

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on June 19, 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: Community Development Coordinator Kyle Gill, 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 re-scheduled meeting June 12 and bills for the first half of June, 2012.

Bills for the first half of June 2012

	<u>General Fund</u>		
Bills			\$ 61,248.51
		Total	\$ 61,248.51
	<u>Insurance & Tort Judgment</u>		
Bills			\$ 422.00
		Total	\$ 422.00
	<u>Capital Project Fund</u>		
Bills			\$ 119,055.06
		Total	\$ 119,055.06
	<u>Midtown TIF Fund</u>		
Bills			\$ 6,931.70
		Total	\$ 6,931.70
	<u>Water Fund</u>		
Bills			\$ 19,861.77
		Total	\$ 19,861.77
	<u>Sewer Fund</u>		
Bills			\$ 19,070.47
		Total	\$ 19,070.47
	<u>Health Insurance Fund</u>		
Bills			\$ 921.70
		Total	\$ 921.70
	<u>Revolving Loan Fund</u>		
Bills			\$ 779.43
		Total	\$ 779.43
	<u>Motor Fuel Tax Fund</u>		
Bills			\$ 28,034.49
		Total	\$ 28,034.49

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

Mayor Gover opened the floor to the public for non- agenda items. No one addressed the Council.

Discussion Item: Residential Electrical Aggregation

Director Barber provided information regarding electrical aggregation. He noted cities of Mattoon, Charleston, Oakland and Ashmore and Coles County met to discuss the aggregation. A Letter of Interest for consulting firms to develop in the process is required. Director Barber stated the program to help residents save money on their electric bills was for residential and small commercial retail customers of Ameren only. The City of Mattoon does not qualify, so the aggregation would be solely for the benefit of our residents. On November 6th there will be a referendum on the ballot for voters to decide whether to pursue the aggregation. If the aggregation passes, Ameren customers will have an opt-out option which would remain in effect for the two-year aggregation contract. Ameren customers would continue to receive a monthly bill, but would receive a reduced rate for the delivery/distribution portion of their billing. After two years, the bidding process would begin again pending no change in current laws. If Ameren drops their rates, the aggregation could drop their rates or customers could opt-out. The consultants are paid from energy charges paid by residents with no funds from the City, except in preparation of the referendum. There would be public outreach meetings for citizens to attend. Mayor Gover inquired whether the customers could opt back into the program once they have opted out. Director Barber stated those who opt out would have to wait until a new contract was reached before opting back into the program. Commissioner Rankin inquired whether each of the communities would have to pass the referendum and only those which passed the referendum would be in the aggregation. Director Barber answered affirmatively adding the consultant can pool the bid with other clientele for more significant purchasing power. Mayor Gover opened the floor for questions of the public. Ms. Julie Deters inquired whether this was only for Ameren customers. Director Barber stated yes, because other co-ops were not eligible. There were no further questions or comments.

Mayor Gover seconded by Commissioner Ervin moved to adopt Resolution No. 2012-2861, establishing the prevailing rate of wages in the Coles County Area as determined by the Illinois Department of Labor as the wages that must apply to public works of the City of Mattoon consistent with mandates of Illinois statute.

CITY OF MATTOON, ILLINOIS RESOLUTION NO. 2012-2861

RESOLUTION ESTABLISHING THE PREVAILING RATE OF WAGES IN THE COLES COUNTY AREA AS DETERMINED BY THE ILLINOIS DEPARTMENT OF LABOR AS THE WAGES THAT MUST APPLY TO PUBLIC WORKS CONSTRUCTION OF THE CITY OF MATTOON CONSISTENT WITH MANDATES OF ILLINOIS STATUTE

WHEREAS, the State of Illinois has enacted “An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public body or any political subdivision or by anyone under contract for public works,” approved June 26, 1941, as amended, being Chapter 820 ILCS 130/1-12 Illinois Compiled Statutes, commonly referred to as The Prevailing Wage Act, and,

WHEREAS, the aforesaid Act requires that the City Council of the City of Mattoon, Illinois investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of said City of Mattoon, Illinois employed in performing construction of public works, for said City of Mattoon, Illinois.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MATTOON, COUNTY OF COLES, AND STATE OF ILLINOIS:

SECTION 1: To the extent and as required by “An Act regulating wages of laborers, mechanics and other workers employed in any public works by State, County, City or any public body or any political subdivision or by anyone under contract for public works,” approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the City of Mattoon, Illinois is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Coles County area as determined by the Department of Labor of the State of Illinois as of June 2012, a copy of that determination being attached hereto as Exhibit “A” and incorporated herein by reference. The definition of any terms appearing in this Resolution which are also used in aforesaid Act shall be the same as in said Act.

SECTION 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works of the City of Mattoon, Illinois to the extent required herein by the aforesaid Act.

SECTION 3: The City Clerk shall publicly post or keep available for inspection by any interested party in the main office of the City of Mattoon, Illinois this determination of such prevailing rate of wage.

