

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on August 16, 2016.

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: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber, Asst. Fire Chief Sean Junge, Police Chief Jeff Branson, and City Clerk Susan O'Brien.

**CONSENT AGENDA**

Mayor Gover seconded by Commissioner Cox moved to approve the consent agenda consisting of minutes of the regular meeting August 2, 2016, Fire Department reports for the months of June and July, 2016, bills and payroll for the first half of August, 2016.

**Bills & Payroll**  
**first half of August, 2016**

	<b><u>General Fund</u></b>		
Payroll		\$	294,467.93
Bills		\$	<u>148,224.20</u>
	Total	\$	442,692.13
	<b><u>Hotel Tax Administration</u></b>		
Payroll		\$	3,320.99
Bills		\$	<u>4,536.29</u>
	Total	\$	7,857.28
	<b><u>Mobile Equipment fund</u></b>		
Bills		\$	<u>64,452.33</u>
	Total	\$	64,452.33
	<b><u>Festival Mgt Fund</u></b>		
Bills		\$	<u>1,638.55</u>
	Total	\$	1,638.55
	<b><u>Insurance &amp; Tort Judgment</u></b>		
Bills		\$	<u>51,097.30</u>
	Total	\$	51,097.30
	<b><u>Midtown TIF Fund</u></b>		
Bills		\$	<u>77,730.77</u>
	Total	\$	77,730.77

<b><u>Capital Project Fund</u></b>			
Bills		\$	8,703.94
	Total	\$	8,703.94
<b><u>Broadway East Bus Dist</u></b>			
Bills		\$	2,610.85
	Total	\$	2,610.85
<b><u>Water Fund</u></b>			
Payroll		\$	36,641.75
Bills		\$	18,659.88
	Total	\$	55,301.63
<b><u>Sewer Fund</u></b>			
Payroll		\$	39,861.16
Bills		\$	30,990.07
	Total	\$	70,851.23
<b><u>Health Insurance Fund</u></b>			
Bills		\$	113,516.85
	Total	\$	113,516.85
<b><u>Motor Fuel Tax Fund</u></b>			
Bills		\$	20,239.00
	Total	\$	20,239.00

Mayor Gover opened the floor for comments/questions with no response.

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.

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Mayor Gover opened the floor for Public comments or questions with no response.

**NEW BUSINESS**

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2016-1709, approving a proposal by the Upchurch Group for the amount not to exceed \$30,000 for on-demand construction phase services of the Public Works Building Project; and authorizing the Public Works Director to sign the proposal.

Mayor Gover opened the floor for questions/comments/discussion with no response.

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 adopt Resolution No. 2016-2971, approving the Fire Investigator Agreement between the Fire Departments of the City of Mattoon and City of Charleston; and authorizing the Mayor and Fire Chief to sign the document.

**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2016-2971**

**RESOLUTION TO AUTHORIZE THE MAYOR AND FIRE CHIEF TO EXECUTE DOCUMENTS NECESSARY TO BEGIN FIRE INVESTIGATOR SERVICES WITH THE CHARLESTON FIRE DEPARTMENT**

**WHEREAS**, the Mattoon Fire Department is the duly recognized Fire Department agency for the City of Mattoon, Illinois, and

**WHEREAS**, The City of Charleston is the duly recognized Fire Department agency for the City of Charleston, Illinois, and

**WHEREAS**, both agencies' corporate boundaries and service area boundaries are contiguous, and

**WHEREAS**, the Fire Chiefs of the Mattoon Fire Department and the Charleston Fire Department believe it is in the best interests for the safety of fire personal as well as for the safety of the citizens of both communities to enter into an Intergovernmental Agreement for Fire Investigator Services in the area known as either the Charleston Fire Department or Mattoon Fire Department response service area.

**NOW THEREFORE BE IT RESOLVED:**

That the Mattoon, Illinois City Council hereby authorizes the Mayor and the Fire Chief to execute and documents necessary to effectuate a Fire Investigator Agreement between the Mattoon Fire Department and the Charleston Fire Department.

Upon motion by Commissioner Hall, seconded by Commissioner Owen, adopted this 16<sup>th</sup> day of August 2016, 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

ABSTAIN (Names): None

/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 August 16, 2016.

Commissioner Hall seconded by Commissioner Owen moved to amend the Resolution's last WHEREAS to read as follows: "WHEREAS, the Fire Chiefs of the Mattoon Fire Department and the Charleston Fire Department believe it is in the best interests for the safety of fire personal as well as for the safety of the citizens of both communities to enter into an Intergovernmental Agreement for Fire Investigator Services in the area known as either the Charleston Fire Department or Mattoon Fire Department response service area."

