

The City Council of the City of Mattoon held a re-scheduled meeting in the City Hall Council Chambers on June 12, 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, and 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, and City Clerk Susan O'Brien. Mrs. Janett Winter-Black, Acting City Attorney, was physically present for the meeting.

CONSENT AGENDA

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the Regular meeting May 15, and Special Meeting May 29, 2012; bills and payroll for the last half of May and first half of June, 2012; Financial Report for the month of April, 2012; and Council Decision Request 2012-1330, authorizing the Mayor to sign a Microsoft Enterprise Agreement with Microsoft Licensing, GP for continued use of software.

Bills and Payroll for the last half of May and first half of June, 2012

General Fund

| | | |
|---------|-------|----------------------|
| Payroll | | \$ 550,195.04 |
| Bills | | <u>\$ 234,884.97</u> |
| | Total | \$ 785,080.01 |

Hotel Tax Fund

| | | |
|---------|-------|--------------------|
| Payroll | | \$ 4,493.88 |
| Bills | | <u>\$ 7,383.24</u> |
| | Total | \$ 11,877.12 |

Festival Mgmt Fund

| | | |
|-------|-------|------------------|
| Bills | | <u>\$ 932.23</u> |
| | Total | \$ 932.23 |

Insurance & Tort Judgment

| | | |
|-------|-------|---------------------|
| Bills | | <u>\$ 45,021.67</u> |
| | Total | \$ 45,021.67 |

Capital Project Fund

| | | |
|-------|-------|--------------|
| Bills | | \$ 20,263.29 |
| | Total | \$ 20,263.29 |

I-57 East TIF District

| | | |
|-------|-------|-----------|
| Bills | | \$ 427.56 |
| | Total | \$ 427.56 |

Midtown TIF Fund

| | | |
|-------|-------|--------------------|
| Bills | | <u>\$ 1,125.49</u> |
| | Total | \$ 1,125.49 |

Water Fund

| | | |
|---------|-------|---------------|
| Payroll | | \$ 61,210.93 |
| Bills | | \$ 80,181.18 |
| | Total | \$ 141,392.11 |

Sewer Fund

| | | |
|---------|-------|---------------|
| Payroll | | \$ 72,788.00 |
| Bills | | \$ 70,738.82 |
| | Total | \$ 143,526.82 |

Motor Fuel Tax Fund

| | | |
|-------|-------|--------------|
| Bills | | \$ 13,166.43 |
| | Total | \$ 13,166.43 |

Health Insurance Fund

| | | |
|-------|-------|---------------|
| Bills | | \$ 251,088.82 |
| | Total | \$ 251,088.82 |

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

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meetings Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments; and state your name for the record as well as stand when speaking.

- Public comments/presentations and non-agenda items

Proclamation: Epsilon Sigma Alpha week June 16-23, 2012

Mayor Gover read the following proclamation:

Proclamation

Whereas, the members of Epsilon Sigma Alpha are celebrating the 40th anniversary of their adoption of St. Jude Children's Hospital as an international project of their organization; and,

Whereas, the members of Epsilon Sigma Alpha have raised over \$150 million dollars in cash and pledges to support the works of St. Jude Children's Research Hospital; and,

Whereas, the members of Epsilon Sigma Alpha contribute more than 500,000 personal service hours to local causes and charities; and,

Whereas, the week of June 16 – 23, 2012 has been proclaimed National Epsilon Sigma Alpha Week.

I, Timothy D. Gover, proclaim the fourth week of June to be Epsilon Sigma Alpha Week in Mattoon, Illinois and give additional support and congratulations to the efforts of all members of Epsilon Sigma Alpha who live and work for the betterment of Mattoon, Illinois, the St. Jude Children's Research Hospital, and others in need.

Signed this 12th day of June, 2012.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, IL

Mayor Gover opened the floor for public comments on items not on the agenda. There were no responders.

NEW BUSINESS:

Commissioner Becker seconded by Commissioner Ervin moved to adopt Special Ordinance No. 2012-1490, declaring 14 two-way radios (Public Works) and a 1997 Ford F10 (1FTDF1721VNC63105) as surplus and authorizing the sale of the equipment.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE: 2012-1490**

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

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

Section 1. The vehicles identified on Exhibit A to this ordinance 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 Public Works Superintendent is hereby authorized to advertise the equipment for sale by the most advantageous means and to negotiate the conditions for their sale with any interested parties; 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. Upon no offer for any of the items listed on Exhibit A, the Public Works Superintendent is authorized to dispose by any means necessary.

Section 3. The Mayor and City Clerk are authorized and directed to execute any documents necessary to affect the 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 Becker, seconded by Commissioner Ervin, adopted this 12th day of June, 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 12th day of June, 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 & Treasurer

Recorded in the Municipality's Records on June 12, 2012.

