

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on September 17, 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: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber (6:32 p.m.), Fire Chief Tony Nichols, Police Chief Jeff Branson, Tourism Director Angelia Burgett and City Clerk Susan J. O'Brien.

CONSENT AGENDA

Mayor Gover seconded by Commissioner Owen moved to approve the consent agenda consisting of minutes of the regular meeting September 3, 2013; Fire department report for the month of August, 2013; and bills and payroll for the first half of September, 2013.

Bills and Payroll for the first half of September, 2013

General Fund

Payroll		\$	258,711.95
Bills		\$	<u>165,964.30</u>
	Total	\$	424,676.25

Hotel Tax Administration

Payroll		\$	1,865.24
Bills		\$	<u>1,403.84</u>
	Total	\$	34,226.09

Festival Management

Bills		\$	<u>4,160.00</u>
	Total	\$	4,160.00

Insurance & Tort Judgment

Bills		\$	<u>230.00</u>
	Total	\$	230.00

Midtown TIF Fund

Bills		\$	<u>121,678.99</u>
	Total	\$	121,678.99

Capital Projects Fund

Bills		\$	<u>49,433.00</u>
	Total	\$	49,433.00

South Rt 45 TIF Dist Fund

Bills		\$	<u>6,054.00</u>
	Total	\$	6,054.00

<u>Broadway East TIF Fund</u>			
Bills		\$	2,081.32
	Total	\$	2,081.32
<u>Broadway East Bus Dist</u>			
Bills		\$	2,487.72
	Total	\$	2,487.72
<u>Water Fund</u>			
Payroll		\$	33,075.21
Bills		\$	36,825.97
	Total	\$	69,901.18
<u>Sewer Fund</u>			
Payroll		\$	32,740.18
Bills		\$	112,760.66
	Total	\$	145,500.84
<u>Heath Insurance Fund</u>			
Bills		\$	113,269.81
	Total	\$	113,269.81
<u>Motor Fuel Fund</u>			
Bills		\$	5,574.12
	Total	\$	5,574.12

Mayor Gover opened the floor for discussion or comments 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 public comments resulting in no comments from the floor.

NEW BUSINESS:

Commissioner Cox seconded by Commissioner Hall moved to adopt Special Ordinance No. 2013-1536, declaring the personal property owned by the municipality surplus and authorizing the sale or disposal of property by most advantageous means.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE: 2013-1536**

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

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

Section 1. The vehicles 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 Public Works Director is hereby authorized to advertise the Department's vehicles for sale by the most advantageous means and to negotiate the conditions for their sale with any interested 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 Director is authorized to dispose of said

vehicles by any means necessary.

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 Hall, adopted this 17th day of September, 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 17th day of September, 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 September 17, 2013.

Mayor Gover opened the floor for discussion or comments. Mayor Gover noted the vehicles were trucks.

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. 2013-1537, approving the rezoning of 1309 - 1321 North 11th Street from Neighborhood Commercial (C-1) to Industrial (I). (Holly A. Bailey, President Howell Asphalt Company – Petitioner)

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2013-1537

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 Neighborhood Commercial (C1) to Industrial District (I) for the real estate described as follows:

LOTS ONE (1), TWO (2), THREE (3) and FOUR (4) IN BLOCK NINE (9) OF JONTE'S FIRST ADDITION TO THE CITY OF MATTOON, COLES COUNTY, ILLINOIS

also known as 1309 - 1321 North 11th Street, Mattoon, Illinois.

WHEREAS, a public hearing was held before the Planning Committee of the City of Mattoon on the 10th day of September, 2013 pursuant to published notice;

WHEREAS, said Mattoon Planning Committee considered said Petition for Rezoning on the 10th day of September 2013 and recommended that said 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: It is hereby determined and found by the City Council of the City of Mattoon Illinois and corporate authorities of said City of Mattoon that the Petition for Rezoning submitted by Howell Asphalt Company, is in compliance with Section §159.05 of the Mattoon Code of Ordinances and is hereby approved and that the premises described in said Petition for Rezoning shall henceforth be zoned as 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 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 Graven, adopted this 17th day of September, 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 17th day of September, 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 September 17, 2013

Mayor Gover opened the floor for discussion or comments. Administrator Gill noted the consideration by the Planning Commission. Commissioner Cox expressed appreciation for the work Howell Asphalt was doing in the area.

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 Cox seconded by Commissioner Graven moved to adopt Special Ordinance No. 2013-1538, approving the vacation of Cleveland Avenue from the east line of Lot One (1) in Block Nine (9) and extended to the west line of said Lot Six (6) in Block Four (4). (Holly A. Bailey, President Howell Asphalt Company – Petitioner)

ORDINANCE TO APPROVE PETITION TO VACATE STREET

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:

Cleveland Avenue from the east line of Lot One (1) in Block Nine (9) of Jonte's First Addition to the City of Mattoon and extended to the west line of Lot Six (6) in Block Four (4) 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 10th of September, 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.