Mayor Gover opened the floor for comments/discussion with no response.

Mayor Gover declared the motion to amend Resolution 2016-2971 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 the amended resolution.

Mayor Gover declared the motion to approve the amended resolution carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Owen seconded by Commissioner Hall moved to approve Council Decision Request 2016-1710, approving the refinancing of the ladder truck financing lease with First Mid-Illinois Bank & Trust in order to reduce the interest rate, and authorize the Mayor to sign the loan agreement.

Mayor Gover opened the floor for questions/comments/discussion with no response.

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 2016-1711: Approving a \$1,000.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Douglas Hart Nature Center for supporting the Project Wild training program to be held November 22, 2016; and authorizing the mayor to sign the agreement.

Mayor Gover opened the floor for comments/questions/discussion. Commissioner Graven inquired as to the correct amount remaining with Administrator Gill noting the previous information Director Burgett distributed at the last Council meeting was correct. Mayor Gover opened the floor for further questions with no response.

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 2016-1712, approving a \$3,200.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon High School for hosting the Mattoon Boys Golf Invite to be held September 9-10, 2016; and authorizing the mayor to sign the agreement.

Mayor Gover opened the floor for comments/questions/discussion with no response.

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 Graven moved to adopt Special Ordinance No. 2016-1637, authorizing the rezoning from R-1 to R-2 and lot width and setback reduction variance at 11-21 Richmond and 10-20 Prairie Avenues and granting a setback reduction variance at 200, 220, and 211 North Division to allow for construction of duplexes. R. Bart & Michelle S. Owen – Petitioners

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2016-1637**

**AN ORDINANCE GRANTING REZONING AND A VARIANCE FOR LOT WIDTH AND SETBACK REDUCTIONS AT 11-21 RICHMOND AND 10-20 PRAIRIE AVENUES AND GRANTING A VARIANCE FOR SETBACK REDUCTIONS AT 200, 220, & 211 N. DIVISION**

**WHEREAS**, A written Petition has been filed by R. Bart Owen and Michelle S. Owen requesting rezoning and a variance for reduction in lot width and side yards of the property commonly known as the 11-21 Richmond and 10-20 Prairie Avenues legally described as: Lots 5,6,7,8,9,10,11 & 12 in Block 10 Urban Heights to R-2, as well as reducing the front yard setback to 17.5' at 200, 220, 221 N. Division, to allow future construction of multiple duplex units; and

**WHEREAS**, said site(s) Lots 5,6,7,8,9,10,11 & 12 are zoned R1, single family residential, which does not allow the construction of a duplex; and

**WHEREAS**, the minimum lot width being reduced to 31.5' and side yard setback allows zero lot line duplexes to be sold to individual owners, without reducing the lots below the required 3750 square feet in area; and

**WHEREAS**, the wide right of way along North Division Street renders construction setbacks of 25' unfeasible; and

**WHEREAS**, the property is well suited for multiple duplex(es); and

**WHEREAS**, the Planning Commission held a public hearing for the City of Mattoon, Coles County, Illinois, and has recommended that the requested rezoning & variance be granted; and

**WHEREAS** the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve rezoning to R-2 & variances to allow the construction of zero lot line duplex(s).

**NOW, THEREFORE, BE IT 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 approved and the same is granted the following:

- a. Rezoning of Lots 5,6,7,8,9,10,11 & 12 in Block 10 Urban Heights to R-2 One and Two Family Residential.
- b. Variance for the reduction of lot widths to 31.5 feet and one side yard to 0 feet to allow construction of zero lot line duplex(es).
- c. Variance for the reduction of the front yard to 17.5 feet at 200, 220 and 221 N. Division Street.

**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 record a duly certified copy of this ordinance with the Clerk and Recorder’s Office of Coles County, Illinois.

Upon motion by Mayor Gover, seconded by Commissioner Graven, adopted this 16th day of August, 2016, by a roll call vote, as follows:

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

/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 August 16, 2016.

Mayor Gover opened the floor for comments/questions/discussion. Administrator Gill stated the rezoning was close to a planned unit development; and described the zero setback and how the Meadows Subdivision had been approved for the same consideration in the past. Commissioner Hall asked Mr. Bart Owen what the timeline was with Mr. Bart Owen responding within a month for the first and as needed for additional duplexes. Mayor Gover inquired whether the trees would be saved with Mr. Bart Owen replying affirmatively with the exception of one which was already dead. Mayor Gover opened the floor for further questions with no response.