EXHIBIT A

- 1.) 1997 Ford F10 (1FTDF1721VNC63105); having approximate mileage of 99,511; in running condition
- 2.) Fourteen (14) two-way radios (Motorola and Midland) in working condition

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 Becker seconded by Commissioner Ervin moved to adopt Special Ordinance No. 2012-1491, approving jurisdictional transfer of streets between the City of Mattoon and Coles County.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2012-1491**

AN ORDINANCE APPROVING THE JURISDICTIONAL TRANSFER OF STREETS

WHEREAS, the City of Mattoon maintains a municipal street system; and

WHEREAS, Coles County maintains a county road system; and

WHEREAS, the City of Mattoon and Coles County desire to transfer ownership and maintenance responsibility for certain roadways within their jurisdiction.

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

Section 1. The City accepts the Jurisdictional Transfer of the following streets from Coles County to the City of Mattoon as shown on the attached Exhibit:

- C.H. 27 / Lafayette Avenue from Logan Street easterly 0.18 miles, in its entirety.
- C.H. 27 / Odd Fellow Road from Country Club Road northerly to Lafayette Avenue, in its entirety.
- C.H. 25 / 9th Street from Old State Road northerly 0.27 miles, in its entirety.

Section 2. The City approves the Jurisdictional Transfer of the following streets from the City of Mattoon to Coles County as shown on the attached Exhibit:

- Paradise Road / 250N from US Route 45 westerly 0.75 miles to the City Limits, in its entirety.

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 Commissioner Becker, seconded by Commissioner Ervin, adopted this 12th day of June, 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 12th day of June, 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 June 12, 2012.

Mayor Gover opened the floor for discussion. Director Barber described what streets were effected, noted capital projects and equal trading.

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 approve Council Decision Request 2012-1331, approving the plans and specifications for the South Side Drainage Project Phase 2; and authorizing the competitive solicitation of bids.

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 Ervin moved to approve Council Decision Request 2012-1332, approving Mid-town TIF District Funds in the amount of \$10,963.17 for the construction of Wolf Park.

Mayor Gover opened the floor for discussion. Commissioner Hall inquired whether the improvements included the exit area discussed at the previous meeting. Director Barber noted the expenses for this meeting included expenses through May 1, 2012; and explained the oil and chip expenditures would be out of the MFT when improving the alley and street access.

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 Becker moved to approve Council Decision Request 2012-1333, awarding the bid of \$75,850.00 from IHC Construction Company, Inc. of Elgin, Illinois for the CN Railroad Water Main Relocation Project.

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.

Mayor Gover seconded by Commissioner Becker moved to approve Council Decision Request 2012-1334, approving the plans and specifications for the Police Department Parking Lot Project; and authorizing the competitive solicitation of bids.

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 Becker seconded by Commissioner Ervin moved to approve Council Decision Request 2012-1335, approving the plans and specifications for the 2012 Oil & Chip Program [12-0000-00-GM].

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.

Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2012-1336, ratifying the Mayor's appointment of Madge Shoot to the Police Pension Board for an unexpired term ending 05/09/13.

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 Ervin moved to approve Council Decision Request 2012-1337, approving Amendment #1 to the Siemens Industry, Inc. Performance Contracting Agreement; and authorizing the Mayor to sign the contract.

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.

Mayor Gover seconded by Commissioner Hall moved to adopt Resolution No. 2012-2859, appointing a Treasurer to fill the vacancy due to Preston Owen's resignation.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2012-2859

A RESOLUTION APPOINTING ANTHONY NICHOLS TO THE OFFICE OF CITY TREASURER

WHEREAS, the status of appointed officers of the municipality are traditionally re-evaluated after the election of new members to the City Council or after a vacancy has been created; and

WHEREAS, the resignation of Preston Owen as City Treasurer has created a vacancy; and,

WHEREAS, it is necessary to appoint a municipal treasurer on an interim basis to enable the business of the municipal corporation to continue without interruption.

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

Section 1. The Council hereby ratifies the mayor's appointment of Anthony Nichols to the office of City Treasurer on an interim basis effective June 16, 2012.

Upon motion by Mayor Gover seconded by Commissioner Hall, adopted this 12th day of June, 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 12th day of June, 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 o n June 12, 2012.

Mayor Gover opened the floor for discussion. Commissioner Hall explained the role Treasurer Owen had and the role Treasurer Nichols would fill. He further noted the interim basis until the financial role was filled. Mayor gover thanked Chief Nichols for his acceptance as treasurer.