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 associate 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 Cleveland 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 Commissioner Cox and seconded by Commissioner Graven, adopted this 17th day of September, 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 17th day of September, 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 September 17, 2013

Mayor Gover opened the floor for discussion or comments. Mayor Gover noted the vacation was associated with the previous motion.

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 Hall moved to adopt Special Ordinance No. 2013-1539, granting an intensity of use variance for 712 DeWitt Avenue to enable the construction of an addition to the house. Deborah Rawdin – Petitioner

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2013-1539

AN ORDINANCE GRANTING A VARIANCE FROM THE INTENSITY OF USE AT 712 DEWITT AVENUE

WHEREAS there has been filed a written Petition by Deborah Rawdin for a variance, respecting the property legally described as:

Lot 95, Block 29 in the Original Town of Mattoon, now the City of Mattoon, Coles County, Illinois

Commonly known as 712 DeWitt Avenue, Mattoon, Illinois

WHEREAS, said petition requests that a variance be granted pursuant to applicable ordinances of the municipality to allow the construction of an addition to the house that increases the intensity of use of the property located at 712 DeWitt Ave., from 30% to 34%, and

WHEREAS the Planning Commission for the City of Mattoon held a properly noticed, public hearing on September 10, 2013 regarding petitioner's request for said variance; and

WHEREAS the Planning Commission for the City of Mattoon has recommended that the requested variance be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended variance is in the public interest.

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, be and the same is granted a variance of the intensity of use, to enable the construction of an addition to the house, in which the intensity of use of the lot would be increased from 30% to 34%.

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 Mayor Gover, seconded by Commissioner Hall, adopted this 17th day of September, 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 17th day of September, 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 September 17, 2013.

Mayor Gover opened the floor for discussion or comments. Administrator Gill explained the permit and lot coverage issues; and noted consideration by the Planning Commission.

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 approve Council Decision Request 2013-1453, authorizing the purchase of two 2014 Ford Interceptor squad cars from Jackson Ford, Inc. in the amount of \$49,098 for the Mattoon Police Department.

Mayor Gover opened the floor for discussion or comments. Commissioner Hall inquired whether the color of the vehicles was to be the same as the rest of the fleet with Chief Branson answering affirmatively.

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 Cox seconded by Commissioner Hall moved to approve Council Decision Request 2013-1454, waiving formal bidding requirements and accepting a price quote from Vandevanter Engineering of Fenton, Missouri in the amount of \$41,279.00 for furnishing and installing a new pump at the Golden Valley Sanitary Pump Lift Station.

Mayor Gover opened the floor for discussion or comments. Administrator Gill noted a three-fifths majority necessary to approve without bidding, upon Commissioner Hall's inquiry.

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 2013-1455, ratifying the appointment of Stephanie Packard to the Tourism Advisory Committee with a term ending 09/01/2016.

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 – updated Council on work on the planning and zoning demolition specifications for Western Avenue; text changes to the zoning ordinance; renovations to the Depot; 1632 Broadway Avenue; and speaker at the Sophomore class event at the High School. Mayor Gover opened the floor for questions with no responses. Mayor Gover commended Administrator Gill, Mattoon Police Department and City Attorney Winter-Black for getting the area north of the Post Office cleaned up.

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

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

FINANCE – reviewed the August financial report; noted work on TIF payments and audit adjustments. Mayor Gover inquired as to delayed payments by the State. Director/Treasurer Wright stated about two months in arrears. Commissioner Cox inquired if payments were consistently in arrears with Director/Treasurer Wright stating improved or at least consistent. Mayor Gover opened the floor for questions with no responses.

PUBLIC WORKS – reviewed Public Works projects, external projects, and Broadway Avenue streetscaping plan on the September 24th Public Works Advisory Board meeting agenda. Mayor Gover opened the floor for questions with no responses.

FIRE – updated Council on the conducting of fire drills, occupancy inspections, and Sarah Bush Lincoln Health Center’s emergency room update. Mayor Gover opened the floor for questions with no responses.

POLICE – had nothing to report. Commissioner Cox inquired as to Mattoon’s role in containing the Charleston incident. Chief Branson elaborated on Mattoon’s response for additional support for the “Barn Party” incident. Council discussed Mattoon’s response and the need to be informed by Eastern Illinois University’s decision on the matter.

TOURISM – noted preparation for meetings, Smithsonian local arts network, Lightworks preparation, and receipt of scholarship to attend a conference. Mayor Gover opened the floor for questions with no responses.

COMMENTS BY THE COUNCIL

Commissioners Graven, Hall, and Owen had no further comments. Commissioner Cox noted the well-attended visit by Budweiser Clydesdales, and extended appreciation for the Parks Department and others’ work on the event.

Commissioner Hall seconded by Commissioner Cox moved to adjourned at 6:59 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