

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on December 18, 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: Absent 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: 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, 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 December 4, 2012; and bills and payroll for the first half of December, 2012.

Bills and Payroll for the first half of December, 2012

General Fund

Payroll		\$	242,914.21
Bills		\$	559,667.94
	Total	\$	802,582.15

Hotel Tax Administration

Payroll		\$	2,250.91
Bills		\$	3,213.85
	Total	\$	5,464.76

Festival Management

Bills		\$	2,352.59
	Total	\$	2,352.59

Insurance & Tort Judgment

Bills		\$	277,310.99
	Total	\$	277,310.99

Midtown TIF Fund

Bills		\$	2,430.89
	Total	\$	2,430.89

Capital Project Fund

Bills		\$	6,718.92
	Total	\$	6,718.92

Broadway East Bus Dist

Bills		\$	1,937.26
	Total	\$	1,937.26

Water Fund

Payroll		\$	32,917.23
Bills		\$	37,334.56
	Total	\$	70,251.79

	<u>Sewer Fund</u>	
Payroll		\$ 33,261.89
Bills		\$ 36,429.99
	Total	\$ 69,691.88
	<u>Heath Insurance Fund</u>	
Bills		\$ 98,262.04
	Total	\$ 98,262.04
	<u>Motor Fuel Tax</u>	
Bills		\$ 18,207.20
	Total	\$ 18,207.20

Mayor Gover opened the floor for discussion, but there was no further discussion.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: Absent Commissioner Becker, YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

PRESENTATIONS, PETITIONS AND COMMUNICATIONS:

- Public comments/presentations and non-agenda items

Mayor Gover opened the floor for public discussion. There were no comments from the public.

NEW BUSINESS

Commissioner Hall seconded by Commissioner Ervin moved to adopt Ordinance No. 2012-5359, amending the municipal code to abolish the Festival Management Committee and rename the Tourism Coordinator position to Tourism & Arts Director.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2012-5359**

AN ORDINANCE AMENDING THE MUNICIPAL CODE TO REFLECT CHANGES BY ABOLISHING THE FESTIVALS MANAGEMENT COMMITTEE AND RENAMING THE POSITION OF TOURISM COORDINATOR TO TOURISM AND ARTS DIRECTOR

WHEREAS, there now exists the Festival Management Committee within the City of Mattoon; and,

WHEREAS, the Festivals Management Committee functions will now be handled by the Tourism Committee; and

WHEREAS, there now exists the position of Tourism Coordinator within the City of Mattoon; and,

WHEREAS, the position of Tourism Coordinator continues to grow with the Arts Council in planning, supervising, coordinating and implementing special tourism and arts events; and,

WHEREAS, the City Council for the City of Mattoon, Coles County, Illinois, deems that it is in the interest of the City of Mattoon to manage, coordinate, and implement Mattoon's tourism and arts programming while promoting the City as a destination for visitors; and,

WHEREAS, the City Council for the City of Mattoon, Coles County, Illinois, deems that it is in the interest of the City of Mattoon, to rename the position of Tourism Coordinator to Tourism and Arts Director; and,

WHEREAS, the renaming of the position does not change the Arts Council Regulations, however does bring the position into a collaboration role of Tourism and Arts.

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

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Section 32.17, Section 36.54 (C), Section 36.54 (E), and Section 33.065 (B) (2) of the Code of Ordinances of the City of Mattoon are hereby repealed. Sections 36.54 (C), Section 36.54 (E), and Section 33.065 (B) (2), as hereafter amended, are reenacted as follows:

§ 36.54 USE OF RECEIPTS.

(C) The Tourism and Arts Director submits requests for appropriation of Hotel/Motel Tax funds as recommended by the Tourism Advisory Committee. The City Administrator uses the request of the Committee as the starting point for formulating a tentative budget. The tentative budget is published and made conveniently available for public inspection for at least ten days prior to the passage of the budget. Not less than one week after the publication of the tentative budget and prior to final action on the budget, the City Council holds at least one public hearing, after which hearing or hearings, the budget may be further revised and passed without any further inspection, notice or hearing. Notice of the budget hearing is given by publication in a newspaper having a general circulation in the municipality at least one week prior to the time of the hearing.

