

The City Council of the City of Mattoon held a re-scheduled meeting in the City Hall Council Chambers on April 12, 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 regular meeting April 5, 2011; Fire Department reports for the month of March.

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

Acting Mayor Gover declared the motion to approve the consent agenda 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 comments/inquiries with no responders.

NEW BUSINESS:

Acting Mayor Gover seconded by Commissioner Ervin moved to approve Council Decision Request 2011-1192, ratifying the re-appointment of Roger Dettro to the Coles County Airport Authority for a term expiring April 30, 2016.

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.

Acting Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2011-1193, ratifying the re-appointment of Susan O'Brien to the Firemen's Pension Board for a term expiring April 17, 2012.

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 Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2011-1194, ratifying the re-appointments of Brad Brown, Kim Janssen, and Phyllis Karpus to the Festival Management Committee with terms expiring 04/30/2014.

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.

Acting Mayor Gover seconded by Commissioner Rankin moved to approve Council Decision Request 2011-1195, ratifying the re-appointment of John Dooley to the Electrical Board as nominated by Mayor Gover for a term of four years, expiring 04/30/2015.

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.

Acting Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2011-1196, ratifying the re-appointment of Lewis Stiff to the Policemen's Pension Board for a term of two years, expiring 05/15/2013.

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 Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2011-1197, approving the plans and specifications for the replacement of the 13th Street water main from Dakota to Oak Avenue. [11-00206-00-WM]

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 Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2011-1198, approving the plans and specifications of the replacement Elm Ridge water main and subsequent replacement of sidewalks. [10-00201-00-WM]

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.

Acting Mayor Gover seconded by Commissioner Hall moved to adopt Ordinance 2011-5319, amending the Mattoon Code of Ordinances to update the purchasing policies and procedures.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 20115319

AN ORDINANCE AMENDING THE MATTOON CODE OF ORDINANCES TO UPDATE THE PURCHASING POLICIES & PROCEDURES

WHEREAS, the City Council of the City of Mattoon has recently approved Ordinance 2011-5318 amending the Mattoon Code of Ordinances to Update the Purchasing Policies & Procedures; and

WHEREAS, the City wishes to modify parts of said Purchasing Policies & Procedures.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon 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. Amendment. Section 35.26 (C) of City of Mattoon Code of Ordinances shall be changed as follows:

§35.26 SPECIAL CLAUSES IN CONTRACTS

(C) That no payment shall be made, or liability incurred, under such contract for any extra work not specified therein, unless agreed ~~upon in writing pursuant to a special order of the Council passed by a record vote~~ to in advance and in writing by the City.

Section 3. Amendment. Section 35.27 of City of Mattoon Code of Ordinances shall be changed as follows:

§35.27 PAYMENT ON CONTRACT.

All contracts may provide for the retention by the city of at least ~~20%~~ 10% of the contract price until the final completion and acceptance. Partial payments may be made every month as the work progresses upon the detailed statements of the contractor, sworn to, certified and approved in the manner provided for the filing and payment of claims.

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. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

Upon motion by Acting Mayor Gover, seconded by Commissioner Hall, adopted this 12th day of April, 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 12th day of April, 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 & Treasurer

Recorded in the Municipality's Records on May 3, 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.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2011-1199, approving a \$6,500 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Hit-Men Baseball hosting four 2011 tournaments on April 29-30, May 5-8, May 20-22, and June 3-5, 2011 for the 11 and under, 10 and under, and 9 and under youth baseball groups; and authorizing the Acting Mayor to sign the agreement.

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 Hall seconded by Commissioner Rankin moved to approve Council Decision Request 2011-1200, approving a \$9,500 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Babe Ruth Baseball for hosting the 13-year-olds Ohio Valley Regional Tournament to be held July 28-August 3, 2011; and authorizing the Acting Mayor to sign the agreement.

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 Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2011-1201, approving a \$8,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Cobra's softball for hosting two tournaments on May 6-8, and June 17-19, 2011; and authorizing the Acting Mayor to sign the agreement.

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 Hall moved to adopt Special Ordinance 2011-1431, approving a contract for the sale of property located at 32nd Street; and authorizing the Acting Mayor and City Clerk to sign all documents necessary to complete the sale. [former Garment Factory]

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2011-1431

A SPECIAL ORDINANCE APPROVING A CONTRACT FOR THE SALE OF PROPERTY LOCATED ON 32ND STREET AND AUTHORIZING THE ACTING MAYOR AND CITY CLERK TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE SALE.

