

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on May 17, 2011.

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 Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA 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, Shift Captain Sean Junge, Deputy Police Chief Jason Taylor, and City Clerk Susan O'Brien.

Mayor Gover seconded by Commissioner Rankin moved to approve the consent agenda consisting of minutes of the regular meeting May 3, 2011; Fire Department Report for month of April, 2011; Finance Report for the month of April, 2011; bills and payroll for the first half of May, 2011.

### **Bills and Payroll for the first half of May, 2011**

<b><u>General Fund</u></b>		
Payroll		\$ 244,509.12
Bills		<u>\$ 65,054.03</u>
	Total	\$ 309,563.15
<b><u>Hotel Tax Fund</u></b>		
Payroll		\$ 1,666.65
Bills		<u>\$ 15,732.82</u>
	Total	\$ 17,399.47
<b><u>Festival Management Fund</u></b>		
Bills		<u>\$ 3,410.60</u>
	Total	\$ 3,410.60
<b><u>Insurance &amp; Tort Judgment</u></b>		
Bills		<u>\$ 38,670.00</u>
	Total	\$ 38,670.00
<b><u>Capital Project Fund</u></b>		
Bills		<u>\$ 108,160.01</u>
	Total	\$ 108,160.01
<b><u>Broadway East TIF Fund</u></b>		
Bills		<u>\$ 99,156.25</u>
	Total	\$ 99,156.25
<b><u>Water Fund</u></b>		
Payroll		\$ 24,726.66
Bills		<u>\$ 283,902.52</u>
	Total	\$ 308,629.18
<b><u>Sewer Fund</u></b>		
Payroll		\$ 29,658.99
Bills		<u>\$ 18,516.65</u>
	Total	\$ 48,175.64
<b><u>Motor Fuel Tax Fund</u></b>		
Bills		<u>\$ 4,601.45</u>
	Total	\$ 4,601.45

**Health Insurance Fund**

Bills		\$ 96,276.19
	Total	\$ 96,276.19

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: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Gover.

**PRESENTATIONS, PETITIONS & COMMUNICATIONS**

Mayor Gover opened the floor for public comments and presentations. There was no public discussion.

**NEW BUSINESS:**

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2011-1208, approving the plans and specifications for the 31<sup>st</sup> Street improvements adjacent to United Graphics' building expansion.

Mayor Gover opened the floor for discussion with no responders.

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

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2011-1210, awarding the 2011 Water Treatment Plant lime bid in the amount of \$170.49 /ton to Mississippi Lime.

Mayor Gover opened the floor for discussion with no responders.

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

Mayor Gover seconded by Commissioner Hall moved to adopt Special Ordinance 2011-1435, authorizing the Mayor and City Clerk to sign a promissory note and associated documents with First Mid-Illinois Bank & Trust, N.A. for the FutureGen Project.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2011-1435**

**A SPECIAL ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN AN EXTENSION OF A PROMISSORY NOTE AND ASSOCIATED DOCUMENTS WITH FIRST MID-ILLINOIS BANK & TRUST, N.A.**

**WHEREAS**, by Special Ordinance 2008 – 1286, the City of Mattoon approved a letter of credit from First Mid-Illinois Bank & Trust, N.A. in the amount of Three Million and no/100 dollars (\$3,000,000.00) to satisfy the incentives offered by Coles Together on the FutureGen project ; and

**WHEREAS**, in March of 2009 The City transferred the amount remaining on the letter of credit into a promissory note for a period of one (1) year and this promissory note was extended for an additional year in March of 2010; and,

**WHEREAS**, the FutureGen Project in Mattoon has been cancelled and Coles Together has the title to the property and is in process of marketing the property and attempting to obtain financing independent of the City of Mattoon; and,

**WHEREAS**, the signing of a short term extension will allow the City, Coles Together and First Mid-Illinois Bank and Trust to gather the necessary paperwork for the renewal of this note for a longer term; and,

**WHEREAS**, the Constitution of the State of Illinois, at Article VII, Section 10 and the Statutes of the State of Illinois allow for the City of Mattoon to provide this type and form of development assistance to individuals and organizations.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:**

**Section 1.** 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 Special Ordinance.

**Section 2.** The Mayor and City Clerk are authorized and directed to sign the attached documents, attached hereto as Exhibit "A" and incorporated herein by this reference, for the extension of the promissory note in the principal amount of One Million Six Hundred Fourteen Thousand Forty-Eight and 25/100 Dollars (\$1,614,048.25) by First Mid-Illinois Bank & Trust, N.A. on behalf of Coles Together until August 18, 2011.

**Section 3.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Upon motion by Mayor Gover, seconded by Commissioner Hall, adopted this 17<sup>th</sup> day of May 2011, by a roll call vote, as follows:

AYES (Names): Commissioner Hall, Commissioner Rankin,

Mayor Gover

NAYS (Names): None

ABSENT (Names): Commissioner Ervin

Approved this 17<sup>th</sup> day of May, 2011.

/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/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 7, 2011.

Mayor Gover opened the floor for discussion. Attorney & Treasurer Owen explained the purpose of the note. Council with Attorney & Treasurer Owen discussed the City's risk.

