

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on March 1, 2011.

Acting Mayor Gover presided and called the meeting to order at 6:30 p.m.

Acting Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Acting 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.

Acting Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the rescheduled meeting February 22, 2011; bills and payroll for the last half of February 2011.

**Bills and Payroll for the last half of February, 2011**

**General Fund**

Payroll		\$	246,269.29
Bills		\$	<u>21,522.18</u>
	Total	\$	267,791.47

**Hotel Tax Fund**

Payroll		\$	1,666.65
Bills		\$	<u>1,167.55</u>
	Total	\$	2,834.20

**Festival Management**

Bills		\$	<u>1.76</u>
	Total	\$	1.76

**Midtown TIF**

Bills		\$	<u>1,100.00</u>
	Total	\$	1,100.00

**Water Fund**

Payroll		\$	22,691.35
Bills		\$	<u>14,061.65</u>
	Total	\$	36,753.00

**Sewer Fund**

Payroll		\$	27,681.74
Bills		\$	<u>78,569.05</u>
	Total	\$	106,250.79

**Motor Fuel Tax Fund**

Bills		\$	<u>334.25</u>
	Total	\$	334.25

**Health Insurance**

Bills		\$	<u>146,878.98</u>
	Total	\$	146,878.98

Acting Mayor Gover opened the floor for discussion with no responders.

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

**PRESENTATIONS, PETITIONS & COMMUNICATIONS**

Acting Mayor Gover opened the floor for public discussion with no responders.

Clerk O'Brien opened bids for the sale of surplus property located at 32<sup>nd</sup> Street & Cedar Avenue, formerly known as the Garment Factory, as follows:

- |                             |   |
|-----------------------------|---|
| 1. Randy Curry              | \$500.00 with additional stipulations         |
| 2. Fred Honaker             | No dollar amount with additional stipulations |
| 3. Commercial Refrigeration | \$20,000 with additional stipulations         |

Administrator McLaughlin explained the awarded bid would be determined for the best interest of the City. Acting Mayor Gover noted the bid award is scheduled for the March 15<sup>th</sup> agenda.

**NEW BUSINESS:**

Commissioner Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2011-1184, authorizing the Acting Mayor to sign the Intergovernmental Agreement for Governmental Body Maintenance of Traffic Control Devices between the City of Mattoon and Illinois Department of Transportation.

Acting Mayor Gover opened the floor for discussion with no responders.

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

Commissioner Rankin seconded by Commissioner Ervin moved to adopt Special Ordinance 2011-1427, declaring surplus real estate; and authorizing the sale of the property to Broadway Christian Church.

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**CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO. 2011-1427**

**AN ORDINANCE AUTHORIZING SALE OF SURPLUS REAL ESTATE OWNED BY THE MUNICIPALITY  
TO THE BROADWAY CHRISTIAN CHURCH**

**WHEREAS**, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

**WHEREAS**, the property being sold is described in the plat of survey, which is attached hereto and incorporated herein as Exhibit "A"; and

**WHEREAS**, the City Council hereby makes a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

**WHEREAS**, this property is the site of the old lime pits for the former water treatment plant, the Kickapoo Creek runs through the middle of the property and there are various buried water and sewer lines that make the property virtually unusable; and

**WHEREAS**, the Broadway Christian Church has already paid approximately \$1,800.00 to have a phase I environmental review performed on the property; and

**WHEREAS**, the Broadway Christian Church has made an offer to purchase the property for \$4,480.00; and

**WHEREAS**, the Broadway Christian Church owns property adjacent to this property; and

**WHEREAS**, Robert D. Becker of Corrie Appraisal & Consulting, Inc. determined \$5,600.00 was the fair market value of the real estate as of December 23, 2011 and the fee for the appraisal is \$500.00.

**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.** The City Attorney is authorized to prepare closing documents and the Acting Mayor and City Clerk are authorized to sign documents conveying a Warranty Deed to the real estate described in Section 3 of this ordinance to the Broadway Christian Church subject to a payment in the amount of \$4,480.00 and the payment of all fees and costs associated with this sale.