WHEREAS, the City of Mattoon owns a parcel of property located on 32nd Street between Cedar and Commercial Streets; and,

WHEREAS, this property has been used for storage, but has recently fallen into disrepair and is in need of major renovation and restoration; and,

WHEREAS, the parcel is more fully described as:

Lots Three (3), Four (4), Five (5) Six (6), Seven (7), Eight (8), and Nine (9) in Block One Hundred Twenty-Three (123) of Noyes' Addition the original town, now City of Mattoon, Mattoon Township, Coles County, Illinois.

WHEREAS, in its current condition the parcel is no longer useful to the City of Mattoon; and

WHEREAS, by Special Ordinance No. 2011-1425 the Mattoon City Council did approve offering this property for public bid; and,

WHEREAS, on March 1, 2011 The City of Mattoon did receive three bids, with the highest bid coming from Commercial Refrigeration of Central Illinois, Inc; and,

WHEREAS, on March 15 2011 the City Council did approve Council Decision Request No. 2011-1186 accepting the proposal from Commercial Refrigeration of Central Illinois, Inc and directing the City Attorney to prepare a contract for the sale of the property.

NOW, THEREFORE, BE IT RESOLVED 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 Council approves the attached Real Estate Purchase Agreement and directs the Acting Mayor and City Clerk to execute the Agreement.

Section 3. 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 4 of this ordinance to Commercial Refrigeration of Central Illinois, Inc subject to a payment in the amount of \$20,000.00 plus the payment of all fees and costs associated with this sale and the signing of the Real Estate Purchase Agreement.

Section 4. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lots Three (3), Four (4), Five (5) Six (6), Seven (7), Eight (8), and Nine (9) in Block One Hundred Twenty-Three (123) of Noyes' Addition the original town, now City of Mattoon, Mattoon Township, Coles County, Illinois.

Section 5. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 6. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Rankin, seconded by Commissioner Hall, adopted this 12th day of April, 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 12th day of April, 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 May 3, 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.

Acting Mayor Gover seconded by Commissioner Hall moved to adopt Special Ordinance 2011-1432, adopting the budget for the fiscal year that begins May 1, 2011 and ends April 30, 2012.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2011-1432

**AN ORDINANCE ADOPTING THE BUDGET FOR THE FISCAL
YEAR THAT BEGINS MAY 1, 2011 AND ENDS APRIL 30, 2012
FOR THE CITY OF MATTOON**

WHEREAS, Sections § 35.50 through § 35.59 of the Mattoon Code of Ordinances approved by the City Council on February 19, 2002 adopted enabling state statutes for an annual budget in lieu of an appropriation ordinance; and

WHEREAS, the proposed budget was filed with the City Clerk and available for public inspection on March 23, 2011; and

WHEREAS, notice of a public hearing to consider review comments on the proposed budget was published in the *Mattoon Journal Gazette*; and

WHEREAS, a public hearing was held on April 5, 2011 at which hearing any taxpayer was given an opportunity to appear and be heard in favor of or against any of the proposed revenues and expenditures assumed in the tentative budget; and

WHEREAS, after the public hearing the City Council adopted changes to the tentative budget as outlined in the final budget which is attached to this ordinance and marked as "Final Budget – April 12, 2011"; and,

WHEREAS, the process and procedures for the annual budget have been completed in accordance with provisions of Illinois Statutes 65 ILCS 5/8-2-9.1 through 65 ILCS 5/8-2-9.10 and Ordinance 2002-5101.

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

Section 1. Estimates of revenues and expenditures shown in the attached budget, as amended, are hereby adopted as the budget for the City of Mattoon's for the fiscal year that begins May 1, 2011 and ends April 30, 2012.

Section 2. The budget as it has been adopted is attached and incorporated herein by reference.

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.

Upon motion by Acting Mayor Gover, seconded by Commissioner Hall, adopted this 12th day of April, 2011.

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

Approved this 12th day of April, 2011.

/s/ Tim Gover
Tim 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 & Treasurer

Recorded in the Municipality's Records on May 3, 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.