(E) The Tourism and Arts Director is responsible for managing expenditures within limits established by the approved budget. No person shall obligate hotel/motel tax funds for any purpose unless the Tourism and Arts Director has given prior approval as to budget and account coding by signing a source document authorizing the transaction. Expenditures greater than \$5,000 require signature approval of the City Administrator. The Tourism and Arts Director may authorize expenditures exceeding individual line item amounts in the approved budget with the prior approval of the Departmental Commissioner, but formal City Council approval at a regular or special meeting shall be required in all of the following circumstances:

- (1) For any deviation that would increase the number of full or part-time positions authorized by the budget;
- (2) For any deviation from the approved budget that will exceed the "bottom line" established for total expenditures for the Hotel/Motel Tax Fund;
- (3) For any deviation from the approved budget that will transfer money between funds; and
- (4) For expenditures valued greater than \$10,000, regardless if the project or program has been authorized in the approved budget.

§ 33.065 ARTS COUNCIL REGULATIONS.

(B) Council Board of Directors.

(2) *Membership.* Directors of the Arts Council are appointed by the Mayor of the city with confirmation by the City Council, from the nominations of the Arts Council Board of Directors. The Board will consist of 11 voting members, at least six of whom shall be residents of the city. The City Administrator, the City Council member overseeing the Arts Council and the Tourism and Arts Director will serve as ex officio (non-voting) members of the Board.

Section 3. This ordinance shall be effective upon the day of its adoption and approval by the City Council. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Hall, seconded by Commissioner Ervin, adopted this 18th day of December, 2012, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall
Commissioner Rankin, Mayor Gover
NAYS (Names): None
ABSENT (Names): Commissioner Becker

Approved this 18th day of December, 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/ Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on December 18, 2012.

Mayor Gover opened the floor for discussion, resulting with no further discussion.

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

Commissioner Ervin seconded by Commissioner Rankin moved to adopt Special Ordinance No. 2012-1507, levying taxes for all corporate purposes for the fiscal year beginning May 1, 2012 and ending April 30, 2013.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2012 -1507**

**AN ORDINANCE LEVYING TAXES FOR ALL CORPORATE PURPOSES FOR THE CITY OF MATTOON,
COLES COUNTY, ILLINOIS, FOR THE FISCAL YEAR BEGINNING MAY 1, 2012 AND ENDING APRIL 30,
2013**

BE IT ORDAINED by the Mayor and City Council of the City of Mattoon, Coles County, Illinois:

Section 1. Assumed Equalized Assessed Valuation. The corporate authorities have assumed the Equalized Assessed Valuation (EAV) of property within the municipality will increase from \$190,483,603 to \$199,912,541, four and ninety-five tenths percent (4.95%) over the previous fiscal year.

Section 2. Tax Levy. The amount hereinafter set forth, or so much thereof as may be authorized by law, and the same are hereby levied upon all property subject to taxation within the municipality as that property is assessed and equalized for the current year, to defray expenses and liabilities for the City of Mattoon, Coles County, Illinois, for the fiscal year beginning May 1, 2012 and ending April 30, 2013. The total property tax levy extension is attached hereto and marked as "Exhibit A" and incorporated herein by reference.

Section 3. Maximum Rates for Certain Services. If the equalized assessed value of the municipality ends up lower or higher than the value anticipated by this ordinance, the Coles County Clerk is petitioned to levy the maximum property tax rate authorized by law for General Corporate, Police Protection and Fire Protection.

Section 4. Tax Abatement for General Obligation Bonds. Since alternative revenue sources will be sufficient to pay debt service on the City of Mattoon's General Obligation Bonds, the 2012 tax levy (to be received in 2013) is hereby abated for the following General Obligation Bonds:

<u>Issue</u>	<u>Tax Levy Years</u>	<u>Bond Ordinance Number</u>
Series 2003 Library Refunding Bonds	2004 thru 2013	Special Ordinance 2003-936
Series 2003A Pension Obligation Bonds	2004 thru 2013	Special Ordinance 2003-938
Series 2005A Sewer Refunding Bonds	2006 thru 2018	Special Ordinance 2004-1050
Series 2005B Police Refunding Bonds	2006 thru 2019	Special Ordinance 2004-1050
Series 2009A General Obligation Bonds	2009 thru 2027	Special Ordinance 2009-5275
Series 2009B General Obligation Bonds	2009 thru 2027	Special Ordinance 2009-5276
Series 2011 Water Refunding Bonds	2011 thru 2015	Special Ordinance 2011-5326

The levy for paying principal and interest on these bonds shall only be abated for the 2012 tax levy. In all other respects, the ordinances that authorized the foregoing bonds shall continue in effect according to the express terms thereof.