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

Mayor Gover seconded by Commissioner Hall moved to adopt Resolution 2011-2840, designating the depositories in which the funds or moneys of the City may be deposited.

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**CITY OF MATTOON, ILLINOIS  
RESOLUTION NO. 2011-2840**

**A RESOLUTION DESIGNATING DEPOSITORIES FOR FUNDS AND MONEYS OF THE CITY OF MATTOON,  
ILLINOIS**

**WHEREAS**, pursuant to the terms of an Act of the General Assembly of the State of Illinois adopted and now in force and effect, it is required that a designation be made of a bank or banks, or other depository in which the funds and monies in the custody of the City Treasurer of the City of Mattoon, Illinois, may be deposited.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Mattoon, Coles County, Illinois, that all banks and financial institutions with facilities within the city limits of Mattoon, the Illinois Funds, Wells Fargo, and Illinois Metropolitan Investment Fund (IMIF) are hereby designated depositories in which the funds and moneys of the City of Mattoon, Illinois, in the custody of the City Treasurer of the City of Mattoon, Illinois, may be deposited.

**BE IT FURTHER RESOLVED** that no bank herein designated as a depository shall be qualified to receive such funds or moneys until it has furnished the City of Mattoon with copies of the two last sworn statements of Resources and Liability, which such bank is required to furnish to the Auditor of Public Accounts, or to the Comptroller of Currency.

**BE IT FURTHER RESOLVED** that each bank designated as depository for such funds or moneys shall furnish the City Council of the City of Mattoon with a copy of all bank statements, which it is required to furnish to the Auditor of Public Accounts, or the Comptroller of Currency, while acting as such depository.

**BE IT FURTHER RESOLVED** that if such funds or moneys are deposited in a bank herein designated as a depository, the amounts of such deposits shall not exceed 75% of the capital stock and surplus of such banks, and the City Treasurer shall not be discharged from responsibility for any such funds or moneys deposited in any bank in excess of such limitation.

**BE IT FURTHER RESOLVED** that the depositories mentioned herein have furnished that body with copies of their past two statements as furnished to the Comptroller of Currency, or Auditor of Public Accounts, which statements are approved and accepted.

Upon motion by Mayor Gover, seconded by Commissioner Hall, adopted this 17th day of May 2011 by a roll call vote, as follows:

AYES (Names): Commissioner Hall, Commissioner Rankin

Mayor Gover

Nay (Names): None

ABSENT (Names): Commissioner Rankin

Approved this 17<sup>th</sup> day of May, 2011.

/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/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 7, 2011.

Mayor Gover opened the floor for discussion. Council with Attorney & Treasurer Owen discussed the addition of Illinois Metropolitan Investment Fund (IMIF) pooled cash fund and other accounts.

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

Mayor Gover seconded by Commissioner Rankin moved to adopt Resolution 2011-2841, authorizing the Mayor, City Treasurer and City Clerk to sign checks by facsimile signature.

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**CITY OF MATTOON, ILLINOIS  
RESOLUTION NO. 2011-2841**

**A RESOLUTION AUTHORIZING THE MAYOR, TREASURER AND CITY CLERK TO SIGN CHECKS BY  
STAMPED SIGNATURE**

**BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS THAT THE MAYOR, CITY TREASURER AND CITY CLERK ARE HEREBY AUTHORIZED TO SIGN CHECKS ISSUED BY THE CITY OF MATTOON BY STAMPING THEREON FACISIMILE SIGNATURES, WHICH FACISIMILE SIGNATURES OF SAID OFFICIALS ARE STAMPED BELOW:**

(Electronic)

Electronic)

**BE IT FURTHER RESOLVED THAT AT LEAST ONE SIGNATURE ON EVERY CHECK ISSUED BY THE CITY OF MATTOON SHALL BEAR AN ORIGINAL SIGNATURE OF THE CITY TREASURER OR CITY CLERK.**

Upon motion by Mayor Gover, seconded by Commissioner Rankin, adopted this 17th day of May, 2011 by a roll call vote, as follows:

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

Approved this 17th day of May, 2011.

/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/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 7, 2011.

Mayor Gover opened the floor for discussion. Commissioner Hall inquired whether the resolution required annual approval with Attorney & Treasurer Owen answering affirmatively.

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

Mayor Gover seconded by Commissioner Hall moved to adopt Resolution 2011-2842, opposing reduction of State-collected revenues due to municipalities.