Acting Mayor Gover seconded by Commissioner Ervin moved to adopt Resolution 2011-2838, prescribing contributions required of Employees and Retirees who elect to participate in the group health and life insurance plan of the municipality.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2011-2838

A RESOLUTION ESTABLISHING CONTRIBUTIONS REQUIRED OF EMPLOYEES AND RETIREES WHO ELECT TO PARTICIPATE IN THE CITY OF MATTOON'S GROUP HEALTH, DENTAL AND LIFE INSURANCE PLANS

WHEREAS, the City of Mattoon is subject to three collective bargaining agreements which prescribe that employees shall pay 15% of the cost of the health insurance plan by payroll deduction beginning with the first paycheck of May after the cost for the preceding calendar year are disclosed by the Employer's health insurance administrator; and

WHEREAS, actual costs for stop loss insurance, fees, medical, prescription and dental claim expenditures for calendar year 2010 were \$348.35 per month for single coverage and \$828.21 per month for family coverage, as reported by PersonalCare of Illinois and Delta Dental of Illinois, the Employer's health and dental insurance plan administrators; and

WHEREAS, State statutes do not presently require a municipality to pay any portion of the cost of post employment benefits for retired employees; and

WHEREAS, the City began to require retired employees, whose pensions are more than \$1,625 per month, to contribute a higher share of the cost of the health insurance plan by Resolution 2004-2548 adopted April 6, 2004; and

WHEREAS, group life insurance and coverage was bound by a continuation, Fort Dearborn Life Insurance Company for a two-year term effective May 1, 2011; and

WHEREAS, the time is now appropriate to prescribe contributions required of employees and retirees for the health and life insurance plans for the 2011/2012 fiscal year.

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

Section 1. The following tables prescribe contributions required of eligible employees and retirees who elect to participate in the City of Mattoon’s group health insurance plan.

Eligible Employees and Retirees Whose Pensions Are Less Than \$1,625 per Month

| | Total Monthly Cost | Employer Share 85% | Employee Share 15% |
|-----------------|--------------------|--------------------|--------------------|
| Single Coverage | \$ 348.35 | \$ 296.10 | \$ 52.24 |
| Family Coverage | \$ 828.21 | \$ 703.99 | \$ 124.22 |

Eligible Retirees Whose Pensions Are More Than \$1,625 per Month

| | Total Monthly Cost | Employer Share 67.50% | Retiree Share 32.50% |
|-----------------|--------------------|-----------------------|----------------------|
| Single Coverage | \$ 348.35 | \$ 235.13 | \$ 113.21 |
| Family Coverage | \$ 828.21 | \$ 559.04 | \$ 269.17 |

Section 2. Retirees, who are currently enrolled, may participate in the City of Mattoon’s group term life insurance plan by monthly withholdings from pensions, whether paid by the Illinois Municipal Retirement Fund, the Firefighters Pension Fund or the Police Pension Fund. The retiree contribution for life insurance shall be \$13.40 per month for retirees under 70. For retirees age 70 or over, the retiree contribution for life insurance shall be \$6.70 per month.

Section 3. Employee and retiree contributions adopted by this resolution shall become effective May 1, 2011.

Section 4. All contributions for payment of health and life insurance shall be deducted directly on a monthly basis from the pension benefits received by the retiree. The only exception to the direct deduction rule shall be when the IMRF rules and regulations do not allow for said direct deduction.

Upon motion by Acting Mayor Gover, seconded by Commissioner Ervin, adopted this 12th day of April, 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 12th day of April, 2011.

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

Recorded in the Municipality's Records on May 3, 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 – reported her attendance of upcoming meetings and vacation time before Easter. Acting Mayor Gover opened the floor for questions. Council discussed a special meeting to pay bills on April 26, 2011 at 7:30 a.m.

ATTORNEY & TREASURER - reported on work with the budget.

CITY CLERK – reported on a variety of notifications due to insurance changes and human resource issues.

PUBLIC WORKS – presented the progress report including the South Side Detention Project's construction permit and funding agreement at 80% from the DNR, and Lawson Park playground equipment from the Kiwanis; and announced the engineering technician beginning employment, and introduction of a volunteer program. Acting Mayor Gover opened the floor for questions of any of the previous department heads with no responders.

COMMUNITY DEVELOPMENT – reported concentration of property maintenance and review of PetSmart plans. Acting Mayor opened the floor for questions with no responders.

FIRE- had nothing new to report.

POLICE –reported a new vehicle involved in an accident. Acting Mayor Gover opened the floor for questions with no responders.

COMMENTS BY THE COUNCIL

Commissioner Ervin, Commissioner Hall, and Commissioner Rankin had no comments.

Acting Mayor Gover seconded by Commissioner Hall moved to recess to closed session at 6:49 p.m. pursuant to collective bargaining negotiating matters (5 ILCS 120/2(c)(2)); and the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

Acting Mayor Gover announced no further action after closed session.

Council reconvened at 7:16 p.m.

Commissioner Hall seconded by Commissioner Rankin moved to adjourned at 7:16 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