Section 5. Amount to be Raised by Tax Levy. The amount to be levied for each purpose is placed in a separate column under the heading "Amount to be Raised by Tax Levy", which appears over same being as follows, to wit:

	<u>Amount Budgeted</u>	<u>Amount To Be Received from Other Sources</u>	<u>Amount To Be Raised By Tax Levy</u>
General Fund			
General Government	778,321	158,592	619,729
Public Safety	9,968,105	7,213,649	2,754,456
Public Works	1,726,370	1,726,370	-0-
Health & Welfare	1,210,918	1,210,918	-0-
Culture & Recreation	977,563	827,629	149,934
Economic Development	50,000	50,000	-0-
Debt Service	705,050	705,050	-0-
Other Financing Uses	1,250,945	1,250,945	-0-
Total General Fund	\$ 16,667,272	\$ 13,143,153	\$ 3,524,119

Statutory Authority:

General Corporate Tax (65 ILCS 5/8-3-1): 0.25 Limit	619,729
Fire Protection (65 ILCS 5/11-7-1): 0.15 Limit	299,869
Police Protection (65 ILCS 5/11-1-3): 0.15 Limit	299,869
Parks (65 ILCS 5/11-98-1): 0.075 Limit	149,934
Firemen's Pension (40 ILCS 5/4-118) No Limit	1,101,055
Firemen's Pension (35 ILCS 200/18-185) No Limit	26,097
Policemen's Pension (40 ILCS 5/3-125) No Limit	<u>1,027,566</u>
	\$ 3,524,119

	<u>Amount Budgeted</u>	<u>Amount To Be Received from Other Sources</u>	<u>Amount To Be Raised By Tax Levy</u>
Other Governmental Funds:			
Library Fund	\$ 494,670	\$ 34,871	\$ 459,799
Motor Fuel Tax Fund	1,157,075	1,157,075	-0-
Hotel & Motel Tax Fund	342,961	342,961	-0-
Festival Management Fund	133,575	133,575	-0-
Mobile Equipment Fund	317,380	317,380	-0-
Insurance & Tort Judgment Fund	757,441	757,441	-0-
Home Rehabilitation Grant Fund	170,000	170,000	-0-
Revolving Loan Fund	128,250	128,250	-0-
Midtown TIF Fund	224,350	224,350	-0-
East I-57 TIF Fund	5,300	5,300	-0-
South Route 45 TIF District Fund	78,054	78,054	-0-
South Route 45 Business District Fund	38,054	38,054	-0-
Broadway East TIF District Fund	9,410	9,410	-0-
Broadway East Business District Fund	344,313	344,313	-0-
Capital Improvement Fund	<u>\$5,899,944</u>	<u>\$5,899,944</u>	<u>-0-</u>
Total Other Governmental Funds	\$10,100,777	\$9,640,978	\$ 459,799

Statutory Authority:

Library (75 ILCS 5/3-1, 5/3-4, 5/3-7) 0.23 Limit \$ 459,799

	<u>Amount Budgeted</u>	<u>Amount To Be Received from Other Sources</u>	<u>Amount To Be Raised By Tax Levy</u>
Enterprise Funds:			
Water Fund	\$ 4,405,657	\$ 4,405,657	-0-
Sewer Fund	<u>5,985,680</u>	<u>5,985,680</u>	<u>-0-</u>
Total Enterprise Funds	\$ 10,391,337	\$ 10,391,337	-0-
 All Fund Totals	 \$ 37,159,386	 \$33,175,468	 \$3,983,918

Section 6. The City Clerk shall make and file with the Clerk of Coles County, on or before the last Tuesday in December, a duly certified copy of this ordinance.

Section 7. If any section, subdivision or sentence of this ordinance shall for any reason is held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining part of this ordinance.

Section 8. This ordinance shall be in full force and effect after its adoption, as provided by law.

Upon motion by Commissioner Ervin, seconded by Commissioner Rankin, adopted this 18th day of December, 2012, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall
Commissioner Rankin, Mayor Gover
 NAYS (Names): None
 ABSENT (Names): Commissioner Becker

Approved this 18th day of December, 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/ Janett S. Winter-Black
 Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on December 18, 2012.

Mayor Gover opened the floor for discussion, resulting with no further discussion.