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**CITY OF MATTOON, ILLINOIS  
RESOLUTION NO. 2011-2842**

**RESOLUTION OPPOSING REDUCTION OF STATE COLLECTED  
REVENUES DUE MUNICIPALITIES**

**WHEREAS**, all Illinois municipalities provide direct frontline services to their citizens; and

**WHEREAS**, these services have an immediate and fundamental reality to those citizens who depend on local police and fire protection, water and sewer service, snow removal, roads and traffic safety; and

**WHEREAS**, local citizens pay income taxes to the State for both the State budget and local municipal budgets and the revenue is collected by the State; and

**WHEREAS**, since the inception of the State income tax in 1969, municipalities have received, relied upon and provided services with those revenues to their local taxpaying citizens; and

**WHEREAS**, the fiscal reality is that municipalities have already experienced less income tax revenues from the State; and

**WHEREAS**, the recent income tax increase provided new revenues all of which went to the State budget – NONE OF THE INCREASE WAS RECEIVED BY CITIES – costing over \$2.7 billion in future lost revenues; and

**WHEREAS**, the State, through its Legislature and Governor, is contemplating further reductions to municipal revenues; and

**WHEREAS**, one proposal under discussion would take an additional \$300,000,000 of State-collected income tax from cities and counties, which would reduce their revenues by \$23.40 per capita.

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

**SECTION 1:** The City of Mattoon cannot preserve basic services with this tremendous loss of \$434,187 in shared tax revenues.

**SECTION 2:** The City of Mattoon strongly opposes further reduction in state collected revenues and demands that the General Assembly and Governor take **NO FURTHER ACTION TO FINANCIALLY RUIN MUNICIPALITIES.**

**SECTION 3:** The City of Mattoon, Illinois requests every Senator and Representative to reject this diminution of desperately needed revenue due municipalities.

**SECTION 4:** The Clerk is hereby directed to send copies of this Resolution to Governor Quinn, the legislative leaders of both chambers of the Illinois General Assembly and members representing this municipality.

Upon motion by Mayor Gover, seconded by Commissioner Hall, adopted this 17<sup>th</sup> day of May 2011, by a roll call vote, as follows:

AYES (Names): Commissioner Hall, Commissioner Rankin,  
Mayor Gover

NAYS (Names): None

ABSENT (Names): Commissioner Ervin

Approved this 17<sup>th</sup> day of May, 2011.

/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/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 7, 2011.

Mayor Gover opened the floor for discussion with no responders.

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

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2011-1211, authorizing the Mayor to accept a proposal from Don Hance for his work on the change orders for the Depot project in the amount of \$5,000.

Mayor Gover opened the floor for discussion. Council discussed the matching-fund items with input from Attorney & Treasurer Owen.

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

Mayor Gover seconded by Commissioner Rankin moved to approve Council Decision Request 2011-1212, authorizing the purchase of a Chevy Tahoe PPV Police Interceptor vehicle from Miles Chevrolet at the State joint purchase price of \$30,492.75.

Mayor Gover opened the floor for discussion. Administrator McLaughlin noted the purchase was from seizure money.

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

Administrator McLaughlin requested Council to remove Special Ordinance 2011-1436 from consideration. Special Ordinance 2011-1436: Approving the Subdivision Plat of Happy Hills Subdivision in the City of Mattoon, Coles County, Illinois was not considered at the meeting. (TENG AT&T)

#### DEPARTMENT REPORTS:

CITY ADMINISTRATOR-expounded on the Mayor and her visit with the representatives in Springfield (Senator Righter and Representative Rose) regarding LGDF with the Council discussing the visit; actively working on negotiations, TIF proposals, liquor codification, and finalization of the Everbridge Services Agreement for reverse 911 services. Mayor Gover opened the floor for further questions with no responders.

ATTORNEY & TREASURER-reported on TIF reports, upcoming Joint Review Board meeting, Amtrak lease, nuisance court, Young's Radiator discovery letter, and end-of-year reports.

CITY CLERK-reported on FOIA/OMA annual training, increase of permits and certificates and business as usual.

PUBLIC WORKS-provided a monthly progress report elaborating on the Volunteer Service Program. Discussion was held on Charleston Avenue Bridge re-opening. Mrs. Jackie Record inquired if volunteers could be used to clean the railroad's right-of-way. Discussion was held on the railroad's right-of-way.

COMMUNITY DEVELOPMENT-reported on an increase of garage permits, and mowing of 13 properties with citations to follow.

FIRE-Shift Captain Junge reported on walkthroughs, follow-up inspections, fire drills, training, public relations, testing, and graduation of paramedics.

POLICE-Deputy Chief Taylor reported on minor renovations to the 2<sup>nd</sup> floor of the Police Department, reiterated the Tahoe purchase was with seizure monies, and nuisance citations.

#### COMMENTS BY THE COUNCIL

Commissioner Rankin mentioned Coles County Regional Planning's annual historic register rewards program at the Table Arts Center. Commissioner Hall had no further comments. Mayor Gover opened the floor for public questions with no responders.

Mrs. Record reported 21 special education students toured the Depot and museum.

Mayor Gover seconded by Commissioner Rankin moved to recess to closed session at 7:13 p.m. to discuss collective bargaining negotiating matters (5 ILCS 120/2(c)(2)); purchase or lease of real property for the use of the public body (5 ILCS 120/2(c)(5)); the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)); and setting of a price for sale or lease of property owned by the municipality (5 ILCS 120(2)(c)(6)).

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

Council reconvened at 8:21 p.m.

Commissioner Rankin seconded by Commissioner Hall moved to adjourned at 8:21 p.m.

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

/s/ Susan J. O'Brien  
City Clerk