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 Hall moved to adopt Special Ordinance No. 2016-1638, authorizing the Mayor to sign an outright grant agreement by and between the City of

Mattoon and Don and Jane Freesmeier reimbursing up to \$9,375 from Mid-town TIF Revenues for the purpose of repairing and tuck-pointing of the rear wall of the building located at 1518 Broadway Avenue; and authorizing the mayor to sign the grant agreement.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2016-1638**

**AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND DON AND JANE FREESMEIR, FOR 1518 BROADWAY, IN CONNECTION WITH THE MATTOON MID-TOWN REDEVELOPMENT PROJECT AREA**

**WHEREAS**, Don and Jane Freesmeir (the “**Grantees**”), have submitted a proposal to the City of Mattoon, Illinois (the “**Municipality**”) for redevelopment of a part of the Municipality’s Mattoon Mid-town Redevelopment Project Area (the “**Redevelopment Project Area**”); and, thereafter, the Municipality and the Grantees have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, referred to as the “**Grant Agreement**”) concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

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

**Section 1.** The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantees, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT “A”.

**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.

Upon motion by Commissioner Owen, seconded by Commissioner Hall, adopted this 16th day of August, 2016, by a roll call vote, as follows:

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

/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 August 16, 2016.

Attachment (1) - EXHIBIT "A"

Mayor Gover opened the floor for comments/questions with no response.

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

Commissioner Owen seconded by Commissioner Cox moved to adopt Special Ordinance No. 2016-1639, authorizing the Mayor to sign an outright grant agreement by and between the City of Mattoon and Mike Kallis reimbursing up to \$40,000 from Mid-town TIF Revenues for the sole purpose of structure repairs, architectural plans, and replacing the roof located at 1607 Broadway Avenue; and authorizing the mayor to sign the grant agreement.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2016-1639**

**AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND MIKE KALLIS IN CONNECTION WITH THE MATTOON MID-TOWN REDEVELOPMENT PROJECT AREA**

**WHEREAS**, Mike Kallis (the "**Grantee**"), has submitted a proposal to the City of Mattoon, Illinois (the "**Municipality**") for redevelopment of a part of the Municipality's Mattoon Mid-town Redevelopment Project Area (the "**Redevelopment Project Area**"); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the "**Grant Agreement**") concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

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

**Section 1.** The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to

implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT "A".

**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.

Upon motion by Commissioner Owen, seconded by Commissioner Cox, adopted this 16th day of August, 2016, 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

ABSTAIN (Names): None

/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 August 16, 2016.

Attachment (1) - EXHIBIT "A"

Mayor Gover opened the floor for questions/comments/discussion with no response.

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 Owen seconded by Commissioner Hall moved to adopt Special Ordinance No. 2016-1640, authorizing the Mayor to sign an outright grant agreement by and between the City of Mattoon and Mattoon Public Library reimbursing up to \$40,000 from Mid-town TIF Revenues for the sole purpose of roof replacement located on a building at 1600 Charleston Avenue; and authorizing the mayor to sign the grant agreement.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2016-1640**

**AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND THE MATTOON PUBLIC LIBRARY IN CONNECTION WITH THE MATTOON MIDTOWN TIF REDEVELOPMENT PROJECT AREA**

**WHEREAS**, the Mattoon Public Library (the “**Grantee**”), has submitted a proposal to the City of Mattoon, Illinois (the “**Municipality**”) for redevelopment of a part of the Municipality’s Mattoon Midtown Redevelopment Project Area (the “**Redevelopment Project Area**”); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the “**Grant Agreement**”) concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

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

**Section 1.** The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT “A”.

**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.

Upon motion by Commissioner Owen, seconded by Commissioner Hall, adopted this 16th day of August, 2016, 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

ABSTAIN (Names): None

/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 August 16, 2016.

Attachment (1) - EXHIBIT "A"

Mayor Gover opened the floor for comments/questions/discussion with no response.

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 completion of the development agreement, review of plans on a project and economic development leads. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY had nothing to report. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted business as usual with litigation preparedness, and a preliminary insurance meeting on renewal options. Mayor Gover opened the floor for questions with no response.

FINANCE reviewed the July 2016 Financial Report and noted auditors' completion of fieldwork. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS updated Council on the Public Works building, Marshall Avenue, Heritage Park and Pavilion, CSO Satellite Treatment construction, and need for a re-bidding of Burgess Osborne Auditorium interior painting in November. Mayor Gover opened the floor for questions with no response.

FIRE congratulated the MPD for winning the Battle of the Badges Blood Drive; and noted preparation of Fire Investigation Agreement with Charleston and new truck paperwork. Mayor Gover inquired as to the repairs on Engine 21 with Chief Nichols to update Council with a written detail tomorrow. Mayor Gover opened the floor for further questions with no response.

