> day of May, 2013 by a roll call vote as follows:

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

Approved this 21<sup>st</sup> day of May, 2013.

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

Recorded in the Municipality's Records on May 21, 2013

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

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 Owen seconded by Commissioner Graven moved to approve Council Decision Request 2013-1414, approving an interfund loan in the amount of \$40,000 from the General Fund to the Mattoon Public Library.

Mayor Gover opened the floor for discussion or comments. Mayor Gover noted this was a normal procedure. Commissioner Owen elaborated on the procedure and noted the reimbursement to the City by the end of fiscal year.

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 Owen moved to approve Council Decision Request 2013-1415, ratifying the mayor's re-appointments of Dennis Gathmann, Richard F. Record, Jr. and Jon Spitz to the Board of Police & Fire Commissioners with terms expiring 04/30/2017.

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

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 Owen moved to approve Council Decision Request 2013-1416, awarding the bid in the amount of \$28,253.00 from Birkey's Construction Equipment for the purchase of a Trencher roller.

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

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 Hall moved to approve Council Decision Request 2013-1417, awarding the bid in the amount of \$62,879.00 from Birkey's Construction Equipment for the purchase of a Backhoe and warranty.

Mayor Gover opened the floor for discussion or comments. Commissioner Hall was elated that the low bidder was a local business. Council concurred.

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 2013-1418, approving a \$1,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to Zitania Research Services for hosting the 3<sup>rd</sup> Annual Central Illinois Paracon to be held September 3-6, 2013.

Commissioner Hall elaborated on the Zitania Research Services and noted the City was open to creative ideas which promote tourism and overnight stays to the community. Mayor Gover opened the floor for further discussion with no responses.

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 Graven moved to approve Council Decision Request 2013-1419, approving a \$1,775 grant by the Tourism Advisory Committee from hotel/motel tax funds to the EIU Kinesiology Department for hosting the IHSA Girls State Badminton Championships to be held on May 10-11, 2013.

Mayor Gover opened the floor for discussion. Commissioner Hall noted all teams were from north of I-80.

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 2013-1420, approving a \$3,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the EIU Athletic Department for hosting the IHSA Girls & Boys State Track & Field Championships to be held on May 16-18 and May 23-25, 2013 respectively.

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

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 2013-1421, approving a \$3,000 grant by the Tourism Advisory Committee from Bagelfest funds to the Mattoon YMCA for hosting the Run for the Bagel event to be held on July 20, 2013.

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

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 two economic development leads; planning commission meeting last week; and 60 nuisance notices, mostly due to foreclosures; and attendance of a seminar which dealt with the communication and open doors to communities with Technology Coordinator Johanpeter. Mayor Gover inquired as to the nuisances on foreclosed properties with Administrator Gill noting liens were placed on the properties after the City mows the grass. Mayor Gover opened the floor for further questions with no responses.

**CITY ATTORNEY** – gave an update on the Szczesniak property – further noting the property should be vacant. Mayor Gover opened the floor for questions with no responses.

**CITY CLERK** – noted business as usual. Mayor Gover opened the floor for questions with no responses.

**FINANCE** – noted distribution of the financial report and elaborated on the audited and unaudited representations; noted work on the TIF reports and Vehicle policy. Mayor Gover opened the floor for questions with no responses.

**PUBLIC WORKS** – updated Council on Public Works projects; acknowledge and thanked Mr. Bill Jones for his assistance with the City-wide Cleanup Day; reviewed storm pickup process and concentration on Dodge Grove Cemetery with City-wide curbside pickup next week. Commissioners Graven and Cox complimented Public Works crews for their efforts with storm cleanup and maintenance of Cemetery. Mayor Gover opened the floor for questions with no responses.

**FIRE** –thanked the employees of the Fire Department for their work during last night's storm; noted fire drills, elementary school tours, assistance at SBLHC's Races for All Paces event; and training at GE and fire extinguisher training. Commissioner Hall noted 20 ambulance calls yesterday with Chief Nichols further noting most were after midnight. Mayor Gover opened the floor for questions with no responses.

**POLICE** – noted a busy night last night and thanked the Fire Department for their assistance with storm incidences – commended the Police Department for their efforts as well as assistance from Coles County and Lake Land College. Mayor Gover acknowledged the coordination efforts of the MPD, MFD, and Public Works. Commissioner Cox inquired as to the Police Department and incidences in the Parks. Chief Branson reviewed the MPD's efforts in curtailing vandalism and other undesired activities in the Parks. Director Barber stated a long-term goal of security cameras in the Parks. Commissioner Graven inquired as to responses to several complaints of property on North 15<sup>th</sup> – north of the Post Office.

Administrator Gill reported the property zoned as Industrial which allows for outside storage, but monitoring and citing when possible for nuisance materials. Mayor Gover opened the floor for additional questions with no responses.

COMMENTS BY THE COUNCIL

Mayor Gover thanked Mr. Jones for his help with the City-wide Cleanup.

Commissioners Cox, Graven, Owen had no additional comments. Commissioner Hall announced good news including landscaping efforts at Wolf Pocket Park; Arts & Tourism Director's office relocation to Depot for accommodating tourism meetings; and request for the newspaper to publish an article recognizing the work Public Works crews perform throughout the year.

Commissioner Hall seconded by Commissioner Cox moved to adjourned at 7:06 p.m.

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.

/s/ Susan J. O'Brien  
City Clerk