**Section 3.** The real estate to be conveyed pursuant to this ordinance is legally described as:

A part of the West Half of the Northeast Quarter of Section 24, Township 12 North, Range 7 East of the Third Principal Meridian, more particularly described as follows:

Commencing at a stone at the North Quarter corner of Section 24, Township 12 North, Range 7 East of the Third Principal Meridian; thence on an assumed azimuth 180 degrees 00 minutes 00 seconds along the west line of the Northeast Quarter of said Section 24, 1204.20 feet to a concrete monument being the Point of Beginning; thence azimuth 83 degrees 49 minutes 54 seconds, 405.07 feet to an iron pin with cap #3140; thence azimuth 189 degrees 58 minutes 39 seconds, 596.42 feet to a concrete monument on the north line of Jefferson Addition Subdivision; thence azimuth 269 degrees 09 minutes 54 seconds, 100.54 feet to an iron pin at the Northwest corner of said Jefferson Addition Subdivision; thence azimuth 180 degrees 19 minutes 51 seconds, 29.49 feet to an iron pin on the north right of way line of the former P.D. & E. Railroad; thence azimuth 306 degrees 02 minutes 44 seconds along the said north right of way line, 373.84 feet to an iron pin with cap #3140 on the west line of the Northeast Quarter of said Section 24; thence azimuth 0 degrees 00 minutes 000 seconds, 363.87 feet along the said west line to the Point of Beginning, containing 4.768 acres more or less, all situated in the City of Mattoon, Coles County, Illinois

**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 Rankin, seconded by Commissioner Ervin, adopted this 1st day of March, 2011, by a roll call vote, as follows:

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

Approved this 1st day of March, 2011.

/s/ Timothy D. Gover  
Timothy D. Gover, Acting 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 March 15, 2011.

Acting Mayor Gover opened the floor for discussion with no responders.

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

#### DEPARTMENT REPORTS:

CITY ADMINISTRATOR – addressed the boil order issue, consideration of a reverse 911 system and internal procedures; commended the Public Works employees for their efforts; noted attendance of a management conference, preparation of a budget presentation next week, upcoming review of goals with department heads, and distribution of union packages this week. Acting Mayor Gover announced ultimate responsibility for the boil order issue.

ATTORNEY & TREASURER – updated Council on budget preparation. Acting Mayor Gover opened the floor for questions with no responders.

CITY CLERK – announced voter registration on March 5<sup>th</sup> and early voting beginning on March 14<sup>th</sup>.

PUBLIC WORKS – updated the Council on two grants -South Side Drainage Project and Depot Passenger Platform; expounded on the Water Treatment Plant pump replacement and boil order issue; and thanked the Water Treatment Plant employees and Curry Construction for their efforts in resolving the replacement pump issue. Commissioner Rankin commended the City staff and school district for their efforts. Acting Mayor Gover expressed his appreciation as well.

COMMUNITY DEVELOPMENT – announced distribution of the next top twelve later this week; updated the Council on five liens on nuisance properties and nuisance properties. Administrator McLaughlin noted the overwhelming nuisance cases in City Court resulting in two separate court dates for nuisance violators. Acting Mayor Gover stated citizens' compliments on the City's appearance and opened the floor for questions with no responders.

FIRE – updated the Council on his attendance at the MABAS (Mutual Aid Box Alarm System) conference, various departmental training and public service details with follow-up inspections. Acting Mayor Gover opened the floor for questions with no responders.

POLICE – announced a \$35,000 Omega grant and installation of new floors and painting at the Police Department. Acting Mayor Gover opened the floor for questions with no responders.

Chief Nichols noted the newly installed sump pump at City Hall was operational during the recent heavy rains.

#### COMMENTS BY THE COUNCIL

Commissioner Ervin, Commissioner Hall, and Commissioner Rankin had no further comments. Acting Mayor Gover opened the floor for public questions with no responders; and thanked the audience for their attendance.

Commissioner Hall seconded by Commissioner Ervin moved to adjourn at 6:58 p.m.

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

/s/ Susan J. O'Brien  
City Clerk