POLICE noted closure on an arson investigation with an arrest and thanked MFD for their assistance, and stated the total overall pints had increased in the Battle of the Badges Blood Drive.

ARTS AND TOURISM Commissioner Hall reported on upcoming community activities.

Mayor Gover seconded by Commissioner Hall moved to recessed to closed session at 6:52 p.m. pursuant to the Illinois Open Meetings Act for the purpose of discussing the purchase of real property for the use of the City of Mattoon, including possible discussion of whether a particular parcel should be acquired (5ILCS/20 (2)(C)(5)).

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.

Council reconvened at 7:03 p.m.

Commissioner Cox seconded by Commissioner Owen moved to adopt Special Ordinance No. 2016-1641, approving two Permanent Easements with Howell Paving, Inc. for the Combined Sewer Overflow (CSO) Satellite Treatment Facility piping project located at 1020 North 13<sup>th</sup> Street.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2016-1641**

**AN ORDINANCE APPROVING TWO PERMANENT EASEMENTS  
FROM HOWELL ASPHALT COMPANY**

**WHEREAS**, the City of Mattoon is in the process of constructing a Satellite Treatment Facility and Piping to collect and treat combined sewer overflows near Riley Creek; and

**WHEREAS**, two permanent easements are required from Howell Asphalt Company's facility at 1020 North 13th Street; and

**WHEREAS**, the first easement consists of approximately 0.305 acres and said easement is further described on the Dedication of Easement and Survey Plat attached as Exhibits 'A' and 'B' respectively; and

**WHEREAS**, Howell Asphalt Company has agreed to sell said Permanent Easement described on Exhibits 'A' and 'B' at the appraised value of \$4,320.00; and

**WHEREAS**, the second easement consists of approximately 1.102 acres and said easement is further described on the Dedication of Easement and Survey Plat attached as Exhibits 'C' and 'D' respectively; and

**WHEREAS**, there is no payment proposed for said Permanent Easement described on Exhibits 'C' and 'D' as it involves the relocation of an existing sewer from an existing Permanent Easement on Howell's property at 1020 North 13th Street; and

**WHEREAS**, the relative locations of both Permanent Easements are further detailed on the attached Aerial Photo marked as Exhibit 'Z'.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, that

**Section 1.** The purchase of the Permanent Easement described on the Dedication of Easement, Survey Plat, and Aerial Photo attached as Exhibits 'A', 'B', and 'Z', respectively, shall be approved in the amount of \$4,320.00 and the Mayor and the City Clerk are hereby authorized to execute the necessary documents to complete the purchase.

**Section 2.** The acceptance of the Permanent Easement described on the Dedication of Easement, Survey Plat, and Aerial Photo attached as Exhibits ‘C’, ‘D’, and ‘Z’, respectively, shall be approved and that the Mayor and the City Clerk are hereby authorized to execute the necessary documents.

**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.

**Section 5.** 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 Commissioner Cox, seconded by Commissioner Owen, adopted this 16th day of August, 2016, 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  
ABSTAIN (Names): None

/s/Timothy D. Gover  
Timothy D. 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 August 16, 2016.

Mayor Gover opened the floor for comments/questions/discussion with no response.

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 Cox moved to adopt Resolution No. 2016-2972, approving the development agreement with Brad Voyles for the expansion of infrastructure on Detto Drive when constructing the Copper Creek Cottages Memory Care facility.

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2016-2972**

**A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT  
WITH BRAD VOYLES**

**WHEREAS**, Brad Voyles is planning the development of two parcels of real estate on the east side of Dettro Drive between Remington Road and Country Club Road; and

**WHEREAS**, the City of Mattoon wishes to require that certain public improvements be made during the development of said parcels that reflect the logical expansion of the City infrastructure in the area; and

**WHEREAS**, the City of Mattoon wishes to participate in the cost of certain portions of said public improvements; and

**WHEREAS**, the terms and conditions for said expansion of the City infrastructure and the City of Mattoon cost participation are detailed in the Development Agreement attached as Exhibit 'A'.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Mattoon, Coles County, Illinois, that the Development Agreement with Brad Voyles attached as Exhibit 'A' is hereby approved.

Upon motion by Commissioner Graven, seconded by Commissioner Cox, adopted this 16<sup>th</sup> day of August 2016, 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

ABSTAIN (Names):      None

/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 August 16, 2016.

Mayor Gover opened the floor for questions/comments with no response.

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.

COMMENTS BY THE COUNCIL

Commissioners Cox, Graven, Hall, and Owen had no further comments.

Commissioner Hall seconded by Commissioner Cox moved to adjourned at 7:05 p.m.

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

/s/Susan J. O'Brien  
City Clerk