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 Resolution No. 2012-2860, authorizing the mayor, treasurer, and city clerk to sign checks by facsimile signature.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2012-2860

A RESOLUTION AUTHORIZING THE MAYOR, TREASURER AND CITY CLERK TO SIGN CHECKS BY STAMPED SIGNATURE

BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS THAT THE MAYOR, CITY TREASURER AND CITY CLERK ARE HEREBY AUTHORIZED TO SIGN CHECKS ISSUED BY THE CITY OF MATTOON BY STAMPING THEREON FACISIMILE SIGNATURES EFFECTIVE JUNE 16, 2012, WHICH FACISIMILE SIGNATURES OF SAID OFFICIALS ARE STAMPED BELOW:

(electronic)
Mayor

(electronic)
City Treasurer

(electronic)
City Clerk

BE IT FURTHER RESOLVED THAT AT LEAST ONE SIGNATURE ON EVERY CHECK ISSUED BY THE CITY OF MATTOON SHALL BEAR AN ORIGINAL SIGNATURE OF THE CITY TREASURER OR CITY CLERK.

Upon motion by Mayor Gover, seconded by Commissioner Ervin, adopted this 12th day of June, 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 12th day of June, 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 June 12, 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 attendance at the aggregation meeting to join in the cooperation for the RFQ. Mayor Gover opened the floor for questions. Commissioner Hall explained the aggregation would allow citizens to receive a discount on electrical power.

ATTORNEY & TREASURER – had nothing to report.

CITY CLERK – noted business as usual with reports, insurance and HR issues. Mayor Gover opened the floor for questions with no responders.

PUBLIC WORKS – noted finishing items with Wolf Park, implementing work on the City's portion of Broadway Avenue sidewalks, upcoming work on the storm sewer at the Depot parking lot. Mayor Gover inquired as to a start date for the Depot with Director Barber anticipating August with a completion date in October. Commissioner Hall voiced concern of completion before a big event at the Depot in October. Director Barber noted a portion of the parking lot would be open during all times of construction.

COMMUNITY DEVELOPMENT – noted business as usual with an issuance of an occupancy permit for Slumberland, review of plans, alterations to a Mall store, expansion of a store in the Thompson Thrift outlet, and two title searches for nuisance properties. Mayor Gover opened the floor for questions with no responders.

FIRE – noted completion of the fire training center in the near future and drills conducted at EIU for TRT and Hazmat teams. Commissioner Hall noted the fire training center would allow in-house training, and noted the Fire Department with the City of Charleston and SBLHC bike path sign installation. Chief Nichols elaborated on the benefits for emergency responders.

POLICE – noted participation by MPD in the EIU drills and anticipation of construction on the Police parking lot in July with business as usual. Mayor Gover opened the floor for questions with no responders.

COMMENTS BY THE COUNCIL

Commissioners Becker, Ervin, Hall, and Rankin had no further comments. Mayor Gover opened the floor comments on the item to be considered at the end of the meeting.

Mr. Jerry Groniger congratulated the Council for considering the final item on the agenda and requested the Council to clean up the HR situation. Mayor Gover opened the floor for further comments with no responders.

Mayor Gover seconded by Commissioner Ervin moved to recess to closed session at 6:52 p.m. pursuant to the Illinois Open Meetings Act for the purpose of the discussion of the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

Council reconvened at 9:33 p.m.

Commissioner Becker seconded by Commissioner Ervin moved to approve Council Decision Request 2012-1338: Terminating the contract of City Administrator Sue McLaughlin, with cause effective immediately.

Commissioner Ervin seconded by Commissioner Becker moved to amend the motion to terminating the contract of City Administrator Sue McLaughlin without cause effective immediately.

Mayor Gover opened the floor for discussion.

Commissioner Ervin noted the difficult decision for everyone, elaborated on the events which occurred, and expressed feeling there was a misrepresentation or misunderstanding of the proposed land sale. Commissioner Ervin addressed Mr. Groniger's comments by stating Council sought legal advice before determining the course of action; and voiced disapproval of the inappropriate and unhelpful spreading of rumors and innuendos by Mr. Groniger. Commissioner Ervin noted his utmost respect for each Council member when voting in the best interest of the City.

Commissioner Rankin explained his decision to vote against the motion and expressed his views on the events and forthcoming issues.

Mayor Gover also noted the difficulty in the decision; expressed legal advice, respect for each member of the Council, and proceed with the best interest of Mattoon.

Mayor Gover declared the motion to amend Council Decision Request 2012-1338 carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, NAY Commissioner Rankin, YEA Mayor Gover.

Mayor Gover declared the amended motion carried by the following vote: YEA Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, NAY Commissioner Rankin, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Ervin moved to adjourn at 9:47 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