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

Commissioner Rankin seconded by Commissioner Hall moved to adopt Resolution No. 2012-2875, authorizing Motor Fuel Tax funds in the amount of \$117,000 for sidewalk improvements on Charleston Avenue, 24th Street, and 27th Street near Mattoon High School. [11-00224-00-SW]



**Illinois Department
 of Transportation**

RESOLUTION 2012-2875

**Resolution for Improvement by
 Municipality Under the Illinois
 Highway Code**

BE IT RESOLVED, by the City Council of the _____ of the _____
 Council or President and Board of Trustees
City of Mattoon Illinois
City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Charleston Ave		24 th St.	27 th St.
24 th Street		Charleston Ave.	Western Ave.
27 th Street		Charleston Ave.	Western Ave.

BE IT FURTHER RESOLVED,
 1. That the proposed improvement shall consist of Patching the existing sidewalk, installing missing sections of sidewalk,
and improving ADA ramps.

_____ and shall be constructed 4', 5', & 6' (match exist) wide

and be designated as Section 11-00224-00-SW

2. That there is hereby appropriated the (additional Yes No) sum of One Hundred Seventeen Thousand
Dollars (\$ 117,000.00) for the

improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Day Labor ; and,
Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

<p>Approved</p> <hr/> <p>Date</p> <hr/> <p>Department of Transportation</p> <hr/> <p>Regional Engineer</p>	<p>I, <u>Susan O'Brien</u> Clerk in and for the <u>City</u> of <u>Mattoon</u> <small>City, Town or Village</small> County of <u>Coles</u> , hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the <u>City Council</u> <small>Council or President and Board of Trustees</small> at a meeting on <u>December 18, 2012</u> <small>Date</small> IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this <u>19th</u> day of <u>December, 2012</u> (SEAL) <u>/s/ Susan J. O'Brien</u> City, Town, or Village Clerk</p>
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Mayor Gover opened the floor for discussion, resulting in no further discussion.

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

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2012-1381, approving the appointment of Firefighter Donald L. Seibert to regular employment status with successful completion of his probationary period effective December 9, 2012.

Mayor Gover opened the floor for discussion. Chief Nichols read accolades regarding Firefighter Seibert and recommended his promotion.

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

Mayor Gover seconded by Commissioner Rankin moved to approve Council Decision Request 2012-1382, authorizing the promotion of Timothy L. St. John to rank of Lieutenant effective December 19, 2012 due to the retirement of Carl Oakley.

Mayor Gover opened the floor for discussion, resulting in no further discussion.

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

Mayor Gover congratulated and commended Lt. St. John. Chief Branson expressed accolades regarding Lt. St. John.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT – updated Council on the six establishments with video gaming, various meetings, budget requests, remodeling approvals, and preparation of staff report on Rural King’s rezoning and variance request. Mayor Gover opened the floor for questions with no responders.

CITY ATTORNEY – noted a number of topics for various staff. Mayor Gover opened the floor for questions with no responders.

CITY CLERK – noted open petition filing, assistance with the auditors, and business as usual. Mayor Gover opened the floor for questions with no responders.

FINANCE – noted finalizing the approved levy, meeting with County Assessor, preparation of budget, and assisting auditors. Mayor Gover opened the floor for questions. Administrator Gill commended Treasurer Wright for her efforts in completing the tax levy.

PUBLIC WORKS – updated Council on Public Works projects and electrical aggregation program. Mayor Gover opened the floor for questions. Commissioner Hall and Commissioner Rankin discussed other projects with Director Barber. Mayor Gover called for additional questions with no responders.

FIRE –noted business as usual with installation of Mobile Data Computers and ambulance rotation. Captain Randy Myers spoke on the Fire Department’s Operation Sleighride which helped 133 children have Christmas, and invited Council to attend other Christmas events with the DDC and Humboldt TLC. Mayor Gover opened the floor for questions with no responders.

POLICE – noted the Police Department’s Shop With A Cop helped 52 children have Christmas, police activities, and commended the Police Department and Lake Land College and County staff for their efforts. Mayor Gover opened the floor for questions with no responders.

COMMENTS BY THE COUNCIL

Commissioners Ervin, Hall and Rankin had no further comments.

Commissioner Hall seconded by Commissioner Rankin moved to adjourn at 6:57 p.m.

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

/s/ Susan J. O’Brien
City Clerk