SECTION 4: The City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed or file their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 5: The City Clerk shall promptly file a certified copy of this Resolution with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

SECTION 6: The City Clerk shall cause a notice to be published in a newspaper of general circulation within the area that the determination of prevailing wages has been made. Said notice shall conform substantially to the notice attached hereto. Such publication shall constitute notice that this is the determination of the City of Mattoon, Illinois and is effective.

Upon motion by Mayor Gover, seconded by Commissioner Ervin adopted this 19th 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 19th 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/ Jim Grant
Jim Grant, Acting City Attorney

Recorded in the Municipality's Records on June 19th, 2012.

Published this 21st day of June, 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.

Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2012-1339, authorizing the hiring of one replacement police officer due to the upcoming retirement of Lt. Carl Oakley.

Mayor Gover opened the floor for discussion. Commissioner Hall inquired as to the date of Lt. Oakley's retirement with Chief Branson stating November 1st.

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 Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2012-1340, approving an interfund loan in the amount of \$40,000 from the General Fund to the Mattoon Library.

Mayor Gover opened the floor for discussion. Mayor Gover noted the loan was normal until Library received real estate taxes. Director Franklin noted the loan was due to regulations the Library must zero out at the end of the fiscal year and rely on real estate taxes to operate which have not been received.

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 2012-1341, authorizing the purchase of eight (8) new replacement computers for the Police Department patrol vehicles.

Mayor Gover opened the floor for discussion. Commissioner Hall inquired as to the funding. Chief Branson stated \$12,000 from budget and approximately \$10,000 from DUI/Seizure funds; and noted receiving a better rate if purchasing all eight this year,

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 Ervin seconded by Commissioner Becker moved to approve Council Decision Request 2012-1342, approving a budget revision to allow a payment in the amount of \$50,561.23 to Beniach Construction from the Capital Project Fund.

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 2012-1343, awarding the bid of \$574,400.50 from Feutz Contractors, Inc. for completion of the piping improvements of the South Side Drainage Project Phase 2.

Mayor Gover opened the floor for discussion. There was discussion of the area of retention and a second project next year.

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 Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2012-1344, approving the funding agreement between the City of Mattoon and the Illinois Department of Natural Resources in the amount of \$526,657 for the South Side Drainage Project Phase 2 Piping; and authorizing the mayor and city clerk to sign the documents. (OWR-270)

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 moved to adopt Special Ordinance No. 2012-1492, approving an interest rate and terms for a \$75,000 loan from the Revolving Loan Fund (RLF) to Travis and Christy Nippe for a building purchase. The motion died for lack of second.

Ms. Jamie Elliott remarked on the City's pet friendly community, bringing additional pets into the community, numbers of grooming and pet supply businesses already in Mattoon, and doesn't want the City to loan the money for this venture. Mayor Gover stated this was a non-issue due to lack of a second to the motion.

DEPARTMENT REPORTS:

CITY CLERK – noted business as usual and processing of last week's Council meeting. Mayor Gover opened the floor for questions with no responders.

PUBLIC WORKS – reviewed in-house projects, construction contracts, and other miscellaneous projects including Ne-Co finishing the IL-16 & US-45 IDOT resurfacing project. Mayor Gover opened the floor for questions. Mr. Larry Sullivan inquired when the highway restriping would be complete with Director Barber noting the IDOT project but would anticipate soon.

COMMUNITY DEVELOPMENT – noted recent plans returned for changes to the store in the Mall and expansion within the strip mall, arrival of two new plans in the south portion of the strip mall, and preparation for nuisance court. Mayor Gover opened the floor for questions with no responders.

FIRE – announced City's week in 9-1-1 rotation, training, attendance at Arts Council event, and testing of Fellowship Center's fire alarms; otherwise business as usual. Mayor Gover opened the floor for questions with no responders.

POLICE – discussed the savings with the replacement of Lt. Oakley, replacement hire on August 1st, request for replacement employment at a future meeting, adding 20 auxiliary police to save money and City's time at 4th of July and Bagelfest, and saving over \$22,000 by purchasing mobile computers now. Mayor Gover opened the floor for the Council or Public questions with no responders.

COMMENTS BY THE COUNCIL

Commissioners Becker and Hall had no further comments. Commissioner Ervin acknowledged two scouts from Boy Scout Troop #57 in attendance and appreciated the public's attendance regarding the RLF loan issue. Commissioner Rankin noted his issuance of a Library card. Mayor Gover thanked the public for attending; asked Dylan Myer to introduce himself as part of Troop #57; and noted his attendance at the Boy Scouts' 75th year celebration.

Mayor Gover seconded by Commissioner Hall moved to recess to closed session at 7:14 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)); and the purchase or lease of real property (5 ILCS 120(2)(c)(5)).

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.

Council reconvened at 8:07 p.m.

Commissioner Hall seconded by Commissioner Rankin moved to adjourned at 8:07 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